



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

16 July 2020

ORDINARY COUNCIL MEETING
HELD IN COOMA COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON THURSDAY 16 JULY 2020

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

**ON THURSDAY, 16 JULY 2020
COMMENCING AT 5:00PM**

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

APOLOGIES:

Staff: Peter Bascomb, Chief Executive Officer
David Rawlings, Chief Strategy Officer
Jeff Morgan, Chief Operating Officer
Gina Woodward, Chief Communications Officer
Amanda Shepherd, Secretary Council and Committees

1. OPENING MEETING

The Mayor opened the meeting at 5:10PM.

2. ACKNOWLEDGEMENT OF COUNTRY

Note 1: Adjournment of Meeting

At 5.11PM the Mayor adjourned the meeting for Public forum.

Note 2: Resumption of Meeting

At 5.42PM the Mayor resumed the meeting.

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil.

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

103/20

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 June 2020;
- 7.2 – Closed session of the Ordinary Council Meeting held on 18 June 2020;
- 9.1.2 – Health One Facility, Jindabyne;
- 9.1.3 – Monthly Funds Management Report – June 2020;
- 9.1.4 – Lake Jindabyne Shared Trail Project Funding;
- 9.1.5 – Minutes of the Youth Council Meeting held on 22 June 2020;
- 9.1.6 – Arts and Culture Discussion Paper;
- 9.1.8 – Water Usage Credits – January 2020 Bushfires;
- 9.3.1 – Upgrade to Myack Street & Memorial Park, Berridale;
- 9.3.4 – Floodplain Risk Management Study and Plan;
- 9.4.3 – Statutory Updates to 2021 Fees & Charges;
- 9.4.4 – Minutes of the Waste Management Committee Meeting held on 11 June 2020;
- 9.4.5 – Internal Audit Function Charter Review;
- 9.4.6 – Bush Fire Recovery update.

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

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

RECORD OF VOTING

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

COUNCILLORS AGAINST: NIL.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 18 JUNE 2020

COUNCIL RESOLUTION

104/20

THAT the minutes of the Ordinary Council Meeting held on 18 June 2020 are confirmed as a true and accurate record of proceedings.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 3: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 18 JUNE 2020

COUNCIL RESOLUTION

105/20

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 18 June 2020 are confirmed as a true and accurate record of proceedings.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 4: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

Nil.

9. OTHER REPORTS TO COUNCIL

9.1 KEY THEME 1. COMMUNITY

9.1.1 BOMBALA WATER SUPPLY OPTIONS REPORT

Record No:

Responsible Officer: Chief Operating Officer

Author: Water Consultant

Key Theme: 1. Community Outcomes

CSP Community Strategy: 1.1 Quality health and well-being services that support the changing needs of the community through all stages of the lifecycle are provided through government and non-government organisations

Delivery Program Objectives: 1.1.2 Water and Sewer Services meet legislative and quality requirements

Attachments: 1. T\3137056-REP-Rev0_Options_Assessment_Bombala_Water_Supply - final

Cost Centre

Project Further Operational Plan Actions:

EXECUTIVE SUMMARY

The scope of this report and attachment is to inform Council on the condition and performance of the existing Bombala drinking water supply covering the raw water pump station and Bombala water treatment plant (BWTP) and options for an upgrade to achieve reliable and sustainable treatment and supply for the next 25 years compliant with the Australian Drinking Water Guidelines (ADWG) plus "water industry best practice in operation" and meeting community expectation.

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

COUNCIL RESOLUTION

106/20

That Council

- A. Receive and note the Options Assessment Report – Bombala Water Supply; and
- B. Endorse the Options Assessment Report – Bombala Water Supply for public exhibition.

Moved Councillor Stewart

Seconded Councillor Maslin

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.1.2 HEALTH ONE FACILITY, JINDABYNE

Record No:

Responsible Officer: Chief Operating Officer

Author: Facilities Officer

Key Theme: 1. Community Outcomes

CSP Community Strategy: 1.1 Quality health and well-being services that support the changing needs of the community through all stages of the lifecycle are provided through government and non-government organisations

Delivery Program Objectives: 1.1.1 Regional health and wellbeing services have been planned through community consultation and partnerships with other levels of government

Attachments: 1. Memorandum of Understanding - July 2016
2. Building Management Statement (Execution Copy)

Cost Centre 150277

Project Jindabyne HealthOne Facility

Further Operational Plan Actions:

EXECUTIVE SUMMARY

In 2014 Council approved a Development Application for the construction of the Health One Facility in Jindabyne which is attached to the Snowy River Health Centre (SRHC) via a walkway bridge. Council provided the land to the Local Health District (LHD) for the building which is attached to SRHC via a walkway bridge.

