



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Minutes**

**Ordinary Council Meeting**

**7 May 2018**



**ORDINARY COUNCIL MEETING  
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET COOMA NSW 2630  
ON MONDAY 7 MAY 2018**

<b>MINUTES</b>
----------------

Notes:

<b>1.</b>	<b>APOLOGIES.....</b>	<b>5</b>
	<b>COUNCILLOR HASLINGDEN WAS ABSENT FROM THIS MEETING WITH LEAVE OF ABSENCE PREVIOUSLY GRANTED AT THE COUNCIL MEETING HELD 19 APRIL 2018.....</b>	<b>5</b>
<b>2.</b>	<b>CITIZENSHIP CEREMONY .....</b>	<b>5</b>
2.1	Caroline O'Donnell .....	5
<b>3.</b>	<b>PRESENTATIONS.....</b>	<b>5</b>
<b>4.</b>	<b>PUBLIC FORUM .....</b>	<b>5</b>
<b>5.</b>	<b>DISCLOSURE OF INTEREST.....</b>	<b>5</b>
	Nil.	
<b>6.</b>	<b>MATTERS DEALT WITH BY EXCEPTION .....</b>	<b>5</b>
<b>7.</b>	<b>ADOPTION OF MINUTES OF PREVIOUS MEETING .....</b>	<b>6</b>
7.1	Ordinary Council Meeting 19 April 2018.....	6
7.2	Closed Session of The Ordinary Council Meeting 19 April 2018.....	6
<b>8.</b>	<b>DELEGATE'S REPORT (IF ANY) .....</b>	<b>6</b>
8.1	Mayoral Report .....	6
8.2	Councillor Miners .....	7
8.3	Councillor Ewart .....	7
8.4	Councillor Castellari.....	7
8.5	Councillor Beer .....	7
8.6	Councillor Maslin.....	8
<b>9.</b>	<b>ADOPTION OF COMMITTEE MINUTES/RECOMMENDATIONS .....</b>	<b>8</b>
9.1	Meeting Minutes of Aitchison Cottage Section 355 Committee held on 18 September 2017 and 13 December 2017 .....	8
9.2	Meeting Minutes of Jindabyne Memorial Hall Section 355 Committee dated 24 January 2018 .....	9
9.3	Recommendation from Jindabyne Memorial Hall Section 355 Committee to hold a Pre-loved Art Fundraising Event.....	10

<b>10.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 1. SUSTAINING OUR ENVIRONMENT FOR LIFE .....</b>	<b>11</b>
10.1	Request to Close Council Public Road and Crown Reserve Roads Through Lot 56 DP 750559, Lot 185 DP 257098 and Lot 187 DP 257098 at Jerangle.....	11
<b>11.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 2. EXPANDING CONNECTIONS WITHIN THE REGION AND BEYOND .....</b>	<b>12</b>
11.1	Proposal to Realign the Barry Way Jindabyne and to Address Issues with the Intersections of Barry Way with Eagle View Lane and Bungarra Lane .....	12
<b>12.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 3. STRENGTHENING OUR LOCAL ECONOMY .....</b>	<b>13</b>
	Nil	
<b>13.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 4. CREATING SAFER, HEALTHIER AND THRIVING COMMUNITY.....</b>	<b>13</b>
13.1	Alcohol Free Zones and Alcohol Prohibited Areas - Community Feedback and Adoption.....	13
	<b>A MOTION MOVED CLR CORBETT AND SECONDED CLR BEER WAS PUT TO THE VOTE AND LOST. THE LOST MOTION WAS IN THE FOLLOWING TERMS: .....</b>	<b>15</b>
<b>14.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 5. ENHANCING OUR HEALTHY, ACTIVE LIFESTYLE .....</b>	<b>16</b>
	Nil	
<b>15.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 6. MANAGING DEVELOPMENT AND SERVICE DELIVERY TO RETAIN THE THINGS WE VALUE.....</b>	<b>16</b>
	Nil	
<b>16.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 7. PROVIDING EFFECTIVE CIVIC LEADERSHIP AND CITIZEN PARTICIPATION.....</b>	<b>16</b>
16.1	Snowy Monaro 2040 Community Strategic Plan - Public Exhibition and Adoption.....	16
16.2	Draft Delivery Program and Resourcing Strategy Documents.....	17
16.3	Bombala Heavy Vehicle Alternative Route .....	18
16.4	Stronger Communities Fund Major Project Program - March 2018 Status Update .....	20
16.5	Local Government Super Defined Benefits Scheme - Additional Contributions .....	20
16.6	Answers to Questions Without Notice from the February 2018 to 5 April 15 2018 Council Meetings.....	21
16.7	Action Sheet for the Period February 2018 to 5 April 2018.....	22
16.8	Answer to Questions Taken on Notice - Tender Policy and Process .....	23
<b>17.</b>	<b>REPORTS BY GENERAL MANAGER.....</b>	<b>24</b>
17.1	General manager report.....	24

<b>18.</b>	<b>NOTICE OF MOTION .....</b>	<b>24</b>
18.1	Notice of Motion to Rescind a Resolution Cr Haslingden .....	24
18.2	Notice of Motion Cr Maslin May 2018 Legal Proceedings .....	25
18.3	Wilton Matter .....	26
<b>19.</b>	<b>MOTIONS OF URGENCY .....</b>	<b>26</b>
	Nil	
<b>20.</b>	<b>QUESTIONS WITH NOTICE .....</b>	<b>26</b>
	Nil	
<b>21.</b>	<b>QUESTIONS TAKEN ON NOTICE.....</b>	<b>27</b>
21.1	Fire Breaks And Towns Protection .....	27
21.2	RMS Road Work Sharp Street, Cooma .....	27
21.3	Werralong Road .....	27
21.4	Roadworks .....	27
21.5	Question Regarding Signage .....	27
<b>22.</b>	<b>CONFIDENTIAL MATTERS.....</b>	<b>28</b>
22.1	Renewable Energy Project Contract Approval .....	28
<b>23.</b>	<b>REPORT FROM CONFIDENTIAL SESSION .....</b>	<b>29</b>
22.1	Renewable Energy Project Contract Approval .....	29
22.2	Wilton Matter .....	29

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

**ON MONDAY, 7 MAY 2018  
COMMENCING AT 5:00PM**

**PRESENT:** Mayor John Rooney  
Deputy Mayor Linley Miners  
Councillor Peter Beer  
Councillor John Castellari  
Councillor James Ewart  
Councillor Rogan Corbett  
Councillor John Last  
Councillor Anne Maslin  
Councillor Brian Old  
Councillor Bob Stewart

