



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Minutes**

**Ordinary Council Meeting**

**7 March 2019**



**ORDINARY COUNCIL MEETING  
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630  
ON THURSDAY 7 MARCH 2019**

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

**ON THURSDAY, 7 MARCH 2019  
COMMENCING AT 5.00PM**

**PRESENT:** Mayor John Rooney  
Deputy Mayor Linley Miners  
Councillor Peter Beer  
Councillor John Castellari  
Councillor Rogan Corbett  
Councillor Sue Haslingden  
Councillor John Last  
Councillor Anne Maslin  
Councillor Bob Stewart

**APOLOGIES:** Councillor James Ewart  
Councillor Brian Old

**Staff:** Peter Bascomb, General Manager  
Suneil Adhikari, Director Operations & Infrastructure  
Peter Smith, Director Environment & Sustainability  
Peter Cannizzaro, Director Corporate & Community Services  
Amanda Shepherd, Secretary Council and Committees  
Erin Donnelly, Governance Officer  
Nola Brady, Group Manager Governance  
Annie Upton, Manager Corporate Governance  
Linda Nicholson, Group Manager Asset Management and Engineering left meeting at 7.34PM  
Nathan Thompson, Communications Officer left meeting at 7.34PM.

**Notes:** *The Mayor opened the meeting at 5.02PM Mayor adjourned meeting at 5.05PM for Presentations and Public Forum Mayor resumed meeting at 5.55PM Group Manager Governance was absent from the meeting from 6.32PM during Item 9.3.3 – Planning Proposal to amend Bombala Local Environment Plan 2012 returning at 6.36PM during same item Manager Corporate Governance was absent from the meeting from 6.40PM during Item 10.1 Notice of Motion Cr Stewart returning at 6.46PM during same item At 7.08PM the meeting adjourned for a dinner break The meeting resumed at 7.34PM. Group Manager Asset Management and Engineering departed the meeting at 7.34PM for the duration of the meeting. Communications Officer departed the meeting at 7.34PM for the duration of the meeting Manager Corporate Governance was absent from the meeting from 7.34PM during item 10.2 Clr Peter Beer Notice of Motion – Michelago Master Plan returning at 7.57PM during Item 13.1 – Possible Participation in a Class Action on Behalf of NSW Councils At 7.44PM the meeting was closed to the press and public At 8.11PM the Closed Session ended and the Council meeting continued in Open Session There being no further business the Mayor declared the meeting closed at 8:12pm.*

The Mayor opened the meeting at 5.02PM.

**Note 1: Adjournment of Meeting:**

Mayor adjourned meeting at 5.05PM for Presentations and Public Forum.

**Note 2: Resumption of Meeting:**

Mayor resumed meeting at 5.55PM.

**3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**

**Note 3: Leave Previously Granted Cllr Old**

Councillor Old was absent from this meeting with leave of absence previously granted at the Council Meeting held 17 January 2019.

**COUNCIL RESOLUTION**

**82/19**

That the apology from Cllr Ewart be accepted and leave of absence be granted.

**Moved Deputy Mayor Miners**

**Seconded Councillor Stewart**

**CARRIED**

**4. CITIZENSHIP CEREMONIES**

Nil.

**5. DISCLOSURE OF INTEREST**

Nil

**6. MATTERS DEALT WITH BY EXCEPTION**

**Items by Exception**

The Mayor requested that Councillors nominate any items listed in Corporate Business and Confidential Business that they wished to discuss.

**COUNCIL RESOLUTION**

**83/19**

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:

7.1 – Ordinary Council Meeting held on 21 February 2019;

7.2 – Closed Session of the Ordinary Council Meeting held on 21 February 2019;

9.1.1 – February Youth Council Minutes;

9.4.1 – Debt Management and Financial Hardship and Assistance Policies, and;

9.4.3 – Road Naming Proposal

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

**Moved Councillor Castellari**

**Seconded Councillor Maslin**

**CARRIED**

**7. ADOPTION OF MINUTES OF PREVIOUS MEETING**

**7.1 ORDINARY COUNCIL MEETING 21 FEBRUARY 2019**

**COUNCIL RESOLUTION**

**84/19**

THAT the minutes of the Ordinary Council Meeting held on 21 February 2019 are confirmed as a true and accurate record of proceedings.

