



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

26 April 2017

**ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 2 MYACK STREET, BERRIDALE NSW 2628**

ON WEDNESDAY 26 APRIL 2017

MINUTES

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**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 2 MYACK STREET, BERRIDALE NSW 2628**

**ON WEDNESDAY, 26 APRIL 2017
COMMENCING AT 5.30PM**

PRESENT: Administrator Dean Lynch

APOLOGIES:

Staff: Peter Smith, Acting General Manager
Suneil Adhikari, Director Operations & Infrastructure
Jo-Anne Mackay, Acting Director Corporate & Community Services
Erin Donnelly, Secretary Council and Committees

The Administrator opened the meeting at 5.30pm

1. APOLOGIES

Nil

2. CITIZENSHIP CEREMONIES

Nil

3. PRESENTATIONS

Nil

4. PUBLIC FORUM

(Minutes of Deputations from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

COUNCIL RESOLUTION

63/17

That members of the public be granted permission to address Council.

Approved by Administrator Lynch

4.1 CHERYL MOULD - GENERAL MANAGERS CONTRACT RENEWAL

Cheryl Mould, a rate payer of Berridale, addressed Council regarding the recent renewal of the General Managers contract. Ms Mould expressed concerns of the length of the contract and thought it would be important, for the decision to employ the General Manager, to come from the new Council, and that this decision would be about binding the incoming Council.

5. DISCLOSURE OF INTEREST

Nil

6. ADOPTION OF MINUTES OF PREVIOUS MEETING

6.1 ORDINARY COUNCIL MEETING 29 MARCH 2017

COUNCIL RESOLUTION

64/17

THAT the minutes of the Ordinary Council Meeting held on 29 March 2017 are confirmed as a true and accurate record of proceedings.

Approved by Administrator Lynch

6.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 29 MARCH 2017

COUNCIL RESOLUTION

65/17

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 29 March 2017 are confirmed as a true and accurate record of proceedings.

Approved by Administrator Lynch

7. ADMINISTRATOR'S REPORT (IF ANY)

Nil

8. DELEGATE'S REPORT (IF ANY)

8.1 MINUTES OF THE ADMINISTRATORS DELEGATIONS MEETING HELD 31 MARCH 2017

Record No:

Responsible Officer: General Manager

Author: Acting Executive Assistant to the Administrator

Attachments: 1. Minutes of the Administrator Delegations Meeting held 31 March 2017 [⇒](#)

EXECUTIVE SUMMARY

The Administrator considered a number of reports and exercised his Delegation on 31 March 2017 in Head Office, 81 Commissioner Street, Cooma.

COUNCIL RESOLUTION

66/17

That Council receive and note the minutes of the Administrator Delegations meeting, held 31 March 2017 and confirm the adopted recommendations approved by the Administrator in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act.*

Approved by Administrator Lynch

8.2 MINUTES OF THE ADMINISTRATORS DELEGATIONS MEETING HELD 4 APRIL 2017

Record No:

Responsible Officer: General Manager
Author: Secretary Council & Committees
Attachments: 1. Minutes of the Administrator Delegations meeting held 4 April 2017
[⇒](#)

EXECUTIVE SUMMARY

The Administrator considered a number of reports and exercised his Delegation on 4 April 2017 in the Cooma Office, 81 Commissioner Street, Cooma.

COUNCIL RESOLUTION

67/17

That Council receive and note the minutes of the Administrator Delegations meeting, held 4 April 2017 and confirm the adopted recommendations approved by the Administrator in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act*.

Approved by Administrator Lynch

8.3 MINUTES OF THE ADMINISTRATORS DELEGATIONS MEETING HELD 13 APRIL 2017

Record No:

Responsible Officer: General Manager
Author: Secretary Council & Committees
Attachments: 1. Minutes - Administrator Delegations Meeting held 13 April 2017 [⇒](#)

EXECUTIVE SUMMARY

The Administrator considered a number of reports and exercised his Delegation on 13 April 2017 in the Cooma Office, 81 Commissioner Street, Cooma.

COUNCIL RESOLUTION

68/17

That Council receive and note the minutes of the Administrator Delegations meeting, held 13 April 2017 and confirm the adopted recommendations approved by the Administrator in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act*.

Approved by Administrator Lynch

9. ADOPTION OF COMMITTEE MINUTES/RECOMMENDATIONS

Business Arising Out Of The Minutes

Proceedings in Brief

A number of issues were raised by the Administrator seeking advice on progress with recommendations of the Committee. These issues did not require further resolutions from Council and were addressed by the General Manager

9.1 MINUTES OF THE JOINT LOCAL REPRESENTATIVE COMMITTEE MEETING HELD 15 MARCH 2017

Record No:

Responsible Officer: General Manager
Author: Acting Executive Assistant to the Administrator
Attachments: 1. Minutes of the Joint Local Representative Committee Meeting Held 15 March 2017 [↗](#)

EXECUTIVE SUMMARY

The Joint Local Representative Committee Meeting met on 15 March 2017 in the Cooma Chambers, Snowy Monaro Regional Council. The Committee's recommendations are presented for Council's consideration and adoption.

