



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Minutes**

**Ordinary Council Meeting**

**18 October 2018**



**ORDINARY COUNCIL MEETING  
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630  
ON THURSDAY 18 OCTOBER 2018**

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

**ON THURSDAY, 18 OCTOBER 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 Sue Haslingden  
Councillor John Last  
Councillor Anne Maslin  
Councillor Brian Old  
Councillor Bob Stewart

**APOLOGIES:**

**Staff:** Peter Bascomb, Acting General Manager  
Linda Nicholson, Acting Director Operations & Infrastructure  
Peter Smith, Director Environment & Sustainability  
Peter Cannizzaro, Director Corporate & Community Services  
Erin Donnelly, Secretary Council and Committees  
Nola Brady, Group Manager Governance  
Annie Upton, Manager Corporate Governance

**Notes:** The Mayor opened the meeting at 5.02PM, At 7.21pm the meeting adjourned for dinner, The meeting resumed at 7.47pm, At 8.13 pm the meeting was closed to the press and public, At 8.18 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 8.20pm.

The Mayor opened the meeting at 5.02PM

## 1. APOLOGIES

### COUNCIL RESOLUTION

357/18

That the apology from Clr Beer be accepted and leave of absence be granted for 1 November Council Meeting.

Moved Councillor Ewart

Seconded Councillor Maslin

CARRIED

## 2. CITIZENSHIP CEREMONY

Nil

## 3. PRESENTATIONS

### 3.1 MAX SHANAHAN - ARIC & INTERNAL AUDIT PRESENTATION

Mr Max Shanahan, ARIC Chairperson, presented to Council the ARIC Chair's Report for 2017/18. Mr Shanahan's presentation covered the schedule the committee follows to ensure it achieves its responsibilities outlined by the Charter, the objectives, membership of the committee and what ARIC have covered for the 2017/2018 year.

## 4. PUBLIC FORUM

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

### COUNCIL RESOLUTION

358/18

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

Moved Councillor Ewart

Seconded Councillor Castellari

CARRIED

### 4.1 SHANE TRENGOVE - DEVELOPMENT CONTROL PLAN EAST JINDABYNE

Mr Shane Trengove, spoke to Council about the planning process in East Jindabyne and the proposed developments. Mr Trengove main concerns was the one (1) access road into East Jindabyne, the land around the lake and the expected demand (development will have) to access the foreshore. Mr Trengove explained in the former SRSE LEP 2013 there are ten Development Control Plans (DPCs) for specific areas and East Jindabyne is not one of these.

Mr Trengove asked Council to consider developing a DCP for East Jindabyne, and this be implemented before further subdivision and major development applications are considered.

### 4.2 SUE WALLACE - DA 10.2015.498.3 BUNYAN QUARRY

Mrs Sue Wallace, resident of Bunyan, addressed Council on DA 10.2015.498.3 Bunyan Quarry, speaking about the current DA and the modification to use an earth mound. Mrs Wallace explained that keeping the 50m tree buffer would provide a sufficient screen for motorist and neighbours to screen the noise, dust, muddy run-off and visual ugliness.

**4.3 STEPHEN WALLACE - DA 10.2015.489.3 BUNYA QUARRY & GOOD GOVERNANCE**

Mr Stephen Wallace, resident of Bunyan, spoke to Council about good governance and financial management in regards to the Bunyan Quarry. Mr Wallace spoke about how the Works Department put in a modification to the DA that Council would consider.

**4.4 SHANE TRENGOVE - DA 10.2015.498.3 BUNYAN QUARRY**

Mr Shane Trengove, Upper Snowy Landcare Network, commented on how Council proposes to manage offsets and rehabilitation to the quarry site. Mr Wallace spoke in particular about habitat for a species of tree and how the quarry would destroy this habitat, as the management plan does not address management of rehabilitation and offsets properly. Mr Trengove asked Council to committee to a proper offset program, not the one that is proposed.

**4.5 LISA SHANNON - MOD4026/2017**

Mrs Lisa Shannon, property owner near the proposed development, addressed Council on MOD4026/2017. Mrs Shannon feels it is important that residents and the community voice is heard and due process applied. Mrs Shannon expressed her concerns about the quality and validity of MOD4062/2017, the quality of information provided to Council in the response to the objections, and issues around the safety and environmental impacts. Mrs Shannon believes the process has been incomplete and inadequate to make a reasonable decision.

Mr Shannon request data to indicate how much has been removed, a full noise assessment and a safety and environmental assessment.