**Moved Councillor Castellari**

**Seconded Councillor Maslin**

**CARRIED**

**Note 4: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 83/19 above as there was no challenge by Councillors

**7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 21 FEBRUARY 2019**

**COUNCIL RESOLUTION**

**85/19**

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 21 February 2019 are confirmed as a true and accurate record of proceedings.

**Moved Councillor Castellari**

**Seconded Councillor Maslin**

**CARRIED**

**Note 5: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 83/19 above as there was no challenge by Councillors

**8. REPORTS FOR DEVELOPMENT APPLICATIONS**

Nil.

**9. OTHER REPORTS TO COUNCIL**

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

**9.1.1 FEBRUARY YOUTH COUNCIL MINUTES**

Record No:

Responsible Officer: Group Manager Economic Development and Tourism

Author: Youth Officer

Attachments: 1. Minutes 5 February 2019

**EXECUTIVE SUMMARY**

The Snowy Monaro Regional Youth Council met on 5 February 2019 in Cooma. The minutes are presented for Council's information.

Council's attention is drawn to the following motions from those minutes:

8.3 – That the Youth Council support the installation of Notice Boards which are 'youth specific' in 4 locations across the Snowy Monaro (Carried unanimously); and

9.1 – That the Youth Council support the addition of lighting to problematic areas identified by the community across the Snowy Monaro (Carried unanimously).

In relation to the action contained within item 9.1, being that the Youth Council draft a letter to send to local MPs outlining problematic areas (for lighting), along with a request for funding. Note that completion of this action would require internal consultation with other relevant business units within Council prior to any letter being sent.

**COUNCIL RESOLUTION**

**86/19**

That Council adopt the minutes of the Youth Council meeting of 5 February 2019.

**Moved Councillor Castellari**

**Seconded Councillor Maslin**

**CARRIED**

**Note 6: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 83/19 above as there was no challenge by Councillors

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

**9.2.1 SMART CITIES PILOT PROGRAM**

Record No:

Responsible Officer: Group Manager Economic Development and Tourism  
Author: Economic Development Officer  
Key Theme: 2. Economy Outcomes  
CSP Community Strategy: 4.2 Foster and support adaptive, sustainable industries  
Delivery Program Objectives: 4.2.1 Council's 'Smart Cities' initiative promotes innovative, adaptable solutions and policies to foster sustainable industries across the region  
Attachments: Nil  
Cost Centre  
Project  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

The current State Government does not administer any grant programs relating to the development of Smart Cities and therefore we cannot lobby State Government for the inclusion of Jindabyne in the so called "Smart Cities Pilot Program".

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

<b>COUNCIL RESOLUTION</b>	<b>87/19</b>
That Council receive and note the information in the report regarding the Smart Cities Pilot Program, and to seek further funding to carry out the Smart Cities Program.	
<b>Moved Councillor Beer</b>	<b>Seconded Councillor Maslin</b>
	<b>CARRIED</b>

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

**9.3.1 UPDATE: LOW RISE MEDIUM DENSITY HOUSING CODE**

Record No:

Responsible Officer: Group Manager Economic Development and Tourism  
Author: Senior Strategic Land Use Planner  
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: Nil

Cost Centre

Project

Further Operational Plan Actions:

### EXECUTIVE SUMMARY

This report is to update Council on the Low Rise Medium Density Housing Code. The Low Rise Medium Density Housing Code is a "Complying Development Code" within the *State Environmental Planning Policy (Exempt and Complying Development Codes 2008)*. The code was deferred from implementation in the Snowy Monaro Regional Council area for 12 months. The code will take effect on 1 July 2019 and this may have a number of implications for the region.

In general the code is designed to create a fast tracked approvals process for development termed 'the missing middle'. The code allows for three (3) types of development; dual occupancies, terrace houses and manor houses. The Low Rise Medium Density Housing Code and accompanying design guide provide a variety of prescriptive controls to regulate development under this particular Code. The Code and design guide are quite lengthy and complex and this may discourage people from using it. It is not anticipated that there will be a large take up of this type of complying development in the region, with most development is likely to opt for the more traditional development assessment process because it may be viewed as 'simpler'.

