



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

16 June 2022

**ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON THURSDAY 16 JUNE 2022**

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**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630**

**ON THURSDAY, 16 JUNE 2022
COMMENCING AT 1:00PM**

PRESENT:

Mayor Narelle Davis
Deputy Mayor Tanya Higgins – via audio-visual
Councillor Peter Beer
Councillor John Castellari – via audio-visual
Councillor Louise Frolich
Councillor Christopher Hanna
Councillor Tricia Hopkins
Councillor Karlee Johnson
Councillor John Last
Councillor Bob Stewart
Councillor Lynda Summers

APOLOGIES:

Staff:

Peter Bascomb, Chief Executive Officer
David Rawlings, Chief Strategy Officer – via audio-visual
Jeff Morgan, Chief Operating Officer
Gary Mottau, Chief Financial Officer
Gina Woodward, Chief Communications Officer – via audio-visual
Richard Doolan, Chief Workforce Officer
Grace Harvey, Secretary Council and Committees

1. OPENING MEETING

The Mayor opened the meeting at 1:01PM

1.1 COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL LINK

Record No: I22/361

COUNCIL RESOLUTION

140/22

That Council

- A. Approve the remote attendance of Cr Castellari at the meeting on 16 June 2022 via audio-visual link and accept his reason of I'm requesting attendance at the 16 June meeting by zoom. I have medical appointments that day which can't be moved and will prevent me travelling to Cooma in time to attend the meeting in person.
- B. Approve the remote attendance of Cr Higgins at the meeting on 16 June 2022 via audio-visual link and accept her reason of isolating at home due to Covid.

Moved Councillor Summers

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Councillor Hopkins, Councillor Johnson, Councillor Last, Councillor Stewart and Councillor Summers.

Councillors Against: Nil.

2. ACKNOWLEDGEMENT OF COUNTRY

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

4. CITIZENSHIP CEREMONIES

Nil

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

141/22

That the Ordinary Council Meeting be adjourned at 1:04 pm for Public Forum.

Moved Councillor Beer

Seconded Councillor Frolich

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Last, Councillor Stewart and Councillor Summers.

Councillors Against: Nil.

Procedural Motion

COUNCIL RESOLUTION

142/22

That the Ordinary Council Meeting be resumed at 1:37 pm.

Moved Councillor Johnson

Seconded Councillor Hanna

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Last, Councillor Stewart and Councillor Summers.

Councillors Against: Nil.

5. DISCLOSURE OF INTEREST

Nil

6. MATTERS DEALT WITH BY EXCEPTION

Items by Exception

The Mayor requested that Councillors nominate any items listed in Corporate Business and Confidential Business that they wished to discuss.

COUNCIL RESOLUTION

143/22

- A. That all items listed in Corporate Business both Open and Confidential be dealt with separately other than the following items which are moved by exception:
- 7.2 – Closed Session of Ordinary Council Meeting – 19 May 2022
 - 9.1.2 – Adoption of Snowy Monaro Regional Trails Masterplan and the Feasibility Assessment of Lake Jindabyne Trail Experience
 - 9.3.1 – Road Naming Proposal - Rosamond Place for new road in 17 lot subdivision (DA 10.2020.220.1 17)
 - 9.3.2 – Road Naming - Biilmann Close for new road proposed in 13 lot subdivision under DA 10.2019.3004109.1
 - 9.4.1 – Organisational Performance Report May 2022
 - 9.4.3 – Post Exhibition Report - Community Strategic Plan 2042
 - 9.4.4 – Code of Meeting Practice
 - 9.4.6 – Resolution Action Sheet Update
 - 12.1 – Answers to Questions with Notice

- 13.1 – Legal Actions and Potential Claims Against SMRC as at 31 May 2022
- 13.2 – Tender Recommendation Report Bombala & Delegate Water Treatment Plants Design & Construction

B. That the Officer's Recommendations in the reports listed above are hereby adopted.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Last.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 19 MAY 2022

COUNCIL RESOLUTION

144/22

THAT the minutes of the Ordinary Council Meeting held on 19 May 2022 are confirmed as a true and accurate record of proceedings.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Frolich and Councillor Last.

