



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Minutes**

**Ordinary Council Meeting**

**21 June 2018**



**ORDINARY COUNCIL MEETING  
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630  
ON THURSDAY 21 JUNE 2018**

<b>MINUTES</b>
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Notes:

<b>1.</b>	<b>APOLOGIES.....</b>	<b>5</b>
<b>2.</b>	<b>CITIZENSHIP CEREMONY.....</b>	<b>5</b>
<b>3.</b>	<b>PRESENTATIONS.....</b>	<b>5</b>
<b>4.</b>	<b>PUBLIC FORUM .....</b>	<b>6</b>
	4.1 Vicki Pollard - Nimmitabel Advancement Group .....	6
<b>5.</b>	<b>DISCLOSURE OF INTEREST</b>	<b>6</b>
<b>6.</b>	<b>MATTERS DEALT WITH BY EXCEPTION .....</b>	<b>6</b>
<b>7.</b>	<b>ADOPTION OF MINUTES OF PREVIOUS MEETING .....</b>	<b>7</b>
	7.1 Ordinary Council Meeting 7 June 2018 .....	7
	7.2 Closed Session of the Ordinary Council Meeting 7 June 2018.....	7
<b>8.</b>	<b>DELEGATE'S REPORT (IF ANY) .....</b>	<b>7</b>
	8.1 Deferral of Medium Density Code .....	7
	8.2 Mayors Report.....	7
	8.3 Councillor Castellari.....	8
	8.4 Councillor Beer .....	8
	8.5 Councillor Corbett .....	8
<b>9.</b>	<b>ADOPTION OF COMMITTEE MINUTES/RECOMMENDATIONS .....</b>	<b>8</b>
	9.1 Jindabyne Memorial Hall Section 355 Committee Meeting Minutes.....	8
	9.2 Adoption of Recommendations from the Snowy Monaro Local Traffic Committee meeting held on 31 May 2018 .....	9
<b>10.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 1. SUSTAINING OUR ENVIRONMENT FOR LIFE .....</b>	<b>9</b>
	10.1 Snowy Monaro Regional Council On-Site Sewage Management System Program .....	9
<b>11.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 2. EXPANDING CONNECTIONS WITHIN THE REGION AND BEYOND .....</b>	<b>11</b>
	11.1 Local Government NSW Annual Conference 2018 .....	11

<b>12.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 3. STRENGTHENING OUR LOCAL ECONOMY .....</b>	<b>12</b>
12.1	University of Canberra ' Tourism Governance Strategy' .....	12
<b>13.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 4. CREATING SAFER, HEALTHIER AND THRIVING COMMUNITY.....</b>	<b>14</b>
13.1	Organisation and Planning for Australia Day Civic Events .....	14
<b>14.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 5. ENHANCING OUR HEALTHY, ACTIVE LIFESTYLE .....</b>	<b>15</b>
	Nil	
<b>15.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 6. MANAGING DEVELOPMENT AND SERVICE DELIVERY TO RETAIN THE THINGS WE VALUE.....</b>	<b>15</b>
15.1	Development Application 10.2003.222.2 - Modify Condition 5 to remove s94 fees .....	15
<b>16.</b>	<b>CORPORATE BUSINESS - KEY DIRECTION 7. PROVIDING EFFECTIVE CIVIC LEADERSHIP AND CITIZEN PARTICIPATION.....</b>	<b>17</b>
16.1	Action Sheet for the 5 April and 19 April 2018 Meetings .....	17
16.2	Answers to Questions Without Notice from the April 2018 Council Meetings .....	17
16.3	Monthly Funds Management Report - May 2018.....	18
16.4	Donations and Sponsorships June 2018.....	19
16.5	Complaints Policy and Unreasonable Complainants Policy .....	21
16.6	Recruitment of Executive Officer Position .....	21
<b>17.</b>	<b>REPORTS BY GENERAL MANAGER .....</b>	<b>22</b>
17.1	Extraordinary Council Meeting .....	22
17.2	General Managers Leave .....	22
<b>18.</b>	<b>NOTICE OF MOTION .....</b>	<b>23</b>
18.1	Notice of Motion Cr Old - Jindabyne Pool renaming .....	23
18.2	Notice of Motion Cr Miners - Changes to traffic conditions. ....	23
<b>19.</b>	<b>MOTIONS OF URGENCY .....</b>	<b>24</b>
	Nil	
<b>20.</b>	<b>QUESTIONS WITH NOTICE .....</b>	<b>24</b>
	Nil	
<b>21.</b>	<b>QUESTIONS TAKEN ON NOTICE.....</b>	<b>24</b>
21.1	Councillor Castellari - Access for Limited Mobility People.....	24
<b>22.</b>	<b>CONFIDENTIAL MATTERS.....</b>	<b>24</b>
22.1	Therry Street Development.....	24

22.2	Recruitment of the General Manager's Position .....	24
22.3	Council Property - Town View, Waterworks Hill, Bombala.....	24
22.4	Report on Burra Road and Bridge Over Burra Creek .....	25
22.5	Request to Purchase Council Land in Percy Harris Street Leesville .....	25
22.6	Barring of a member of Public from Council Meetings.....	25
<b>23.</b>	<b>REPORT FROM CONFIDENTIAL SESSION .....</b>	<b>25</b>
22.1	Therry Street Development.....	25
22.2	Recruitment of the General Manager's Position .....	26
22.3	Council Property - Town View, Waterworks Hill, Bombala.....	26
22.4	Report on Burra Road and Bridge Over Burra Creek .....	26
22.5	Request to Purchase Council Land in Percy Harris Street Leesville .....	27
22.6	Barring a Member of the Public from Council Meetings .....	27