A Memorandum of Understanding was signed by the former General Manager outlining the responsibilities/arrangements between the parties. This included the eventual subdivision of land into a stratum lot requiring a Contract for Sale, together with a Building Management Statement (BMS) to be registered with the subdivision. Dabyne Planning was engaged to prepare and lodge the subdivision certificate.

A Property and Project Agreement setting out the arrangements before, during and after construction was drafted by lawyers and sent to LHD but never signed.

Council is now in possession of final survey plans and a draft BMS and seeks Council resolution to move forward.

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

COUNCIL RESOLUTION

107/20

That Council

- A. Authorise the Chief Executive Officer to execute the Building Management Statement and take steps to finalise and sign the land sale agreement; and
- B. Approve the establishment of a Building Management Committee to oversee obligations of the Building Management Statement.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 5: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

9.1.3 MONTHLY FUNDS MANAGEMENT REPORT - JUNE 2020

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 30 June 2020.

Cash and Investments are \$80,586,584.

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

108/20

That Council:

- A. Receive and note the report indicating Council's cash and investments position as at 30 June 2020; and
- B. Receive and note the Certificate of the Responsible Accounting Officer.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 6: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

9.1.4 LAKE JINDABYNE SHARED TRAIL PROJECT FUNDING

Record No:

Responsible Officer:	Chief Communications Officer
Author:	Recreation Planner
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:	1.3.1 Regional level recreation facilities that encourage an active lifestyle are planned for and provided in partnership with other government agencies
Attachments:	1. Attachment A- Lake Jindabyne Shared Trail Scope
Cost Centre	2620
Project	Lake Jindabyne Shared Trail project
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

At the Council meeting held on 20 February 2020, Council was notified that grant funding for the Lake Jindabyne shared trail project was under the final stages of assessment by the Department of Premier and Cabinet (DPC). The grant funding assessment followed the election promise of \$11.8M by Deputy Premier and Local MP John Barilaro. Council resolved to cover the ongoing maintenance costs of the trail network if the NSW funding commitment was approved. DPC required this commitment from Council for the purpose of meeting their grant funding guidelines.

Council was recently notified by NSW Infrastructure that the \$11.8M grant funding for the Lake Jindabyne Shared Trail project had been approved. Council has been given a 60 day period to complete the draft funding deed. The funding agreement will outline the project milestones and associated project scope and costs. The due date of the draft funding deed is 13 August 2020.

The purpose of this report is to seek Council's endorsement to proceed with the project and to authorise the CEO to sign the funding agreement following approval by NSW Treasury.

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

COUNCIL RESOLUTION

109/20

That Council agree to proceed with the Lake Jindabyne Shared Trail project.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 7: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

9.1.5 MINUTES OF YOUTH COUNCIL MEETING HELD ON 22 JUNE 2020

Record No:

Responsible Officer: Chief Operating Officer

Author: Youth Officer

Key Theme: 1. Community Outcomes

CSP Community Strategy: 1.4 Youth in the region are supported to reach their maximum potential

Delivery Program Objectives: 1.4.1 Youth of the region are engaged, supported, mentored and trained to be the leaders of tomorrow

Attachments: 1. June Youth Council Minutes

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Youth Council meet once per month and held their last meeting on 22 June 2020. The minutes from the meeting are attached for Council's consideration. At this meeting the physical state of the Skate Parks were discussed and the need for upgrades. A motion was passed to develop a shovel ready project plan for minor upgrades of all four Skate Parks in the region to support grant applications into the future.

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

COUNCIL RESOLUTION

110/20

That Council

A. Receive and note the minutes from the Youth Council meeting held 22 June 2020; and

B. Endorse the motion as listed in the Youth Council Minutes under 9.2 to 'develop a shovel ready project plan for minor upgrades at the Bombala, Cooma, Jindabyne and Berridale Skate Parks'.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 8: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

9.1.6 ARTS AND CULTURE DISCUSSION PAPER

Record No:

Responsible Officer:	Chief Strategy Officer
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. Arts and Culture Discussion Paper June 2020
Cost Centre	
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The SMRC Arts and Culture Advisory Committee has authored a Discussion Paper to generate conversations and lay the foundations for a regional Arts, Culture and Creativity Strategic Plan.

The Discussion Paper is a snapshot of the current arts and culture sector and provides a position from which to address gaps and move forward on the implementation of new arts and culture initiatives.