**APOLOGIES:** Councillor Sue Haslingden

**Staff:** Joe Vescio, General Manager  
Suneil Adhikari, Director Operations & Infrastructure  
Gina McConkey, Acting Director Environment & Sustainability  
Nola Brady, Acting Director Corporate & Community Services  
Erin Donnelly, Secretary Council and Committees  
Amanda Shepherd, Governance Administration Officer  
Nathan Thompson, Communications Officer *left at 9.31pm*

**Notes:** *The Mayor opened the meeting at 5:02PM, Council received one (1) Citizenship for Mrs Caroline O'Donnell. Mayor John Rooney conducted the Citizenship Ceremony At 7:24pm the meeting adjourned for Dinner The meeting resumed at 7:45pm, Acting Director of Corporate & Community Services was absent from the meeting from 8:27 pm during Item 16.6 Answers to Questions Without Notice from the February 2018 to 5 April 15 2018 Council Meetings, returning at 8:30pm during same item number 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, At 9:31 pm the meeting was closed to the press and public, At 10:00 pm the Closed Session ended and the Council meeting continued in Open Session, There being no further business the Mayor declared the meeting closed at 10:01 pm.*

The Mayor opened the meeting at 5:02PM

## 1. APOLOGIES

### COUNCIL RESOLUTION

153/18

That the apology from Clr Maslin be accepted and leave of absence be granted for the Council Meeting to be held on the 7 of June

That the apology from Clr Beer be accepted and leave of absence be granted from the end of June to the start of August.

Moved Councillor Last

Seconded Councillor Ewart

CARRIED

### Note 1: LEAVE PREVIOUSLY GRANTED

COUNCILLOR HASLINGDEN WAS ABSENT FROM THIS MEETING WITH LEAVE OF ABSENCE PREVIOUSLY GRANTED AT THE COUNCIL MEETING HELD 19 APRIL 2018.

## 2. CITIZENSHIP CEREMONY

### 2.1 CAROLINE O'DONNELL

A citizenship ceremony was held for Mrs Caroline O'Donnell.

## 3. PRESENTATIONS

Nil.

## 4. PUBLIC FORUM

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

154/18

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: Meeting Minutes of Aitcheson Cottage Section 355 Committee held 18 September 2017 and 13 December 2017;

9.2: Meeting Minutes of Jindabyne Memorial Hall Section 355 Committee dated 24 January 2018;

9.3: Recommendation from Jindabyne Memorial Hall Section 355 Committee to hold a Pre-loved Art Fundraising Event;

10.1: Request to Close Council Public Road and Crown Reserve Roads through Lot 56 DP 750559, Lot 185 DP 257098 and Lot 187 DP 257098 at Jerangle;

16.1: Snowy Monaro 2040 Community Strategic Plan – Public Exhibition and Adoption;

16.2: Draft Delivery Program and Resourcing Strategy Documents;

16.5: Local Government Super Defined Benefits Scheme – Additional Contributions, and;

22.1: Renewal Energy Project Contract Approval

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

Moved Councillor Corbett

Seconded Councillor Beer

CARRIED

## 7. ADOPTION OF MINUTES OF PREVIOUS MEETING

### 7.1 ORDINARY COUNCIL MEETING 19 APRIL 2018

<b>COUNCIL RESOLUTION</b>	<b>155/18</b>	
THAT the adoption of minutes from the Ordinary Council Meeting held on 19 April 2018 be deferred until the 17 May Council Meeting, subject to confirmation on Resolution 148/18 (Item G)		
<b>Moved Councillor Last</b>	<b>Seconded Councillor Ewart</b>	<b>CARRIED</b>

### 7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 19 APRIL 2018

<b>COUNCIL RESOLUTION</b>	<b>156/18</b>	
THAT THE MINUTES OF THE CLOSED SESSION OF THE ORDINARY COUNCIL MEETING HELD ON 19 APRIL 2018 ARE		
CONFIRMED AS A TRUE AND ACCURATE RECORD OF PROCEEDINGS		
<b>MOVED COUNCILLOR CASTELLARI</b>	<b>SECONDED COUNCILLOR EWART</b>	<b>CARRIED</b>

## 8. DELEGATE'S REPORT (IF ANY)

### 8.1 MAYORAL REPORT

- Attended a meeting with the Canberra Region Joint Organisation (CBRJO), along with the General Manager and the Deputy Mayor. The Deputy Mayor also attended meetings with 2 ministers.
- CBRJO formalised its Governance structure in its Constitution. They voted to establish a Project Management Office that would provide assistance to all member councils in preparing major project proposals to be submitted to the state government for funding.
- The agreed to nominate Mayor Rooney as a nominee to the position of Deputy Chair on the Southern Inland Regional Development of Australia, which covers broadly the same area as the CBRJO.
- Had meetings with a number of State Government Ministers. The CBRJO received presentations from The Roads Minister, The Local Government Minister, The Transport Minister, and The Tourism Minister.
- Mayor Joe Rettino was in attendance in the meeting with Tourism Minister, from East Gippsland Shire Council as associate member. Mayor Rettino was keen to know what we are doing in the Snowy Monaro Region, to promote mountain bike tourism in the area.
- Expression of disappointment in the presentation from Minister for Forestry. CBRJO on behalf of SMRC, Snowy Valley and Bega Valley Councils, has been advocating to make Forestry lands rateable, so Councils can get higher funding support from the Forestry Commission for the maintenance of Roads.
- Mayor, General Manager and Deputy Mayor, also had discussions with Minister for Local Government, and in support of Council's submission for supplementary funding for the costs of amalgamation.
- Meeting with the Minister for Roads, in support of our submission for a major injection of Capital Funding that would allow us to lift the quality of our roads and bridges from their current standards.
- Thanked all Councillors that attended ceremonies representing council at various events especially Anzac Day. Council will pass on thanks to Royal Military College Duntroon and to the Royal Engineer Corps that provided a band in Sharp St, Cooma. Council should invite them back



in the future. I would like to see more promotion in regards to Anzac day, more images of the event etc., to show we are fully supported to Anzac date, and that we celebrate respectfully throughout our region.

## 8.2 COUNCILLOR MINERS

- Discussion with the Roads Minister: Advised that we need to get our projects up to date, and placed in a better format, and prioritise our needs, so we can take the plans back to the Roads Minister and obtain the required funding.

## 8.3 COUNCILLOR EWART

Attended a Bushfire Management Committee, well managed and had a good number of attendees.

Attended the Youth council meeting, Super Indented Paul Condon from our Region was in attendance. He wanted to hear what the Youth Council had to say, and to hear our ideas on what needs to be focused on. In the selloff of the old buses from Sydney, his area has been given 4 buses, one of which will be set up as a Nurse Bus, to travel the area at certain times. As well as Community Transport for our Youth.

Attended Jindabyne Connect. 50 odd people in attendance from a number of different businesses.