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

**ON THURSDAY, 21 JUNE 2018  
COMMENCING AT 5.00PM**

**PRESENT:** Mayor John Rooney  
Deputy Mayor Linley Miners *Left the meeting at 5:54pm*  
Councillor Peter Beer  
Councillor John Castellari  
Councillor James Ewart  
Councillor Rogan Corbett  
Councillor Sue Haslingden  
Councillor John Last *Left the meeting at 5:54pm*  
Councillor Bob Stewart *Left the meeting at 5:54pm*

**APOLOGIES:** Councillor Anne Maslin  
Councillor Brian Old

**Staff:** Joe Vescio, General Manager  
Suneil Adhikari, Director Operations & Infrastructure  
Mark Adams, Group Manager Economic Development & Tourism  
Peter Cannizzaro, Director Corporate & Community Services  
Erin Donnelly, Secretary Council and Committees  
Amanda Shepherd, Governance Administration Officer  
Nola Brady, Group Manager Governance  
Nathan Thompson, Communications Officer

**Notes:** *The Mayor opened the meeting at 5.29pm, The Mayor adjourned meeting at 5:29pm for a period of fifteen (15) minutes, The Mayor the meeting resumed at 5:44pm, The Mayor adjourned meeting at 5:44pm, until a member of the public vacated the premises. The Mayor resumed the meeting at 5:54pm, Clr Last, Deputy Mayor Miners and Clr Stewart, departed the meeting at 5:54pm for the duration of the meeting. Councillor Maslin was absent from this meeting with leave of absence previously granted at the Ordinary Council Meeting held 07 May 2018., Secretary Council and Committees, was absent from the meeting from 6:53pm during Item 12.1 University of Canberra – Tourism Governance Strategy, returning at 7:05pm during same Item, The General Manager declared an interest in Item 12.1 as he has a conflict of interest in this item due to “As Council appointed representative on the TSM Board under the current heads of agreement, I have a perceived conflict of interest and will absent myself when item is discussed.”. The General Manager left the meeting at 6:45pm and returned at 7:12pm. The General Manager did not take “part in discussion or voting on this item, At 7:12pm the meeting adjourned for dinner, The meeting resumed at 7:47pm, 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 8:28 pm the meeting was closed to the press and public, At 9:26 pm the Closed Session ended and the Council meeting continued in Open Session, The General Manager declared an interest in Item 22.1 as he has a conflict of interest in this item due to “Although not an applicant as current General Manager, I would have a perceived conflict of interest and will absent myself when the item is discussed.”. The General Manager left the meeting at 8:40pm and returned at 8:50pm. The General Manager did not take “part in discussion or voting on this item, There being no further business the Mayor declared the meeting closed at 9:27pm.*

The Mayor opened the meeting at 5.29pm.

**Note 1: Note: Adjournment of Meeting**

The Mayor adjourned meeting at 5:29pm.

**Note 2: Note: Resumption of Meeting**

The Mayor resumed the meeting at 5:44pm.

**Note 3: Note: Adjournment of Meeting**

The Mayor adjourned meeting at 5:44pm, until a member of the public vacated the premises.

**Note 4: Note: Resumption of Meeting**

The Mayor resumed the meeting resumed at 5:54pm.

**Note 5: Note: Attendance of Clr Last, Deputy Mayor Miners and Clr Stewart**

Deputy Mayor Miners, Clr Last and Clr Stewart, departed the meeting at 5:54pm for the duration of the meeting.

## 1. APOLOGIES

<b>COUNCIL RESOLUTION</b>	<b>227/18</b>	
That the apology from Clr Old be accepted and leave of absence be granted for 21 June 2018 Ordinary Council Meeting.		
That the apology from Clr Maslin be accepted and leave of absence be granted for the 28 June 2018 Extraordinary Council Meeting.		
That the apology from Clr Beer be accepted and leave of absence be granted for 28 June 2018 Ordinary Council Meeting.		
<b>Moved Councillor Ewart</b>	<b>Seconded Councillor Castellari</b>	<b>CARRIED</b>

**Note 6: NOTE: LEAVE PREVIOUSLY GRANTED**

COUNCILLOR MASLIN WAS ABSENT FROM THIS MEETING WITH LEAVE OF ABSENCE PREVIOUSLY GRANTED AT THE ORDINARY COUNCIL MEETING HELD 07 MAY 2018.

## 2. CITIZENSHIP CEREMONY

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.)

<b>COUNCIL RESOLUTION</b>	<b>228/18</b>
That members of the public be granted permission to address Council.	
<b>Moved Councillor Castellari</b>	<b>Seconded Councillor Beer</b>
	<b>CARRIED</b>

#### 4.1 VICKI POLLARD - NIMMITABEL ADVANCEMENT GROUP

Vicki Pollard, President of the Nimmitabel Advancement Group (NAG), addressed Council in relation to their application for funding for their new brochures, to promote the Nimmitabel area's rich history and heritage. Nimmitabel Advancement Group is a non-profit organisation, and if Council were to assist with funding for the new brochures, Council would receive acknowledgement for supporting the group. The brochures in the past have proved to be successful in promoting the Nimmitabel area.