COUNCIL RESOLUTION

69/17

That Council

- A. Receive and note the minutes of the Snowy Monaro Local Representative Committee held on 15 March 2017 and the recommendations contained therein be adopted; and
- B. Amend the minutes to include Angela Ingram as an apology.

Approved by Administrator Lynch

10. CORPORATE BUSINESS - KEY DIRECTION 1. SUSTAINING OUR ENVIRONMENT FOR LIFE

Nil

11. CORPORATE BUSINESS - KEY DIRECTION 2. EXPANDING CONNECTIONS WITHIN THE REGION AND BEYOND

Nil

12. CORPORATE BUSINESS - KEY DIRECTION 3. STRENGTHENING OUR LOCAL ECONOMY

Nil

13. CORPORATE BUSINESS - KEY DIRECTION 4. CREATING SAFER, HEALTHIER AND THRIVING COMMUNITY

13.1 DISABILITY INCLUSION ACTION PLAN - SUBMISSION OF DRAFT PLAN

Record No:

Responsible Officer: Director Service Planning
Author: Community Service Officer
Key Direction: 4. Creating a Safer, Healthier and Thriving Community
Delivery Plan Strategy: DP4.11 Provide appropriate services and facilities for people with a disability within the Region.
Operational Plan Action: OP4.36 Review Disability Inclusion Action Plan
Attachments: 1. Draft SMRC Disability Inclusion Access Plan (*Under Separate Cover*) ⇨
2. Discussion points from community and staff engagement sessions (*Under Separate Cover*) ⇨
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

Disability Inclusion Action Planning is mandatory for state and local government, under the Disability Inclusion Act 2014. The Draft Disability Inclusion Access Plan (DIAP) 2017-2021 for the Snowy Monaro Region provides a strategic approach for Council to develop an inclusive community.

The *Disability Inclusion Act 2014 (NSW)*, encourages planning and coordination across state and local government to identify and reduce barriers that prevent people with disabilities from participating fully in their community. The Act mandates that councils must prepare a Disability Inclusion Access Plan by 1 July 2017.

Council engaged Debbie Gillman of Collective Objectives to conduct community engagement, develop and author a Disability Inclusion Access Plan 2017 – 2021. The Draft Plan is attached, along with a summary of the discussion points raised during staff and community consultations (Appendix 1).

The following officer’s recommendation is submitted for Council’s consideration.

COUNCIL RESOLUTION

70/17

That Council

- A. Receive and note the information in the report on the Draft Snowy Monaro Regional Council Disability Inclusion Access Plan 2017-2021; and
- B. Endorse the Draft Plan and place it on public exhibition for 28 days.

Approved by Administrator Lynch


14. CORPORATE BUSINESS - KEY DIRECTION 5. ENHANCING OUR HEALTHY, ACTIVE LIFESTYLE

Nil

15. CORPORATE BUSINESS - KEY DIRECTION 6. MANAGING DEVELOPMENT AND SERVICE DELIVERY TO RETAIN THE THINGS WE VALUE

15.1 DA 10.2017.1091.1

Record No:

Responsible Officer:	Planning Manager
Authors:	Urban and Rural Planner Urban and Rural Planner
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.7 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP6.13 Ensure development assessment is undertaken in accordance with adopted Local Environmental Plans, Development Control Plans, Council Policy and State and Federal legislation.
Attachments:	<ol style="list-style-type: none"> Variation Request (<i>Under Separate Cover</i>) - Confidential Proposed Plans (<i>Under Separate Cover</i>) - Confidential Draft Determination (<i>Under Separate Cover</i>) 

Further Operational Plan Actions:

Applicant Number:	10.2017.1091.1
Applicant:	Ian P Jauncey & Fiona L Jauncey
Owner:	Ian P Jauncey & Fiona L Jauncey
DA Registered:	
Property Description:	125 Caseys Road BREDBO 2626
Property Number:	Lot: 163 DP: 750525
Area:	Bredbo
Zone:	RU1 - Primary Production
Current Use:	Residential Dwelling
Proposed Use:	Residential Dwelling
Permitted in Zone:	<p>2 Permitted without consent Environmental protection works; Extensive agriculture; Home-based child care; Home occupations; Horticulture; Viticulture</p> <p>3 Permitted with consent Building identification signs; Cellar door premises; Dual occupancies; Dwelling houses; Extractive industries; Farm buildings; Intensive livestock agriculture; Intensive plant agriculture; Office premises; Open cut mining; Roads; Roadside stalls; Rural workers' dwellings; Secondary</p>

	<p> dwellings; Any other development not specified in item 2 or</p> <p>4 Prohibited</p> <p>Amusement centres; Boat building and repair facilities; Charter and tourism boating facilities; Commercial premises; Exhibition villages; Health services facilities; Industrial retail outlets; Jetties; Marinas; Mooring pens; Mortuaries; Public administration buildings; Residential accommodation; Sex services premises; Signage; Storage premises; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Water recreation structures; Wholesale supplies</p>
Recommendation:	Approval

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with the information to make a determination of the proposed development under the *Environmental Planning and Assessment Act 1979 (the Act)*.