Attended the Snow Tunes Presentation, and received some good information in terms of figures about attendance numbers from previous events, as well as figures of the revenue that the event brought into the Region.

## 8.4 COUNCILLOR CASTELLARI

Attended the dinner with the Ngarigo traditional owners. Invited back the next day to meet the Elders and to sit in on one of their meetings. It would be beneficial as council to have more contact with the diverse indigenous groups in our area. It is a reasonably contentious area at the moment, and we need to be respectful of this. It would be value for the Ngarigo Elders to do a workshop on who they are, their culture and what their connection to Country is. As we will make decisions on all kinds of land management issues, it would be a worthwhile and educative experience to hold such a workshop. I understand the Elders will approach the Council shortly to suggest a workshop.

## 8.5 COUNCILLOR BEER

- Attended the community safety precinct meeting, Also met the new Superintendent Paul Condon.

- Questions were asked on the police presence in Cooma, and the Police presence in the Jindabyne Berridale corridor.

- Asked the question on the increased tourism in the area. There has been a lot of activity in the last year or so. However, in conjunction with this, there has been no increase of crime in the area.

- Expressed high interest in the Alcohol free zones.

- Also attended Snow Tunes. Police will be in strong presence for this event.

- Traffic through Jindabyne through the Snow Season. Was discussed. This will need to be discussed at the Traffic Committee meeting.

## 8.6 COUNCILLOR MASLIN

- Attended the Jindabyne Connect Evening with Clr Haslingden, which was enjoyed enormously by both. Was a fantastic blueprint on how to run a really vibrant event.
- Attended the Anzac Day Parade in Bombala, which was really well attended and beautifully run. Passed on thanks to Council workers on getting the event organised, including the Anzac Sports Day at the Exhibition Grounds.
- Attended the meeting with Bombala Community Representative Group along with Council's Project Officer, about the community and the major projects in Bombala. A lot of enthusiasm was expressed for these projects.
- Attended the Bombala Water Meeting, and there were around 40 odd people in attendance. The mood of the meeting was reasonably congenial. There were a few demands that things happen more quickly. It was expressed that we are moving as quickly as we can, and members from the Office of water have come down to assess the area.

### COUNCIL RESOLUTION

157/18

That Council receive and note reports by Mayor and Councillors.

Moved Councillor Ewart

Seconded Councillor Corbett

CARRIED

## 9. ADOPTION OF COMMITTEE MINUTES/RECOMMENDATIONS

### *Business Arising Out Of The Minutes*

#### Proceedings in Brief

A number of issues were raised by the Mayor 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 MEETING MINUTES OF AITCHISON COTTAGE SECTION 355 COMMITTEE HELD ON 18 SEPTEMBER 2017 AND 13 DECEMBER 2017

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Asset Manager
Key Direction:	4. Creating a Safer, Healthier and Thriving Community
Delivery Plan Strategy:	DP4.1.2.1 Support the availability of volunteering opportunities and build capacity.
Operational Plan Action:	OP4.9 Strengthen, support and promote volunteering within Council and in the Community as a valued vocation that builds social capacity
Attachments:	1. Minutes of Aitcheson ⇨ Cottage S355 Committee for 18 September 2017 2. Minutes of Aitcheson ⇨ Cottage s355 Committee for 13 December 2017
Cost Centre	Aitcheson Cottage s355 Committee
Project	
Further Operational Plan Actions:	

### EXECUTIVE SUMMARY

A copy of the Meeting Minutes for Aitcheson Cottage Section 355 Committee held on 18 September 2017 and 13 December 2017 are attached for Council's consideration.

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

#### COUNCIL RESOLUTION

158/18

That Council receive and note the minutes of the Aitcheson Cottage Section 355 Committee Meetings held on 18 September 2017 and 13 December 2017.

Moved Councillor Corbett

Seconded Councillor Beer

CARRIED

#### Note 2: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 154/18 above as there was no challenge by Councillors.

### 9.2 MEETING MINUTES OF JINDABYNE MEMORIAL HALL SECTION 355 COMMITTEE DATED 24 JANUARY 2018

Record No:

Responsible Officer: Director Operations & Infrastructure  
Author: Asset Manager  
Key Direction: 4. Creating a Safer, Healthier and Thriving Community  
Delivery Plan Strategy: DP4.1.2.1 Support the availability of volunteering opportunities and build capacity.  
Operational Plan Action: OP4.9 Strengthen, support and promote volunteering within Council and in the Community as a valued vocation that builds social capacity  
Attachments: 1. [↗](#) Minutes of Jindabyne Memorial Hall Section 355 Committee dated 24 January 2018  
Cost Centre Jindabyne Memorial Hall 1570  
Project  
Further Operational Plan Actions:

#### EXECUTIVE SUMMARY

A copy of the Meeting Minutes for Jindabyne Memorial Hall Section 355 Committee held on 24 January 2018 are attached for Council's information.

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

#### COUNCIL RESOLUTION

159/18

That Council receive and note the minutes of the Jindabyne Memorial Hall Section 355 Committee held

on 24 January 2018.

**Moved Councillor Corbett**

**Seconded Councillor Beer**

**CARRIED**

**Note 3: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution .154/18 above as there was no challenge by Councillors.

**9.3 RECOMMENDATION FROM JINDABYNE MEMORIAL HALL SECTION 355 COMMITTEE TO HOLD A PRE-LOVED ART FUNDRAISING EVENT**

Record No:

Responsible Officer: Director Operations & Infrastructure  
 Author: Asset Manager  
 Key Direction: 4. Creating a Safer, Healthier and Thriving Community  
 Delivery Plan Strategy: DP4.1.2.1 Support the availability of volunteering opportunities and build capacity.  
 Operational Plan Action: OP4.9 Strengthen, support and promote volunteering within Council and in the Community as a valued vocation that builds social capacity  
 Attachments: 1. [⇒](#) Jindabyne Memorial Hall Section 355 Committee Recommendation for approval to hold pre-loved art sale event  
 Cost Centre Jindabyne Memorial Hall 1570  
 Project Jindabyne Memorial Hall Fundraising for Hall Foyer Floor  
 Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

Recommendation JMH 01/18 from the Jindabyne Memorial Hall Section 355 Committee requests for approval from Council to run a pre-loved original art sale event at the Jindabyne Memorial Hall to raise funds to upgrade the Foyer floor in the Jindabyne Memorial Hall.

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

**COUNCIL RESOLUTION**

**160/18**

That Council

- A. Approve the Jindabyne Memorial Hall Section 355 Committee's Recommendation JMH 01/18 to hold a pre-loved original art sale event 12 to 15 July 2018 in the Jindabyne Memorial Hall.
- B. Approve for proceeds from the fundraising event to go towards the cost of materials to refurbish the floor in the Jindabyne Memorial Hall Foyer.