#### 5. Disclosure of Interest

##### 5.1 General Manager

The General Manager declared an interest in Item 12.1 as he has a conflict of interest in this item due to "As Council appointed representative on the TSM Board under the current heads of agreement, I have a perceived conflict of interest and will absent myself when item is discussed.". The General Manager left the meeting at 6:45pm and returned at 7:12pm. The General Manager did not take "part in discussion or voting on this item.

##### 5.2 General Manager

The General Manager declared an interest in Item 22.1 as he has a conflict of interest in this item due to "Although not an applicant as current General Manager, I would have a perceived conflict of interest and will absent myself when the item is discussed.". The General Manager left the meeting at 8:40pm and returned at 8:50pm. The General Manager did not take "part in discussion or voting on this item.

#### 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.

<b>COUNCIL RESOLUTION</b>	<b>229/18</b>
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: Jindabyne Memorial Hall Section 355 Committee Meeting Minutes;	
9.2: Adoption of Recommendations from the Snowy Monaro Local Traffic Committee meeting held on the 31 May 2018;	
16.1: Action Sheet for the 5 April and 19 April 2018 Meetings, and;	
16.3: Monthly Funds Management Report – May 2018	
B. That the Officer's Recommendations in the reports listed above are hereby adopted.	
<b>Moved Councillor Haslingden</b>	<b>Seconded Councillor Ewart</b>
	<b>CARRIED</b>



## 7. ADOPTION OF MINUTES OF PREVIOUS MEETING

### 7.1 ORDINARY COUNCIL MEETING 7 JUNE 2018

**COUNCIL RESOLUTION**

**230/18**

THAT the minutes of the Ordinary Council Meeting held on 07 June 2018 are confirmed as a true and accurate record of proceedings.

**Moved Councillor Castellari**

**Seconded Councillor Beer**

**CARRIED**

### 7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 7 JUNE 2018

**COUNCIL RESOLUTION**

**231/18**

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 07 June 2018 are confirmed as a true and accurate record of proceedings.

**Moved Councillor Castellari**

**Seconded Councillor Beer**

**CARRIED**

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

### 8.1 DEFERRAL OF MEDIUM DENSITY CODE

The Mayor informed Council there was a late piece of correspondence received from the New South Wales Department of Planning, advising that a number of Councils have requested a deferment of the Medium Density Code of Practice for twelve (12) months.

**COUNCIL RESOLUTION**

**232/18**

That Council

- A. Receive and note the reports; and
- B. Request a deferral of the Medium Density Code for twelve (12) months

**Moved Councillor Beer**

**Seconded Councillor Castellari**

**CARRIED**

### 8.2 MAYORS REPORT

- -Attended the Regional Summit for the South Eastern Region, was also attended by other Councillors and President Linda Scott. There was a briefing from Bega Valley Council staff on their response to the Tathra Bushfires. It was a major emergency for Bega Valley Council, and there was a large amount of knowledge gained by Bega Valley Council from this incident. Very pleased when the Mayor offered their support and the advice of her staff, should any other Council be unfortunate enough to experience such an emergency in the future.
- Attended the National General Assembly of Australian Local Government Association meeting. The General Manager also attended. Impressive calibre of both the Presenters and the President, with a good roll call of Federal and State Government Ministers and Shadow Ministers. There were over 500 people in attendance. There were discussions about support for disaster relief, as well as Waste, Recycling and Renewable Energy Presentations. There were also discussions about ways to promote immigration to rural and regional areas. All Ministers and Shadow Ministers demonstrated their commitment to Local Government to improve standard of living in Rural areas.

### 8.3 COUNCILLOR CASTELLARI

- Attended the meeting of the Mountain Bike Development Group. There is a big drive for the Summer activity coming through within the group. It was very positive and it is making a big difference. New trails and the opening of a new lift were also discussed. All in all, a very uplifting event.

### 8.4 COUNCILLOR BEER

- Attended the Community Drug Action Team (CDAT) meeting in Jindabyne, where they presented prizes for photography in the School, encouraging young people to not consume drugs and alcohol. There were lots of parents and young children in attendance.

### 8.5 COUNCILLOR CORBETT

- On Wednesday 20 June, attended the Adaminaby Red Cross Luncheon. There were approximately seventy (70) people in attendance, and it was a great event.
- Also attended the Lions Changeover Dinner, it was a great event with good attendance.

### COUNCIL RESOLUTION

233/18

That Council receive and note reports by Mayor and Councillors

Moved Councillor Castellari

Seconded Councillor Beer

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 JINDABYNE MEMORIAL HALL SECTION 355 COMMITTEE MEETING MINTUES

Record No:

Responsible Officer: Director Operations & Infrastructure

Author: Asset Manager

Attachments: 1. Minutes of Jindabyne Memorial Hall Section 355 Committee Meeting  
- 8 May 2018 [↔](#)

#### EXECUTIVE SUMMARY

A copy of the minutes from the Jindabyne Memorial Hall Section 355 Committee Meeting held on 8 May 2018 are attached for Council's consideration.

**COUNCIL RESOLUTION**

**234/18**

That Council receive and note the minutes of the Jindabyne Memorial Hall Section 355 Committee held on 8 May 2018.

**Moved Councillor Haslingden**

**Seconded Councillor Ewart**

**CARRIED**

**Note 7: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 229/18 above as there was no challenge by Councillors.

**9.2 ADOPTION OF RECOMMENDATIONS FROM THE SNOWY MONARO LOCAL TRAFFIC COMMITTEE MEETING HELD ON 31 MAY 2018**

Record No:

Responsible Officer: Director Operations & Infrastructure

Author: Development Engineer

Attachments: 1. LTC Minutes of 31 May 2018 meeting\_31052018\_MIN\_990 [⇒](#)

**EXECUTIVE SUMMARY**

The Snowy Monaro Local Traffic Committee met on 31 May 2018 at the Snowy River Health Centre in Jindabyne. The Committee's recommendations are presented for Council's consideration and adoption.

