



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

16 February 2023

**ORDINARY COUNCIL MEETING
HELD IN BOMBALA COMMUNITY CENTRE, 163 MAYBE STREET, BOMBALA NSW 2632
ON THURSDAY 16 FEBRUARY 2023**

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**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN BOMBALA COMMUNITY CENTRE, 163 MAYBE STREET, BOMBALA NSW 2632**

**ON THURSDAY, 16 FEBRUARY 2023
COMMENCING AT 1:00PM**

PRESENT: Mayor Narelle Davis
Deputy Mayor Tanya Higgins
Councillor Peter Beer
Councillor Louise Frolich
Councillor Christopher Hanna
Councillor Tricia Hopkins
Councillor Karlee Johnson
Councillor Craig Mitchell
Councillor Bob Stewart
Councillor Lynda Summers
Councillor Luke Williamson

APOLOGIES: Nil

Staff: Peter Bascomb, Chief Executive Officer
David Rawlings, Chief Strategy Officer
Jeff Morgan, Chief Operating Officer
Tracy Sligar, Chief Financial Officer
Richard Doolan, Chief Workforce Officer – *via audio-visual link*
Liana Biki, Secretary Council and Committees

1. OPENING MEETING

The Mayor opened the meeting at 1pm.

2. ACKNOWLEDGEMENT OF COUNTRY

3. COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL

Nil

4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

COUNCIL RESOLUTION

8/23

That Council grant leave of absence for:

- Mayor Davis – March 2023 Council meeting; and
- Councillor Beer – May and June 2023 Council meetings.

Moved Councillor Stewart

Seconded Councillor Summers

CARRIED

Record of Voting

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

Councillors Against: Nil.

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

9/23

That the Ordinary Council meeting be adjourned at 1:03pm for Public Forum.

Moved Councillor Summers

Seconded Councillor Johnson

CARRIED

Record of Voting

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

Councillors Against: Nil.

Procedural Motion

COUNCIL RESOLUTION

10/23

That the Ordinary Council meeting be resumed at 1:13pm.

Moved Councillor Summers

Seconded Councillor Frolich

CARRIED

Record of Voting

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

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

11/23

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:

- 7.1 Ordinary Council Meeting 15 December 2022
- 7.2 Closed Session of the Ordinary Council Meeting 15 December 2022
- 7.3 Extraordinary Council Meeting 30 January 2023
- 9.2.1 Monthly Funds Management Report - December 2022
- 9.2.2 Monthly Funds Management Report - January 2022
- 9.3.3 Decision on the Administration of the 2024 Council Election
- 9.5.2 Answers to Questions with Notice
- 10.1 Minutes from Management and Advisory Committees
- 10.2 Draft Minutes - Audit, Risk and Improvement Committee 12 December 2022
- 10.3 Minutes of the 17 November 2022 Snowy Monaro Region Biosecurity (Weeds) Advisory Committee
- 14.1 Legal Actions and Potential Claims Against SMRC as at 31 January 2023

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

Moved Councillor Summers

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor

Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.
Councillors Against: Nil.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 15 DECEMBER 2022

COUNCIL RESOLUTION

12/23

THAT the minutes of the Ordinary Council Meeting held on 15 December 2022 are confirmed as a true and accurate record of proceedings.

Moved Councillor Summers

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 11/23 above as there was no challenge by Councillors.

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 15 DECEMBER 2022

COUNCIL RESOLUTION

13/23

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 15 December 2022 are confirmed as a true and accurate record of proceedings.

Moved Councillor Summers

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 11/23 above as there was no challenge by Councillors.

7.3 EXTRAORDINARY COUNCIL MEETING 30 JANUARY 2023

COUNCIL RESOLUTION

14/23

THAT the minutes of the Extraordinary Council Meeting held on 30 January 2023 are confirmed as a true and accurate record of proceedings.