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

#### COUNCIL RESOLUTION

88/19

That Council

- A. Receive and note the report on Low Rise Medium Density Housing Code, and
- B. Request the General Manager to consult with the LGNSW as to what actions they are undertaking and write to State Government and Local Member.

Moved Councillor Beer

Seconded Councillor Castellari

CARRIED

### 9.3.2 PLANNING PROPOSAL LOT 32 DP 1118132 BARRY WAY JINDABYNE

Record No:

Responsible Officer: Group Manager Economic Development and Tourism

Author: Senior Strategic Land Use Planner

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: 8.1.2 Land use is optimised to meet the social, environment and

	economic needs of the region
Attachments:	1. Planning Proposal Lot 32 DP 1118132 Barry Way, Jindabyne ( <i>Under Separate Cover</i> ) 2. Jindabyne Growth Structure Plan ( <i>Under Separate Cover</i> )
Cost Centre	10-8010-1001-68018 Strategic Planning
Project	Planning Proposal to amend the Snowy River Local Environmental Plan 2013 by rezoning and amending the minimum lot size of the western part of Lot 32 DP1118132 Barry Way, Jindabyne.
Further Operational Plan Actions:	

## EXECUTIVE SUMMARY

The purpose of this report is to notify Council of a planning proposal and to provide recommendations on how Council should proceed. The planning proposal is for the rezoning and reduction in minimum lot size of the western portion of Lot 32 DP 1118132 Barry Way Jindabyne. This can only be achieved by amending the *Snowy River Local Environmental Plan (SR LEP) 2013*.

The subject planning proposal is to amend the SR LEP, 2013 by rezoning the western portion of Lot 32 DP 1118132 from zone RU1 Primary Production to zone R2 Low Density Residential and reduce the minimum lot size from 40 hectares to 700sqm. This proposal requires amending the Land Zoning Map LZN\_003AA and Lot Size Map LSZ\_003AA in the *SR LEP 2013*.

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

## COUNCIL RESOLUTION

89/19

That

- A. The report from the Senior Strategic Land Use Planner on the Planning Proposal Lot 32 DP 1118132 Barry Way be received;
- B. The Planning Proposal be submitted to the Minister of NSW Planning & Environment for a Gateway Determination in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*;
- C. The Department of Planning and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the Planning Proposal;
- D. In the event NSW Department of Planning & Environment issues a Gateway Determination to proceed with the Planning Proposal, consultation be undertaken with the community, Go Jindabyne Team and Government agencies in accordance with Schedule 1, Division 1, Clause 4 of the *Environmental Planning and Assessment Act 1979* and any directions of the Gateway Determination.

Moved Councillor Castellari

Seconded Councillor Beer

CARRIED

## Note 7: Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Councillor Corbett, Councillor Haslingden, Deputy Mayor Miners, Mayor Rooney and Councillor Stewart.

Councillors Against: Councillor Last and Councillor Maslin.

### 9.3.3 PLANNING PROPOSAL TO AMEND BOMBALA LOCAL ENVIRONMENT PLAN 2012 TO INTRODUCE ZONE SP2 INFRASTRUCTURE

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Senior Strategic Land Use Planner
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:	8.1.2 Land use is optimised to meet the social, environment and economic needs of the region
Attachments:	<ol style="list-style-type: none"><li>1. Planning Proposal (<i>Under Separate Cover</i>)</li><li>2. Gateway Determination (<i>Under Separate Cover</i>)</li><li>3. DPI Water - Agency Comments (<i>Under Separate Cover</i>)</li><li>4. NSW EPA - Agency Comments (<i>Under Separate Cover</i>)</li><li>5. Office of Environment and Heritage - Agency Comments (<i>Under Separate Cover</i>)</li><li>6. DPI Fisheries - Agency Comments (<i>Under Separate Cover</i>)</li><li>7. RMS - Agency Comments (<i>Under Separate Cover</i>)</li><li>8. TfNSW - Agency Comments (<i>Under Separate Cover</i>)</li><li>9. Envirokey Biodiversity Assessment (<i>Under Separate Cover</i>)</li><li>10. Alteration to Gateway Determination Letter from DPE (<i>Under Separate Cover</i>)</li><li>11. Extension to Gateway Determination Timeframe (<i>Under Separate Cover</i>)</li></ol>
Cost Centre	10-8010-1001-68018
Project	Planning proposal to amend the Bombala Local Environmental Plan 2012 by rezoning various lots from zones RE1 Public Recreation, R1 General Residential and R5 Large Lot Residential to zone SP 2 Infrastructure.
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