**COUNCIL RESOLUTION**

**235/18**

That Council:

- A. Receives and notes the minutes of the Snowy Monaro Local Traffic Committee meeting held on 31 May 2018, and;
- B. Adopts the Snowy Monaro Local Traffic Committee recommendations LTC 18/18, 19/18, 20/18 and 21/18 of 31 May 2018

**Moved Councillor Haslingden**

**Seconded Councillor Ewart**

**CARRIED**

**Note 8: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 229/18 above as there was no challenge by Councillors.

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

**10.1 SNOWY MONARO REGIONAL COUNCIL ON-SITE SEWAGE MANAGEMENT SYSTEM PROGRAM**

Record No:

Responsible Officer: Director Environment & Sustainability

Author: Environmental Officer - On-site Sewage Management

Key Direction:	4. Creating a Safer, Healthier and Thriving Community
Delivery Plan Strategy:	DP4.4.1.1 Protect our health and wellbeing of our community via regulation, enforcement, education and response.
Operational Plan Action:	OP4.25 Minimise the risk of disease and environmental harm from onsite sewerage system
Attachments:	1. Draft On-Site Sewage Management System <a href="#">⇒</a>
Cost Centre	1010 - Public Health and Environment
Project	On-site Sewage Management Program
Further Operational Plan Actions:	Nil

### EXECUTIVE SUMMARY

The NSW Department of Local Government introduced the Septic Safe program following regulatory reforms introduced in 1998, in response to sewage contamination to the Wallace Lake Oyster leases. The contamination was the result of poorly maintained and managed septic tanks. The reforms were introduced to change Council's accountabilities and improve the ongoing Council management of on-site sewage management facilities throughout NSW. The Local Government Act was amended to ensure that all NSW Councils implement a systematic On-Site Sewage Management program and maintain a register of all systems.

The proposed On-site Sewage Management (OSSM) program will bring a uniformed approach to managing, monitoring and regulating the operation of OSSM's across the entirety of the Snowy Monaro region. The previous Cooma-Monaro and Snowy River Councils had existing programs, however these required updating. The proposed program outlines Council's strategy for managing Snowy Monaro Regional Council's approximate 4300 systems.

Substantial consideration towards the setting of fees for this program has been undertaken. The fee is set within Council's Revenue Policy and Fees and Charges have recently been advertised for the statutory 28 day period as part of Council's Integrated Planning and Reporting suite of documents and only one submission was received. The fee for 2018/19 financial year is \$25 for each property operating an OSSM. This is to cover costs associated with the renewal of Operating Approvals, scheduled inspections, administration, monitoring costs, on-going support and education.

The fee is paid annually and attached to the invoice section of the rates notice as a service fee. This is charged under section 608 of the Local Government Act 1993 and is below the recommended renewal fee set by the Office of Local Government, Council Rating and Revenue Raising Manual.

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

#### COUNCIL RESOLUTION

236/18

That Council adopt the Draft On-Site Sewage Management Strategy to ensure that legislative requirements are met and to ensure the preservation of our environment and the public health of our residents are protected.

Moved Councillor Haslingden

Seconded Councillor Beer

CARRIED

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

### 11.1 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2018

Record No:

Responsible Officer:	General Manager
Author:	Executive Assistant
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. Local Government NSW Letter <a href="#">⇒</a>
Cost Centre	3020
Project	
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

Council has been invited to attend the Local Government NSW (LGNSW) Annual Conference which will be held from Sunday 21 October to Tuesday 23 October 2018 at the Entertainment Centre, Albury.

This conference is the main policy making event for the local government sector. Voting delegates must be registered to attend the Conference and must be registered as a voting delegate. Snowy Monaro Regional Council must have 3 financial voting delegates in attendance for voting and motions during formal business sessions.

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

#### COUNCIL RESOLUTION

237/18

That Council

- A. Authorise the Mayor and the General Manager to attend the Local Government NSW Annual Conference in October 2018;
- B. Authorise two nominated Councillors Castellari and Councillor Beer to attend as the remaining voting members;
- C. Authorise the expenditure and allocate an approximate amount of \$4,000.00 in the 2018 Financial Year Budget with funding to be provided from Mayor and Councillor Conferences, and;
- D Requests Councillors to forward any proposed motions, to be tabled at the Local Government NSW Annual Conference, to the General Manager which will be presented to Council for consideration in August 2018.

Moved Councillor Castellari

Seconded Councillor Ewart

CARRIED

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

### 12.1 UNIVERSITY OF CANBERRA ' TOURISM GOVERNANCE STRATEGY'

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Manager Tourism & Events
Key Direction:	3. Strengthening Our Local Economy
Delivery Plan Strategy:	DP3.1.4.1 Work together with the community to plan, coordinate and implement tourism products
Operational Plan Action:	OP3.17 Develop a strategic approach to tourism in the Region by integrating land use planning, product development and promotion
Attachments:	1. Tourism Governance Strategy <a href="#">⇒</a>
Cost Centre	
Project	University of Canberra 'Tourism Governance Strategy'
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

This report considers the content and recommendations of the final report from the University of Canberra as commissioned by the General Manager and Administrator in 2016/17.