**Moved Councillor Corbett**

**Seconded Councillor Beer**

**CARRIED**



**Note 4: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 154/18 above as there was no challenge by Councillors.

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

### 10.1 REQUEST TO CLOSE COUNCIL PUBLIC ROAD AND CROWN RESERVE ROADS THROUGH LOT 56 DP 750559, LOT 185 DP 257098 AND LOT 187 DP 257098 AT JERANGLE

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Property Officer
Key Direction:	2. Expanding Connections Within the Region and Beyond
Delivery Plan Strategy:	DP2.2.1.3 Continual maintenance and improvement of the road infrastructure network
Operational Plan Action:	OP2.8 The Asset Management Strategy informs decision making
Attachments:	1.  Map Showing Proposed Road to be Closed Through Lots 185 & 187 2.  Map Showing Extent of Council Public Road
Cost Centre	1830 – Unsealed Rural Roads
Project	No identified project.

#### EXECUTIVE SUMMARY

The landowner of lots 56 DP 750559 and lots 185 and 187 DP 257098 contacted Council by email on 14 March 2018 asking for Council's assistance to close two roads which traverse his property at Jerangle.

The section of the unnamed Council public road which traverses lots 56 and 185 has never been constructed and as the road ends just inside the boundary of lot 185, is of no value as a Council public road. The Crown reserve roads do not provide access to property owned by anyone else.

Should Council resolve to consent to the road closures, the Crown will carry out all the procedures, notifications etc. associated with road closures. As an unconstructed Council public road and Crown reserve road, the land will vest in the Crown following closure of the roads.

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

#### COUNCIL RESOLUTION

161/18

That Council

- A. Approve the proposal to close the Council public road and the Crown reserve roads which traverse lots 56 DP 750559, 185 and 187 DP 257098.
- B. Notify the Crown in writing of the resolution to approve the closure of the Council public road and the Crown reserve roads traversing lots 56 DP 750559 Lots 185 and 187 DP 257098.
- C. Notify the landowner of Council's decision.

Moved Councillor Corbett

Seconded Councillor Beer

CARRIED

#### Note 5: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 154/18 above as there was no challenge by Councillors.

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

### 11.1 PROPOSAL TO REALIGN THE BARRY WAY JINDABYNE AND TO ADDRESS ISSUES WITH THE INTERSECTIONS OF BARRY WAY WITH EAGLE VIEW LANE AND BUNGARRA LANE

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Property Officer
Key Direction:	2. Expanding Connections Within the Region and Beyond
Delivery Plan Strategy:	DP2.2.1.3 Continual maintenance and improvement of the road infrastructure network
Operational Plan Action:	OP2.8 The Asset Management Strategy informs decision making
Attachments:	1. ➡ Intersection of Eagle View Lane and Barry Way 2. ➡ Intersection of Bungarra Lane and Barry Way Jindabyne
Cost Centre	1822 - Sealed Rural Roads : Local 1826 – Sealed Rural Roads : Regional 1830 – Unsealed Rural Roads : Local
Project	Stronger Communities Project PP-219 (Undertake project to align the road with road reserves).

#### EXECUTIVE SUMMARY

For some years Council has been aware that there are a number of issues with the alignment of the Barry Way from MR286 to the Victorian border. Two sections of the road which are off-line have caused considerable difficulties with landowners and access to their properties.

It is proposed to address the realignment of the Barry Way road reserve over the constructed road from the roundabout at MR286 to the border of the Kosciuszko National Park and to ensure that landowners enjoy legal access to their properties from Barry Way to Eagle View Lane and Bungarra Lane into the future.

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

#### COUNCIL RESOLUTION

162/18

That Council

- A. Approve the proposal to realign The Barry Way over the constructed road from the intersection with MR286 to the boundary of the national park.
- B. Approve the proposal to apply to the Crown to transfer those sections of The Barry Way which are Crown reserve road to Council.
- C. Authorise staff to negotiate with landowners for acquisition of the constructed Barry Way and, where possible, to offer to close corresponding sections of paper road and to dedicate the land to the landowner in compensation.
- D. To engage the services of a surveyor to identify those sections of the Barry Way which are not on line with the constructed road.
- E. To acquire any Crown land upon which the Barry Way has been constructed through the process of

the Land Acquisition (Just Terms Compensation) Act 1991 through the authority of the Roads Act 1993.

- F. Authorise the General Manager to execute any documents necessary to complete the project.
- G. Authorise the expenditure and allocate an amount of \$135,000 in the 2018/19 year Budget with funding to be provided from Stronger Communities Project PP-219 (Undertake project to align the road with road reserves).

Moved Councillor Castellari

Seconded Councillor Beer

CARRIED

## 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 ALCOHOL FREE ZONES AND ALCOHOL PROHIBITED AREAS - COMMUNITY FEEDBACK AND ADOPTION

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Community Development Officer
Key Direction:	4. Creating a Safer, Healthier and Thriving Community
Delivery Plan Strategy:	DP4.1.1.3 Implement a range of programs targeted to address positive community relationships between residents, seasonal workers and visitors.
Operational Plan Action:	OP4.7 Support initiatives that build positive relationships and address needs of community
Attachments:	1. <a href="#">↗</a> Feedback from Public Exhibition of Alcohol Free Areas Proposal
Cost Centre	2420
Project	Alcohol Free Zones and Alcohol Prohibited Areas
Further Operational Plan Actions:	7.11 – Ensure community members are afforded the opportunity to review, comment, and participate in Council decision making

### EXECUTIVE SUMMARY

Some time ago, Council was approached by the NSW Police with regard to the implementation of alcohol-free zones and alcohol prohibited areas in our region. This request was made based both on actual incidences of crime and complaints received about public drinking, with most of these complaints emerging from Jindabyne during the winter months.

After a review of the data and a physical assessment of the region (undertaken by Police in partnership with Council), alcohol-free zones and alcohol prohibited areas were proposed for Berridale, Bombala, Cooma and Jindabyne. This proposal was placed on public exhibition during February / March 2018 line

with the *Local Government Act 1993*. This included targeted consultations with stakeholders as outlined in the Act and Ministerial Guidelines, as well as additional consultation processes designed to ensure all stakeholders had an opportunity to provide feedback.

Council received 14 submissions from individuals (two supporting, 12 in opposition) and five organisational submissions (three supportive, two “unopposed”). Many submissions were used as a platform to raise other key issues, in particular the lack of public rubbish and recycling facilities in Jindabyne, and issues around illegal camping on the Lake Jindabyne foreshore. The vast majority of responses came from Jindabyne or Jindabyne-based organisations.

