



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

15 August 2019

**ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON THURSDAY 15 AUGUST 2019**

MINUTES

1.	OPENING MEETING	5
2.	ACKNOWLEDGEMENT OF COUNTRY	5
3.	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS	5
4.	CITIZENSHIP CEREMONIES	5
5.	DISCLOSURE OF INTEREST.....	5
	Nil.	
6.	MATTERS DEALT WITH BY EXCEPTION	5
7.	CONFIRMATION OF MINUTES.....	6
	7.1 Ordinary Council Meeting 18 July 2019	6
	7.2 Closed Session of the Ordinary Council Meeting 18 July 2019	6
8.	PLANNING AND DEVELOPMENT APPLICATION MATTERS	7
	8.1 Draft Snowy Monaro Community Participation Plan and proposed amendments to existing Development Control Plans	7
	8.2 Alteration and Additions to the Adaminaby Hall	9
9.	OTHER REPORTS TO COUNCIL.....	10
9.1	KEY THEME 1. COMMUNITY.....	10
	9.1.1 Draft Australia Day Policy	10
	9.1.2 Closure to part of the road reserve in Barrack St Cooma	11
	9.1.3 Delegate School of Arts and Delegate Preschool	12
	9.1.4 Minutes - Residential Aged Care Advisory Committee 29 April 2019	13
	9.1.5 Monthly Funds Management Report - July 2019.....	13
	9.1.6 Minutes of the Arts and Culture S355 Committee Meeting held 12 June 2019.....	14
	9.1.7 Minutes of Snowy Monaro Local Traffic Committee - Held on 25th July 2019	15
9.2	KEY THEME 2. ECONOMY.....	16
	9.2.1 Road Closure and Creation of Road Reserve - Badja Road	16
	9.2.2 Classification of Lot 1 DP 159772 and Lot 4 DP 1155110.....	17
9.3	KEY THEME 3. ENVIRONMENT	18

9.3.1	Bombala Heavy Vehicle Alternative Route - Options Study	18
9.3.2	Section 64 Contributions Credit for the 52 Lot Kunama Ridge Subdivision at 47 Kunama Drive, East Jindabyne	19
9.3.3	Contract Confirmation - Bombala/Delegate Streetscape and Bombala Kiosk Construction	20
9.3.4	Proposed Closure and Sale of Public Pathway in Kalkite	21
9.4	KEY THEME 4. LEADERSHIP	22
9.4.1	Budget Variations June 2019.....	22
9.4.2	An Alternative Solution to Recruitment Shortfalls.....	23
9.4.3	Answers to Questions With Notice	24
9.4.4	Resolution Action Sheet Update	24
9.4.5	Amendment to the SMRC Code of Meeting Practice.....	25
9.4.6	Webcasting.....	26
9.4.7	Adoption of CRJO Code of Conduct Panel.....	27
9.4.8	2019 Delivery Program and Operational Plan Report.....	28
9.4.9	Draft Guide for Submission and Assessment of Unsolicited Proposals	29
10.	NOTICE OF MOTION	30
10.1	Climate Emergency - Councillor Castellari	30
10.2	NSW Government Funding.....	31
10.3	Notice of Motion to Rescind a Resolution - Determination of the Number of Councillors	32
11.	MAYORAL MINUTES	33
12.	QUESTIONS WITH NOTICE	33
12.1	Toilets in Centennial Park.....	33
12.2	Centennial Park	33
13.	CONFIDENTIAL MATTERS.....	33
13.1	Snowy Mountains Cookies - Renewal of Deed of Licence	33
13.2	Property NSW Licence Agreement - Amendment and Extension Request.....	33
13.3	Replacement of Council's road maintenance truck. Plant number 3028	33
13.4	Legal Actions and Potential Claims Against SMRC as at 31 July 2019.....	33
13.5	Newpave Asphalt - Expression of Interest - 84 Polo Flat Road.....	34
13.6	Council Investments	34
13.7	Purchase of Lot 3 DP 1242464 and Lot 4 DP 1242464 - Cooma Levee Bank	34
13.8	Residential Aged Care Operational Model.....	34
13.9	Adaminaby School of Arts	34

13.10	Audit, Risk and Improvement Committee (ARIC) - Appointment of Independent Member as Chair	34
13.11	Council carparks - Commissioner Street	34
14.	REPORT FROM CONFIDENTIAL SESSION	35
13.1	Snowy Mountains Cookies - Renewal of Deed of Licence	35
13.2	Property NSW Licence Agreement - Amendment and Extension Request.....	35
13.3	Replacement of Council's road maintenance truck. Plant number 3028	36
13.4	Legal Actions and Potential Claims Against SMRC as at 31 July 2019.....	36
13.5	Newpave Asphalt - Expression of Interest - 84 Polo Flat Road	36
13.6	Council Investments	36
13.7	Purchase of Lot 3 DP 1242464 and Lot 4 DP 1242464 - Cooma Levee Bank	37
13.8	Residential Aged Care Operational Model.....	37
13.9	Adaminaby School of Arts	37
13.10	Audit, Risk and Improvement Committee (ARIC) - Appointment of Independent Member as Chair	37
13.11	Council carparks - Commissioner Street	38

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

**ON THURSDAY, 15 AUGUST 2019
COMMENCING AT 5.00PM**

PRESENT: Deputy Mayor Linley Miners (Chair)
Councillor Peter Beer
Councillor John Castellari
Councillor James Ewart
Councillor Rogan Corbett
Councillor Sue Haslingden
Councillor John Last arrived @ 5.06PM
Councillor Anne Maslin
Councillor Bob Stewart

APOLOGIES: Mayor John Rooney
Councillor Brian Old

Staff: Peter Bascomb, General Manager
Suneil Adhikari, Director Operations & Infrastructure
Peter Smith, Director Environment & Sustainability
David Rawlings, Acting Director Corporate & Community Services
Amanda Shepherd, Secretary Council and Committees
Joyleen Mathias, Manager Corporate Governance
Nola Brady, Group Manager Governance
Tarang Kamath, Senior Internal Auditor
Bianca Padbury, Group Manager Community Support Services and Aged Care
Nathan Thompson, Communications Officer left @ 7.26PM

Notes: *The Chair opened the meeting at 5.05PM, The Chair adjourned the meeting at 5.06PM for Public Forum, The meeting resumed at 5.40PM, Manager Corporate Governance was absent from the meeting from 6.51PM during Item 10.1 - Climate Emergency, returning at 6.59PM during the same item, At 7.26PM the meeting adjourned for a dinner break, The meeting resumed at 7.55PM, At 8.45PM the meeting was closed to the press and public, At 9.31PM the Closed Session ended and the Council meeting continued in Open Session, There being no further business the Mayor declared the meeting closed at 9.35PM.*

1. OPENING MEETING

The Deputy Mayor opened the meeting at 5.05PM

2. ACKNOWLEDGEMENT OF COUNTRY

Note 1: Adjournment of Meeting

The Deputy Mayor adjourned the meeting at 5.06PM for Public Forum

Note 2: Resumption of Meeting

The meeting resumed at 5.40PM

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Leave of absence for this meeting was previously granted to Councillor Rooney.