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

#### COUNCIL RESOLUTION

238/18

That Council:

- A. Forms a regional tourism committee based on the UC report recommendation;
- B. Resolve to support Tourism Snowy Mountains as recommended in the UC report to market and promote the Snowy Mountains brand;
- C. Support Tourism Snowy Mountains by providing \$40,000 this financial year (already in budget from previous Councils contributions) and \$60,000 per year (included in draft 2018/19 budget) on an ongoing basis for the remainder of the Council term (last allocation in 2020/21 financial year);
- D. Not set up the district tourism committees contrary to the recommendation of the UC report;
- E. Note that an SMRC Destination Management Plan/Visitor Economy Strategy will now be prepared in conjunction with the Office of Regional Development and as required by the South East and Tablelands Regional Plan;
- F. Note that Economic Development and Tourism staff will continue to build links with external agencies such as Destination NSW, Destination Network Southern NSW, Visit Canberra, Tourism Snowy Mountains and the CBRJO tourism working group, and;
- G. Explore with TSM and NSW Government through its various agencies the means by which ongoing significant funding for promotional activities by TSM may be generated.

**Moved Councillor Beer**

**Seconded Councillor Castellari**

**CARRIED**

**Note 9: Vote Against Committee Recommendation**

Clr Haslingden requested that her vote against the committee recommendation 238/18 be recorded in the minutes.

**Note 10: Lapsed Motion**

A motion moved Clr Haslingden failed to gain a seconder and therefore LAPSED through want of a seconder. The lapsed motion was in the following terms:

“That Council:

- A. Forms a regional tourism committee based on the UC report recommendation.
- B. Resolve to support Tourism Snowy Mountains as recommended in the UC report to market and promote the Snowy Mountains brand.
- C. Support Tourism Snowy Mountains by providing \$40,000 this financial year (already in budget from previous Councils contributions) and \$60,000 per year (included in draft 2018/19 budget) on an ongoing basis for the remainder of the Council term (last allocation in 2020/21 financial year).
- D. Set up the district tourism committees contrary to the recommendation of the UC report.
- E. Note that an SMRC Destination Management Plan/Visitor Economy Strategy will now be prepared in conjunction with the Office of Regional Development and as required by the South East and Tablelands Regional Plan.
- F. Note that Economic Development and Tourism staff will continue to build links with external agencies such as Destination NSW, Destination Network Southern NSW, Visit Canberra, Tourism Snowy Mountains and the CBRJO tourism working group, and;
- G. Explore with TSM and NSW Government through its various agencies the means by which ongoing significant funding for promotional activities by TSM may be generated.

**Note 11: Attendance of General Manager – Conflict of Interest**

The General Manager was absent from the meeting from 6:45pm during Item 12.1 University of Canberra ‘Tourism Governance Strategy’ returning at 7:12pm during same Item.

**Note 12: Attendance of Staff**

Secretary Council and Committees, was absent from the meeting from 6:53pm during Item 12.1 University of Canberra – Tourism Governance Strategy, returning at 7:05pm during same Item.

**Note 13: Adjournment of Meeting**

At 7:12pm the meeting adjourned for dinner.

**Note 14: Resumption of Meeting**

The meeting resumed at 7:47pm.

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

#### 13.1 ORGANISATION AND PLANNING FOR AUSTRALIA DAY CIVIC EVENTS

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Manager Tourism & Events
Key Direction:	4. Creating a Safer, Healthier and Thriving Community
Delivery Plan Strategy:	DP4.1.1.2 Support activities, events and celebrations that promote cultural diversity and inclusiveness.
Operational Plan Action:	OP4.2 Promote and provide operational assistance to enhance and encourage events and tourism
Attachments:	Nil
Cost Centre	7030
Project	Organisation and Planning for Australia Day events in Snowy Monaro Regional Council
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

This report aims to provide a clearly defined framework for the future planning and organisation of Australia Day events across the Snowy Monaro Region.

This framework will ensure that consistency in planning and interaction with the community and Council can occur in the most efficient and productive way. Ensuring successful events that meet both the community's expectations, important protocol specifications and Councils civic leadership duties.

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

#### COUNCIL RESOLUTION

239/18

That Council:

- A. Provide advisory assistance, only, through the SMRC Event Co-Ordinator role, to each community group to arrange their own event;
- B. Provide SMRC staff assistance through the SMRC Event Co-ordinator role to hold an 'Australia Day Official Regional Ceremony';
- C. Provides the basic insurance cover for each community event, subject to a detailed proposal of activities to be submitted to Councils Organisational Risk Officer by 3<sup>rd</sup> December 2018;
- D. Ensure Councillors participate in events as much as possible, and;
- E. Authorise the expenditure and allocate an amount of \$10,000 in the 2019 financial year budget with funding to be provided from 'other internal' reserves to be co-ordinated and distributed by the SMRC Events Co-ordinator to the various events across the region.