NSW Police officers Detective Chief Inspector Grey and Crime Prevention Officer Naomi Nemec, attended the Council meeting on Thursday 5 April to present the Police position regarding Alcohol Fee Zones and Alcohol Prohibited Areas, and addressed several questions from Councillors regarding the proposal.

Alcohol free, or dry, areas for our region, are proposed in line with the Local Government Act NSW, National Alcohol Strategy, and Intergovernmental Committee on Drugs. They are proposed as one part of a larger strategy to address drinking culture in our region.

It is proposed that Alcohol Prohibited Areas (parks, the Lake Jindabyne Foreshore) be implemented from 9:30pm – 9:00am. It should be noted that the start-time for implementation is 30 minutes later than originally proposed by Police. This change is recommended in line with community feedback that emerged during the public exhibition period. A number of those opposed to implementation of the dry areas were concerned about summer BBQs that last late into the evening. This later start (9:30pm vs. 9:00pm) will ensure that summer BBQs and sunsets are not impacted by the APA proposal, as twilight concludes prior to 9:30pm even on the longest day of the year.

Alcohol Free Zones (roads, footpaths, car parks) are to be implemented from 7:00pm – 9:00am. The start-time of 7:00pm is designed to address pre-loading behaviours. Pre-loading is the habit of drinking alcohol prior to attending a venue – both at home and on the road. The “roadie” is understood to be an Australian tradition; but it is one that promotes irresponsible drinking behaviour and has a negative impact on the look and feel of our towns and villages.

Outdoor dining licenses override the alcohol-free areas and are therefore exempt. Events can request an exemption at no charge.

Alcohol consumption has direct and indirect impacts on our community. Consumption of alcohol impacts crime because alcohol affects behaviour and impairs decision-making. Street drinking and public intoxication also increase the perceived fear of crime, which can lead to avoidance of an area. Avoidance reduces natural surveillance, which makes crime more likely in a given area.

In terms of human health, regular consumption of alcohol has profound, negative impacts. Alcohol consumption is directly linked to at least six types of cancer. According to the Australian Institute of Health and Welfare, alcohol use was responsible for 5.1% of the total burden of disease and injury in Australia in 2011. Here on the Snowy Monaro, the rates of alcohol-related hospitalisations are higher than NSW averages, and they are on the rise (please see NSW Health graphics in the body of this report).

Reducing the availability of alcohol by implementing dry areas, per the recommendations of the Intergovernmental Committee on Drugs and the National Alcohol Strategy, may have significant, short- and long-term, positive impacts on our community.

That said, little research on the actual effectiveness of alcohol-free zones/ alcohol prohibited areas has been undertaken, in Australia or globally. Evidence that dry areas impact drinking culture more broadly is anecdotal; the reporting officer could find no concrete evidence to indicate that dry areas play a role



in shifting drinking culture or have a significant impact on pre-loading. There was also little evidence to contradict the effectiveness of these zones: the research simply has not been done.

Further, dry areas have little impact on underage drinking, as it is already illegal for people under 18 to consume alcohol, and police already have powers to confiscate any alcohol consumed by young people, to break up parties that include alcohol or other drugs, etc. Implementation of dry areas may impact young people if there is more monitoring of the parklands where some underage parties take place.

The cost of signage is also a deterrent to implementation of dry areas in our region. The up-front cost is around \$15,000, with renewal costs at perhaps a thousand dollars over a six-year period. However, further examination of the existing alcohol-free zone signage in Cooma, for example, indicates that these signs do have a “shelf life” and need to be replaced once every ten years or so. This places the cost of maintain signage for the region’s dry areas closer to \$16,000 per decade, rather than \$15,000 up front with a small follow-up cost in perpetuity.

With all of this in mind, and given community consultation outcomes, the officer stands by the recommendation that Council go forward with the implementation of the proposed dry areas. Implementation of these zones aligns with Council’s goals of building “safer, healthier, thriving” communities and encouraging year-round, regional tourism. Safety and amenity are the key issues in this case. There is real potential for alcohol-free areas to have a positive impacts in both areas. This can be measured and evaluated, in partnership with police, during the implementation period. This will allow Council to make an informed decision about the renewal of these areas.

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

#### **OFFICER’S RECOMMENDATION**

That Council:

- A. Adopt the proposed Alcohol Prohibited Areas (9:30pm – 9:00am inclusive) and Alcohol Free Zones (7:00pm – 9:00am inclusive) in Cooma
- B. Adopt all proposed Alcohol Free Zones (footpaths, roadways, public car parks; 7:00pm – 9:00am inclusive) in Jindabyne
- C. Adopt all proposed Alcohol Prohibited Areas (9:30pm – 9:00am inclusive) in Jindabyne
- D. Adopt the proposed Alcohol Prohibited Area (9:30pm – 9:00am inclusive) for Berridale
- E. Defer a decision about alcohol-free areas in Bombala pending changes to the map and an additional public exhibition period, per this report
- F. Prioritise implementation of these areas prior to the beginning of the 2018 ski season

#### **Note 6: Lost Motion**

A motion moved Clr Corbett and seconded Clr Beer was put to the vote and LOST. The lost motion was in the following terms:

*That the officers recommendation be adopted*

As there was no foreshadowed motion before the meeting, the matter lapsed and the Chair moved on to the next item of business.

#### **Note 7: Vote In Favour of Officer’s Recommendation**

Clr Castellari, Clr Ewart and Clr Beer, requested that their vote in favour of the Motion for Item 13.1 – Alcohol Free Zones and Alcohol Prohibited Areas- Community Feedback and Adoption, be recorded in the minutes.

**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**

Nil

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

**16.1 SNOWY MONARO 2040 COMMUNITY STRATEGIC PLAN - PUBLIC EXHIBITION AND ADOPTION**

Record No:

Responsible Officer:	Director Corporate and Community Services
Authors:	Governance IP&R Contractor Group Manager Governance
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.4.1.3 Coordinate and initiate community engagement processes that facilitate participation in Council activities and decision making, and keep residents informed on local events, issues and planning.
Operational Plan Action:	OP7.33 The Executive Leadership Team will be responsible for implementing the organisation's strategies and objectives, and for carrying out the day-to-day management and control of Council's affairs.
Attachments:	1. Snowy Monaro 2040 Community Strategic Plan ( <i>Under Separate Cover</i> ) ⇨ 2. Copy of Submissions and Feedback received ( <i>Under Separate Cover</i> ) ⇨
Cost Centre	3120

**EXECUTIVE SUMMARY**

At the meeting of 15 February 2018 Council resolved to place the Draft Snowy Monaro 2040 Community Strategic Plan (CSP) on public exhibition and invite feedback from the community through the provision of electronic feedback or by way of formal written submission. The public exhibition period ran from 19 February to 25 March 2018. All feedback received has been considered.