COUNCIL RESOLUTION

283/19

That the apology from Clr Maslin be accepted and leave of absence be granted for 6 September 2019 to 24 September 2019.

That the apology from Clr Old be accepted and leave of absence be granted.

Moved Councillor Castellari

Seconded Councillor Beer

CARRIED

Note 3: RECORD OF VOTING

COUNCILLORS FOR: COUNCILLOR BEER, COUNCILLOR CASTELLARI, COUNCILLOR CORBETT,
COUNCILLOR EWART, COUNCILLOR HASLINGDEN, COUNCILLOR LAST,
COUNCILLOR MASLIN, DEPUTY MAYOR MINERS AND COUNCILLOR STEWART.

COUNCILLORS AGAINST: NIL.

4. CITIZENSHIP CEREMONIES

4.1 - Mrs Ann Marie Madden

4.2 - Ms Helen Laura Moy

4.3 - Ms Nicola Mary Tamis

4.4 - Mr Fowsi Deq Yussuf

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

284/19

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 18 July 2019;

7.2 – Closed Session of the Ordinary Council Meeting held on 18 July 2019;

8.1 – Draft Snowy Monaro Community Participation Plan and proposed amendments to existing

Development Control Plans; 9.1.1 – Draft Australia Day Policy; 9.1.2 – Closure to part of the road reserve in Barrack St Cooma; 9.1.3 – Delegate School of Arts and Delegate Preschool; 9.1.4 – Minutes - Residential Aged Care Advisory Committee 29 April 2019; 9.1.5 – Monthly Funds Management Report - July 2019; 9.1.6 – Minutes of the Arts and Culture S355 Committee Meeting held 12 June 2019; 9.1.7 – Minutes of Snowy Monaro Local Traffic Committee - Held on 25th July 2019; 9.2.1 – Road Closure and Creation of Road Reserve - Badja Road; 9.2.2 – Classification of Lot 1 DP 159772 and Lot 4 DP 1155110; 9.3.2 – Section 64 Contributions Credit for the 52 Lot Kunama Ridge Subdivision at 47 Kunama Drive, East Jindabyne; 9.3.3 – Contract Confirmation - Bombala/Delegate Streetscape and Bombala Kiosk Construction; 9.3.4 – Proposed Closure and Sale of Public Pathway in Kalkite; 9.4.1 – Budget Variations June 2019; 9.4.6 – Webcasting; 9.4.7 – Adoption of CRJO Code of Conduct Panel; 9.4.8 – 2019 Delivery Program and Operational Plan Report; 9.4.9 – Draft Guide for Submission and Assessment of Unsolicited Proposals; 13.1 – Snowy Mountains Cookies - Renewal of Deed of Licence; and 13.3 – Replacement of Council's road maintenance truck. Plant number 3028 B. That the Officer's Recommendations in the reports listed above are hereby adopted.		
Moved Councillor Corbett	Seconded Councillor Stewart	CARRIED

Note 4: RECORD OF VOTING

COUNCILLORS FOR: COUNCILLOR BEER, COUNCILLOR CASTELLARI, COUNCILLOR CORBETT, COUNCILLOR EWART, COUNCILLOR HASLINGDEN, COUNCILLOR LAST, COUNCILLOR MASLIN, DEPUTY MAYOR MINERS AND COUNCILLOR STEWART.

COUNCILLORS AGAINST: NIL.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 18 JULY 2019

COUNCIL RESOLUTION	285/19
THAT the minutes of the Ordinary Council Meeting held on 18 July 2019 are confirmed as a true and accurate record of proceedings	
Moved Councillor Corbett	Seconded Councillor Stewart
	CARRIED

Note 5: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 18 JULY 2019

COUNCIL RESOLUTION	286/19
THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 18 July 2019 are confirmed as a true and accurate record of proceedings.	
Moved Councillor Corbett	Seconded Councillor Stewart
	CARRIED

Note 6: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 DRAFT SNOWY MONARO COMMUNITY PARTICIPATION PLAN AND PROPOSED AMENDMENTS TO EXISTING DEVELOPMENT CONTROL PLANS

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Senior Strategic Land Use Planner
Key Direction:	3. Environment Outcomes
Delivery Plan Strategy:	8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage
Operational Plan Action:	8.1.3 Development assessment processes are streamlined to support regional development and growth
Attachments:	1. Draft DCP Amendments (Combined) (<i>Under Separate Cover</i>) 2. Draft Community Participation Plan (<i>Under Separate Cover</i>)
Cost Centre	10-8010-1001-61001 Strategic Planning
Project	Amendments to the Bombala, Cooma Monaro and Snowy River Development Control Plans. Draft Community Participation Plan for public Exhibition in accordance with the EP&A Act.
Further Operational Plan Actions:	7.3 Manage Council's community and land use planning processes to achieve regulatory requirements and community aspirations 7.11 Ensure community members are afforded the opportunity to review, comment and participate in Council decision making

EXECUTIVE SUMMARY

The Economic Development and Tourism unit – Strategic Land Use Planning section has prepared new draft Development Control Plan (DCP) provisions and a draft Community Participation Plan for consideration by Council. These matters concern three overall subjects. The first of these is a new document called a Community Participation Plan (CPP).

The CPP outlines Council and legislative requirements concerning public notification of development applications under assessment, as well as other planning documents. All Councils in NSW must prepare a CPP as a result of recent legislative changes. The provisions in a CPP will provide for a consistent public notification process of planning and development projects across all the Snowy Monaro Region and it must be in force by 1 December 2019.

The second subject, covered by new proposed DCP provisions, outlines building performance and energy efficiency requirements to apply to manufactured homes in Snowy Monaro. The provisions are designed to complement the existing NSW Government BASIX certificate regime and are necessitated due to significant differences on this subject between the three former Council's DCPs.

The third subject, also covered by new proposed DCP provisions, provides for the management of

vegetation and tree removal in accordance with *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* (VSEPP). New provisions will apply only to land use zones in urban areas and environmental zones. They will not apply to land in Rural (RU) zones. They have been necessitated because the VSEPP sets up a framework for the issue of vegetation clearing or tree works permits by Council which relies on provisions in a Council DCP.

These items have previously been raised with Councillors at briefing sessions held on 4 July and 1 August 2019.

The new provisions are proposed to be replicated in the existing Bombala DCP, Cooma-Monaro DCP and Snowy River DCP at the appropriate sections. Council has an obligation to maintain the existing three DCPs until a new Snowy Monaro Local Environmental Plan and Development Control Plan are developed. The proposed changes are the first step in moving towards fully consistent planning controls throughout the region. To enable development and implementation of these provisions to continue, this report recommends the draft changes be placed on public exhibition for 28 days in accordance with legislative requirements.

Following the public exhibition period, a further report will be provided to Council detailing any submissions received and making recommendations regarding Council adoption or otherwise of the CPP and amended DCP provisions.