Moved Councillor Corbett

Seconded Councillor Haslingden

CARRIED



#### 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 DEVELOPMENT APPLICATION 10.2003.222.2 - MODIFY CONDITION 5 TO REMOVE S94 FEES

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Urban and Rural Planner
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.2.1.1 Ensure that Council's land use planning and development policies enhance liveability.
Operational Plan Action:	OP6.11 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"><li>1. Notice of Determination - Refused - Draft to Council <a href="#">⇒</a></li><li>2. 18 11129 Modified Development Consent DA222 03 - 26 Feb 2007 <a href="#">⇒</a></li><li>3. 18 11128 Approved Plan of 53 Lot Subdivision DA222 03 <a href="#">⇒</a></li><li>4. 17 35906 Letter - Applicant - Dedication of Public Reserve - 1996 06 24 <a href="#">⇒</a></li><li>5. 18 11127 Letter to Applicant - Subdivisions at Cooma East - 15 Jan 2009 <a href="#">⇒</a></li></ol>

##### Further Operational Plan Actions:

Applicant Number:	10.2003.222.2
Applicant:	Ignazio Mondello
Owner:	Ignazio Mondello
DA Registered:	01/12/17
Property Description:	Monaro Avenue COOMA 2630
Property Number:	Lot: 19 DP: 860066
Area:	
Zone:	R2 Low Density Residential
Current Use:	Residential
Proposed Use:	Residential
Permitted in Zone:	<b>2 Permitted without consent</b>

	<p>Environmental protection works; Home-based child care; Home occupations</p> <p><b>3 Permitted with consent</b></p> <p>Bed and breakfast accommodation; Boarding houses; Car parks; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Group homes; Home occupations (sex services); Neighbourhood shops; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Seniors housing; Signage; Water supply systems</p> <p><b>4 Prohibited</b></p> <p>Any development not specified in item 2 or 3</p>
<p>Recommendation:</p>	<p>Refusal</p>

**EXECUTIVE SUMMARY**

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

The proposed modification is seeking to amend Condition 5 of the Consent to remove the requirement to pay Section 94 contribution fees on an additional 3 lots.

All Section 94 contribution fees have been applied in accordance with Council’s adopted policy at the time and the provisions of Section 94 of the *Environmental Planning and Assessment Act, 1979*.

The position of the applicant is that Section 94 Contributions (as made in the form of public reserves and monetary contributions) for stage 2 were to cover the requirements for any future changes to Stage 2 of the subdivision, including any changes to overall lot numbers following re-subdividing proposed Lot 8. This is incorrect, as Section 94 Contributions are payable on any additional lots. The letters and agreements the applicant has referred to are directly related only to Stage 1 but through various modifications are also relatable to Stage 2. However they clearly do not exempt the applicant from contributions payable for further subdivision. It is therefore considered that the proposed modification has no evidence to support the applicant’s request.

This application is being submitted to Council for a decision because it involves an application that has previously been reported to Council issues relating to Section 94 Contributions.

**COUNCIL RESOLUTION**

**240/18**

That item 15.1 Development Application 10.2003.222.2 – Modify Condition 5 to Remove S94 Fees be deferred to the next Ordinary Council meeting.

**Moved Councillor Haslingden**

**Seconded Councillor Beer**

**CARRIED**

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

### 16.1 ACTION SHEET FOR THE 5 APRIL AND 19 APRIL 2018 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. Action Sheet for 5 April and 19 April 2018 Meetings <a href="#">⇒</a>
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 5 April and 19 April 2018 meetings.

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

#### COUNCIL RESOLUTION

241/18

That Council receive and note the action sheets for the period 5 April and 19 April 2018 meetings.

Moved Councillor Haslingden

Seconded Councillor Ewart

CARRIED

#### Note 15: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 229/18 above as there was no challenge by Councillors.

### 16.2 ANSWERS TO QUESTIONS WITHOUT NOTICE FROM THE APRIL 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 without Notice - 5 April and 19 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 5 April and 19 April 2018 meetings.

This report (attached) includes responses or updates on questions not previously answered at the 5 April and 19 April 2018 meetings.

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

#### COUNCIL RESOLUTION

242/18

That Council receive and note the responses to outstanding questions raised by Councillors at the 5 April and 19 April 2018 meetings.

Moved Councillor Corbett

Seconded Councillor Castellari

CARRIED

### 16.3 MONTHLY FUNDS MANAGEMENT REPORT - MAY 2018

Record No:

Responsible Officer: Chief Financial Officer

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 report details the funds management position for the reporting period ending 31 May 2018.

Cash and Investments are \$81,158,970.

### Certification

I, Matt Payne, Responsible Accounting Officer 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 Policy.

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

### COUNCIL RESOLUTION

243/18

That Council

- A. Receive and note the report indicating Council's cash and investments position as at 31 May 2018; and
- B. Receive and note the Certificate of the Responsible Accounting Officer.

Moved Councillor Haslingden

Seconded Councillor Ewart

CARRIED

### Note 16: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 229/18 above as there was no challenge by Councillors.

## 16.4 DONATIONS AND SPONSORSHIPS JUNE 2018

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Group Manager Governance
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. Requests for Donations and Sponsorships June 2018 ➡ 2. Donations June 2018 Attachments ➡
Cost Centre	3120

### EXECUTIVE SUMMARY

#### 1. Requests for Donations and Sponsorship June 2018.

- This document contains a summary of requests for June 2018 Council. Total value requested by community members is \$5,780.
- The officer has not made a recommendation on value, only presented the requested amounts for Council to consider.

**2. Donations June 2018 attachments**

- This document contains the original submission detail received from each submission for June.

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

**COUNCIL RESOLUTION**

**244/18**

That Council determine the value to approve for submissions in the attachment – Requests for Donations and Sponsorship for submission to Council on 21 June 2018.