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 19 MAY 2022

COUNCIL RESOLUTION

145/22

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 19 May 2022 are confirmed as a true and accurate record of proceedings.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Last.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 143/22 above as there was no challenge by Councillors.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

Nil

9. OTHER REPORTS TO COUNCIL

9.1 KEY THEME 1. COMMUNITY

At 1:49 pm Councillor Castellari left the meeting.

9.1.1 DONATIONS AND SPONSORSHIP PROGRAM 2022

Record No: I22/340

COUNCIL RESOLUTION

146/22

That Council determine the submissions to be approved for its donations and sponsorship program.

Moved Councillor Frolich

Seconded Councillor Hanna

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson and Councillor Stewart.

Councillors Against: Councillor Last and Councillor Summers.

9.1.2 ADOPTION OF SNOWY MONARO REGIONAL TRAILS MASTERPLAN AND THE FEASIBILITY ASSESSMENT OF LAKE JINDABYNE TRAIL EXPERIENCE

Record No: I22/287

COUNCIL RESOLUTION

147/22

That Council

A. Adopt the Snowy Monaro Regional Trails Masterplan

B. Adopt the Feasibility Assessment of the Lake Jindabyne 'Around the Lake' Trail Experience

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: *Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.*

Councillors Against: *Councillor Last.*

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 143/22 above as there was no challenge by Councillors.

At 1:53 pm Councillor Castellari returned to the meeting.

Procedural Motion

COUNCIL RESOLUTION **148/22**

That Council move into committee of the whole.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: *Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Last, Councillor Stewart and Councillor Summers.*

Councillors Against: *Nil.*

Procedural Motion

COUNCIL RESOLUTION **149/22**

That Council move out of committee of the whole.

Moved Councillor Beer

Seconded Councillor Hanna

CARRIED

Record of Voting

Councillors For: *Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Last, Councillor Stewart and Councillor Summers.*

Councillors Against: *Nil.*

9.1.3 DONATIONS AND SPONSORSHIP 2022 APPLICATION SCORE SUMMARY

Record No: I22/381

COUNCIL RESOLUTION **150/22**

That Council

- A. Receive the collated scores to inform allocation of funds to applications in the 2022 Donations and Sponsorship program provided in a separate report at this meeting.
- B. Award donations and sponsorship to the applications that achieve the highest collective scores in order as ranked within the budget set out in the policy.

ORGANISATION	REQUEST SUMMARY	AMOUNT ALLOCATED
Cooma Multicultural Centre	Donation to assist with the event cost of the Cooma Multicultural Community Festival	\$2,000.00
Rotary Club of Cooma	Donation to partly fund the Cooma Country Roots and Blues music event	\$2,000.00
Lions Club of Jindabyne	The annual Easter event is a display of local, state and interstate artworks. It is an opportunity for local artists to display and sell their artwork	\$4,100.00
Jindabyne Trail Stewardship - Copper Tom Revegetation	Donation for the purchase of plants and materials for revegetation works along the Copper Tom corridor	\$2,711.51
Salvation Army Cooma	Donation to reimburse the expense of tip fees	\$2,000.00
Snowy River RSL Sub-Branch	ANZAC Day and Remembrance Day Commemorations	\$2,000.00
Delegate Rodeo Campdraft Inc	Sponsorship for annual Delegate Campdraft to meet expenses of ground hire and waste removal.	\$1,000.00
Bombala Historic Engine & Machinery Society	Creation of a concrete path for wheelchair access to a new display shed.	\$3,520.00
Lisa Hogben	Donation to cover the cost of hall hire. "Seeing the Snowies" community based photographic workshops and sessions for Snowy Monaro residents	\$2,509.00
Jindabyne Dance and Performing Arts	Donation to assist with the cost of hall hire fees	\$1,000.00

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HELD ON THURSDAY 16 JUNE 2022