**4.6 MELISSA ROBERTS - MOD4026/2017**

Mrs Melissa Roberts, resident of Rockwell Rd, Berridale, addressed Council on MOD4026/2017 and her objections. Mrs Roberts family is directly impacted by the modification and informed Council 100% of the land owners adjacent to the development oppose the DA. Mrs Roberts spoke about residents not being notified, and her understanding of when the consent expired.

Mrs Roberts requested a full, independent, assessment of the current site.

**4.7 FIONA SUTHERN - MOD4026/2017**

Mr Lex Suthern, property owner near the proposed development, addressed Council on MOD4026/2017. Mr Suthern expressed his objections to the modification, believing the modification was instigated by a question only, no evidence has been provided to justify the need for an extension. Mr Suthern request the applicant lodge a new AD and provide an environmental statement.

**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

359/18

- 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:
- 3.1 Ordinary Council Meeting held on 4 October 2018
  - 10.1 Monthly Funds Management Report – September 2018
  - 11.1 Request for Council approval to temporarily close Denison Street, Adaminaby to hold the Annual Pub Ball Fundraiser at the Snow Goose Hotel, Adaminaby on 20 October 2018
  - 11.2 Request for Council approval to temporarily close the Jindabyne Town Centre Lower Car Park, Jindabyne to hold Brocktober on 20 October 2018
  - 11.3 Request for Council approval to temporarily close Hawkins Street, Cooma to hold the “Run for Louie” on 28 October 2018
  - 11.4 Request for Council approval to temporarily close public roads in Delegate to hold the “Delegate Heritage Weekend” on 28 October 2018
  - 13.1 Resolution Action Sheet Update 13.2
  - 13.4 Answers to Questions without Notice
  - 18.1 Legal Actions and Potential Claims against SMRC as at 30 September 2018
  - 18.3 Tender Approval for Dalgety Showground Sheep Pavilion Demolish and Construction
  - 18.4 Tender Evaluation for the Award of Contract 040/2018 Concrete Rubble Processing
  - 18.5 Tender Evaluation for the Award of Contract 039/2018 “Green Waste Processing”
- B. That the Officer’s Recommendations in the reports listed above are hereby adopted.

Moved Deputy Mayor Miners

Seconded Councillor Old

CARRIED

## 7. ADOPTION OF MINUTES OF PREVIOUS MEETING

### 7.1 ORDINARY COUNCIL MEETING 4 OCTOBER 2018

#### COUNCIL RESOLUTION

360/18

THAT the minutes of the Ordinary Council Meeting held on 04 October 2018 are confirmed as a true and accurate record of proceedings.

Moved Deputy Mayor Miners

Seconded Councillor Old

CARRIED

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

### 8.1 MAYOR ROONEY

Mayor John Rooney informed Council he has attended a number of functions, with a number of Councillor including:

- SMEC Technical Working Group, in the Fluid Laboratory.
- Civic Reception for Rotary;
- Attended a Transport Forum ;
- Met with the Bombala Chamber of Commerce;
- Conducted the first round of interviews for the General Managers position;
- Attended the Rural Crime Event, hosted by NSW Police;
- Attended the CWA, Monaro Group, annual conference in Jerangle;

- Monaro Community Access Services AGM;
- Aged Care Community report discussion at Werri-Nina

## 8.2 COUNCILLOR CASTELLARI

Councillor John Castellari attended many local meeting including the Jindabyne Action Group, and Chaired the Monaro Regional Inter Agency meeting, had an interesting presentation by a gentleman from Sydney on a new drug for people who are HIV positive. Attended the new Monaro Crisis Group office, had a discussion about the potential for developing a youth style transitional house. Attended the open day at Cooma Grand Pacific Health, who provide services for Head Space, and the Aged Care meeting in Cooma.

## 8.3 COUNCILLOR BEER

Councillor Peter Beer attended the Aged Care meeting in Berridale and Jindabyne, the main concern is keeping the Hostel in Berridale. Residents in Jindabyne are forming committees to drive the Aged Care in Jindabyne.

## 8.4 COUNCILLOR CORBETT

Councillor Rogan Corbett attended the a presentation on High Speed Rail, Brisbane to Melbourne. This has been in the concept stage for a long time, and the presentation looked at what can be done in the future for the project. Attended a Meeting with Paul Broad, from Snowy Hydro, who expressed their desire for SMRC to work closely with Snowy Valleys with regards to the Snowy 2.0 project. A the convoy supporting the Invictus Games who stopped in Cooma.

## 8.5 COUNCILLOR HASLINGDEN

Councillor Sue Haslingden attended the Snowy Mountains Innovation Working Group meeting and reported back to the committee on innovation hubs overseas.

