



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

16 March 2023

**ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON THURSDAY 16 MARCH 2023**

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

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

PRESENT: Deputy Mayor Tanya Higgins (*Chair*)
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: Mayor Narelle Davis

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

1. OPENING MEETING

The Chair opened the meeting at 1:00pm.

2. ACKNOWLEDGEMENT OF COUNTRY

3. COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL

Nil

4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION	43/23
That the Ordinary Council meeting be adjourned at 1:03pm for Public Forum.	
Moved Councillor Hanna	Seconded Councillor Hopkins
	CARRIED
Record of Voting	
<i>Councillors For:</i>	<i>Councillor Beer, 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>

Procedural Motion

COUNCIL RESOLUTION	44/23
That the Ordinary Council meeting be resumed at 1:38pm.	
Moved Councillor Mitchell	Seconded Councillor Johnson
	CARRIED
Record of Voting	
<i>Councillors For:</i>	<i>Councillor Beer, 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>

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

45/23

- 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:
- 9.1.2 Wombat Way Jindabyne- Transfer of a portion of Crown Road Reserve (unformed) to Council - Placement of underground Water & Sewer infrastructure to enable development
 - 9.2.1 Monthly Funds Management Report - February 2023
 - 9.3.2 Extraordinary Council Meetings to be Scheduled for 4 May and 22 June 2023
 - 9.3.4 Infrastructure Study - Acceptance of Funding
 - 9.3.5 EPA FOGO Grant
 - 9.4.2 Applications for Event Funding Support
 - 9.5.1 Resolution Action Sheet Updates as at 28 February 2023
 - 9.5.2 Answers to Questions with Notice as at 28 February 2023
 - 14.1 Legal Actions and Potential Claims Against SMRC as at 28 February 2023
- B. That the Officer's Recommendations in the reports listed above are hereby adopted.

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: *Councillor Beer, 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 16 FEBRUARY 2023

COUNCIL RESOLUTION

46/23

That the minutes of the Ordinary Council Meeting held on 16 February 2023 are confirmed as a true and accurate record of proceedings.

Moved Councillor Hanna	Seconded Councillor Mitchell	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, 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>	

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 Procedural Motion

COUNCIL RESOLUTION	47/23
That Council move into committee.	
Moved Councillor Williamson	Seconded Councillor Mitchell
CARRIED	
Record of Voting	
<i>Councillors For:</i>	<i>Councillor Beer, 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>

8.1 Procedural Motion

COUNCIL RESOLUTION	48/23
That Council move out of committee.	
Moved Councillor Mitchell	Seconded Councillor Williamson
CARRIED	
Record of Voting	
<i>Councillors For:</i>	<i>Councillor Beer, 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>

8.1 DEVELOPMENT APPLICATION 10.2022.467.1 - SINGLE STOREY DWELLING AND SHED

Applicant Number:	10.2022.467.1
Applicant:	D T Morgan
Owner:	D T Morgan

MINUTES OF THE ORDINARY COUNCIL MEETING OF SNOWY MONARO REGIONAL COUNCIL
HELD ON THURSDAY 16 MARCH 2023

DA Registered:	18/11/2022
Property Description:	267 Geikle Creek Road AVONSIDE NSW 2627 Lot 6 DP 810652
Zone:	RU1 - Primary Production
Current Use:	Vacant Land
Proposed Use:	Dwelling
Permitted in Zone:	Yes
Recommendation:	Approval

COUNCIL RESOLUTION

49/23

Pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that Council grants consent to 10.2021.467.1 for a Single Dwelling and Shed on Lot 6 DP 810652, 267 Geikle Creek Road AVONSIDE NSW 2627 subject to conditions of consent attached to this report.

Moved Councillor Mitchell

Seconded Councillor Williamson

CARRIED

Record of Voting

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

Councillors Against: Councillor Frolich, Councillor Hanna, Councillor Hopkins and Councillor Mitchell.

8.2 DEVELOPMENT APPLICATION 10.2023.46.1 - COMMUNITY EVENT "LAKE LIGHT SCULPTURE - STREET EDITION 2023"

Applicant Number:	10.2023.46.1
Applicant:	Lake Light Sculpture Incorporated
Owner:	Snowy Monaro Regional Council
DA Registered:	01/03/2023
Property Description:	1 Kalkite Street JINDABYNE NSW 2627 Lot 1 DP 1109455 and Lots 10 & 11 DP 866943
Zone:	RE1 - Public Recreation
Current Use:	Reserve
Proposed Use:	Event – Temporary Structures
Permitted in Zone:	Yes
Recommendation:	Approval

COUNCIL RESOLUTION

50/23

That Council

- A. Vary the referral of Development Applications to Council policy to enable the CEO to determine a one off application 10.2023.46.1 for a 4 day Community Event 'Lake Light Sculpture' 2023 on Lot 1 DP 1109455. Lots 10 & 11 DP 866943, 1 Kalkite Street JINDABYNE NSW 2627 once a full assessment including public notification has been complete.
- B. Consider community safety and inclusive access provisions as part of the determination.