This report is to update Council regarding a planning proposal to rezone various lots of land in Bombala Township to zone SP2 Infrastructure, to notify Council of the impending expiry date of the Gateway determination for the project, and provide recommendations on how Council should proceed. The proposal is to rezone various lots and part lots from zones RE1 Public Recreation, R1 General Residential, R5 Large Lot Residential and RU1 Primary Production to zone SP2 infrastructure.

The planning proposal was prepared for Council by Zenith Town Planning in 2016/2017, a conditional Gateway determination was received by Council on 29 March 2017. On 3 April 2018 the Department of Planning and Environment granted a 12 month extension to the Gateway determination extending the expiry date to 29 March 2019. The Department also provided Council with a covering letter stating;

*Unless significant progress is made on the planning proposal before the revised timeframe for completion, it is unlikely that a further extension will be provided. Council may wish to consider not proceeding with the current planning proposal and submit a fresh proposal when all issues have been addressed.*

There are a number of deficiencies with the proposal as outlined by various State Government agencies. The proposal cannot continue in its current form as such it is recommended that Council notify the Department of Planning and Environment it does not wish to proceed with the proposal at this time. Council should still proceed with its Integrated Water Cycle Management (IWCM) Plan and proceed with investigating heavy vehicle bypass options for the Township of Bombala.

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

**COUNCIL RESOLUTION**

**90/19**

That Council:

- A. Note the Alteration to Gateway Determination and covering letter provided by the Department of Planning and Environment (attachment 10 & 11).
- B. Note the outstanding issues affecting the Planning Proposal and its process thus far, including those previously raised in submissions to the process (attachment 3-8).
- C. Notify the Department of Planning and Environment that it does not wish to proceed with the current Planning Proposal PP\_SMONA\_001\_00 at this time in view of issues noted at B.
- D. Council proceed with its Integrated Water Cycle Management (IWCM) Plan and consider its findings/recommendations, including to resubmit a proposal for the weir,
- E. Council proceed with investigating heavy vehicle bypass options for the Township of Bombala.

**Moved Councillor Stewart**

**Seconded Councillor Haslingden**

**CARRIED**

**Note 8: Record of Voting**

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

*Councillors Against: Councillor Castellari.*

**9.3.4 CONSTRUCTION OF NEW RFS SHED AT MICHELAGO**

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Group Manager Asset Management & Engineering
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.2 Improve and maintain our public owned infrastructure and assets and facilities to a high standard
Delivery Program Objectives:	8.2.1 Council maximises its Asset utilisation to deliver services today and into the future
Attachments:	1. Tender Report - Building Fitout ( <i>Under Separate Cover</i> ) - <b>Confidential</b> 2. Tender Report - Shed Construction and Site Works ( <i>Under Separate Cover</i> ) - <b>Confidential</b>
Cost Centre	19.1940.1001.190032 (Work Order 1059)

Project Michelago RFB Shed Construction

Further Operational Plan Actions:

### EXECUTIVE SUMMARY

The construction of the Michelago Rural Fire Brigade Shed has been scheduled for a number of years under the Service Agreement between Snowy Monaro Regional Council and the NSW Rural Fire Service. The project has been endorsed by the Service Agreement Liaison Committee including members of Council and RFS. Approval to proceed to tender was received in December 2018. Two tenders were issued through Councils procurement platform Vendorpanel for this project as 'Shed Construction and Site Works' and 'Building Fitout' respectively. Tenders received have been reviewed by the Tender Evaluation Panel and recommendations made to adopt the lowest priced Lump Sum Tenders to the total value of \$291,009.27 (Excl GST) [\$320,110.20 (Incl. GST)]. This amount is under the total budget allocation for the project.