## 8.6 COUNCILLOR MASLIN

Councillor Anne Maslin attended the Bombala Chambers of Commerce, there is a real buzz in the Chamber with the money that has been pledge by the State Government to do an economic revitalisation of the business sector in Bombala. The Chambers appreciates the efforts of the General Manager and Mayor to attend these meetings. Also had a meeting with the company who are doing a survey on the future of tourism in the region.

## 8.7 COUNCILLOR MINERS

Councillor Lynley Miners attended the Road Freight Industry forum at the Ex Services Clubs. Cllr Miners commended council staff for efforts in organising the event. There was good discussion at the event, in particular co-operations between key stake holders.

## COUNCIL RESOLUTION

361/18

That Council receive and note Delegates Report.

Moved Councillor Corbett

Seconded Councillor Maslin

CARRIED

**SUSPENSION OF BUSINESS AGENDA ITEMS**

**COUNCIL RESOLUTION**

**362/18**

That item 12.1 MOD4026/2017 Extend Operational Time for Extractive Industry on the agenda be considered as the next item of business.

**Moved Councillor Beer**

**Seconded Councillor Ewart**

**CARRIED**

**12.1 MOD4026/2017 EXTEND OPERATIONAL TIME FOR EXTRACTIVE INDUSTRY**

Responsible Officer: Director Environment & Sustainability  
 Author: Manager Development Assessment  
 Key Theme: 3. Environment Outcomes  
 CSP Community Strategy: 8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage  
 Delivery Program Objectives: 8.1.3 Development assessment processes are streamlined to support regional development and growth  
 Attachments: 1. Draft modified conditions of consent  
 2. Submissions  
 3. Plans and associated documents from original DA106/1999  
 4. Application Form  
 5. Owners Consent

Application Number:	MOD4026/2017
Applicant:	Jindabyne Sand And Gravel
Owner:	Mrs Rosalie Suthern
DA Registered:	25/10/2016
Property Address	Lot 23 DP 709058 Rockwell Road Berridale NSW 2628
Property Description:	Lot 23 DP 709058 Ph Coolamatong
Property Number:	100415
Zone:	R5 – Large Lot Residential
Current Use:	Agriculture and extractive industry
Approved Development	Extractive Industry
Modification Proposed	Extend operational time frame for extractive industry
Permitted in Zone:	Yes under State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
Recommendation:	That the application be approved and the consent modified to allow for five (5) years additional time for extraction of material.

**EXECUTIVE SUMMARY**

The purpose of this report is to seek approval for a modification of DA106/1999 being MOD4026/2017.

MOD4026/2017 is the third modification of DA106/1999 and requests the modification of condition 2 of the consent for an extension in time for quarrying operations.

**COUNCIL RESOLUTION**

**363/18**

That Council Defer the report MOD4026/2017 Extend Operational Time for Extractive Industry to consider the late information.

**Moved Councillor Beer**

**Seconded Councillor Haslingden**

**CARRIED**

**Record of Voting**

*Councillors For: Councillor Beer , Councillor Castellari, Councillor Corbett, Councillor Ewart, Councillor Haslingden, Councillor Last, Councillor Maslin, Deputy Mayor Miners, Councillor Old, Mayor Rooney and Councillor Stewart.*

*Councillors Against: Nil.*

**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 MINUTES OF MEETING FOR BREDBO HALL SECTION 355 COMMITTEE 6 SEPTEMBER 2018**

Record No:

Responsible Officer: Director Operations & Infrastructure  
Author: Property Officer  
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 Bredbo Hall Section 355 Committee 6 September 2018  
Cost Centre Bredbo Hall 1570  
Project  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

A copy of the Meeting Minutes of Bredbo Hall Section 355 Committee held on 6 September 2018 is attached for Council's information.

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

**COUNCIL RESOLUTION**

**364/18**

That Council

- A. Receive and note the minutes of the Bredbo Hall Section 355 Management Committee held on 6 September 2018; and
- B. Continue to meet with the committee to progress maintenance, including grant applications.

**Moved Councillor Ewart**

**Seconded Councillor Haslingden**

**CARRIED**

**10. CORPORATE BUSINESS - KEY THEME 1. COMMUNITY**

**10.1 MONTHLY FUNDS MANAGEMENT REPORT - SEPTEMBER 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 30 September 2018.

Cash and Investments are \$84,240,968.

**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**

**365/18**

That Council

- A. Receive and note the report indicating Council's cash and investments position as at 30 September 2018; and
- B. Receive and note the Certificate of the Responsible Accounting Officer.