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

COUNCIL RESOLUTION

287/19

That Council:

- A. Note the attached drafted Community Participation Plan, prepared in accordance with Division 2.6 of the *Environmental Planning and Assessment Act 1979*;
- B. Note the attached drafted provisions for each of the Bombala DCP, Cooma-Monaro DCP and Snowy River DCP detailing building performance and energy efficiency requirements for new buildings assessed through the development application process;
- C. Note the attached drafted provisions for each of the Bombala DCP, Cooma-Monaro DCP and Snowy River DCP detailing permit requirements for vegetation clearing and tree works in accordance with *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*;
- D. Consent to the public exhibition of all the drafted DCP provisions as described in and attached to this report for a period of 28 days in accordance with Schedule 1 Part 1 of the *Environmental Planning and Assessment Act 1979* and Clause 18 of the *Environmental Planning and Assessment Regulation 2000*; and
- E. Consent to the public exhibition of the draft Community Participation Plan as described in and attached to this report for a period of 28 days in accordance with Schedule 1 Part 1 of the *Environmental Planning and Assessment Act 1979*.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 7: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors.

8.2 ALTERATION AND ADDITIONS TO THE ADAMINABY HALL

Record No:

Responsible Officer:	Manager Development Assessment
Author:	Town Planner - Duty
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:	8.2.6 Council's infrastructure is maintained to meet compliance standards and to deliver high level services
Attachments:	<ol style="list-style-type: none"> 1. Draft Conditions of Consent (<i>Under Separate Cover</i>) 2. DA4208-2019 Submitted Plans (<i>Under Separate Cover</i>) 3. DA4208/2019 Statement Of Environmental Effects (<i>Under Separate Cover</i>) 4. DA4208/2019 Heritage Advisor Referral (<i>Under Separate Cover</i>) 5. DA4208/2019 Application Form (<i>Under Separate Cover</i>)

Further Operational Plan Actions:

Applicant Number:	DA4208/2019
Applicant:	Snowy Monaro Regional Council
Owner:	Snowy Monaro Regional Council
DA Registered:	24/06/2019
Property Description:	Lot 79 DP 28078 Ph Bolaira
Property Number:	103685
Zone:	RU5 - Village
Current Use:	Community Facility
Proposed Use:	Community Facility
Permitted in Zone:	Yes
Recommendation:	Approval

EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the alterations and additions to the existing Adaminaby Memorial Hall. The proposed alterations and additions will provide an accessible entry, accessible and ambulant accessible toilets and storage. The property is heritage listed and comment received from Councils Heritage Advisor

The application is referred to Council for determination as the property is owned by Council.

It considered that the development complies with the provisions of the Snowy River Local Environmental Plan and Development Control Plan 2013 and it is recommended that it be approved with conditions.

If Council decides to make a determination other than as included in the recommendation, it must

follow the procedure adopted through resolution 18/18 on 15 February 2018;

COUNCIL RESOLUTION

288/19

A. That pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that the **consent** for Alterations to Entry, Storage & Toilets on Lot 79 DP 28078 Ph Bolaira, 21 Denison Street ADAMINABY NSW 2629 by granted subject to the attached draft conditions; and

B. That those persons that made submissions be advised of Councils Determination.

Moved Councillor Maslin

Seconded Councillor Beer

CARRIED

Note 8: Record of Voting

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

Councillors Against: Nil.

9. OTHER REPORTS TO COUNCIL

9.1 KEY THEME 1. COMMUNITY

9.1.1 DRAFT AUSTRALIA DAY POLICY

Record No:

Responsible Officer: Group Manager Economic Development and Tourism
Author: Tourism Promotion and Event Coordinator
Key Theme: 4. Leadership Outcomes
CSP Community Strategy: 12.3 Our community is empowered and supported in facilitating community outcomes
Delivery Program Objectives: 12.3.3 Volunteer and Community group participation is valued and leveraged to improve community outcomes
Attachments: 1. Draft Australia Day Policy
Cost Centre - Tourism and Events
Project Australia Day Project Account PJ 100002
Further Operational Plan Actions: DP4.1.1.2 Support activities, events and celebrations that promote cultural diversity and inclusiveness

EXECUTIVE SUMMARY

Following the formation of the Snowy Monaro Regional Council in May 2016, the complexities regarding the continued hosting of Australia Day events throughout the region were raised. Each prior Council had their own unique celebrations, method of organising, budget and resources allocated. This resulted in Council forming an advisory group to report on ways to better manage future events ensuring they were equitable, sustainable in relation to budget and resources and able to meet community needs and expectations.

The advisory group reported to Council 21 June 2018. Following consideration and further advice, a

Council resolution was made on 15 November 2018 outlining a list of recommendations to be compiled into an Australia Day policy. The attached draft policy incorporates these recommendations and provides the direction and clarification for Council to work with and assist community groups/organisations to successfully run their own Australia Day celebrations.

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

COUNCIL RESOLUTION

289/19

That Council

A. Adopt the attached draft Australia Day policy.

B. Maintain the \$10,000 funding as per this 19/20 budget and transfer the project to the Governance cost centre 3120 in future years

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 9: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.1.2 CLOSURE TO PART OF THE ROAD RESERVE IN BARRACK ST COOMA

Record No:

Responsible Officer: Director Operations & Infrastructure

Author: Land & Property Officer

Key Theme: 1. Community Outcomes

CSP Community Strategy: 1.3 Recreation, sporting and leisure facilities encourage all ages to live in an active and healthy lifestyle

Delivery Program Objectives: 1.3.3 Council's recreational facilities, parks and public open spaces are safe, well managed and accessible

Attachments: Nil

Cost Centre

Project PJ100108 – C PP-025 Nijong Oval Improvements - Learner Bike Track

EXECUTIVE SUMMARY

The Learner Bike Track design sits across the boundary between Lot 4 (SMRC owned land) and Council's road reserve in Barrack Street.

The modification to the road reserve was to be undertaken using a boundary adjustment method (as per Council's resolution 147/19 Part C on 17 April 2019) however further investigation has determined that a creation of a new lot in the road reserve (by closing this section) and then consolidation of the existing and new lot is a simpler and quicker method.

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

COUNCIL RESOLUTION

290/19

That Council

- A. Approve the proposal to close part of the Barrack Street Cooma road reserve in accordance with the plan in this report;
- B. Classify this new lot as operational land;
- C. Approve the consolidation of lot 4 DP 32321 with the new lot to be created by the road closure; and
- D. Classify the new consolidated lot as operational land.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 10: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.1.3 DELEGATE SCHOOL OF ARTS AND DELEGATE PRESCHOOL

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Land & Property Officer
Key Theme:	1. Community Outcomes
CSP Community Strategy:	2.1 Our culturally diverse heritage is preserved and celebrated for the richness it brings to our regional identity
Delivery Program Objectives:	2.1.2 Council celebrates and enriches the heritage fabric throughout the region
Attachments:	1. Planning Report - Delegate School of Arts Hall (<i>Under Separate Cover</i>) 2. Status Investigation - Delegate School of Arts (<i>Under Separate Cover</i>) 3. Delegate School of Arts Property Investigation and Recommendation Report (<i>Under Separate Cover</i>) 4. Fire Compliance Report (<i>Under Separate Cover</i>)
Cost Centre	
Project	PJ105337 – Delegate School of Arts Drainage Works
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The hall was constructed in 1902 and since, the building has been extended three times. The roof has been recently re-sheeted with colorbond metal sheeting and new gutters were fitted. The buildings have been identified as having significant local cultural value.