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

### COUNCIL RESOLUTION

91/19

That Council :

- A. Enter into a 5 year lease with Transport for NSW via their agent John Holland Rail;
- B. Agree to purchase the property through the Land Acquisition (Just Terms Compensation) Act 1991 at Valuer General's valuation within the 5 year period;
- C. Seek grant funding for the purchase of land purchase;
- D. Accepts the lowest lump sum tender price from Cooma Steel Pty Ltd in the total lump sum amount of \$225,657.27 (Excl.GST) [\$248,223.00 (Incl.GST)] and award Contract 058/2019 for the construction of the Michelago RFB Shed and Site Works to Cooma Steel Pty Ltd
- E. Accepts the lowest lump sum tender price from HOMZ4U Pty Ltd Trading as Illustrious Homes in the total lump sum amount of \$65,352 (Excl.GST) [\$71,887.20 (Incl.GST)] and award Contract 057/2019 for the construction of the Michelago RFB Shed Building Fitout to HOMZ4U Pty Ltd Trading as Illustrious Homes, and
- F. Authorise the expenditure and allocate an amount of \$291,009.27 (Excl GST) [\$320,110.20 (Incl.GST)] in the 2019 Financial Year Budget with funding to be provided from multiple year allocations from the Rural Fire Fighting Fund for which Council has been formally advised in writing is available for these works.

Moved Councillor Beer

Seconded Councillor Corbett

CARRIED

### Note 9 Attendance of Group Manager Governance

Group Manager Governance was absent from the meeting from 6.32PM during Item 9.3.3 – Planning Proposal to amend Bombala Local Environment Plan 2012 returning at 6.36PM during same item.

## 9.4 CORPORATE BUSINESS - KEY THEME 4. LEADERSHIP

### 9.4.1 DEBT MANAGEMENT AND FINANCIAL HARDSHIP AND ASSISTANCE POLICIES

Record No:

Responsible Officer: Director Corporate and Community Services

Author: Finance Accountant

Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.1 Planning and decision making is holistic and integrated and has due regard to the long term and cumulative effects
Delivery Program Objectives:	10.1.4 Harmonisation of policies, procedures and processes deliver customer focused business practices
Attachments:	1. Debt Management Policy ( <i>Under Separate Cover</i> ) 2. Financial Hardship and Assistance Policy ( <i>Under Separate Cover</i> ) 3. SMRC Water Pricing and Billing ( <i>Under Separate Cover</i> ) 4. OLG Debt Management And Hardship Guidelines ( <i>Under Separate Cover</i> )
Cost Centre	4010 Financial Services

### EXECUTIVE SUMMARY

This report provides information regarding two policies being the Debt Management Policy and the Financial Hardship and Assistance Policy and is seeking Council approval for adoption.

In preparing the tow attached policies, Finance staff have considered the recommendations released in the Office of Local Government's (OLG) "Debt Management and Hardship Guidelines" November 2018.

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

#### COUNCIL RESOLUTION

92/19

That Council:

- A. Receive and note both the Debt Management Policy and the Financial Hardship and Assistance Policy, and
- B. Adopt both the Debt Management Policy and the Financial Hardship and Assistance Policy.

**Moved Councillor Castellari**

**Seconded Councillor Maslin**

**CARRIED**

#### Note 9: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 83/19 above as there was no challenge by Councillors

#### 9.4.2 COUNCILLOR NOMINATIONS FOR GO JINDABYNE WORKING GROUPS

Record No:

Responsible Officer:	Director Environment & Sustainability
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.3 Advocate and work with other levels of government, community and industry to improve outcomes
Delivery Program Objectives:	10.3.1 Council connects, recognises, advocates and works in collaboration with all leaders across the community and beyond our boundaries
Attachments:	Nil
Cost Centre	

Project Go Jindabyne Masterplan

Further Operational Plan Actions:

### EXECUTIVE SUMMARY

A councillor representative is required for each of the proposed NSW Department of Planning and Environment 'Go Jindabyne' community working groups.

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

#### COUNCIL RESOLUTION

93/19

That Councillor Beer and Councillor Castellari be nominated as Council's representatives for the Go Jindabyne community working groups.