Moved Councillor Frolich

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Nil.

9. OTHER REPORTS TO COUNCIL

9.1 OPERATIONS

9.1.1 SALE OF OLD ADAMINABY RAINBOW PINES CARAVAN PARK LEASE

OFFICER'S RECOMMENDATION

That Council approve the assignment of lease over Crown Reserve 130067 and Crown Reserve 130068 being Lots 376-378 DP 821745 to Michael Mustafa PTY LTD, as trustee for Michael Mustafa family trust.

Item 9.1.1 was withdrawn pending further information from the applicant.

9.1.2 WOMBAT WAY JINDABYNE- TRANSFER OF A PORTION OF CROWN ROAD RESERVE (UNFORMED) TO COUNCIL - PLACEMENT OF UNDERGROUND WATER & SEWER INFRASTRUCTURE TO ENABLE DEVELOPMENT

COUNCIL RESOLUTION

51/23

That Council make application to the Department of Environment (Crown Lands) for the transfer of part of the Crown road reserve (unformed) known as Wombat Way, located in Leesville area of Jindabyne – being the portion of Wombat Way extending from the Barry Way through to alignment with the western boundary line of Lee Avenue (reference image located within report body).

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, 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 45/23 above as there was no challenge by Councillors.

9.2 FINANCE

9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - FEBRUARY 2023

COUNCIL RESOLUTION

52/23

That Council

- A. Receive the report indicating Council's cash and investments position as at 28 February 2023;
- B. Receive the certificate of the Responsible Accounting Officer; and
- C. Authorise the use of Internally Restricted funds to cover short term fluctuations in cash movements throughout the current 2022/23 financial year.

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, 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 45/23 above as there was no challenge by Councillors.

9.3 STRATEGY

9.3.1 ORGANISATIONAL PERFORMANCE REPORT - FEBRUARY 2023

COUNCIL RESOLUTION

53/23

That Council:

- A. Note the progress outlined in the report.
- B. Defer the completion of the investment strategy to the 2023-2024 operational plan year.
- C. To allow for a start on the recommendations from the financial sustainability review finding:
 - a. Include a project of improvement works, to be called the 'Towards Excellence Program', into the Delivery plan.
 - b. Incorporate the actions supporting the implementation of the Towards Excellence Program into the 2023-24 operational plan and defer completion of the customer request management system until 2023-24 so it can be undertaken in conjunction with the change management program.

Moved Councillor Hopkins

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.3.2 EXTRAORDINARY COUNCIL MEETINGS TO BE SCHEDULED FOR 4 MAY AND 22 JUNE 2023

COUNCIL RESOLUTION

54/23

That Council hold extraordinary council meetings commencing at 1pm on 4 May 2023 and 22 June 2023.

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, 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 45/23 above as there was no challenge by Councillors.

9.3.3 DRAFT REGIONAL RECREATION AND OPEN SPACE STRATEGY

COUNCIL RESOLUTION

55/23

That Council endorse the release of the Draft Recreation and Open Space Strategy for public exhibition for a minimum of 28 days.

Moved Councillor Hopkins

Seconded Councillor Johnson

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.3.4 INFRASTRUCTURE STUDY - ACCEPTANCE OF FUNDING

COUNCIL RESOLUTION

56/23

That Council

A. Accept the funding amount of \$220,000 under the NSW Government's Regional Housing Strategy Fund;

- B. Allocate \$80,000 to the 2022/23 budget and the remaining \$140,000 to the 2023/24 budget; and
C. Add the preparation of an Infrastructure Study to Council's 2022-26 Delivery Program and 2022-23 Operational Plan.

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, 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 45/23 above as there was no challenge by Councillors.

9.3.5 EPA FOGO GRANT

COUNCIL RESOLUTION

57/23

That Council:

- A. Accept the EPA Food Organics and Garden Organics (FOGO) Grant.
B. Include budget adjustments to recognise an additional \$467,575 to the Cooma compost facility upgrades, funded 100% from the grant funds, with staff to determine the costing once planning for the FOGO roll out is completed.

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, 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 45/23 above as there was no challenge by Councillors.

**9.3.6 SNOWY RIVER DEVELOPMENT CONTROL PLAN AMENDMENT THREE - THREE RIVERS ESTATE
KALKITE**

COUNCIL RESOLUTION

58/23

That Council adopt the Snowy River Development Control Plan amendment three provisions as described in the attached report.

Moved Councillor Hanna

Seconded Councillor Mitchell

CARRIED

Record of Voting

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

At 02:06 pm Councillor Summers left the meeting.

At 02:08 pm Councillor Summers returned to the meeting.