#	Organisation	Request Summary	Requested Value (Cash)	Requested Value (In Kind)	Recommendation
1	Nimmitabel Heritage Trail / Mill Committee	Production and printing of 7000 brochures to promote Nimmitabel Heritage Trail and Mill	\$990		\$990
2	Michelago Region Community Association	Michelago Music Muster Saturday 2 <sup>nd</sup> June	\$500 sponsorship \$190 DA fee (already paid)	\$200	\$890
3	NSW Rural Doctors Network	Bush Bursary / CWA Scholarship Program	\$3,300		\$3,300
4	Jindabyne Chamber of Commerce	Development of Snowy Mountain Innovation Network	\$600		\$600
<b>Totals</b>			<b>\$5,580</b>	<b>\$200</b>	<b>\$5,780</b>

**Moved Councillor Ewart**

**Seconded Councillor Corbett**

**CARRIED**

## 16.5 COMPLAINTS POLICY AND UNREASONABLE COMPLAINANTS POLICY

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Group Manager Governance
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:	OP7.8 Ensure that appropriate governance structures are in place enabling open, transparent government.
Attachments:	1. DRAFT SMRC Complaint Handling Policy <a href="#">⇒</a> 2. DRAFT SMRC Managing Unreasonable Complainant Conduct Policy <a href="#">⇒</a>
Cost Centre	3120

### EXECUTIVE SUMMARY

The Complaint Handling Policy and the Managing Unreasonable Complainant Conduct Policy have been developed to align to the NSW Ombudsman's model documents. These documents provide a guide to Council staff on how to deal with complaints and complainants in a fair and equitable manner. At the same time they provide guidance in looking after the welfare of those Councillors and staff who are sometimes confronted by individuals that present a danger not only to themselves and our staff but to other stakeholders.

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

### COUNCIL RESOLUTION

245/18

That Council

- A. Adopt the SMRC Complaint Handling Policy, and
- B. Adopt the SMRC Managing Unreasonable Complainant Conduct Policy.

Moved Councillor Castellari

Seconded Councillor Ewart

CARRIED

## 16.6 RECRUITMENT OF EXECUTIVE OFFICER POSITION

Record No:

Responsible Officer:	General Manager
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.3.1.1 Council employs a multi-skilled workforce and encourages staff to take ownership of service delivery in a responsible and efficient manner
Operational Plan Action:	OP7.23 Ensure Council attracts, retains and develops a capable workforce that delivers positive outcomes.
Attachments:	1. Executive Officer - Position Description <a href="#">⇒</a>
Cost Centre	Executive Office

## EXECUTIVE SUMMARY

The purpose of this report is to provide information in accordance with Council resolution 148/14 of 19 April 2018.

- G. Amend the structure to include provision for a Deputy General Manager and receive a report back to Council on the position of Deputy General Manager for a period of 12 months, with the opportunity to explore succession planning options for the appointment of the General Manager's position in 2019.*

The position of Deputy General Manager was proposed in order to take on Executive administrative work for the General Manager to allow the General Manager to focus on and expedite the strategic aspects of Council's operations. It is recommended the position title be amended to Executive Officer to reflect contemporary positions in Local Government.

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

### COUNCIL RESOLUTION

246/18

That Council :

- A. Receive and note the report;
- B. Approve the position title change to Executive Officer;
- C. Approve the recruitment and appointment of the temporary position for a period of 12 months, and;
- D. Approve the allocation of resources towards the employment of the position in accordance with 332 (1) (c) of the Local Government Act 1993.

Moved Councillor Castellari

Seconded Councillor Beer

CARRIED

### Note 17: Vote Against Committee Recommendation

Clr Haslingden requested that her vote against the committee recommendation 246/18 be recorded in the minutes.

## 17. REPORTS BY GENERAL MANAGER

### 17.1 EXTRAORDINARY COUNCIL MEETING

The General Manager reminded Councillors that next week's Extraordinary Council meeting on the 28 June 2018, is to adopt the Delivery Program and Operational Plan, and the other Integrated Planning and Reporting Framework elements.

### 17.2 GENERAL MANAGERS LEAVE

The General Manager informed Council he will be having three (3) days off next week for a medical procedure, during this time the Director Corporate & Community Services will be Acting General Manager.



**COUNCIL RESOLUTION**

**247/18**

That Council receive and note reports by the General Manager.

**Moved Councillor Castellari**

**Seconded Councillor Ewart**

**CARRIED**

**18. NOTICE OF MOTION**

**18.1 NOTICE OF MOTION CR OLD - JINDABYNE POOL RENAMING**

Record No:

Responsible Officer: General Manager

Author: Councillor Brian Old

Attachments: Nil

Councillor Brian Old has given notice that at the Ordinary Meeting of Council on 21 June 2018, he will move the following motion.

**COUNCIL RESOLUTION**

**248/18**

That Council

- A. Place the proposal to rename the Jindabyne Pool the 'Judy Cummins Memorial Pool' on public exhibition for a period of fourteen (14 days); and
- B. Proceed with the renaming of the Jindabyne Pool to the 'Judy Cummins Memorial Pool' if no objections are received.

**Moved Councillor Castellari**

**Seconded Councillor Haslingden**

**CARRIED**

**Note 18: 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 Castellari, Seconded: Clr Haslingden was:

That the Jindabyne Pool be named Judy Cummins Memorial Pool.

**18.2 NOTICE OF MOTION CR MINERS - CHANGES TO TRAFFIC CONDITIONS.**

Record No:

Responsible Officer: General Manager

Author: Deputy Mayor Lynley Miners

Attachments: Nil

Councillor Lynley Miners has given notice that at the Ordinary Meeting of Council on 21 June 2018, he will move the following motion.