**Moved Councillor Castellari**

**Seconded Councillor Beer**

**CARRIED**

### 9.4.3 ROAD NAMING PROPOSAL

Record No:

Responsible Officer: Director Corporate and Community Services

Author: GIS Supervisor

Key Theme: 4. Leadership Outcomes

CSP Community Strategy: 12.3 Our community is empowered and supported in facilitating community outcomes

Delivery Program Objectives: 12.3.2 Council has two-way mechanisms in place to encourage people to maintain their involvement in the regions community planning and decision making

Attachments: 1. Email from Lauren Sewell providing road name options on behalf of all residents (*Under Separate Cover*)  
2. Extract from the NSW Addressing User Manual (*Under Separate Cover*)

Cost Centre 8030

Project

Further Operational Plan Actions:

### EXECUTIVE SUMMARY

As a result of recent subdivisions, an unnamed Crown road off the Alpine Way must be named in line with Council and NSW Addressing Policy. Consultation with affected residents along the unnamed Crown road off the Alpine Way identified two options for consideration by Council, being Deerson Lane and Black Sallee Lane. Under 6.7.6 of the NSW Addressing Manual, Deerson Lane is not deemed acceptable as ownership of land that has been developed is not considered a significant reason for naming purposes (full extract from the NSW Addressing User Manual is included as an attachment).

Black Sallee Lane is a suitable name as it fits with the theme of local flora. (Full extract from NSW

Addressing User Manual is included as an attachment).

*“Names of early settlers, war servicemen and women and other persons who have contributed to the heritage of an area, local history themes, flora, fauna, ships etc. are usually most suitable for applying to roads.”*

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

**COUNCIL RESOLUTION**

**94/19**

That Council:

- A. Approve the proposed name of Black Sallee Lane;
- B. Authorise the General Manager to advertise the proposed name of Black Sallee Lane; and
- C. Authorise the proposed name of Black Sallee Lane be submitted to the Geographical Names Board for their consideration

**Moved Councillor Castellari**

**Seconded Councillor Maslin**

**CARRIED**

**Note 10: Motions Without Debate**

The above officer’s recommendation became a resolution of Council as a result of resolution 83/19 above as there was no challenge by Councillors

**10. NOTICE OF MOTION**

**10.1 NOTICE OF MOTION CR STEWART**

Record No:

Responsible Officer: General Manager  
Author: Councillor Bob Stewart  
Attachments: Nil

Councillor Bob Stewart has given notice that at the Ordinary Meeting of Council on 7 March 2019, he will move the following motion.

**COUNCIL RESOLUTION**

**95/19**

That:

- A. The Mayor table evidence to support his statement on the ABC radio that the Bombala Council would be bankrupt again if it were to be reinstated; and the former Bombala Council failed to deliver a satisfactory standard of service, and
- B. If the Mayor cannot provide evidence for his statement, he retract the statement he made on the radio via the same ABC radio.

**Moved Councillor Stewart**

**Seconded Councillor Last**

**CARRIED**

**Note 11: Attendance of Manager Corporate Governance**

Manager Corporate Governance was absent from the meeting from 6.40PM during Item 10.1 Notice of Motion Cr Stewart returning at 6.46PM during same item.



**Note 12: Statement from Clr Last:**

Clr Last stated that he has lost confidence in Mayor Rooney.

**Note 13: Adjournment of Meeting**

At 7.08PM the meeting adjourned for a dinner break.

**Note 14: Resumption of Meeting**

The meeting resumed at 7.34PM.

**Note 15: Attendance of Group Manager Asset Management and Engineering**

Group Manager Asset Management and Engineering departed the meeting at 7.34PM for the duration of the meeting.

**Note 16: Attendance of Communications Officer**

Communications Officer departed the meeting at 7.34PM for the duration of the meeting.

**10.2 CLR PETER BEER - MICHELAGO MASTERPLAN**

Record No:

Responsible Officer: General Manager  
Author: Councillor Peter Beer  
Attachments: 1. Clr Peter Beer - Notice of Motion (*Under Separate Cover*)

Councillor Peter Beer has given notice that at the Ordinary Meeting of Council on 7 March 2019, he will move the following motion.