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

COUNCIL RESOLUTION

111/20

That Council approve the Arts and Culture Discussion Paper being put out for consultation.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 9: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

9.1.7 SWIMMING POOL PROPOSED FEE REDUCTIONS 2020-2021

Record No:

Responsible Officer:	Chief Strategy Officer
Author:	Manager Finance
Key Direction:	1. Community Outcomes
Delivery Plan Strategy:	1.3 Recreation, sporting and leisure facilities encourage all ages to live in an active and healthy lifestyle
Operational Plan Action:	1.3.3 Council's recreational facilities, parks and public open spaces are safe, well managed and accessible

Attachments:

EXECUTIVE SUMMARY

Current data does not show that the season with free access led to an increase in patronage, as the variance in that year is within the variances seen in other seasons. There was an increase in that particular year (of 13%) that is unaccounted for by temperature changes. If it is assumed that all of this variation was accounted for by the effect of lower entry fees increasing usage, the proposed fees would lead to 700 additional uses across the four pools run by the Council. This would come at a cost of \$30,000, or \$43 for each use.

In the short term the Council would need to reduce funding to this or another service to fund this shortfall or reduce the length of the swimming season and then put in place an above rate cap increase of 0.19% to fund the reduction in the user contributions to this service.

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

COUNCIL RESOLUTION

That Council reduce the 2020-2021 swimming pool fees as suggested as per the tables on page 208.

LOST MOTION

Record of Voting

Councillors For: Councillor Castellari, Councillor Haslingden, Councillor Last, Councillor Maslin and Councillor Stewart.

Councillors Against: Mayor Beer, Councillor Corbett, Councillor Ewart, Deputy Mayor Miners, Councillor Rooney and Councillor Old.

Note 10: Point of Order

Clr Stewart raised a point of order on the basis that another recommendation was put forward before considering officer's recommendation. Clr Castellari agreed with Clr Stewart's comment.

Mayor Beer and the Chief Executive officer responded to the point of order and advised, it is not mandatory to discuss officers recommendation, the mover can propose a different motion to officers recommendation.

Procedural Motion to move into Committee - Lost

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

"That Council move into Committee at 6.00PM to discuss item 9.1.7 - Swimming Pool Proposed Fee Reductions 2020-2021"

Record of Voting

Councillors For: Councillor Haslingden, Councillor Maslin and Councillor Stewart.

Councillors Against: Mayor Beer, Councillor Corbett, Councillor Ewart, Councillor Last, Deputy Mayor Miners, Councillor Old, Councillor Castellari, and Councillor Rooney.

Note 11: Clr Ewart called for the Motion to be put.

Note 12: Councillor Haslingden's Motion - Lost

The below motion was put to vote.

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

"That Council introduce reduced swimming pool fees for the 2020-2021 financial swim season".

Record of Voting

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

Councillors Against: Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Last, Deputy Mayor Miners, Councillor Old, Councillor Rooney and Councillor Stewart.

9.1.8 WATER USAGE CREDITS - JANUARY 2020 BUSHFIRES

Record No:

Responsible Officer:	Chief Strategy Officer
Author:	Manager Finance
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:	1. Survey Responses 28 April - 27 May 2020 - Partial waiver of charges for Cooma Swimming Pool 2. Email Responses 28 April - 27 May 2020 - Partial waiver of charges for Cooma Swimming Pool 3. Survey Responses 28 April - 27 May 2020 - Water Usage Concession 4. Email Responses 28 April - 27 May 2020 - Water Usage Concession
Further Operational Plan Actions:	12.2.2 Council provides convenient ways for customers to engage with us and we respond appropriately

EXECUTIVE SUMMARY

A limited number of response were received, focused on supporting the rebate, requesting a higher amount and that no criteria apply. The issue was also discussed on social media.

\$20 of water equates to 6,000l, which should have been sufficient to undertake the cleaning and is comparable to the 4,000l provide to rural residents for the same task.

As it is not possible to determine whether users did use the water for cleaning the criteria may lead to people who have been conserving water not being eligible for the rebate.

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

COUNCIL RESOLUTION

112/20

That Council

- A. Receive and note the submissions and waiver of the additional water usage at the Cooma Swimming Pool of \$7,645.90, and
B. Authorise a \$20 water usage credit to all users with a council water meter connection.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 14: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

9.2 KEY THEME 2. ECONOMY

Nil.