A detailed property condition investigation was carried out by Grounded Engineering and the investigation revealed that a significant amount of work needs to be carried out to reach compliance and safety standards and preserve the building into the future. One of the more significant risks associated with the School of Arts hall is the public use and reliance on the adjacent pre-school toilets.

It is therefore proposed that Council fund the construction of new amenities for the exclusive use by the School of Arts users including access paths. Applications for funding will be then made through appropriate funding streams to undertake the remaining works as identified in the building inspection report. A copy of the report which contains detailed costings is attached.

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

COUNCIL RESOLUTION	291/19
That Council	
A. Approve the construction of toilet amenities at the rear of the School of Arts and an accessible pathway from exit points in the School of Arts to the toilet facility;	
B. Fund the toilet amenities and pathway from former Bombala LGA internal reserves to the value of \$120,000 including project management cost;	
C. Apply to the Stronger Country Communities Fund Program for grant funding to carry out the works identified in the Building Condition Report attached to this report in the amount of \$385,791.	
D. Seek quotations for a Building Condition Report for the Delegate Preschool to be funded from former Bombala LGA internal reserves; and	
E. Bring a report to Council for consideration when the Building Condition Report is completed.	
Moved Councillor Corbett	Seconded Councillor Stewart CARRIED

Note 11: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.1.4 MINUTES - RESIDENTIAL AGED CARE ADVISORY COMMITTEE 29 APRIL 2019

Record No:

Responsible Officer: Director Corporate and Community Services
Author: Executive Assistant to Director Corporate and Community Services
Attachments: 1. Minutes - Residential Aged Care Advisory Committee 29 April 2019

EXECUTIVE SUMMARY

The Residential Aged Care Advisory Committee meeting was held on 29 April 2019 in Cooma. The Minutes are presented for Council's information.

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

COUNCIL RESOLUTION	292/19
That Council receive and note the Minutes of the Residential Aged Care Advisory Committee meeting held on 29 April 2019.	
Moved Councillor Corbett	Seconded Councillor Stewart CARRIED

Note 12: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.1.5 MONTHLY FUNDS MANAGEMENT REPORT - JULY 2019

Record No:

Responsible Officer: Director Corporate and Community Services
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:

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 July 2019.

Cash and Investments are \$86,118,737.

Certification

I, Matt Payne, Responsible Accounting Officer of Snowy Monaro Regional Council hereby certify, as required by Clause 212 of the Local Government (General) Regulation 2005, that investments as detailed in this report have been 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

293/19

That Council:

- A. Receive and note the report indicating Council's cash and investments position as at 31 July 2019; and
- B. Receive and note the Certificate of the Responsible Accounting Officer.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 13: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.1.6 MINUTES OF THE ARTS AND CULTURE S355 COMMITTEE MEETING HELD 12 JUNE 2019

Record No:

Responsible Officer: Group Manager Economic Development and Tourism
Author: Community Development Planner and Projects Officer
Key Theme: 1. Community Outcomes
CSP Community Strategy: 2.2 Support and promote the arts recognising the broad and diverse contribution it makes to community identity and wellbeing
Delivery Program Objectives: 2.2.1 A range of regional level arts and cultural activities are delivered and promoted in partnership with the community

Attachments: 1. Revised Arts and Culture 355 Committee Charter
2. Minutes of the Arts and Culture 355 Committee Meeting held 12 June 2019

Cost Centre Arts and Culture 2410

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The SMRC Arts and Culture Committee met for the first time on 12 June 2019.

The minutes of the meeting are attached for Council's information.

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

COUNCIL RESOLUTION

294/19

That Council note the minutes of the Arts and Culture 355 Committee meeting held 12 June 2019 and adopt its recommendations, being:

- A. That Council accepts the donation of the Taking Flight sculpture from Lake Light Sculpture and funds the cost of lighting associated with the installation (up to an amount of \$1000), and accepts responsibility for ongoing maintenance as required;
- B. That the Rix Wright Shearing Sculpture is installed in the preferred location in Centennial Park after consultation with Council engineers regarding the installation requirements e.g. plinth construction, lighting; and
- C. That the amendments to the Charter are noted and approved.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 14: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.1.7 MINUTES OF SNOWY MONARO LOCAL TRAFFIC COMMITTEE - HELD ON 25TH JULY 2019

Record No:

Responsible Officer: Director Operations & Infrastructure

Author: Roads Safety Officer

Attachments: 1. Minutes of the Local Traffic Committee Meeting held on 25 July 2019

EXECUTIVE SUMMARY

The Local Traffic Committee met on 25 July 2019 in Cooma. The Committee's recommendations are presented for Council's consideration and adoption.

The Minutes of the Local Traffic Meeting held on 25 July 2019 are attached to this report.

COUNCIL RESOLUTION

295/19

That the recommendations of the meeting of the Local Traffic Committee held on 25 July 2019 be adopted.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 15: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.2 KEY THEME 2. ECONOMY

9.2.1 ROAD CLOSURE AND CREATION OF ROAD RESERVE - BADJA ROAD

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Property Officer
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:	<ol style="list-style-type: none">1. Confidential copies of letters regarding Badja Road (<i>Under Separate Cover</i>) - Confidential2. Map Showing Approximate Distance of Required Road Reserve3. Maps of Area of Requirements and Map of Area
Cost Centre	1822 – Sealed Rural Roads
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

It has come to Council's attention that a former road closing and creation of a road reserve project from 2010, was not completed and requires finalising. (Confidential copies of letters are attached for information). Countegany Road which leads into Badja Road is a Council Regional Road RR7625; Badja Road physically runs along the western border of privately owned properties and has no road reserve in place for approximately 1.457km (map attached). Council also needs to complete a road closure of the old road, which travels through the same privately owned properties.

It is proposed to correct this issue and create a road reserve corridor. This will entail engaging a surveyor for the purpose of a plan of subdivision, completing road openings and closing procedures under the Roads Act 1993 to ensure that motorists are able to pass through on a Council public road and that the landowners will be protected if an accident occurs within the road reserve.