Council received 18 responses. This included five formal submissions, twelve electronic responses and additional feedback provided by Councillor Haslingden. The details have been captured and considered by the relevant Council departments. This report provides a summary of the feedback received and any action taken as a result.

An additional strategy has been created under the Leadership Theme as a result of developing Council's

Delivery Program and Operational Plan. This was to enable Council to document its focus on becoming an Employer of Choice in the region. Details of this are provided further in this report.

Document structure, grammatical corrections were also identified via Council staff feedback and subsequently minor readability improvements were made to the final version of the CSP.

The adoption of the Draft Snowy Monaro 2040 Community Strategic Plan presents Council with a strong roadmap to guide the development of Council's 2018-21 Delivery Program, 2018-19 Operational Plan and Resourcing Strategy.

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

**COUNCIL RESOLUTION**

**163/18**

That Council

- A. Adopt the Snowy Monaro 2040 Community Strategic Plan, and
- B. Arrange for the Snowy Monaro 2040 Community Strategic Plan to be sent to the Office of Local Government as required under the Local Government Act 1993.

**Moved Councillor Corbett**

**Seconded Councillor Beer**

**CARRIED**

**Note 8: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 154/18 above as there was no challenge by Councillors.

**16.2 DRAFT DELIVERY PROGRAM AND RESOURCING STRATEGY DOCUMENTS**

Record No:

Responsible Officer:	Director Corporate and Community Services
Authors:	Governance IP&R Contractor Group Manager Governance
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1.1.1 Ensure that legislative obligations are met throughout all Council departments.
Operational Plan Action:	OP7.5 Complete reporting requirements in accordance with legislation.
Attachments:	1. Draft Delivery Program and Operational Plan ( <i>Under Separate Cover</i> ) ⇒ 2. 2019 Schedule of Fees and Charges ( <i>Under Separate Cover</i> ) ⇒ 3. Draft Resourcing Strategy ( <i>Under Separate Cover</i> ) ⇒
Cost Centre	3120
Project	Integrated Planning and Reporting

**EXECUTIVE SUMMARY**

The Delivery Program and Operational Plan and Resourcing Strategy have been developed in collaboration with Council staff and Councillors. A joint Councillor and Executive Management Team

workshop held on 16 April 2018 progressed the program further. Importantly, feedback provided by the community leading up to the development of the Snowy Monaro 2040 Community Strategic Plan and other engagement processes throughout the year has also been actively considered.

Snowy Monaro Regional Council, like many other NSW Local Government areas face a continuing challenge to financially sustain the delivery and improvement of services and public infrastructure to our region over time. Council has worked to balance the priorities and needs of the community and region with the availability of resources.

It is proposed public exhibition is from 9 May to 6 June 2018 with a number of community consultation and engagement activities to be held. Following receipt of submissions final documents will be presented to Council at the extraordinary Council meeting 28 June 2018 for adoption.

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

**COUNCIL RESOLUTION**

**164/18**

That Council

- A. Resolve to place the Draft 2018-21 Delivery Plan and 18-19 Operational Plan, Draft 2019 Schedule of Fees and Charges and the 2018 – 28 Resourcing Strategy on public exhibition from 9 May to 6 June 2018 and invite written submissions
- B. Undertake a range of community engagement activities in conjunction with the public exhibition period.
- C. Receive a further report at the extraordinary meeting of 28 June 2018 to consider submissions and adoption of the final documents.

**Moved Councillor Corbett**

**Seconded Councillor Beer**

**CARRIED**

**Note 9: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 154/18 above as there was no challenge by Councillors.

**16.3 BOMBALA HEAVY VEHICLE ALTERNATIVE ROUTE**

Record No:

Responsible Officer: Executive Manager Innovation & Business Development  
Author: Project Manager  
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation  
Delivery Plan Strategy: DP7.1.1.1 Ensure that legislative obligations are met throughout all Council departments.  
Operational Plan Action: OP7.1 Achieve a stronger, more efficient Council through a successful merger.  
Attachments: Nil  
Cost Centre 3130 - Merger  
Project Stronger Councils Fund – Major Projects Program  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

At the Council meeting held on 15 March 2018, Council considered and approved the tender for a feasibility study for the Heavy Vehicle Bypass in Bombala.

We have since received a petition from the Bombala Chamber of Commerce that requests support for an alternative route. In order to progress this project there are three recommended options to be considered before we can proceed.

**Option 1:** Undertake feasibility study of Heavy Vehicle traffic movement to determine best alternative route that results in highest reduction in traffic volumes in Bombala CBD, with due consideration to the economic impact of the route. Once this is finalised, move to detailed design of recommended route.

**Option 2:** Proceed to the detailed design phase of the low level bridge and Bright St alternative Heavy Vehicle route. Concept design have been completed, with preliminary hydraulic.

**Option 3:** Undertake concept and detailed design of alternative route from the Wastewater Treatment Plant to Mahratta St. Part of this option completed via Option 2, though alternative high level bridge would be considered.

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

**COUNCIL RESOLUTION**

**165/18**

That Council determine that the following option be used for this project to proceed:

- A. Council commission a feasibility study that details the full impact of the Heavy Vehicle alternate route on the Bombala Townships;
- B. To identify the best alternative route that would result in the greatest reduction in Heavy Vehicle Traffic in the Bombala CBD based on the surrounding industries;
- C. Study to look at the economic impact on the proposed route on the Business and Tourist industries of Bombala, and;
- D. Provide details of the necessary environmental approvals necessary to bring the project to a shovel ready status.

**Moved Councillor Beer**

**Seconded Councillor Castellari**

**CARRIED**

**Note 10: Amendment to Original Motion**

The above recommendation was an amendment to the original motion. The amendment on being put to the vote was carried and became the substantive motion.

The original motion Moved: Clr Stewart, Seconded: Clr Maslin was:

That Council determine that the following option be used for this project to proceed:

- A Option 1, or
- B Option 2, or
- C Option 3.

**Note 11: Adjournment of Meeting**

At 7:24pm the meeting adjourned for Dinner.

**Note 12: Resumption of Meeting**

The meeting resumed at 7:45pm

#### 16.4 STRONGER COMMUNITIES FUND MAJOR PROJECT PROGRAM - MARCH 2018 STATUS UPDATE

Record No:

Responsible Officer:	Executive Manager Innovation & Business Development
Author:	Project Manager
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1.1.1 Ensure that legislative obligations are met throughout all Council departments.
Operational Plan Action:	OP7.1 Achieve a stronger, more efficient Council through a successful merger.
Attachments:	Nil
Cost Centre	3130
Project	Stronger Communities Fund   Major Projects Program (SCFMPP)
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

The purpose of this report is to provide Council and the community with a status update on the delivery of all the projects under the Stronger Communities Fund Major Project Program (SCFMPP) as at 31 March 2018.