Moved Councillor Summers

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 11/23 above as there was no challenge by Councillors.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

Nil

9. OTHER REPORTS TO COUNCIL

9.1 OPERATIONS

9.1.1 Procedural Motion

COUNCIL RESOLUTION

15/23

That the motion be put without further debate.

Moved Councillor Summers

CARRIED

Record of Voting

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

Councillors Against: Councillor Frolich, Councillor Stewart and Councillor Williamson.

**9.1.1 COMBATTING ANTI-SOCIAL BEHAVIOUR AND ACTIVATING SPACES - GRAFFITI MANAGEMENT
GRANT ACCEPTANCE OF FUNDING**

COUNCIL RESOLUTION

16/23

That Council

- A. Accept the funding amount of \$100,000 under the NSW Government Graffiti Management grant program;
- B. Allocate \$65,000 to the 2022/23 budget and the remaining \$35,000 to the 2023/2024 budget; and
- C. Add the delivery of the combatting anti-social behaviour and activating spaces – graffiti management as an activity to Council’s 2022-2026 Delivery Program and 2022-2023 Operational Plan.

Moved Councillor Frolich

Seconded Councillor Johnson

CARRIED

Record of Voting

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

Councillors Against: Councillor Williamson.

9.1.2 REGIONAL AND LOCAL ROAD REPAIR PROGRAM ACCEPTANCE OF FUNDING

ORIGINAL MOTION

That Council

- A. Accept the funding amount of \$4,844,320 under the NSW Government Regional and Local Road Repair Program; and
- B. Allocate all the funding to the 23/24 budget.

Moved Councillor Hanna

Seconded Councillor Mitchell

At 01:40 pm Councillor Frolich left the meeting.

At 01:43 pm Councillor Frolich returned to the meeting.

AMENDMENT

That Council

- A. Accept the funding amount of \$4,844,320 under the NSW Government Regional and Local Road Repair Program; and
- B. Allocate \$2,000,000 to the 2022/23 budget and the remaining \$2,844,320 to the 2023/24 budget.

Moved Councillor Stewart

Seconded Councillor Summers

9.1.2 Procedural Motion

COUNCIL RESOLUTION

17/23

That the amendment be put.

Moved Mayor Davis

CARRIED

Record of Voting

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

Councillors Against: Councillor Hanna, Councillor Hopkins and Councillor Williamson.

The procedural motion was carried so the amendment became the motion and was put without further debate.

AMENDMENT

18/23

That Council

- A. Accept the funding amount of \$4,844,320 under the NSW Government Regional and Local Road Repair Program; and
- B. Allocate \$2,000,000 to the 2022/23 budget and the remaining \$2,844,320 to the 2023/24 budget.

Moved Councillor Stewart

Seconded Councillor Summers

CARRIED

Record of Voting

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

Councillors Against: Councillor Hanna, Councillor Hopkins and Councillor Williamson.

9.2 FINANCE

9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - DECEMBER 2022

COUNCIL RESOLUTION

19/23

That Council

- A. Receive the report indicating Council's cash and investments position as at 31 December 2022; and
- B. Receive the certificate of the Responsible Accounting Officer.

Moved Councillor Summers

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 11/23 above as there was no challenge by Councillors.

9.2.2 MONTHLY FUNDS MANAGEMENT REPORT - JANUARY 2023

COUNCIL RESOLUTION

20/23

That Council

- A. Receive the report indicating Council's cash and investments position as at 31 January 2023; and
- B. Receive the certificate of the Responsible Accounting Officer.

Moved Councillor Summers

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 11/23 above as there was no challenge by Councillors.

9.2.3 Procedural Motion

MOTION

That the motion be put without further debate.

Moved Councillor Frolich

The Mayor did not accept the procedural motion as Cr Summers had already commenced her right of reply and the vote was about to be taken.