**COUNCIL RESOLUTION**

**249/18**

That Council provide full support for the following recommendation to be raised at the Local Traffic Committee for a submission to be made to the RMS to:

- A. Reduce the speed limit in Adaminaby from 80km/hr to 60km/hr; and
- B. Reduce the speed limit at Nimmitabel from 60km/hr to 50km/hr; and
- C. Changes be made to the Kosciuszko Rd and East Jindabyne intersection for the safety of these communities.

**Moved Councillor Haslingden**

**Seconded Councillor Corbett**

**CARRIED**

**19. MOTIONS OF URGENCY**

Nil

**20. QUESTIONS WITH NOTICE**

Nil

**21. QUESTIONS TAKEN ON NOTICE**

**21.1 COUNCILLOR CASTELLARI - ACCESS FOR LIMITED MOBILITY PEOPLE**

Question: There has been an issue of access for limited mobility persons. Can we get an update at some point of the progress of the Disability Access review?

Answer: Taken on notice.

**22. CONFIDENTIAL MATTERS**

**COUNCIL RESOLUTION**

**250/18**

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 Therry Street Development**

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 Recruitment of the General Manager's Position**

Item 22.2 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.

**22.3 Council Property - Town View, Waterworks Hill, Bombala**

Item 22.3 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.

#### **22.4 Report on Burra Road and Bridge Over Burra Creek**

Item 22.4 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.

#### **22.5 Request to Purchase Council Land in Percy Harris Street Leesville**

Item 22.5 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains 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.

#### **22.6 Barring a member of the Public from Council Meetings**

Item 22.6 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.

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 Ewart**

**CARRIED**

#### **Note 19: 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 20: Confidential Session of Committee**

At 8:28 pm the meeting was closed to the press and public.

#### **Note 21: Resumption of Open Committee Meeting**

At 9:26 pm the Closed Session ended and the Council meeting continued in Open Session.

### **23. REPORT FROM CONFIDENTIAL SESSION**

#### **22.1 TERRY STREET DEVELOPMENT**

##### **COUNCIL RESOLUTION**

**251/18**

That Council defer the report 22.1 Therry Street Development to the next Ordinary Council meeting.

**Moved Councillor Haslingden**

**Seconded Councillor Ewart**

**CARRIED**

## 22.2 RECRUITMENT OF THE GENERAL MANAGER'S POSITION

### COUNCIL RESOLUTION

252/18

That Council:

- A. Note the General Manager's correspondence of 28 May 2018
- B. Approve the Group Manager People and Culture to develop an expression of interest and formally approach:
  - Local Government NSW, and
  - McArthur and Associates, and
  - Blackadder and Associates

To provide Council with a response to the expression of interest to provide appropriate and effective services in the recruitment, selection and appointment of the General Manager's position.

- C. Determine a review panel to assess the expressions of interest; and
- D. Appoint Mayor as a delegate to manage the recruitment process.

**Moved Councillor Haslingden**

**Seconded Councillor Ewart**

**CARRIED**

## 22.3 COUNCIL PROPERTY - TOWN VIEW, WATERWORKS HILL, BOMBALA

### COUNCIL RESOLUTION

253/18

That Council

- A. Approve the proposal to demolish the residence located on lot 1 DP 1216130
- B. Serve notice on the tenant to vacate the premises in accordance with the Residential Tenancy Act.
- C. Engage the services of a suitably qualified contractor to demolish the residence, clear the site and dispose of any asbestos in accordance with the EPA Act; and
- D. Authorise the expenditure and allocate an amount in the 2018 Financial Year Budget with funding to be provided from the Former Bombala LGA Reserve.

**Moved Councillor Ewart**

**Seconded Councillor Beer**

**CARRIED**

## 22.4 REPORT ON BURRA ROAD AND BRIDGE OVER BURRA CREEK

### COUNCIL RESOLUTION

254/18

That Council:

- A. Receive and Note the Report on Burra Road and Bridge over Burra Creek, and;
- B. Approve the use of S94 contributions and internal loan for a replacement bridge and sealing of 80 metres of Burra Road approaching the bridge; noting that the internal loan be repaid from future S7.11 (formerly S94) contributions.

**Moved Councillor Beer**

**Seconded Councillor Ewart**

**CARRIED**

**22.5 REQUEST TO PURCHASE COUNCIL LAND IN PERCY HARRIS STREET LEESVILLE**

**COUNCIL RESOLUTION**

**255/18**

That Council:

- A. Approve the release of proposed lots 14, 15 and 16 at Leesville Industrial Estate;
- B. Engage the services of an independent valuer to value the three properties;
- C. Advertise the sale of lots 14, 15 and 16 through local real estate agents and Council's website, and;
- D. Authorise the expenditure and allocate an amount of \$42,000 in the 2019 Financial Year Budget with funding to be provided from Property Reserves.

**Moved Councillor Beer**

**Seconded Councillor Castellari**

**CARRIED**

**22.6 BARRING A MEMBER OF THE PUBLIC FROM COUNCIL MEETINGS**

**COUNCIL RESOLUTION**

**256/18**

That Council confirms the decision of the Mayor exercising Sections 226(d) and 226(f) of the Local Government Act 1993, to ban a member of the public from future Council Meetings until further notice.

**Moved Councillor Beer**

**Seconded Councillor Castellari**

**CARRIED**

There being no further business the Mayor declared the meeting closed at 9:27pm



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 21 June 2018 were confirmed by Council at a duly convened meeting on 5 July 2018 at which meeting the signature hereon was subscribed.