Rosie O'Sullivan School of Dance	Donation to assist with the cost of hall hire fees to hold dance concert	\$1,755.40
The Uniting Church in Australia Property Trust (NSW) on behalf of the Alpine Uniting Church Op Shop Jindabyne	Average ongoing fees for waste, rubbish and recycling removal from the Op Shop Jindabyne by JJ's Waste and Recycling	\$2,000.00
Bombala Events Committee & Bombala Australia Day Committee	Installation of shelving and rubbish removal	\$2,750.00
Michelago Hall and Tennis Courts Management Committee	Install and paint sliding doors to close off the halls storage area	\$1,550.00
Lake Jindabyne Sailing Club	Repairs to car park at the Sailing Club	\$2,625.00
Berridale Tennis Club	Donation to cover cost of rates and water and sewer charges	\$2,000.00
Friends of Bombala Railway Inc	Donation to help cover the cost of maintenance on Bombala Railway grounds	\$1,000.00
Monaro Committee for Cancer Research	Donation to assist with the cost of hall hire fees and waste fees for two planned mcCr events	\$1,000.00
Cooma Athletics Club	Portable sun shelters for use during training and competitions	\$1,000.00
Monaro Community Radio Inc (2MNO)	Donation to offset rates, water and sewer charges	\$500.00
Cooma-Bombala Legacy Group	Donation to assist beneficiaries with essential living expenses.	\$2,500.00
The Snowy List	Donation to cover the cost of the service; domain, platform content, insurance, developer cost.	\$500.00
Nimmitabel Advancement Group	Donation to assist cover of events costs for the monthly Seniors House Bingo and annual Halloween Trick or Treat Disco	\$1,000.00

Bombala Motorcycle Association Inc.	To support an event in Bombala includes a fireworks display , with live music from local musicians and food (free admission)	\$1,000.00	
Snow Australia Action Sports Training	Jindabyne Snow sale annual fundraiser. Monies raised are used to cover the maintenance and upgrade of the facility (Jindabyne Memorial Hall)	\$1,000.00	
Michelago Region Community Association	Donation to cover the cost of Transport NSW licence fee, electricity and repairs to the Michelago Railway Station building and grounds	\$1,000.00	
We Will Remember Them on Monaro Association	Donation for the collection and disposal of waste from memorial parks	\$1,000.00	
Nimmitabel School of Arts Inc	Printing of a two volume book set "The Journey from Nimitybelle to Nimmitabel"	\$1,200.00	
Moved Councillor Hanna			Seconded Councillor Johnson
			CARRIED
Record of Voting			
<i>Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Councillor Hopkins, Councillor Johnson and Councillor Stewart.</i>			
<i>Councillors Against: Deputy Mayor Higgins, Councillor Last and Councillor Summers.</i>			

9.2 KEY THEME 2. ECONOMY

9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - MAY 2022

Record No: I22/328

COUNCIL RESOLUTION	151/22
That Council	
A. Receive the report indicating Council's cash and investments position as at 31 May 2022;	
B. Receive the certificate of the Responsible Accounting Officer; and	
C. A report be provided to Council at the July Council meeting in relation to detailed costings for the Bombala showground caretakers' cottage, prior to proceeding further.	
Moved Councillor Summers	Seconded Councillor Frolich
CARRIED	
Record of Voting	

Councillors For: *Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson and Councillor Summers.*

Councillors Against: *Councillor Last and Councillor Stewart.*

9.3 KEY THEME 3. ENVIRONMENT

9.3.1 ROAD NAMING PROPOSAL - ROSAMOND PLACE FOR NEW ROAD IN 17 LOT SUBDIVISION (DA 10.2020.220.1 17)

Record No: I22/310

COUNCIL RESOLUTION

152/22

That Council endorse the name Rosamond Place to go to the Geographical Names Board for pre-approval and to be publicly advertised for a period of 28 days.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: *Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.*

Councillors Against: *Councillor Last.*

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 143/22 above as there was no challenge by Councillors.

9.3.2 ROAD NAMING - BIILMANN CLOSE FOR NEW ROAD PROPOSED IN 13 LOT SUBDIVISION UNDER DA 10.2019.3004109.1

Record No: I22/312

COUNCIL RESOLUTION

153/22

That Council endorse the name Biilmann Close to go to the Geographical Names Board for pre-approval and to be publicly advertised for a period of 28 days.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: *Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.*

Councillors Against: Councillor Last.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 143/22 above as there was no challenge by Councillors.

9.3.3 BUNDARRA ROAD - UPDATE

Record No: I22/360

COUNCIL RESOLUTION

154/22

That Council receive and note the update on Bundarra Road.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Councillor Hopkins, Councillor Johnson, Councillor Last and Councillor Stewart.