**Moved Deputy Mayor Miners**

**Seconded Councillor Old**

**CARRIED**

**Note 1: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 359/18 above as there was no challenge by Councillors.

**10.2 DONATIONS AND SPONSORSHIP - CHANGES TO EVALUATION**

Record No:

Responsible Officer:	Group Manager Governance
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	12.3 Our community is empowered and supported in facilitating community outcomes
Delivery Program Objectives:	12.3.1 Community organisations and individuals have the capacity to apply for a range of grants funding opportunities
Attachments:	
Cost Centre	3120

**EXECUTIVE SUMMARY**

Council adopted the Sponsorships and Donations Policy in February 2018. Following the first round of sponsorships in the 2019 Financial Year, Councillors provided feedback requesting that an evaluation process be included in the following round to allow Councillors the opportunity to consider and score submissions with additional time for consideration.

This report outlines a revised process and timetable to undertake round 2 of Sponsorship submissions in the 2019FY.

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

**COUNCIL RESOLUTION**

**366/18**

That Council

- A. Authorise the timeline in Part A for the next round of donations; and
- B. Resolve to cease all recurring donations that were approved prior to amalgamation, with recipients to reapply under the new amalgamated Council.

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

**Note 2: Vote Against Committee Recommendation**

Clr Castellari and Clr Ewart requested that their vote against the committee recommendation 366/18 be recorded in the minutes.

**Note 3: 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 Ewart, Seconded: Clr Haslingden was:

*“That Council*

- A. Authorise the timeline in Part A for the next round of donations.
- B. Authorise using the evaluation method as proposed in Part B.
- C. Authorise the value limit on submissions of \$1,000, as per Part C.
- D. Resolve to cease all recurring donations that were approved prior to amalgamation, with recipients to reapply under the new amalgamated Council.”

**Note 4: 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. Authorise the timeline in Part A for the next round of donations.
- B. Authorise using the evaluation method as proposed in Part B.
- C. Resolve to cease all recurring donations that were approved prior to amalgamation, with recipients to reapply under the new amalgamated Council.”

**Note 5: Lost Motion**

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

*“That Council*

- A. Authorise the timeline in Part A for the next round of donations;
- B. Authorise using the evaluation method as proposed in Part B; and
- C. Resolve to cease all recurring donations that were approved prior to amalgamation, with recipients to reapply under the new amalgamated Council.
- D. Amend the Evaluation form to remove ‘is the group not for profit; and add ‘or does the applications proposal provide substantial benefits to SMRC”.

**Note 6: Adjournment of Meeting**

At 7.21pm the meeting adjourned for dinner.

**Note 7: Resumption of Meeting**

The meeting resumed at 7.47pm.

**11. CORPORATE BUSINESS - KEY THEME 2. ECONOMY**

**11.1 REQUEST FOR COUNCIL APPROVAL TO TEMPORARILY CLOSE DENISON STREET, ADAMINABY TO HOLD THE ANNUAL PUB BALL FUNDRAISER AT THE SNOW GOOSE HOTEL, ADAMINABY ON 20TH OCTOBER 2018.**

Responsible Officer: Acting General Manager

Authors: Development Engineer  
Roads Safety Officer

Key Theme: 2. Economy Outcomes

CSP Community Strategy: 6.2 Encourage and promote vibrant towns and villages, acknowledging and celebrating the unique heritage and character of each town

Delivery Program Objectives: 6.2.3 Council celebrates, supports and promotes the uniqueness and heritage characteristics of each town and village

Attachments: 1. Snow Goose - Pub Ball Fundraiser

Cost Centre

Project Snowy Monaro Local Traffic Committee

### EXECUTIVE SUMMARY

A request has been received from the Snow Goose Hotel to hold the Annual Pub Ball fundraiser in Denison Street, Adaminaby on 20<sup>th</sup> October 2018 between the hours of 6pm and 11:59pm. The event organiser has provided an overview of the event, a traffic control plan, a risk assessment, \$20M public liability insurance and notification and agreement of the affected businesses.

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

### COUNCIL RESOLUTION

367/18

That Council approves the temporary road closure of the north-bound lane of Denison Street, Adaminaby on 20 October 2018 from 6pm until 11:59 pm for the "Annual Pub Ball Fundraiser", subject to submission of a satisfactory traffic control plan updated to remove all road closures outside the nominated area, as indicated above.