The proposed development is for the addition of a transportable home for use as a secondary dwelling on a rural lot. This application is being submitted to Council for a decision because it involves non-compliances with *Cooma-Monaro Development Control Plan 2014 (Amendment 1) (DCP 2014)*, which fall outside the authority of staff delegations.

The variations required for the subject application concern non-compliances with:

- requirements of clause 3.3.3.3 in DCP 2014, which prescribes that the maximum distance between the two closest points of the walls of the primary and secondary dwelling is to be a maximum distance of 15 metres.
- requirements of clause 2.2.3 in DCP 2014, which prescribes that the lowest habitable floor of a new building must not be located more than 1.2 metres above the existing ground level at any point directly below it.

COUNCIL RESOLUTION

71/17

That Council:

- Vary Clause 3.3.3.3 of the *Cooma-Monaro Development Control Plan 2014 (Amendment 1)* to allow the siting of the proposed development to be an extra 40m outside the maximum allowed curtilage of 15m.
- Vary Clause 2.2.3 of the *Cooma-Monaro Development Control Plan 2014 (Amendment 1)* to allow the lowest habitable floor of the new building to be a maximum of 1.4 metres above the existing ground level.

Approved by Administrator Lynch

16. CORPORATE BUSINESS - KEY DIRECTION 7. PROVIDING EFFECTIVE CIVIC LEADERSHIP AND CITIZEN PARTICIPATION

16.1 IMPLEMENTATION PLAN - SPECIAL PROJECTS OFFICE (SPO) UPDATE - APRIL 2017

Record No:

Responsible Officer:	Director Special Projects Office
Author:	Special Projects Office
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1 Ensure that legislative obligations are met throughout all Council departments.
Operational Plan Action:	OP7.5 Achieve a stronger, more efficient Council through a successful merger.
Attachments:	1. Implementation Plan Progress Report ↗
Cost Centre	3130 - Merger
Project	Implementation Plan
Further Operational Plan Actions:	<p>OP7.5 Achieve a stronger, more efficient Council through a successful merger</p> <p>OP7.10 Investigate and implement funding opportunities to reduce Council's infrastructure gap.</p> <p>OP7.9 Community members are afforded the opportunity to review, comment and participate in decision making through policy applications.</p> <p>OP7.16 Advocate with State and Federal Government for the removal of barriers to economic and community development.</p> <p>OP7.17 Improve organisation wide Risk Management through use of ISO 31000 principles.</p> <p>OP7.18 Effective management of Council funds to ensure financial sustainability.</p> <p>OP7.24 Undertaken an efficient and effective merger process as a result of any State Government decision to create the new local government area of Snowy Monaro Regional Council.</p> <p>OP7.32 Undertake consultation with community and staff, providing assistance where possible, throughout the merger process.</p> <p>OP7.34 Support and encourage public engagement methods which invite comment from community and informs the decision making.</p> <p>OP7.36 The Executive Leadership Team will be responsible for implementing the organisation's strategies and objectives, and for carrying out the day-today management and control of Council's affairs.</p>

EXECUTIVE SUMMARY

In July 2016, the Administrator approved engagement of the Global Collaboration Tool which will automate the planning, reporting and monitoring of the implementation plan.

A review of the Implementation Plan has been undertaken. It is important to gauge an understanding of the progress and; consider the likelihood of which actions will need to be moved into the 2018 Operational Plan.

This report seeks to provide an update on the Implementation Plan progress and recommends future streamlined reporting as we deliver outcomes of the Council merger to the community.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

72/17

That Council

- A. Receive and note the progress report on the Implementation Plan as at 31 March 2017; and
- B. Endorse that all outstanding actions be reviewed and included in the Snowy Monaro Regional Council Operational Plan for 2017/2018

Approved by Administrator Lynch

16.2 ALGA SUBMISSION TO THE COMMONWEALTH GOVERNMENT - 2017-2018 FEDERAL BUDGET

Record No:

Responsible Officer: Acting Director Corporate & Community Services
Author: Personal Assistant To Director of Service Support
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy: DP7.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.
Operational Plan Action: OP7.6 Provide timely, accurate and relevant information to Council to enable informed decision making.
Attachments: 1. ALGA Letter - Submission 2017-2018 Federal Budget ➡
2. ALGA Submission 2017-2018 Federal Budget ➡
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Australian Local Government Association (ALGA) provided a Submission to the Commonwealth Government in January 2017 to assist in the development of the 2017-2018 Federal Budget.