9.4 COMMUNICATIONS

9.4.1 COMMUNITY ENGAGEMENT STRATEGY - ADOPTION

COUNCIL RESOLUTION

59/23

That Council

- A. Adopt the Community Engagement Strategy pending further development.
- B. Schedule a workshop in early June to update and further develop the Community Engagement Strategy.

Moved Councillor Mitchell

Seconded Councillor Hanna

CARRIED

Record of Voting

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

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

The Chair exercised her casting vote for item 9.4.1, passing the motion.

9.4.2 APPLICATIONS FOR EVENT FUNDING SUPPORT

COUNCIL RESOLUTION

60/23

That Council approve the event funding:

- A. Lake Light Sculpture for \$5,000; and
- B. 50th Adaminaby Easter Fair for \$1,000.

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, 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 45/23 above as there was no challenge by Councillors.

9.5 EXECUTIVE OFFICE

9.5.1 RESOLUTION ACTION SHEET UPDATES AS AT 28 FEBRUARY 2023

COUNCIL RESOLUTION

61/23

That Council receive the resolution action updates for the period ending February 2023.

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, 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 45/23 above as there was no challenge by Councillors.

9.5.2 ANSWERS TO QUESTIONS WITH NOTICE AS AT 28 FEBRUARY 2023

COUNCIL RESOLUTION

62/23

That Council receive the answers to questions with notice for the period ending February 2023.

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, 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 45/23 above as there was no challenge by Councillors.

9.6 WORKFORCE

Nil

10. REPORTS OF COMMITTEES

10.1 MINUTES FROM MANAGEMENT AND ADVISORY COMMITTEES

COUNCIL RESOLUTION

63/23

That Council receive the minutes of the:

- A. Cooma North Ridge Reserve Advisory Committee meeting held 23 November 2022 and ensure that SMRC share the following documents with the Cooma North Ridge Committee:
- Master trail plan
 - Dirt Art MTB Trail Master Plan – Cooma – 2016
 - Plan for the reconstruction of a second water tank
 - Rehabilitation of the sourced area after tank spill.
- B. Bombala Exhibition Ground Management Committee meeting held 14 December 2022.

Moved Councillor Williamson

Seconded Councillor Mitchell

CARRIED

Record of Voting

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

Councillors Against: Nil.

11. NOTICE OF MOTION

11.1 Procedural Motion

COUNCIL RESOLUTION

64/23

That Council move into committee.

Moved Councillor Mitchell

Seconded Councillor Williamson

CARRIED

Record of Voting

Councillors For: Councillor Beer, 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 Procedural Motion

COUNCIL RESOLUTION

65/23

That Council move out of committee.

Moved Councillor Hopkins

Seconded Councillor Hanna

CARRIED

Record of Voting

Councillors For: Councillor Beer, 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 - DEMERGER BUSINESS CASE

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

COUNCIL RESOLUTION

66/23

That:

- A. A business case for the demerger of Snowy Monaro Regional Council to reinstate the former Bombala, Cooma Monaro Shire and Snowy River Shire councils be prepared consistent with the requirements of the Local Government Act 1993.
- B. A community representative committee oversee the process and report directly to council.
- C. Council receive and consider the business case once complete.

Moved Councillor Stewart

Seconded Councillor Johnson

LOST

Record of Voting

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

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

At 02:38 pm Councillor Mitchell left the meeting

At 02:38 pm Councillor Mitchell returned to the meeting.

At 03:11 pm Councillor Summers left the meeting.

At 03:13 pm Councillor Summers returned to the meeting.

Procedural Motion

COUNCIL RESOLUTION

67/23

That Council move into committee.

Moved Councillor Williamson

Seconded Councillor Mitchell

CARRIED

Record of Voting

Councillors For: Councillor Beer, 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

68/23

That Council move out of committee.

Moved Councillor Frolich

Seconded Councillor Johnson

CARRIED

Record of Voting

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

Councillors Against: Nil.

COUNCIL RESOLUTION

69/23

That an independent audit take place before consideration of developing a business case for the demerger of Snowy Monaro Regional Council is undertaken.

Moved Councillor Johnson

Seconded Councillor Hanna

CARRIED

Record of Voting

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

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

At 03:42 pm Councillor Hanna left the meeting.

At 03:42 pm Councillor Hanna returned to the meeting.

At 03:51 pm Councillor Mitchell left the meeting.

At 03:51 pm Councillor Mitchell returned to the meeting.

12. MAYORAL MINUTES

Nil

13. QUESTIONS WITH NOTICE

Nil

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 28 February 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 45/23.

15. REPORT FROM CONFIDENTIAL SESSION

14.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 28 FEBRUARY 2023

COUNCIL RESOLUTION

70/23

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 28 February 2023 report.

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, 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 45/23 above as there was no challenge by Councillors.

There being no further business the Chair declared the meeting closed at 4:16pm.

CHAIRPERSON



The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 16 March 2023 were confirmed by Council at a duly convened meeting on 20 April 2023 at which meeting the signature hereon was subscribed.