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

#### COUNCIL RESOLUTION

166/18

That Council receive and note the SCFMPP progress report to 31 March 2018.

Moved Councillor Corbett

Seconded Councillor Maslin

CARRIED

#### 16.5 LOCAL GOVERNMENT SUPER DEFINED BENEFITS SCHEME - ADDITIONAL CONTRIBUTIONS

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Acting Payroll Officer
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.2.1.1 Increase and improve Council's financial sustainability.
Operational Plan Action:	OP7.16 Effective management of Council funds to ensure financial sustainability.
Attachments:	1. <a href="#">Information for LGSS Pooled Employers AASB119 reporting as at 30 June 2017</a> 2. <a href="#">LGS-Employer-Guide DIV B</a>

Cost Centre 10-6010 People and Culture

Project

Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

Snowy Monaro Regional Council employs 17 staff who are members of a superannuation scheme provided by Local Government Super (LGS) called a Retirement Scheme (i.e. Defined Benefits).

Council has been advised that the total Additional Contributions payable by Snowy Monaro Regional Council to the Defined Benefits scheme will be increasing as follows:

FY 2017/18	FY 2018/19	Difference	
\$166,000	\$172,000	\$6,000	Increase

The Additional Contributions as shown above for FY 2018/19 are estimated to remain in place until 30 June 2020, however the Trustee reviews the financial position of the fund on an annual basis and will provide updates accordingly, so the actual value may vary in the ensuing financial years.

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

<b>COUNCIL RESOLUTION</b>	<b>167/18</b>
That Council receive and note the information in the report.	
<b>Moved Councillor Corbett</b>	<b>Seconded Councillor Beer</b>
	<b>CARRIED</b>

**Note 13: Motions Without Debate**

The above officer’s recommendation became a resolution of Council as a result of resolution 154/18 above as there was no challenge by Councillors.

**16.6 ANSWERS TO QUESTIONS WITHOUT NOTICE FROM THE FEBRUARY 2018 TO 5 APRIL 15 2018  
COUNCIL MEETINGS**

Record No:

Responsible Officer: Director Corporate and Community Services  
 Author: Secretary Council & Committees  
 Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation  
 Delivery Plan Strategy: DP7.1.1.2 Council’s leadership is based on ethics and integrity to enable informed and appropriate decisions in the community’s best interest.  
 Operational Plan Action: OP7.7 Provide timely, accurate and relevant information to Council to enable informed decision making.  
 Attachments: 1. ➡ Answers to Questions asked at the March and 5 April 2018 Meetings  
 Cost Centre 3120 Governance

Project Questions with or without notice

Further Operational Plan Actions:

### EXECUTIVE SUMMARY

In order to provide Councillors with answers to questions asked at Council Meetings, a report has been generated in InfoCouncil with all outstanding questions as documented and recorded in the minutes of the December and February meetings.

This report (attached) includes responses or updates on questions not previously answered for the March to 5 April meetings.

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

#### COUNCIL RESOLUTION

168/18

That Council receive and note the responses to outstanding questions raised by Councillors for the March to 5 April meetings.

Moved Councillor Castellari

Seconded Councillor Beer

CARRIED

#### Note 14: Attendance of Staff Member: Nola Brady – Acting Director Corporate & Community Services

Acting Director of Corporate & Community Services was absent from the meeting from 8:27 pm during Item 16.6 Answers to Questions Without Notice from the February 2018 to 5 April 2018 Council Meetings, returning at 8:30pm during same item number.

### 16.7 ACTION SHEET FOR THE PERIOD FEBRUARY 2018 TO 5 APRIL 2018

Record No:

Responsible Officer: Director Corporate and Community Services  
Author: Secretary Council & Committees  
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation  
Delivery Plan Strategy: DP7.1.1.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.  
Operational Plan Action: OP7.7 Provide timely, accurate and relevant information to Council to enable informed decision making.  
Attachments: 1. [➡](#) Completed Action for February 2018 to 5 April 2018  
2. [➡](#) Outstanding Actions for February 2018 to 5 April 2018  
3. [➡](#) Outstanding Actions for 2017  
Cost Centre 3120 Governance  
Project Questions with or without notice  
Further Operational Plan Actions:



**EXECUTIVE SUMMARY**

In order to provide Councillors with updates on resolutions of Council, a report (attached) has been generated in InfoCouncil with all resolutions requesting actions as documented and recorded in the minutes for the period February 2018 to 5 April 2018.

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

<b>COUNCIL RESOLUTION</b>	<b>169/18</b>	
That Council		
A. Receive and note the action sheets for the period February 2018 to 5 April 2018; and		
B. Receive and note the updates on outstanding actions for 2017.		
<b>Moved Councillor Beer</b>	<b>Seconded Councillor Corbett</b>	<b>CARRIED</b>

**16.8 ANSWER TO QUESTIONS TAKEN ON NOTICE - TENDER POLICY AND PROCESS**

Record No:

Responsible Officer: Director Corporate and Community Services  
Author: Executive Assistant to Director Corporate and Community Services  
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation  
Delivery Plan Strategy: DP7.1.1.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.  
Operational Plan Action: OP7.7 Provide timely, accurate and relevant information to Council to enable informed decision making.  
Attachments: 1. [⇒](#) Question Taken on Notice - Tender Policy and Process  
Cost Centre  
Project  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

At the Ordinary Council Meeting held on 5 April 2018, Councillor Miners asked the following Question Taken on Notice:

Can Council explain the policy of the tender process?  
Validation of Values. How this is checked?

The attached report outlines the Tender Policy and Process.

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

**COUNCIL RESOLUTION**

**170/18**

That Council receive and note the information in the report on the Tender Policy and Process.

**Moved Deputy Mayor Miners**

**Seconded Councillor Stewart**

**CARRIED**

**17. REPORTS BY GENERAL MANAGER**

**17.1 GENERAL MANAGER REPORT**

- East Gippsland Shire Council Visist
- Week before last, the General Manager, the Director Corporate and Community Services and Project Manager for the IT Project accepted an invitation to visit East Gippsland Shire Council to see what they were doing with their corporate systems. It was impressive, and there were a couple of really good ideas. A full report will come when we bring a report to Council on the Draft EOI for the corporate system, before Council goes to Public Advertising for the EOI.
- Local Government Excellence Awards
- SMRC are a finalist in 6 categories for the 2018 Local Government Excellence Awards. E.g. Community Services, Lake Wallis Dam for Infrastructure. An email will be sent to councillors with information on the categories.

**COUNCIL RESOLUTION**

**171/18**

That Council receive and note reports by the General Manager.