Moved Deputy Mayor Miners

Seconded Councillor Old

CARRIED

### Note 8: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 359/18 above as there was no challenge by Councillors.

### 11.2 REQUEST FOR COUNCIL APPROVAL TO TEMPORARILY CLOSE THE JINDABYNE TOWN CENTRE LOWER CAR PARK, JINDABYNE TO HOLD BROCKTOBER ON 20TH OCTOBER 2018.

Record No:

Responsible Officer: Acting General Manager

Authors: Development Engineer  
Roads Safety Officer

Key Theme: 2. Economy Outcomes

CSP Community Strategy: 6.2 Encourage and promote vibrant towns and villages, acknowledging and celebrating the unique heritage and character of each town

Delivery Program Objectives: 6.2.3 Council celebrates, supports and promotes the uniqueness and heritage characteristics of each town and village

Attachments: 1. Brocktober

Cost Centre 1505 Asset Management and Engineering Services

Project Snowy Monaro Local Traffic committee



## EXECUTIVE SUMMARY

A request has been received from the Brock Commodore Owners' Association of Australia to hold a "Show and Shine" at the Jindabyne Town Centre lower car park on 20<sup>th</sup> October 2018 between the hours of 10am and 1pm. The event organiser has provided an overview of the event, \$20M public liability insurance and a risk assessment. The event organiser will still need to provide copies of a satisfactory Traffic Control Plan and notification to affected businesses.

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

### COUNCIL RESOLUTION

368/18

That Council approves the temporary closure of the Jindabyne Town Centre Lower Car Park to enable the Brock Commodore Owners' Association of Australia Show and Shine to be held on Saturday 20 October 2018 from 10am until 1pm subject to a satisfactory TCP being submitted.

Moved Deputy Mayor Miners

Seconded Councillor Old

CARRIED

### Note 9: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 359/18 above as there was no challenge by Councillors.

## 11.3 REQUEST FOR COUNCIL APPROVAL TO TEMPORARILY CLOSE HAWKINS STREET, COOMA TO HOLD THE "RUN FOR LOUIE" ON 28TH OCTOBER 2018.

Record No:

Responsible Officer:	Acting General Manager
Authors:	Development Engineer Roads Safety Officer
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	6.2 Encourage and promote vibrant towns and villages, acknowledging and celebrating the unique heritage and character of each town
Delivery Program Objectives:	6.2.3 Council celebrates, supports and promotes the uniqueness and heritage characteristics of each town and village
Attachments:	1. Run For Louie
Cost Centre	1505 Asset Management and Engineering Services
Project	Snowy Monaro Local Traffic committee

## EXECUTIVE SUMMARY

A request has been received from Monaro High School "Leo Club" to hold a fundraising event from Nijong Oval along Hawkins Street and then back to Nijong Oval on 28<sup>th</sup> October 2018 between the hours of 8:30am and 10:30am. The event organiser has provided an overview of the event, \$20M public liability insurance and a risk assessment. The event organiser will still need to provide copies of a satisfactory Traffic Control Plan and the agreement of affected residents to temporarily close the road.

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

**COUNCIL RESOLUTION**

**369/18**

That Council approves the temporary road closure of Hawkins Street Cooma, from Crisp Street to the end of the road to enable the "Run for Louie" event to be held on the 28 October 2018 from 8:30am until 10:30am subject to:

- A. Submitting a satisfactory Traffic Control Plan and
- B. Agreement of the temporary road closure from the residents along the affected road.

**Moved Deputy Mayor Miners**

**Seconded Councillor Old**

**CARRIED**

**Note 10: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 359/18 above as there was no challenge by Councillors.

**11.4 REQUEST FOR COUNCIL APPROVAL TO TEMPORARILY CLOSE PUBLIC ROADS IN DELEGATE TO HOLD THE "DELEGATE HERITAGE WEEKEND" ON 28TH OCTOBER 2018.**

Record No:

Responsible Officer:	Acting General Manager
Authors:	Development Engineer Roads Safety Officer
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	6.2 Encourage and promote vibrant towns and villages, acknowledging and celebrating the unique heritage and character of each town
Delivery Program Objectives:	6.2.3 Council celebrates, supports and promotes the uniqueness and heritage characteristics of each town and village
Attachments:	1. Delegate Heritage Weekend
Cost Centre	1505 Asset Management and Engineering Services
Project	Snowy Monaro Local Traffic committee

**EXECUTIVE SUMMARY**

A request has been received from the Delegate Progress Association to hold a March from the Delegate Cemetery along Craigie Range Road, Rutherford Street, Victoria Parade and Bombala Street on 28<sup>th</sup> October 2018 between the hours of 11:15am and 2:30pm to celebrate the 100<sup>th</sup> anniversary of the Snowy River March. The event organiser has provided an overview of the event, \$20M public liability insurance, notification to emergency services and a risk assessment. The event organiser will still need to provide copies of a satisfactory Traffic Control Plan.