9.3 KEY THEME 3. ENVIRONMENT

9.3.1 UPGRADE WORK TO MYACK STREET & MEMORIAL PARK, BERRIDALE

Record No:

Responsible Officer: Chief Operating Officer
Author: Manager Infrastructure
Key Theme: 3. Environment Outcomes
CSP Community Strategy: 9.1 Transportation corridors throughout the region are improved and maintained
Delivery Program Objectives: 9.1.2 Our local road network is planned, built and repaired to improve movement across the region
Attachments: Nil
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

At the meeting of Council held on 19 March 2020, a report on Planned Works – Myack Street – Berridale was considered by Councillors and approved as a Receive and Note report. Prior to consideration of the report a number of Berridale residents spoke during the public forum expressing significant concerns with a proposal to remove trees in Memorial Park as part of drainage improvement works on Myack Street near the intersection with Jindabyne Road.

One of the key requirements with upgrade works on Myack Street was to improve the flow of stormwater through Coolamatong Creek thereby reducing the likelihood of the road (a Regional Road) becoming inundated with water and creating a traffic hazard. This was identified in the Berridale Landscape Masterplan, which was subject to a full community consultation process. However, it was not clear within the Masterplan that in order to improve the drainage channel through Memorial Park, a number of trees would require removal.

Public meetings with the Berridale community and community presentations to Council have made it clear that any proposal to remove trees in Memorial Park will not be supported. As such, planned works to improve drainage through Myack Street cannot proceed.

The alternate plan proposed in this report is to shift focus (and funding) from Berridale's Myack Street to Highdale Car Park in order to establish a formal car park, bus zone and town entry sign. The concept designs for this area were captured in the Berridale Landscape Masterplan and fit within existing funding agreements.

Funding remains from the PP155 Stronger Communities Fund (allocated to Myack Street Improvement) along with a \$558,525 grant from John Barilaro MP announced in 2019. The scope of works from each grant allows work to be undertaken in-line with the Berridale Landscape Masterplan and, in late 2018, concept designs were discussed with local business owners in relation to proposals for improvements to Highdale Car Park and the construction of the Berridale Town Entry Sign.

Concept designs are now being developed to the Preliminary Design stage and, once complete, the designs will be subjected to a full community consultation process.

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

COUNCIL RESOLUTION

113/20

That Council support a proposal to refocus funding from the Stronger Communities Fund and from the Berridale Beautification grant from drainage improvement work on Myack Street, to the development of Highdale Car Park and Town Entry sign in accordance with the Berridale Landscape Masterplan.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 15: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

9.3.2 DA BEST PRACTICE GUIDE AND PROCESSING TIMES

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Manager Built & Natural Environment
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage
Delivery Program Objectives:	8.1.3 Development assessment processes are streamlined to support regional development and growth
Attachments:	1. Guide to the Development Assessment Process (<i>Under Separate Cover</i>)
Cost Centre	1210 Development Assessment
Project	DA Best Practice Guideline and Processing Times

EXECUTIVE SUMMARY

A report was tabled at the Council meeting of 15 March 2018 following a request from the Mayor in relation to the NSW Department of Planning and Environment's "Development Application Best Practice Guide". Council resolved to "defer the report DA Best Practice Guideline and Processing Times pending a

workshop to discuss the Development Assessment Best Practice Guide". (Resolution 68/18).

A workshop was undertaken with Councillors on 23 May 2018. The workshop outlined the current functions of the Development and Building Certification Group, current development application processes of Council and measures that could be utilised to align with the relevant NSW Department of Planning and Environment "Development Assessment Best Practice Guide".

A subsequent report was considered at 1 November 2018 Council meeting with recommendations adopted (Resolution No 395/18) for action from the workshop. The last remaining recommendation being the development of "Snowy Monaro Regional Council Guide to the Development Process" is now presented to Council for endorsement.

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

OFFICER'S RECOMMENDATION

That Council endorse the Snowy Monaro Regional Council Guide to the Development Assessment Process for public use.

REPORT WITHDRAWN

Note 16: Report Withdrawn

Item 9.3.2 as listed on the Agenda was withdrawn and will be presented to the 20 August 2020 Council Meeting.

9.3.3 PROPOSED MEMORANDUM OF UNDERSTANDING TO MAINTAIN CROWN ROADS

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Land & Property Officer
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:	1. Crown Lands Minor Road Maintenance Policy IND-0-250
Cost Centre	n/a

EXECUTIVE SUMMARY

For some time Council staff have been liaising with Crown Lands to enter into a Memorandum of Understanding that would enable Council to maintain a predetermined number of Crown roads in the Local Government Area without those roads being transferred to Council once maintenance was completed. The Memorandum of Understanding was proposed to nominate which Crown roads could be maintained without first approaching the Crown for consent.