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

COUNCIL RESOLUTION

296/19

That Council

- A. Approve to formally close the Council public road that traverses lot 1 DP 124507, Lot 2 DP 1195991 and Lots 15,16 & 81 of DP 752146;
- B. Engage the services of a Surveyor to prepare a plan of subdivision for the creation of a road reserve over Badja Road;
- C. Agree to exchange the former closed road through the affected properties in compensation of the area required of the privately owned properties for the road reserve to be created over Badja Road; and
- D. Authorise the General Manager to execute the documents to give effect to the above.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 16: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.2.2 CLASSIFICATION OF LOT 1 DP 159772 AND LOT 4 DP 1155110

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Land & Property 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:	6.2.1 Improvements to towns and villages physical environments for parks are incorporated in consultation with community and developed within the unique character of each town
Attachments:	1. Therry St Land Purchase
Cost Centre	
Project	PJ100152
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Council has resolved to acquire lot 1 DP 159772 and Lot 4 DP 1155110 in Therry Street Bombala. The Local Government Act 1993 Division 1, Clause 31 states that within 3 months of acquisition of land by Council, the land must be classified either by an LEP or by a resolution of Council. If Council fails to pass a resolution to classify the land as "Operational Land" then it reverts to the classification of "Community Land".

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

COUNCIL RESOLUTION

297/19

That Council classify lot 1 DP 159772 and Lot 4 DP 1155110 as “Operational Land” upon acquisition.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 17: Motions Without Debate

The above officer’s recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.3 KEY THEME 3. ENVIRONMENT

9.3.1 BOMBALA HEAVY VEHICLE ALTERNATIVE ROUTE - OPTIONS STUDY

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: 8.2.3 Major capital projects deliver improved community infrastructure and assets through the major project program
Attachments: 1. Bombala Heavy Vehicle Options Analysis
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

On 15 March 2018, Council approved the engagement of a consultant to undertake a feasibility study for Heavy Vehicle Traffic Movement in Bombala.

The attached document is the result of this study. The consultant considered 6 options to improve the Bombala CBD amenity as a result of Heavy Vehicle movements.

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

COUNCIL RESOLUTION

298/19

That Council

- A. Receive and note the report; and
- B. Begin community consultation on the management of Heavy Vehicle Traffic in Bombala Town Centre.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 18: Record of Voting

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

Councillors Against: Nil.

**9.3.2 SECTION 64 CONTRIBUTIONS CREDIT FOR THE 52 LOT KUNAMA RIDGE SUBDIVISION AT 47
KUNAMA DRIVE, EAST JINDABYNE**

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Water and Waste Engineer
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	7.2 Water, waste, sewer and stormwater management practices are contemporary and efficient
Delivery Program Objectives:	7.2.2 Water and sewer infrastructure is maintained and improved to provide a quality service
Attachments:	<ol style="list-style-type: none">1. S64 Contribution credit request letter from the developer's representative (<i>Under Separate Cover</i>) - Confidential2. S64 Developer Contribution Credit for the Kunama Ridge Subdivision (<i>Under Separate Cover</i>) - Confidential
Cost Centre	13-2010
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

A 52 lot subdivision development application (DA) DA0179/2006 was approved by former Snowy River Shire Council in 2006 to develop a parcel of land located at the end of Kunama Drive in East Jindabyne. Subsequently, modification to development application MOD4020/2017 was approved in the financial year 2016-2017 for this development.

As part of this subdivision, a new reservoir and a water booster pumping station were required to be constructed to service this subdivision and a few properties in the Kunama Drive, East Jindabyne.

The developer has constructed the new reservoir, the new water booster pumping station and other associated infrastructure such as water rising main, trunk water main and the access road to the new reservoir.

The current Development Servicing Plan calculation accounts for the reservoir and the rising main to service this development, however the access road to the new reservoir was not part of this calculation.

Therefore, the developer is requesting water and sewer contribution credit for the justifiable expense incurred to construct the access road infrastructure as part of this subdivision. Council met with the Developer and the recommended amount was agreed between the parties.

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

COUNCIL RESOLUTION

299/19

That Council approve the S64 contribution credit of \$223,241.73 (Incl. GST) instead of the requested credit of \$351,367.52 (Incl. GST) for the access road construction to the newly built high-level reservoir as part of new 52 lots Kunama Ridge subdivision in East Jindabyne.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 19: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.3.3 CONTRACT CONFIRMATION - BOMBALA/DELEGATE STREETScape AND BOMBALA KIOSK CONSTRUCTION

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: 8.2.3 Stronger Communities fund project delivers improved community infrastructure and assets through the Major Projects Program (MPP)
Attachments: Nil
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

At its meeting on Thursday 18 July 2019, Council endorsed to finalise and award the contracts for the Bombala and Delegate Streetscape Project and the Bombala Kiosk Construction (Resolution 262/19 and 259/19).

In accordance with Clause 179 of the Local Government (General) Regulation 2005, Council must specify the name of the tenderer whose tender was accepted and the amount of the successful tender.

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

COUNCIL RESOLUTION

300/19

That Council receive and note the following contracts be awarded:

- A. Bombala Kiosk Construction – Davone Constructions Pty Ltd for \$402,687.27 excluding GST; and
- B. Bombala and Delegate Streetscape Project – RD Miller Pty Ltd for \$977,065 excluding GST.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 20: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.3.4 PROPOSED CLOSURE AND SALE OF PUBLIC PATHWAY IN KALKITE

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Land & Property Officer
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:	8.2.2 Public Infrastructure and Assets are maintained and replaced according to Council's Asset Management Strategy
Attachments:	<ol style="list-style-type: none">1. Letter from Thomas & Bisley - Pathway in Kalkite (<i>Under Separate Cover</i>) - Confidential2. Email from owners of lot 39 in Kalkite (<i>Under Separate Cover</i>) - Confidential3. Lots 38 and 39 DP 260285 (<i>Under Separate Cover</i>) - Confidential
Cost Centre	1830 – Unsealed rural roads - local
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Over a period of two and a half years, Council has considered the request from landowners to close and sell the public pathway which runs between lots 38 and 39 DP 260285 in Gardenia Court, Kalkite.

The latest resolution was made on 18 May 2018 when Council resolved to postpone further consideration of this matter until both parties had confirmed in writing their intention to purchase 50% each of the pathway between their properties.

Recently the owners of lot 38 wrote to Council asking why this matter was not progressing and that they were willing to purchase the whole of the pathway for \$20,000 incl. GST. Council contacted the owners of lot 39 to enquire if they were still interested and received an email reply to say that they could only purchase half the pathway if they could make arrangements to pay for the land through a repayment schedule to be paid in conjunction with their land rates. The owners of lot 38 have requested that they be afforded the same consideration of paying via a repayment schedule.

This matter has been unresolved since 2015 and the owners of lots 38 and 39 DP 260285 have now agreed on the proposed terms.

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

COUNCIL RESOLUTION

301/19

That Council

- A. Agree to close the pathway and sell the land 50% to each adjoining landowner for \$10,000 including GST each with each party to pay their own legal fees;
- B. Notify the owners of lots 38 and 39 that Council approves the payment for 50% of the pathway as a “repayment schedule” to be paid in conjunction with the land rates to be fully paid prior to 30 June 2020;
- C. Apply to the Crown to close the public pathway;
- D. Engage the services of a surveyor to create a plan of subdivision with the pathway to be divided along its length (front to back);
- E. Engage the services of a solicitor to draw up contracts for the sale of the land; and
- F. Authorise the General Manager to execute the documents for the sale of the property

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 21: Motions Without Debate

The above officer’s recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.4 KEY THEME 4. LEADERSHIP

9.4.1 BUDGET VARIATIONS JUNE 2019

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Management Accountant
Key Direction:	4. Leadership Outcomes
Delivery Plan Strategy:	11.2 Council utilises sound fiscal management practices, pursues and attracts other sources of income
Operational Plan Action:	11.2.2 Provision of statutory reporting enables our leaders to make decisions on Council’s financial sustainability
Attachments:	Nil
Cost Centre	4010 Financial Services

EXECUTIVE SUMMARY

Council adopted its 2019 Operational Plan on the 28 June 2018, including details of Estimated Income and Expenditure. The quarterly budget review statements for the periods ended 30 September 2018, 31 December 2018 and 31 March 2019 were submitted to Council as required by the Local Government (General) Regulation 2005.