**COUNCIL RESOLUTION**

**96/19**

That Council,

- A. As a result of the Council meeting held on 7 February and the decision concerning the future development of Michelago, hold a briefing session; and
- B. The purpose to inform Councillors of at least the following:
  1. Information on any lodged DAs or submissions for the growth of Michelago;
  2. The basis for statements concerning the growth of Michelago to be the 2<sup>nd</sup> largest town within the SMRC;
  3. The link between the South East and Tablelands Regional Plan and the future development of Michelago; and
  4. The relationship between the questions in Council's adopted Snowy Monaro Planning and Land Use discussion paper, Michelago and Smiths Road (p69-p74), with the South East and Tablelands Regional Plan and the statement about growth form Council.

**Moved Councillor Beer**

**Seconded Councillor Haslingden**

**CARRIED**

**Note 17: Attendance of Manager Corporate Governance**

Manager Corporate Governance was absent from the meeting from 7.34PM during item 10.2 Clr Peter Beer Notice of Motion – Michelago Master Plan returning at 7.57PM during Item 13.1 – Possible Participation in a Class Action on Behalf of NSW Councils.

**11. MAYORAL MINUTE(S)**

Nil

**12. QUESTIONS WITH NOTICE**

**12.1 PRIVATE VEHICLE USE**

Councillor John Last

Question: Does the Mayor use his private vehicle on Council business? If that is the case, on what basis is the Mayor paid for the use of his private vehicle, how much a kilometre, and what other expenses does he receive in association with operating his private vehicle. Is there a Council vehicle available for the Mayor to use, in the event of him not using his private vehicle?

**12.2 LEARNER BIKE TRACK NEIGHBOURHOOD MEETING**

Councillor John Last

Question: Why is it that we were only notified the day before of a proposed inspection of the area adjoining Nijong Oval? The proposed use of the area was for a biker's learning track. Did the area marked out on the ground correspond with the area shown on the report given to Council?

Why was it that the notice of a proposed neighbourhood meeting was only placed in the paper the day before the inspection? Why was it that the inspection was timed for 4pm?

**12.3 200M HIGH WIND TOWERS PROPOSED FOR YANDRA CLUSTER - CWP RENEWABLES.**

Councillor Anne Maslin

Question: Could Council be provided with a visual showing meaningful height comparisons between the proposed 200 metre high towers and a normal sized house, and a 130 metre (i.e. already existing) wind tower?

As both presentations to Council, CWP has failed to present meaningful visual elevations.

**13. CONFIDENTIAL MATTERS**

**COUNCIL RESOLUTION**

**97/19**

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:

**13.1 Possible Participation in a Class Action on Behalf of NSW Councils.**

Item 13.1 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and (g) of the Local Government Act because it contains and advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**13.2 Consultancy Fees - Response to Question with Notice 18.8 (17 January 2019)**

Item 13.2 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and 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 Corbett**

**Seconded Councillor Beer**

**CARRIED**

**Note 18: 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 19: Confidential Session of Committee**

At 7.44PM the meeting was closed to the press and public.

**Note 20: Resumption of Open Committee Meeting**

At 8.11PM the Closed Session ended and the Council meeting continued in Open Session.

**14. REPORT FROM CONFIDENTIAL SESSION**

**13.1 POSSIBLE PARTICIPATION IN A CLASS ACTION ON BEHALF OF NSW COUNCILS.**

**COUNCIL RESOLUTION**

**98/19**

That Council accept the recommendations Point A and Point B contained in the body of the report.

**Moved Councillor Stewart**

**Seconded Councillor Haslingden**

**CARRIED**

**13.2 CONSULTANCY FEES - RESPONSE TO QUESTION WITH NOTICE 18.8 (17 JANUARY 2019)**

**COUNCIL RESOLUTION**

**99/19**

That Council defer item to obtain a clear statement on consultancy fees.

**Moved Councillor Stewart**

**Seconded Councillor Last**

**CARRIED**

There being no further business the Mayor declared the meeting closed at 8:12pm.



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**CHAIRPERSON**

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 7 March 2019 were confirmed by Council at a duly convened meeting on 21 March 2019 at which meeting the signature hereon was subscribed.