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

**COUNCIL RESOLUTION**

**370/18**

That Council approves the temporary road closures associated with the Delegate Heritage March to be held on Sunday 28 October 2018 from 11:15 am until 2:30 pm. The roads to be closed are Craigie Range Road, Rutherford Street, Victoria Parade and Bombala Street, Delegate.

**Moved Deputy Mayor Miners**

**Seconded Councillor Old**

**CARRIED**

**Note 11: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 359/18 above as there was no challenge by Councillors.

**12. CORPORATE BUSINESS - KEY THEME 3. ENVIRONMENT**

Nil

**13. CORPORATE BUSINESS - KEY THEME 4. LEADERSHIP**

**13.1 RESOLUTION ACTION SHEET UPDATE**

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. Resolution Action Sheet - In Progress  
Cost Centre 3120 Governance  
Project  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

In order to provide Councillors with updates on resolutions of Council, a report has been generated with a summary of action that are current and have recently been completed, for the period ending September 2018.

SMRC Resolution Action Sheet – In Progress is attached to this report.

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

**COUNCIL RESOLUTION**

**371/18**

That Council receive and note the SMRC Resolution Action Sheet – In Progress.

**Moved Deputy Mayor Miners**

**Seconded Councillor Old**

**CARRIED**

**Note 12: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 359/18 above as there was no challenge by Councillors.

**13.2 ANSWERS TO QUESTIONS WITHOUT NOTICE**

Record No:

Responsible Officer: Director Corporate and Community Services  
Author: Secretary Council & Committees  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making  
Delivery Program Objectives: 10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community  
Attachments: 1. Councillors' Questions - In Progress  
Cost Centre  
Project  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

In order to provide Councillors with updates on questions asked by Councillors, a report has been generated with a summary of questions that are current and have recently been completed, for the period ending September 2018.

SMRC Councillors' Questions – In Progress is attached to this report

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

**COUNCIL RESOLUTION**

**372/18**

That Council receive and note SMRC Councillors' Questions – In Progress.

**Moved Deputy Mayor Miners**

**Seconded Councillor Old**

**CARRIED**

**Note 13: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 359/18 above as there was no challenge by Councillors.

### 13.3 AUDIT, RISK AND IMPROVEMENT COMMITTEE AND INTERNAL AUDIT REPORT

Record No:

Responsible Officer:	Acting General Manager
Author:	Senior Internal Auditor
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.1 Independent audit and risk framework drives accountability
Attachments:	<ol style="list-style-type: none"><li>1. Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 September 2018</li><li>2. Chair's Discussion Summary to be Read in Conjunction with the Minutes of Meeting held on 19 September 2018</li><li>3. Internal Audit Annual Report for the Financial Year 2017/2018</li></ol>
Cost Centre	3136 – Internal Audit
Project	Audit, Risk and Improvement Committee

#### EXECUTIVE SUMMARY

The Audit, Risk and Improvement Committee met on 19 September 2018 in Vin Good Meeting Room, Cooma Library. The Minutes are presented for Council's information. The Audit, Risk and Improvement Committee resolved that the Annual Report of the Audit, Risk and Improvement Committee and Internal Audit for the Financial Year 2017/2018 be presented to Council.

This is the second annual report of the Snowy Monaro Regional Council Audit, Risk and Improvement Committee (the Committee) and Internal Audit for the Financial Year 2017/2018. The report outlines the role and the activities of the Committee and the internal audit function during 2017/2018 and provides an overall opinion on the Council's risk management, control and governance arrangements.

The Committee's report notes that the level of effort to merge the three councils has challenged the council and significantly more effort will be required to ensure that governance arrangement, processes and procedures within the merged council are fully effective. Audits of Governance Health Check and a Risk Maturity assessment, accepted by management, will provide both management and the Committee with a baseline against which to monitor improvement.

A report from the internal auditor attached to the Committee's report, outlines the internal audit work undertaken. Until September 2017, internal audit was provided part time in a shared resourcing arrangement with Yass council. This arrangement ceased because of staffing changes and recruitment has taken time to resolve and has placed limitations on the committee's effectiveness during 2017/18. This however is now resolved.