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

COUNCIL RESOLUTION

302/19

That Council authorise the adjustments to the Council’s budgeted Income & Expenditure, Capital Expenditure as detailed in the report.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 22: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.4.2 AN ALTERNATIVE SOLUTION TO RECRUITMENT SHORTFALLS

Record No:

Responsible Officer:	General Manager
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.4 Council will manage service delivery in an efficient and sustainable way as an employer of choice
Delivery Program Objectives:	10.4.1 Council employs an engaged multi -skilled, workforce and encourages staff to take ownership of service delivery in a responsible and efficient manner
Attachments:	1. Wagga Wagga City Council's Proposal (<i>Under Separate Cover</i>) - Confidential
Cost Centre	3210 Executive Team

EXECUTIVE SUMMARY

Council continues to have difficulty recruiting suitable staff to fill current vacancies. This is a common problem across the local government sector and the Wagga Wagga City Council has decided to trial the use of a Sydney office to facilitate the engagement of specialist staff whose duties enable them to primarily work remotely if supported by adequate technology.

Wagga Wagga City Council has invited other Councils to join them in the trial.

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

COUNCIL RESOLUTION

303/19

That Council

- A. Approve participation in Wagga Wagga City Council's one-year trial of an office located in Sydney to facilitate the recruitment of suitable staff;
- B. Authorise the General Manager to enter into an appropriate sub-lease or other agreement with Wagga Wagga City Council; and
- C. Fund the trial through a transfer from Council's adopted budget for consultants.

Moved Councillor Ewart

Seconded Councillor Corbett

CARRIED

Note 23: Record of Voting

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

Councillors Against: Nil.

9.4.3 ANSWERS TO QUESTIONS WITH NOTICE

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Secretary Council and 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. In Progress Questions with Notice - Updates to end of July 2019 (Under Separate Cover)
Cost Centre	3120 Governance
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 July 2019.

The Councillor Questions In Progress for the period ending July 2019 is attached to this report.

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

COUNCIL RESOLUTION

304/19

That Council receive and note the Councillor Questions In Progress report for the period ended July 2019.

Moved Councillor Ewart

Seconded Councillor Haslingden

CARRIED

Note 24: Record of Voting

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

Councillors Against: Nil.

9.4.4 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Secretary Council and 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. In Progress Actions - Includes all Actions up to end of July 2019 (Under Separate Cover)
Cost Centre	3120 Governance

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 July 2019.

The In Progress Resolution Action Sheet for period ending July 2019 is attached to this report.

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

COUNCIL RESOLUTION

305/19

That Council receive and note the In Progress Resolution Action Sheet Update for the period ending July 2019.

Moved Councillor Beer

Seconded Councillor Haslingden

CARRIED

Note 25: Record of Voting

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

Councillors Against: Nil.

9.4.5 AMENDMENT TO THE SMRC CODE OF MEETING PRACTICE

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Manager Corporate Governance
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. Policy - Code of Meeting Practice Revised Draft August 2019
Cost Centre	3110

EXECUTIVE SUMMARY

Following adoption of the Code of Meeting Practice at the 20 June 2019 Council meeting, the adopted Code was put into practice at the 18 July 2019 Council meeting.

Councillors indicated at the July Council meeting that the requirement for a show of hands on voting for all items was not practical, as required in clause 11.10;

11.10 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

Although this clause had been previously agreed by Councillors, as it is a non-mandatory clause, it can be removed.

The attached revised Code of Meeting Practice no longer includes this clause, and clauses 11.11 to 11.14 have been renumbered 11.10 to 11.13 as a result of the removal of this clause.

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

OFFICER'S RECOMMENDATION

That Council adopt the Code of Meeting Practice Revised Draft August 2019.

LOST MOTION

Note 26: Record of Voting

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

Councillors Against: Councillor Castellari, Councillor Ewart, Councillor Haslingden, Councillor Last and Councillor Maslin.

Note 27: Lost Motion

A motion moved Clr Stewart and seconded Clr Ewart was put to the vote and LOST. The lost motion was in the following terms

"That Council adopt the Code of Meeting Practice Revised Draft August 2019"

9.4.6 WEBCASTING

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Group Manager Governance
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	12.2 Residents have access to timely, relevant and accurate information on issues that affect them
Delivery Program Objectives:	12.2.2 Council provide convenient ways for customers to engage with us and we respond appropriately
Attachments:	Nil
Cost Centre	3110

EXECUTIVE SUMMARY

At the July 2019 Council meeting, Council requested verification of the quality of webcasting from the proposed portable unit.

Group Manager Governance and ICT Manager watched webcasting from Port Stephens Council and Bega Valley Council to assess quality. The quality of the streaming was for both the 3 camera mobile and 1 Camera mobile solutions. The streaming quality was comparable with the current system fixed in Cooma, however the single camera mobile solution was very difficult to follow through the meeting as it was only able to focus on one person at a time and made it difficult to assess speakers.

It should be noted that the current webcasting from the fixed units in Cooma is not deemed “production quality” as referenced by Councillors expectations in the meeting. The recommended solution will not provide “production quality” webcasting either. On average we have 200 community members access webcasting either live or in archive state, and the cost to upgrade facilities to a production quality would be prohibitive to justify for this size audience.

On this basis we recommend that Council approve the purchase of the 3 Camera portable solution for remote meetings, or alternatively host all Council meetings at Cooma on the fixed Camera solution.

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

COUNCIL RESOLUTION

306/19

That Council

- A. Approve the acquisition of a portable three camera webcasting solution through Interstream; and
- B. Authorise the expenditure of \$28,038 allocated in the 2020 Financial Year Budget with funding to be provided from cost centre 3110.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 28: Motions Without Debate

The above officer’s recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.4.7 ADOPTION OF CRJO CODE OF CONDUCT PANEL

Record No:

Responsible Officer: Director Corporate and Community Services
Author: Group Manager Governance
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: Nil
Cost Centre 3120

EXECUTIVE SUMMARY

The Administrative Framework (Part 3 of the Procedures for the Administration of The Model Code of Conduct for Local Councils in NSW) requires that councils and joint organisations establish a Panel of Conduct Reviewers. Councils may enter into an arrangement with one or more Councils to share a panel of conduct reviewers including through a joint organisation. If councils wish to use the CRJO panel then they will need to determine this by way of their own resolution.