9.2.3 QUARTERLY BUDGET REVIEW STATEMENT (QBR) TO 31 DECEMBER 2022

COUNCIL RESOLUTION

21/23

That Council:

- A. receive the Quarterly Budget Review Statement for the quarter ended 31 December 2022 and approve the variations noted therein.
- B. receive a report on the establishment on a financial review committee.

Moved Councillor Summers

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

9.2.4 RESTRICTED ASSETS (CASH AND INVESTMENTS) POLICY

COUNCIL RESOLUTION **22/23**

That Council adopt the updated Restricted Assets (Cash & Investments) Policy.

Moved Councillor Summers **Seconded Councillor Hopkins** **CARRIED**

Record of Voting

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

Councillors Against: Nil.

At 02:30 pm Councillor Hanna left the meeting.

9.3 STRATEGY

9.3.1 ORGANISATIONAL PERFORMANCE REPORT - FEBRUARY 2023

COUNCIL RESOLUTION **23/23**

That Council:

- A. Note the progress outlined in the report.
- B. Amend the 2022-2023 Operational Plan to remove the Cooma Water Treatment Plant weir and fishway upgrades and defer the commencement of the project to the 2023-2024 Operational Plan, and completion of the project to the 2024-2025 Operational Plan.
- C. Amend the 2022-2023 Operational Plan to remove the 22-23 resealing program with existing funds to be utilised for heavy patching in readiness for the 2023-2024 resealing program.

Moved Councillor Beer **Seconded Councillor Mitchell** **CARRIED**

Record of Voting

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

Councillors Against: Councillor Hanna and Councillor Hopkins.

At 02:32 pm Councillor Hanna returned to the meeting.

9.3.2 DONATIONS AND SPONSORSHIP - MICHELAGO HALL COMMITTEE REQUEST TO REDIRECT FUNDS

COUNCIL RESOLUTION

24/23

That Council approve the request from the Michelago Hall and Tennis Courts Management Committee to redirect Donation and Sponsorship funding to resealing of the hall floors.

Moved Deputy Mayor Higgins

Seconded Councillor Johnson

CARRIED

Record of Voting

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

Councillors Against: Councillor Hopkins.

9.3.3 DECISION ON THE ADMINISTRATION OF THE 2024 COUNCIL ELECTION

COUNCIL RESOLUTION

25/23

That Council

1. Pursuant to s. 296(2) and (3) of the *Local Government Act 1993* (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

Moved Councillor Summers

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 11/23 above as there was no challenge by Councillors.

9.3.4 CREATE A BANK OF COUNCIL APPROVED ROAD NAMES FOR PRODUCTIVITY GAINS WITHIN STRATEGY PORTFOLIO

COUNCIL RESOLUTION

26/23

That Council endorse the commencement of the community consultation and engagement from

2023/24.

Moved Councillor Beer

Seconded Councillor Frolich

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.3.5 ROAD NAMING PROPOSAL FOR THREE RIVERS ESTATE SUBDIVISION

COUNCIL RESOLUTION

27/23

That Council endorse the proposed road names Matruk Close, Warragang Close and Bungadhung Way to:

- A. be publicly advertised for a period of 28 days in the Monaro Post.
- B. go to the Geographical Names Board for pre-approval.

Moved Councillor Frolich

Seconded Councillor Mitchell

CARRIED

Record of Voting

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

Councillors Against: Deputy Mayor Higgins, Councillor Stewart and Councillor Williamson.

9.3.6 MANAGING CONFLICTS OF INTEREST FOR COUNCIL-RELATED DEVELOPMENT POLICY

COUNCIL RESOLUTION

28/23

That Council adopt the Managing Conflicts of Interest for Council-Related Development Policy.

Moved Councillor Hanna

Seconded Councillor Summers

CARRIED

Record of Voting

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

Councillors Against: Councillor Frolich and Councillor Williamson.

At 03:03 pm Deputy Mayor Higgins left the meeting.

At 03:04 pm Deputy Mayor Higgins returned to the meeting.