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

**COUNCIL RESOLUTION**

**373/18**

That Council receive and note

- A. The minutes of meeting of the Audit, Risk and Improvement Committee held on 19 September 2018.
- B. The Chair's discussion summary to be read in conjunction with the minutes of meeting.
- C. The report on Audit, Risk and Improvement Committee and Internal Audit Annual Report for the Financial Year 2017/2018.

**Moved Councillor Castellari**

**Seconded Councillor Ewart**

**CARRIED**

**13.4 PROPOSED AMENDMENT TO THE 2019 FEES AND CHARGES - COOMA AND BOMBALA VISITORS CENTRE FEES**

Record No:

Responsible Officer: Director Environment & Sustainability  
Author: Group Manager Economic Development and Tourism  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making  
Delivery Program Objectives: 10.2.1 Independent audit and risk framework drives accountability  
Attachments: Nil  
Cost Centre 7040  
Project  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

The previous internal auditor recommended inclusion of particular fees and charges that are routinely implemented at the Bombala Visitors Centre be included in Council's Fees and Charges. The Audit Committee has indicated that it wants this matter addressed as soon as possible.

A list of fees to be included in the 2018/19 Fees and Charges is shown in the recommendation below. The list represents the current activities undertaken at the Bombala Visitors Centre, and also includes an item regarding consignment sales through the Cooma Visitors Centre.

A full review of items and activities will be required prior to adoption of the 2019/2020 schedule of fees and charges.

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

**COUNCIL RESOLUTION**

**374/18**

That Council

- A. Advertise the following fees and charges for items sold through the Bombala Visitors Centre for public comment in accordance with the provisions of the *Local Government Act 1993*, and if no negative submissions are received, that the advertised fees be applied from the completion of the advertised period:

Type of Charge	Cost (GST Incl)
Tour Guide (Cost Per Tour)	\$35.00

Council Tour Booking Fee (per person)	\$2.00
Train link ticket booking fee (per booking)	\$2.20
Consignment sales	10% commission
Brochure display	Free

3 <sup>rd</sup> Party Visits / Demonstrations (per person)	Cost (GST Incl)
MCL Lavender Distillation	\$2.75
MCL – M/A Test	\$1.65
Engine Shed	\$2.20
Early Settlers Hut – Visit Only	\$2.75
Early Settlers Hut – Visit plus morning or afternoon tea	\$4.40
Delegate History Room	\$2.00
Burnima Homestead	\$10.00

- B. Advertise the following fees and charges for items sold through the Cooma Visitors Centre for public comment in accordance with the provisions of the *Local Government Act 1993*, and if no negative submissions are received, that the advertised fees be applied from the completion of the advertised period:

Type of Charge	Cost
Consignment sales	25% + GST on commission or as approved by negotiation

**Moved Deputy Mayor Miners**

**Seconded Councillor Old**

**CARRIED**

**Note 14: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 359/18 above as there was no challenge by Councillors.

## 14. REPORTS BY GENERAL MANAGER

Nil

## 15. NOTICE OF MOTION

### 15.1 WASTE ACCESS CHARGE - CLR STEWART

Record No:

Responsible Officer: Acting General Manager

Author: Councillor Bob Stewart

Attachments: Nil

Councillor Bob Stewart has given notice that at the Ordinary Meeting of Council on 18 October 2018, he will move the following motion.

#### **COUNCIL RESOLUTION**

**375/18**

That Council defer consideration of item Waste Access Charges and get a report on what it will cost council to apply only one Waste Access Charge, for rural property owners with multiple assessments, and provide a minimum of 4 vouchers annually for residents who do not have access to kerbside collection to allow free disposal at waste facilities on submission of a voucher.

**Moved Councillor Stewart**

**Seconded Deputy Mayor Miners**

**CARRIED**

## 16. MOTIONS OF URGENCY

Nil

## 17. QUESTIONS WITHOUT NOTICE

### 17.1 CLR CASTELLARI - DRINKING FOUNTAINS BANJO PATERSON PARK

Councillor John Castellari

Question: Could Council please repair the drinking fountains at either end of Banjo Paterson Park?

### 17.2 CLR CORBETT - TREE STUMPS

Councillor Rogan Corbett

Question: When will the three tree stumps be removed and new trees planted on the corner of Sharp St and Creek St, and gutters repaired in Sharp St west?

### 17.3 CLR LAST - COUNCIL UNIFORM

Councillor John Last

Question: Why is it not permissible for council employees to wear shorts?



#### 17.4 CLR OLD - CLEANING UP THE TOILET BLOCKS

Councillor Brian Old

Question: Can the council fix up the site for toilets from Snow Tunes? It smells and looks like the rubbish truck dumped it's load there.