CRJO went to the market with an expression of Interest and received 27 responses. These were assessed by a panel, including the SMRC General Manager.

Extracts from the CRJO report on the process undertaken, and the resolution adopted by CRJO on establishment of the Panel are included in this report.

Given SMRC has supported the panel selection process, it is recommended that SMRC adopt the CRJO Code of Conduct Panel.

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

COUNCIL RESOLUTION

307/19

That Council resolve to establish its own panel of Conduct reviewers as the CRJO Panel of Conduct Reviewers.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 29: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.4.8 2019 DELIVERY PROGRAM AND OPERATIONAL PLAN REPORT

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Governance Officer
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:	10.1.2 Integrated Planning and Reporting guides long term planning and organisational sustainability
Attachments:	1. 2019 Operational Plan Final Report 2. Business as Usual Activities for the 2019 Financial Year
Cost Centre	3120

EXECUTIVE SUMMARY

In accordance with Section 404(5) of the *Local Government Act 1993* (the Act), the General Manager must ensure that regular progress reports are provided to the Council with respect to the principal activities detailed in the Delivery Program. Progress reports must be provided at least every six months, with the final report of the year being reported after the end of each financial year. This report covers

the period July 2018 to June 2019.

In addition to the Section 404 report an additional document is attached providing an overview on the other activities undertaken as part of business as usual (BAU) by the respective business units throughout the year. Business as usual activities provide some context on resourcing allocations required just to maintain the everyday functions of Council, that on occasion impact the delivery of the Delivery and Operational Plan actions.

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

COUNCIL RESOLUTION

308/19

That Council receive and note the 2019 Operational Plan Final Report and the Business as Usual Activities for the 2019 Financial Year Report.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

Note 30: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 284/19 above as there was no challenge by Councillors

9.4.9 DRAFT GUIDE FOR SUBMISSION AND ASSESSMENT OF UNSOLICITED PROPOSALS

Record No:

Responsible Officer: Director Corporate and Community Services
Author: Executive Assistant to Director Corporate and Community Services
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. Draft Guide for Submission and Assessment of Unsolicited Proposals
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

In its daily operations the Council, Councillors and Council staff are sometimes approached by the private sector and individuals with specific proposals for the Council to entertain including, land purchases, business development, participation in a joint venture and other proposals.

As part of good governance practiced by Snowy Monaro Regional Council (SMRC) the development of procedures and guidance in such a situation is considered a high priority.

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

COUNCIL RESOLUTION

309/19

That Council resolve to adopt the Draft Guidelines for Submission and Assessment of Unsolicited Proposals.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

10. NOTICE OF MOTION

10.1 CLIMATE EMERGENCY - COUNCILLOR CASTELLARI

Record No:

Responsible Officer: General Manager

Author: Councillor John Castellari

Attachments: 1. Notice of Motion - Climate Emergency

Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 15 August 2019, he will move the following motion.

MOTION

That this Council supports the recent motion in May 2019 by the National Assembly of the Australian Local Government Association, and numerous Councils across Australia, to call on the Government of Australia to:

- A. Declare a Climate Emergency;
- B. Establish a \$10 billion dollar national fund for councils to build the resilience of climate change vulnerable communities;
- C. Commit to providing maximum protection for all people, economies, species, ecosystems and civilisations, and to fully restoring a safe climate;
- D. Mobilise the required resources and take effective action at the necessary scale and speed across Australia;
- E. Put resources in place to enable Local and State Governments to reduce and draw down on carbon to net zero emissions by 2029;
- F. Encourage all the other governments around the world to take these same actions.

LOST MOTION

Record of Voting

Councillors For: Councillor Castellari, Councillor Ewart and Councillor Haslingden.

Councillors Against: Councillor Beer, Councillor Corbett, Councillor Last, Councillor Maslin, Deputy Mayor Miners and Councillor Stewart.

Note 31: Lost Motion

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

“That this Council supports the recent motion in May 2019 by the National Assembly of the Australian Local Government Association, and numerous Councils across Australia, to call on the Government of Australia to:

- A. Declare a Climate Emergency;*
- B. Establish a \$10 billion dollar national fund for councils to build the resilience of climate change vulnerable communities;*
- C. Commit to providing maximum protection for all people, economies, species, ecosystems and civilisations, and to fully restoring a safe climate;*
- D. Mobilise the required resources and take effective action at the necessary scale and speed across Australia;*
- E. Put resources in place to enable Local and State Governments to reduce and draw down on carbon to net zero emissions by 2029;*
- F. Encourage all the other governments around the world to take these same actions.”*

Note 32: Attendance of Manager Corporate Governance

Manager Corporate Governance was absent from the meeting from 6.51PM during Item 10.1 - Climate Emergency, returning at 6.59PM during the same item.

Note 33: Adjournment of Meeting

At 7.26PM the meeting adjourned for a dinner break

Note 34: Resumption of Meeting

The meeting resumed at 7.55PM

10.2 NSW GOVERNMENT FUNDING

Record No:

Responsible Officer: General Manager
Author: Councillor Anne Maslin
Attachments: Nil

Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 15 August 2019, she will move the following motion.

COUNCIL RESOLUTION

310/19

That Snowy Monaro Regional Council lobby the NSW Government for a grant of \$6.5 million to cover the outstanding costs of amalgamating the Cooma Monaro, Snowy River and Bombala Shire Councils and reduce the current deficit.

Moved Councillor Maslin

Seconded Councillor Stewart

CARRIED

Note 35: Record of Voting

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

Councillors Against: Councillor Castellari, Councillor Corbett and Councillor Ewart.

10.3 NOTICE OF MOTION TO RESCIND A RESOLUTION - DETERMINATION OF THE NUMBER OF COUNCILLORS

Record No:

Responsible Officer: General Manager

Author: Councillor Anne Maslin

Attachments: 1. Cr Maslin Rescission Aug 2019

Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 15 August 2019, she will move the following motion.

COUNCIL RESOLUTION

311/19

We hereby give notice of the following motion of rescission:

“That the Council resolution relating to

Minutes No. OC 18072019_min_1138

Item No. 9.4.5

Title Determination of the Number of Councillors

Passed at the Council meeting held on 18 July 2019

COUNCIL RESOLUTION

[269/19]

That Council resolves:

- A. Pursuant to Section 224(2) of the *Local Government Act 1993*, that Council will comprise of nine (9) Councillors, including the Mayor from 2024, and
- B. That a constitutional referendum be held at the September 2020 election, and the determined number of nine (9) Councillors would apply from 2024.

Moved Councillor Castellari

Seconded Councillor Corbett

[CARRIED]

be and is hereby RESCINDED”.

Notice of Motion:

Should the rescission motion be adopted we give notice that it is our intention to move the following motion in lieu of which due notice is hereby given.

That Council resolve to retain the number of Councillors at 11 (eleven).

Moved Councillor Maslin

Seconded Councillor Haslingden

CARRIED

Note 36: Record of Voting to Rescind Resolution 269/19

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

Councillors Against: Councillor Castellari, Councillor Corbett and Councillor Ewart.