**Moved Councillor Castellari**

**Seconded Councillor Corbett**

**CARRIED**


**18. NOTICE OF MOTION**

**18.1 NOTICE OF MOTION TO RESCIND A RESOLUTION CR HASLINGDEN**

Record No:

Responsible Officer: General Manager

Author: Councillor Sue Haslingden

Attachments: 1.  Notice of Motion to rescind a resolution - Cr Haslingden May 2018

Councillor Suzanne Haslingden has given notice that at the Ordinary Meeting of Council on 7 May 2018, she will move the following motion.

**COUNCIL RESOLUTION**

**172/18**

That the Council resolution relating to

Minutes No. OC\_05042018\_MIN\_1036

Item No. 10.1 Council Owned Residence at 204 Maybe Street Bombala

**COUNCIL RESOLUTION**

**1/18**

That Council

- A. Approve the sale of Council's residential house at 204 Maybe Street Bombala without the refurbishment works being carried out. Proceeds of sale to be deposited into Council's Property Reserve.
- B. Authorise the expenditure to be allocated from the 2018 Financial Budget with funding to be provided from the Former Bombala LGA Reserve.

**Moved Councillor Ewart**

**Seconded Councillor Corbett**

**CARRIED**

**PASSED AT THE COUNCIL MEETING HELD ON : 5 April 2018**

be and is hereby RESCINDED".

*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.*

**Notice of Motion**

That Council not sell 204 Maybe St Bombala, and subject to an independent building condition report, that Council then looks to rent the property

**Moved Councillor Maslin**

**Seconded Councillor Ewart**

**CARRIED**

**Note 15: Amendment to Original Motion**

The above recommendation was an amendment to the original motion. The amendment on being put to the vote was carried and became the substantive motion.

The original motion Moved: Clr Stewart, Seconded by Clr Last was:

*"That Council not sell 204 Maybe St Bombala; and approve the refurbishment of the kitchen and bathroom including maintenance works on Council's residential house prior to renting of the house."*

**18.2 NOTICE OF MOTION CR MASLIN MAY 2018 LEGAL PROCEEDINGS**

Record No:

Responsible Officer: General Manager

Author: Councillor Anne Maslin

Attachments: 1.  SMRC Notice of Motion May 2018 - Cr Anne Maslin

Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 7 May 2018, she will move the following motion.

**COUNCIL RESOLUTION**

**173/18**

That Councillors be provided with a monthly update of issues currently known to council staff and General Manager, which carry impending legal action against SMRC council and/or- threaten to cost SMRC significant amounts of money ( i.e. \$50,000 or more ).

**Moved Councillor Maslin**

**Seconded Councillor Last**

**CARRIED**

**18.3 WILTON MATTER**

Record No:

Responsible Officer: General Manager

Author: Councillor Anne Maslin

Attachments: 1. [📄](#) Notice of Motion Cr Maslin - Mr Wilton

Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 7 May 2018, she will move the following motion.

**COUNCIL RESOLUTION**

**174/18**

That Council discuss the Wilton matter in Confidential Session at this meeting, for the following reasons;

*Item 18.3 is confidential in accordance with s10(A)(2)(f) of the Local Government Act because it contains details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property and (g) of the Local Government Act because it contains and advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Moved Councillor Maslin**

**Seconded Deputy Mayor Miners**

**CARRIED**

**19. MOTIONS OF URGENCY**

Nil

**20. QUESTIONS WITH NOTICE**

Nil

## 21. QUESTIONS TAKEN ON NOTICE

### 21.1 FIRE BREAKS AND TOWNS PROTECTION

Councillor Rogan Corbett

Question: Could Council look at the fire protection in the area of Bredbo? From the reservoir to the town this needs to be gravel break, as a back burn won't work it is not maintained. As this is a love grass area, this needs urgent attention. Also the same problem on Pig Farm Road in Cooma. There is no protection for the Zalika Heights area.

Answer: Taken on Notice.

### 21.2 RMS ROAD WORK SHARP STREET, COOMA

Councillor Linley Miners

Question: Was Council notified of works at the pedestrian barriers middle of Sharp Street? If so how much notice was given? Did not come to LTC. Flow on effect. i.e. no B-Double access East West

Answer: Taken on Notice.

### 21.3 WERRALONG ROAD

Councillor Linley Miners

Question: Do we know where stage 2 of the Ministers approval is up to?

(Side note – this is blowing up, it may be from slow motion work from Council. Police have confiscated firearms from people involved.) Council needs to progress our end of things.

Answer: Taken on Notice.

### 21.4 ROADWORKS

Councillor Brian Old

Question: Is the Council satisfied with the finalised product on the works carried out at the Cooma Airport and Leesville Estate, to mention 2.

Answer: Taken on Notice.

### 21.5 QUESTION REGARDING SIGNAGE

Councillor Brian Old

Question: Is it required that the "Order by the General Manager" be placed on signage? On any new signage, is this message required?

Answer: Taken on Notice.

## 22. CONFIDENTIAL MATTERS

### COUNCIL RESOLUTION

175/18

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 Renewable Energy Project Contract Approval

Item 22.1 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.

#### 22.2 Wilton Matter

Item 18.3 is confidential in accordance with s10(A)(2)(f) of the Local Government Act because it contains details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property and (g) of the Local Government Act because it contains and advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege 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 Beer**

**Seconded Councillor Corbett**

**CARRIED**

#### Note 16: 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.

#### Note 17: Confidential Session of Committee

At 9:31 pm the meeting was closed to the press and public.

#### Note 18: Resumption of Open Committee Meeting

At 10:00 pm the Closed Session ended and the Council meeting continued in Open Session.

### 23. REPORT FROM CONFIDENTIAL SESSION

#### 22.1 RENEWABLE ENERGY PROJECT CONTRACT APPROVAL

<b>COUNCIL RESOLUTION</b>	<b>176/18</b>
---------------------------	---------------

That Council:

- A. Receive and note the Tender Evaluation Report for Renewable Energy Project,
- B. Award the contract for Renewable Energy Project to Infinite Energy; and
- C. Authorise the General Manager to execute the contract with Infinite Energy as per the Tender Evaluation Report

**Moved Councillor Corbett**

**Seconded Councillor Beer**

**CARRIED**

#### Note 19: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 175/18 above as there was no challenge by Councillors

#### 22.2 WILTON MATTER

<b>COUNCIL RESOLUTION</b>	<b>177/18</b>
---------------------------	---------------

That Council seek Legal advice immediately to enable negotiations in order to proceed.

**Moved Councillor Last**

**Seconded Councillor Corbett**

**CARRIED**

There being no further business the Mayor declared the meeting closed at 10:01 pm.



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 7 May 2018 were confirmed by Council at a duly convened meeting on 17 May 2018 at which meeting the signature hereon was subscribed.