The ALGA are lobbying at the Federal level on our behalf and are requesting councils to provide feedback to their local Federal Parliamentary Representative.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

73/17

- A. That Council receive and note the Letter and Submission from the ALGA; and
- B. That Council consider assisting the ALGA to lobby the Commonwealth Government on our behalf by agreeing to meet with our local Federal Parliamentary Representative to discuss the impacts of the key priorities in the Submission on our community.

Approved by Administrator Lynch

16.3 MONTHLY FUNDS MANAGEMENT REPORT - MARCH 2017

Record No:

Responsible Officer:	Acting Director Corporate & Community Services
Author:	Finance Assistant
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.6 Increase and improve Council's financial sustainability.
Operational Plan Action:	OP7.18 Effective management of Council funds to ensure financial sustainability.
Attachments:	Nil
Cost Centre	4010 Financial Services
Project	Funds Management
Further Operational Plan Actions:	OP7.2 Completion of reporting requirements in accordance with legislation.

EXECUTIVE SUMMARY

The following details funds management position for the reporting period ending 31 March 2017. Cash and Investments are \$73,083,959.

Certification

I, Jo-Anne Mackay, Responsible Accounting Office of Snowy Monaro Regional Council hereby certify, as required by Regulation 212 of the Local Government (General) Regulation 2005, that investments as detailed in the attached listings were invested in accordance with Section 625 of the Local Government Act 1993, the Regulations and Council's Investment Policies.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

74/17

That Council

- A. Receive and note the report indicating Council's Funds Management position as at 31 March 2017; and
- B. Receive and note the Certificate of the Responsible Accounting Officer.

Approved by Administrator Lynch

17. REPORTS BY GENERAL MANAGER

17.1 BETTY HOUSE - ASBESTOS AWARENESS CAMPAIGN

Snowy Monaro Regional Council was successful in its application to have Betty House visit the area. Betty House is a model home designed to demonstrate where asbestos might be found in and around the home. In the past Council has taken part in the Asbestos Awareness Campaign.

COUNCIL RESOLUTION

75/17

That Council receive and note reports by the General Manager.

Approved by Administrator Lynch

18. NOTICE OF MOTION

Nil

19. MOTIONS OF URGENCY

Nil

20. QUESTIONS WITH NOTICE

Nil

21. QUESTIONS TAKEN ON NOTICE

Nil

22. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

76/17

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:

22.1 Options Report - Pryce Street - Berridale

Item 22.1 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

22.2 TENDER EVALUATION AND AWARD OF CONTRACT NO. 10005871 FOR THE BOMBALA WATER TREATMENT PLANT CONTROLS SYSTEMS UPGRADE

Item 22.2 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and (dii) of the Local Government Act because it contains and information that would, if disclosed, confer a commercial advantage on a competitor of the council 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.

Approved by Administrator Lynch

Note 1: Invitation to Public

Upon the above motion being moved and seconded, the Administrator 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.

Note 2: Confidential Session of Committee

At 5.47 pm the meeting was closed to the press and public.

Note 3: Resumption of Open Committee Meeting

At 5.49 pm the Closed Session ended and the Council meeting continued in Open Session.

23. REPORT FROM CONFIDENTIAL SESSION

22.1 OPTIONS REPORT - PRYCE STREET - BERRIDALE

COUNCIL RESOLUTION

77/17

That Council

- A. Receive and note the Options Report for Provision of On-Street and Off-Street Parking in Pryce Street, Berridale; and
- B. Approve Option 1 for inclusion into the 2017/2018 Delivery and Operations Plan, subject to identifying funds through the September quarterly budget review.

Approved by Administrator Lynch

22.2 TENDER EVALUATION AND AWARD OF CONTRACT NO. 10005871 FOR THE BOMBALA WATER TREATMENT PLANT CONTROLS SYSTEMS UPGRADE

COUNCIL RESOLUTION

78/17

That Council

- A. Consider the recommendation in the Tender Evaluation Report following consideration by the Tender Review Panel of the Tenders received on 28th March 2017; and
- B. That the Contract be awarded to IMEEC for a lump sum and schedule of amounts contract amount of \$535,979.

Approved by Administrator Lynch

There being no further business the Administrator declared the meeting closed at 5.51pm



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 26 April 2017 were confirmed by Council at a duly convened meeting on 31 May 2017 at which meeting the signature hereon was subscribed.