#### 17.5 CLR OLD - PROPOSAL FOR JINDABYNE BY-PASS

Councillor Brian Old

Question: Can council look at the proposal for using an existing access for a by-pass to Barry Way?

#### 17.6 CLR OLD - RESULT FROM THE NO PARKING AREA AND NO DRINKING AT CLAY PITS

Councillor Brian Old

Question: What was the outcome from the No Parking at the Clay Pits? Did it Just pass the problem to other areas? Can the we have the results from the police as of the effectiveness of No Drinking signs?

### 18. CONFIDENTIAL MATTERS

#### COUNCIL RESOLUTION

376/18

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:

##### **18.1 Legal Actions and Potential Claims Against SMRC as at 30 September 2018**

Item 18.1 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

##### **. Proposed Container Deposit Revenue Share Agreement**

Item 0.0 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.

##### **18.2 Management Contract for the Bombala Swimming Pool**

Item 18.2 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.

##### **18.3 Tender Approval for Dalgety Showground Sheep Pavilion Demolish and Construction**

Item 18.3 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.

##### **18.4 Tender Evaluation for the Award of Contract 040/2018 " Concrete Rubble Processing".**

Item 18.4 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.

**18.5 Tender Evaluation for the Award of Contract 039/2018 "Green Waste Processing"**

Item 18.5 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.

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 15: 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 16: Confidential Session of Committee**

At 8.13 pm the meeting was closed to the press and public.

**Note 17: Resumption of Open Committee Meeting**

At 8.18 pm the Closed Session ended and the Council meeting continued in Open Session.

**19. REPORT FROM CONFIDENTIAL SESSION**

**18.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 30 SEPTEMBER 2018**

**COUNCIL RESOLUTION**

**377/18**

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 30 September 2018 report.

**Moved Deputy Mayor Miners**

**Seconded Councillor Old**

**CARRIED**

**Note 18: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 359/18 above as there was no challenge by Councillors.

**18.2 MANAGEMENT CONTRACT FOR THE BOMBALA SWIMMING POOL**

**COUNCIL RESOLUTION**

**378/18**

That Council accept the tender proposed by Raw Strength Bombala of \$264,692.67 (inclusive GST) to operate the Bombala Swimming Pool under a Management Contract for the 2018, 2019 and 2020 pool seasons with the breakdown as below:

<b>Financial year</b>	<b>Amount (inclusive of GST)</b>
2018-2019	\$86,403.71
2019-2020	\$88,218.19
2020-2021	\$90,070.77
<b>Total</b>	<b>\$264,692.67</b>

**Moved Councillor Stewart**

**Seconded Deputy Mayor Miners**

**CARRIED**

**18.3 TENDER APPROVAL FOR DALGETY SHOWGROUND SHEEP PAVILION DEMOLISH AND CONSTRUCTION**

**COUNCIL RESOLUTION**

**379/18**

That Council accept the Tender received for the Demolition and Construction Works at Dalgety Showground Sheep Pavilion from Davone Constructions Pty Ltd for \$238,201.00 excluding GST.

**Moved Deputy Mayor Miners**

**Seconded Councillor Old**

**CARRIED**

**Note 19: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 359/18 above as there was no challenge by Councillors.

**18.4 TENDER EVALUATION FOR THE AWARD OF CONTRACT 040/2018 " CONCRETE RUBBLE PROCESSING".**

**COUNCIL RESOLUTION**

**380/18**

That Council

- A. Award Concrete Rubble Processing Contract 040/2018 to McMahon's Earthmoving Pty Ltd for a period of two years.
- B. Authorise the Acting General Manager to sign all contract documents.

**Moved Deputy Mayor Miners**

**Seconded Councillor Old**

**CARRIED**

**Note 20: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 359/18 above as there was no challenge by Councillors.

**18.5 TENDER EVALUATION FOR THE AWARD OF CONTRACT 039/2018 "GREEN WASTE PROCESSING"**

**COUNCIL RESOLUTION**

**381/18**

That Council

- A. Award the Green Waste Processing Contract 039/2018 to McMahons Earthmoving Pty Ltd for a period of two years.
- B. Authorise the Acting General Manager to sign all contract documents

**Moved Deputy Mayor Miners**

**Seconded Councillor Old**

**CARRIED**

**Note 21: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 359/18 above as there was no challenge by Councillors.

There being no further business the Mayor declared the meeting closed at 8.20pm



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CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 18 October 2018 were confirmed by Council at a duly convened meeting on 1 November 2018 at which meeting the signature hereon was subscribed.