9.3.7 PROPOSED RE-ESTABLISHMENT OF ALCOHOL FREE ZONES AND ALCOHOL PROHIBITED AREAS IN COOMA AND JINDABYNE

COUNCIL RESOLUTION

29/23

That Council re-establish Alcohol Free Zones and Alcohol Prohibited Areas in Cooma and Jindabyne for a period of four years.

Moved Councillor Beer

Seconded Councillor Mitchell

CARRIED

Record of Voting

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

Councillors Against: Councillor Williamson.

9.4 COMMUNICATIONS

9.4.1 APPLICATIONS FOR EVENT FUNDING SUPPORT

COUNCIL RESOLUTION

30/23

That Council

1. Approve the event funding applications outlined below and within the report in accordance with the adopted Funding Support for Events Policy:
 - a) Snowy Classic - \$5000
 - b) Michelago Gymkhana – \$250 in retrospect for their event held 28 – 29 January 2023
 - c) Numeralla Folk festival - \$2000 in retrospect for the event held 27 – 29 January 2023
2. A complete application for the Lake Light Sculpture be requested for assessment.

Moved Councillor Hopkins

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Councillor Williamson.

At 03:11 pm Councillor Summers left the meeting.

At 03:12 pm Councillor Summers returned to the meeting.

9.5 EXECUTIVE OFFICE

9.5.1 RESOLUTION ACTION SHEET UPDATE

COUNCIL RESOLUTION	31/23	
That Council receive the resolution updates for the period ending January 2023.		
Moved Councillor Hopkins	Seconded Councillor Summers	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Mayor Davis, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.</i>	
<i>Councillors Against:</i>	<i>Councillor Frolich.</i>	

At 03:21 pm Councillor Beer left the meeting.

9.5.2 ANSWERS TO QUESTIONS WITH NOTICE

COUNCIL RESOLUTION	32/23	
That Council receive the answers to questions with notice for the period ending January 2023.		
Moved Councillor Summers	Seconded Deputy Mayor Higgins	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.</i>	
<i>Councillors Against:</i>	<i>Nil.</i>	

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 11/23 above as there was no challenge by Councillors.

9.5.3 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - NOTICE OF MOTIONS FOR NATIONAL GENERAL ASSEMBLY 2023

COUNCIL RESOLUTION	33/23	
That Council		
A. Determine whether it wishes to submit Notice of Motions for the National General Assembly 2023; and		
B. Authorise the Mayor and CEO to attend the NGA – 13 to 15 June 2023 in Canberra.		
Moved Deputy Mayor Higgins	Seconded Councillor Mitchell	CARRIED
Record of Voting		

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

At 03:27 pm Councillor Beer returned to the meeting.

At 03:28 pm Councillor Hanna left the meeting.

At 03:28 pm Councillor Hanna returned to the meeting.

9.6 WORKFORCE

Nil

10. REPORTS OF COMMITTEES

10.1 MINUTES FROM MANAGEMENT AND ADVISORY COMMITTEES

COUNCIL RESOLUTION	34/23
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That Council receive the minutes of the Bombala Exhibition Ground Management Committee.

Moved Councillor Summers	Seconded Deputy Mayor Higgins	CARRIED
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Record of Voting

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

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 11/23 above as there was no challenge by Councillors.

10.2 DRAFT MINUTES - AUDIT, RISK AND IMPROVEMENT COMMITTEE 12 DECEMBER 2022

COUNCIL RESOLUTION	35/23
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That Council receive and note the Draft Minutes of the Audit, Risk and Improvement Committee meeting held on 12 December 2022.

Moved Councillor Summers	Seconded Deputy Mayor Higgins	CARRIED
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Record of Voting

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

Summers, Councillor Williamson and Councillor Mitchell.
Councillors Against: *Nil.*

Motions Without Debate

The above officer’s recommendation became a resolution of Council as a result of resolution 11/23 above as there was no challenge by Councillors.