Note 37: Record of Voting for Notice of Motion

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

Councillors Against: Councillor Castellari, Councillor Corbett and Councillor Ewart.

11. MAYORAL MINUTES

Nil.

12. QUESTIONS WITH NOTICE

12.1 TOILETS IN CENTENNIAL PARK

Councillor John Last

Question: Toilets at Centennial Park are a disgrace, can they be cleaned up and kept clean?

12.2 CENTENNIAL PARK

Councillor John Last

Question: Why is it that the lights at Centennial Park including the bus shelter are not turned on until 7pm?

A person attended the park at 6pm recently and the whole area was in total darkness.

Can this be remedied as a matter of urgency?

13. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

312/19

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 Snowy Mountains Cookies - Renewal of Deed of Licence

Item 13.1 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.

13.2 Property NSW Licence Agreement - Amendment and Extension Request

Item 13.2 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.

13.3 Replacement of Council's road maintenance truck. Plant number 3028

Item 13.3 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.

13.4 Legal Actions and Potential Claims Against SMRC as at 31 July 2019

Item 13.4 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.

13.5 Newpave Ashpalt - Expression of Interest - 84 Polo Flat Road

Item 13.5 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.

13.6 Council Investments

Item 13.6 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.

13.7 Purchase of Lot 3 DP 1242464 and Lot 4 DP 1242464 - Cooma Levee Bank

Item 13.7 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.

13.8 Residential Aged Care Operational Model

Item 13.8 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.

13.9 Adaminaby School of Arts

Item 13.9 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.

13.10 Audit, Risk and Improvement Committee (ARIC) - Appointment of Independent Member as Chair

Item 13.10 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.

13.11 Council carparks - Commissioner Street

Item 13.11 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.

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 Ewart

Seconded Councillor Haslingden

CARRIED

Note 38: 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 39: Confidential Session of Committee

At 8.45PM the meeting was closed to the press and public.

Note 40: Resumption of Open Committee Meeting

At 9.31PM the Closed Session ended and the Council meeting continued in Open Session.

14. REPORT FROM CONFIDENTIAL SESSION

13.1 SNOWY MOUNTAINS COOKIES - RENEWAL OF DEED OF LICENCE

COUNCIL RESOLUTION

313/19

That Council

- A. Approve the renewal of the Deed of Licence under the current terms and conditions to Snowy Mountains Cookies from March 2020 to 31 August 2022; and
- B. Authorise the General Manager to execute the Deed of Licence on behalf of Snowy Monaro Regional Council.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

13.2 PROPERTY NSW LICENCE AGREEMENT - AMENDMENT AND EXTENSION REQUEST

COUNCIL RESOLUTION

314/19

That Council

- A. Agree to the change of dates and options to renew the Car Park Licence Agreement with Property NSW as 1 June 2019 to 24 March 2021 with an option of two (2) five (5) year terms; and
- B. Authorise the General Manager to execute the Licence Agreement on behalf of Snowy Monaro Regional Council.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

13.3 REPLACEMENT OF COUNCIL'S ROAD MAINTENANCE TRUCK. PLANT NUMBER 3028

COUNCIL RESOLUTION **315/19**

That Council approve the following

- A. Purchase the Fuso FK61FK/Flocon Engineering combination from Hartwigs Trucks Pty Ltd for \$248,284 excluding GST;
- B. Additional funding of \$11,075 from plant reserves to be included in the QBRS for September 2019; and
- C. The disposal of Plant 3028 via public auction with a reserve set at \$36,000

Moved Councillor Corbett **Seconded Councillor Stewart** **CARRIED**

13.4 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 31 JULY 2019

COUNCIL RESOLUTION **316/19**

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 31 July 2019 report.

Moved Councillor Beer **Seconded Councillor Maslin** **CARRIED**

13.5 NEWPAVE ASPHALT - EXPRESSION OF INTEREST - 84 POLO FLAT ROAD

COUNCIL RESOLUTION **317/19**

That Council Approve for 84 Polo Flat Road Cooma being Lot 11 DP 1108723 to be sold by public auction

Moved Councillor Last **Seconded Councillor Beer** **CARRIED**

13.6 COUNCIL INVESTMENTS

COUNCIL RESOLUTION **318/19**

That Council

- A. Receive and note this report and attachments; and
- B. Adopt the officer's recommendations contained within the body of this report.

Moved Councillor Stewart **Seconded Councillor Last** **CARRIED**

13.7 PURCHASE OF LOT 3 DP 1242464 AND LOT 4 DP 1242464 - COOMA LEVEE BANK

COUNCIL RESOLUTION 319/19

That Council

- A. Note the purchase price for lot 4 DP 1242464 being \$10,500 ex GST;
- B. Submit an offer to purchase lot 3 DP 1242464 for the sum of \$18,000 ex GST;
- C. Authorise the General Manager to negotiate within 10% of \$18,000 ex GST; and
- D. Authorise the expenditure and allocate an amount of \$15,150 ex GST (in addition to previous resolution 166/19 of \$21,450 ex GST) in the 2020 Financial Year Budget with funding to be provided from other internal reserves.

Moved Councillor Beer

Seconded Councillor Castellari

CARRIED

13.8 RESIDENTIAL AGED CARE OPERATIONAL MODEL

COUNCIL RESOLUTION 320/19

That Council receive and note this report and attachments.

Moved Councillor Castellari

Seconded Councillor Haslingden

CARRIED

13.9 ADAMINABY SCHOOL OF ARTS

COUNCIL RESOLUTION 321/19

That Council

- A. Accept the tender from Adaptive Interiors Pty Ltd (A.B.N. 48 618 967 696) for \$281,780.00 excluding GST in accordance with Clause 178 (1) (a) of the Local Government (General) Regulation 2005 for the Adaminaby School of Art building facility upgrade; and
- B. Approve the additional \$250,500 required for delivery of this project be transferred from the PP-222 Upgrade to Clay Pits area at Lake Jindabyne Balancing Project

Moved Councillor Last

Seconded Councillor Haslingden

CARRIED

13.10 AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - APPOINTMENT OF INDEPENDENT MEMBER AS CHAIR

COUNCIL RESOLUTION 322/19

That Council

- A. Receive and note the information in the attached selection report for the position of Chair of Audit, Risk and Improvement Committee; and
- B. Appoint Melissa Tooke as the Independent Chair of the Snowy Monaro Regional Council - Audit, Risk and Improvement Committee for an initial period of two years with an offer of two year extension, subject to satisfactory performance assessment of his/her contribution to the Committee.

Moved Councillor Beer

Seconded Councillor Maslin

CARRIED

13.11 COUNCIL CARPARKS - COMMISSIONER STREET

COUNCIL RESOLUTION

323/19

That Council agree to Option C as detailed in the body of the report.

Moved Councillor Last

Seconded Councillor Corbett

CARRIED

There being no further business the Deputy Mayor declared the meeting closed at 9.35PM.



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 15 August 2019 were confirmed by Council at a duly convened meeting on 19 September 2019 at which meeting the signature hereon was subscribed.