Councillors Against: Councillor Castellari, Deputy Mayor Higgins and Councillor Summers.

9.4 KEY THEME 4. LEADERSHIP

9.4.1 ORGANISATIONAL PERFORMANCE REPORT MAY 2022

Record No: I22/338

COUNCIL RESOLUTION

155/22

That Council vary the 2021-2022 Operational Plan as follows:

- A. Amend action 10.1.3.2 - Coordinate the delivery of improvement opportunities identified through business excellence self-assessments to improve Council's delivery of services, to change the word "Co-ordinate" to "Commence".
- B. Defer action 10.1.3.4 - Commence Service Review Framework: Develop and implement a framework for effectively reviewing Council's services to the 2022-2023 Operational Plan.
- C. Defer action 10.1.3.4 Commence Service Review Framework: Develop and implement a framework for effectively reviewing Council's services to the 2022-2023 Operational Plan.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Last.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 143/22 above as there was no challenge by Councillors.

9.4.2 POST EXHIBITION REPORT - DRAFT SECTION 7.12 LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN AND DRAFT VOLUNTARY PLANNING AGREEMENT AND LAND DEDICATION POLICY

Record No: I22/305

COUNCIL RESOLUTION

156/22

That Council

- A. Adopt the Snowy Monaro Section 7.12 Local Infrastructure Contributions Plan (Attachment 1) in accordance with Clause 214(1)(b) of the *Environmental Planning and Assessment Regulation 2021*
- B. Publish a public notice of its decision on Council's website within 28 days of this resolution, in accordance with Clause 214(2) of the *Environmental Planning and Assessment Regulation 2021*
- C. Publish a notice which outlines Council's intention to repeal existing contributions plans, in accordance with Clause 215(3) of the *Environmental Planning and Assessment Regulation 2021*
- D. Adopt the Snowy Monaro Voluntary Planning Agreement and Land Dedication Policy
- E. Notify persons who made a submission of Council's decision.
- F. That the Jindabyne library be added to the projects to be funded from Jindabyne Developer Contributions.

Moved Mayor Davis

Seconded Councillor Hanna

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Last.

9.4.3 POST EXHIBITION REPORT - COMMUNITY STRATEGIC PLAN 2042

Record No: I22/255

COUNCIL RESOLUTION

157/22

That Council

- A. Adopt the Community Strategic Plan 2042 with the following amendments:

- (a) Amend the first strategic objective under 'our economy' to read 'Have increased work opportunities available **enhanced by innovation**,

- (b) Amend the strategy under objective 2.1 to read: ‘Ensure important agricultural **and forestry** land is identified, and continues to be used for **agricultural and forestry** production’,
 - (c) Include Snowy Hydro Limited, Thredbo Pty Ltd and Vail Resorts as ‘partners’ in the strategy: ‘Improve the value generated from tourism’ under objective 2.1,
 - (d) Amend objective 3.1 to include educational establishments as a partner in each strategy,
 - (e) Amend the second dot point in the ‘our environment’ strategic outcomes to read: ‘Have in place land use controls that protect the natural **environment** including visual and scenic values’,
 - (f) Change the measure under our environment to read: ‘**Increase** in hectares of available refuge area for identified NSW threatened species’ and the target to read >5%
- B. Notify persons who made submission of Council’s decision.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Last.

Motions Without Debate

The above officer’s recommendation became a resolution of Council as a result of resolution 143/22 above as there was no challenge by Councillors.

9.4.4 CODE OF MEETING PRACTICE

Record No: I22/187

COUNCIL RESOLUTION

158/22

That Council adopt the Code of Meeting Practice.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Last.

Motions Without Debate

The above officer’s recommendation became a resolution of Council as a result of resolution 143/22 above as there was no challenge by Councillors.

9.4.5 MONTHLY BUDGET REVIEW STATEMENT (MBRS) TO 31 MAY 2022

Record No: I22/343

COUNCIL RESOLUTION

159/22

That the Budget Review Statement for the month ended 31 May 2022 be received and the variations noted therein be approved.

Moved Councillor Summers

Seconded Councillor Johnson

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Frolich and Councillor Last.