10.3 MINUTES OF THE 17 NOVEMBER 2022 SNOWY MONARO REGION BIOSECURITY (WEEDS) ADVISORY COMMITTEE

COUNCIL RESOLUTION **36/23**

COMMITTEE RECOMMENDATION

That Council receive the minutes from the Snowy Monaro Region Biosecurity (Weeds) Advisory Committee meeting held on 17 November 2022.

Moved Councillor Summers **Seconded Deputy Mayor Higgins** **CARRIED**

Record of Voting

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

Councillors Against: Nil.

Motions Without Debate

The above officer’s recommendation became a resolution of Council as a result of resolution 11/23 above as there was no challenge by Councillors.

11. NOTICE OF MOTION

11.1 Procedural Motion

COUNCIL RESOLUTION **37/23**

That Council move into committee.

Moved Councillor Hopkins **Seconded Councillor Stewart** **CARRIED**

Record of Voting

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

Councillors Against: Councillor Frolich.

11.1 Procedural Motion

COUNCIL RESOLUTION

38/23

That Council move out of committee.

Moved Councillor Summers

Seconded Councillor Mitchell

CARRIED

Record of Voting

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

Councillors Against: Nil.

11.1 NOTICE OF MOTION TO RESCIND RESOLUTION 7/23 ITEM 6.1.2 APPLICATION TO LODGE A SPECIAL RATES VARIATION

Councillor Bob Stewart has given notice that at the Ordinary Meeting of Council on 16 February 2023, he will move the following motion.

COUNCIL RESOLUTION

39/23

We hereby give notice of the following motion of rescission:

That Council resolution number 7/23, item 6.1.2 Application to Lodge a Special Rates Variation passed at the Council meeting held on 30 January 2023, be and is hereby rescinded.

Moved Councillor Stewart

Seconded Councillor Frolich

CARRIED

Record of Voting

Councillors For: Councillor Frolich, Councillor Hanna, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Williamson.

Councillors Against: Councillor Beer, Mayor Davis, Deputy Mayor Higgins, Councillor Summers and Councillor Mitchell.

COUNCIL RESOLUTION

40/23

Should the rescission motion be adopted, we give notice that it is our intention to move the following motion in lieu of which due notice is hereby given.

That Council lodge an application with the Independent Pricing and Regulatory Tribunal for a Special Variation inclusive of a permanent percentage increase to ordinary rates, including any rate peg allowance, as documented in Scenario Two of council's Long Term Financial Plan.

Moved Councillor Hanna

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, Councillor Summers and Councillor Mitchell.

Councillors Against: Councillor Williamson.

12. MAYORAL MINUTES

Nil

13. QUESTIONS WITH NOTICE

13.1 QUESTION WITH NOTICE - ASSET ACCOUNTING

COUNCIL RESOLUTION

41/23

That the response to the questions:

- A. When did Asset Accounting for local Councils begin; and
- B. Since the beginning, what is the accrued operating results for this regional Council and the three former Shire Councils?
be noted.

Moved Councillor Mitchell

Seconded Councillor Hopkins

CARRIED

Record of Voting

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

Councillors Against: Nil.

At 04:47 pm Councillor Hanna left the meeting.

14. CONFIDENTIAL MATTERS

RECOMMENDATION

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:

14.1 Legal Actions and Potential Claims Against SMRC as at 31 January 2023

Item 14.1 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.

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.

Council did not move into closed session as item 14.1 was dealt with by exception per resolution 11/23.

15. REPORT FROM CONFIDENTIAL SESSION

14.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 31 JANUARY 2023

COUNCIL RESOLUTION

42/23

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 31 January 2023 report.

Moved Councillor Summers

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 11/23 above as there was no challenge by Councillors.

There being no further business the Mayor declared the meeting closed at 4:48pm.



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 16 February 2023 were confirmed by Council at a duly convened meeting on 16 March 2023 at which meeting the signature hereon was subscribed.