9.4.6 RESOLUTION ACTION SHEET UPDATE

Record No: I22/331

COUNCIL RESOLUTION

160/22

That Council receive the resolution update for the period ending May 2022.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Last.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 143/22 above as there was no challenge by Councillors.

At 2:52 pm Councillor Last left the meeting.

At 2:56 pm Councillor Castellari left the meeting.

10. NOTICE OF MOTION

10.1 SUPPORT FOR JINDABYNE

Record No: I22/349

COUNCIL RESOLUTION

161/22

That Council

- A. Actively seek out and apply for available grant opportunities, such as the NSW Community Building Partnership Grant, or other suitable community infrastructure grants for the purpose of installing additional street lighting in Jindabyne township and streets
- B. Work with government at both State and Federal level to find available options for better transport solutions for Jindabyne. Examples include, but are not limited to; additional taxi licences, community/government funded buses, lobbying to ride-share companies like Uber to include Jindabyne as a service area
- C. Work with Snowy Mountains Liquor Accord to gain further advice on what else council can do to assist the community from a local government level

Moved Councillor Frolich

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Nil.

11. MAYORAL MINUTES

Nil

12. QUESTIONS WITH NOTICE

12.1 ANSWERS TO QUESTIONS WITH NOTICE

Record No: I22/330

COUNCIL RESOLUTION

162/22

That Council receive the answers to questions with notice for the period ending May 2022.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Last.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 143/22 above as there was no challenge by Councillors.

12.2 ENVIRONMENTAL DEVELOPMENT APPLICATIONS

Record No: I22/364

COUNCIL RESOLUTION

163/22

That Council gives a thank you to staff and notes the following:

- A. That over the last 3 to 4 years there has been an increase in the number of Eco-tourism applications lodged and construction undertaken
- B. That future applications will be required to provide a higher level of detail to comply with the provisions of clause 5.13 of Snowy Monaro Regional Council's LEP 2013.

Moved Councillor Beer

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: *Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.*

Councillors Against: *Nil.*

13. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

164/22

1. THAT pursuant to Section 10A subsections 2 & 3 and Section 10B of the Local Government Act, 1993 (as amended) the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

13.1 Legal Actions and Potential Claims Against SMRC as at 31 May 2022

Item 13.1 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.2 Tender Recommendation Report Bombala & Delegate Water Treatment Plants Design & Construction

Item 13.2 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

2. The press and public be excluded from the proceedings of the Council in Closed Session on the basis that these items are considered to be of a confidential nature.
3. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as confidential and be withheld from access by the press and public, until such time as the Council resolves that the reason for confidentiality has passed or become irrelevant.

4. That the resolutions made by the Council in Closed Session be recorded in the Minutes of the Council Meeting.
5. That upon this recommendation being moved and seconded, the Chairperson invite representations from the public as to whether this part of the meeting should be closed to consider the nominated item.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Last.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 143/22 above as there was no challenge by Councillors.

Note 1: Invitation to Public

Upon the above motion being moved and seconded, the Mayor invited representations from the public as to whether this part of the meeting should be closed to consider the nominated items. There were no requests by members of the public to make any representations.

14. REPORT FROM CONFIDENTIAL SESSION

13.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 31 MAY 2022

COUNCIL RESOLUTION

165/22

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 31 May 2022 report.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Last.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 143/22 above as there was no challenge by Councillors.

13.2 TENDER RECOMENDATION REPORT BOMBALA & DELEGATE WATER TREATMENT PLANTS DESIGN & CONSTRUCTION

COUNCIL RESOLUTION

166/22

The Council, pursuant to s 178 (3) (e) of the Local Government Act:

- A. Appoint Water Treatment Australia as preferred tenderer and authorise the CEO to negotiate the final compliance aspects for the WTP Design and Construct tender.
- B. Authorise the CEO to negotiate with the second place tenderer if negotiations with the preferred tenderer fail.
- C. Authorise the CEO to sign the necessary contract documentation.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Last.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 143/22 above as there was no challenge by Councillors.

There being no further business the Mayor declared the meeting closed at 3:01pm.



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 16 June 2022 were confirmed by Council at a duly convened meeting on 21 July 2022 at which meeting the signature hereon was subscribed.