Recently, Crown Lands has notified Council that owing to amendments to the Department's Policy and Guidelines on minor road works (IND-0-250) Council will not be able to maintain Crown Roads except as private works at the landowners' expense.

The amendments to the policy refer to Crown road access to new subdivisions and to the maintenance of Crown roads within the LGA. This policy has the potential to impose a significant previously maintainable impost on Council.

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

COUNCIL RESOLUTION

114/20

That Council

- A. Receive and note this report; and
- B. Write to the Minister for Primary Industries expressing Council's concern that amendments to the Policy for Minor Maintenance of Crown Roads were adopted without providing this Council an opportunity to comment.

Moved Councillor Stewart

Seconded Councillor Last

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.3.4 FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN

Record No:

Responsible Officer: Chief Strategy Officer
Author: Environmental Project 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: 8.2.6 Council's infrastructure is maintained to meet compliance standards and to deliver high level services
Attachments: 1. SMRC Flood and Floodplain Risk Management Studies
2. Summary of Public Submissions Received Flood Study April 2019
3. Detailed Report of Public Submission for Flood Study April 2019
Cost Centre 180340
Project Cooma, Bredbo, Michelago and Berridale Flood Study, Floodplain Risk Management Plan and Study.

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Council has received funding from the NSW Government Floodplain Management Program to undertake

floodplain risk management studies and prepare plans for Michelago, Bredbo, Cooma and Berridale. The NSW Government's Floodplain Development Manual outlines the five-stage process of this program.

The *SMRC Flood and Floodplain Risk Management Studies – Flood Studies* was prepared in April 2019. Following on from the Flood Studies, the *SMRC Flood and Floodplain Risk Management Studies and Plans (DRAFT) report* was prepared in March 2020.)

The March 2020 report has identified a significant flood risk to some properties within Cooma with a recommendation of Voluntary Purchase.

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

COUNCIL RESOLUTION

115/20

That Council

- A. Adopt the SMRC Flood and Floodplain Risk Management Studies – Flood Studies (April 2019);
- B. Notify the property owners identified at significant flood risk, prior to the March 2020 Floodplain Risk Management Studies and Plans being placed on Public Exhibition;
- C. Agrees to the public exhibition of SMRC Flood and Floodplain Risk Management Studies – Floodplain Risk Management Studies and Plans (DRAFT) report (March 2020);
- D. Liaise with the NSW SES and landowners at risk to develop an Evacuation Plan for a significant rain event; and
- E. Submit a Variation Request to the Department of Planning, Industry and Environment (DPIE) Floodplain grant program seeking funding and an amended scope of works to investigate mitigation options for Cooma Back Creek.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 17: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

9.4 KEY THEME 4. LEADERSHIP

9.4.1 ANSWERS TO QUESTIONS WITH NOTICE

Record No:

Responsible Officer:	Chief Strategy Officer
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 June 2020
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 June 2020.

The Councillor Questions In Progress for the period ending June 2020 is attached to this report.

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

COUNCIL RESOLUTION

116/20

That Council receive and note the Councillor Questions In Progress report for the period ended June 2020, and that a report be brought back to Council on the Heavy Vehicle Bypass for Cooma forward as a short term project.

Moved Councillor Stewart

Seconded Councillor Maslin

CARRIED

Record of Voting

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

Councillors Against: Councillor Corbett, Councillor Ewart, Councillor Rooney and Councillor Stewart.

9.4.2 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer:	Chief Strategy Officer
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 Resolution Action Sheet for period ending June 2020
Cost Centre	3120

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 June 2020.

The In Progress Resolution Action Sheet for period ending June 2020 is attached to this report.

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

COUNCIL RESOLUTION

117/20

That Council

- A. Receive and note the In Progress Resolution Action Sheet Update for the period ending June 2020; and
- B. Write to the Deputy Premier requesting that the feasibility study for the reestablishment of the Queanbeyan to Eden rail line be released to the public immediately.

Moved Councillor Stewart

Seconded Councillor Haslingden

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.4.3 STATUTORY UPDATES TO 2021 FEES AND CHARGES

Record No:

Responsible Officer:	Chief Strategy Officer
Author:	Manager Finance
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	11.2 Council utilises sound fiscal management practices, pursues and attracts other sources of income
Delivery Program Objectives:	11.2.3 Alternative sources of revenue to rating income are identified and maximised
Attachments:	1. 20-27 OLG Circular Amendments to the Companion Animals Regulation 2. Annual permits for non-desexed cats and dangerous dogs 3. Statutory updates to fees and charges 2020-2021

EXECUTIVE SUMMARY

Council received notification for the CPI increase to fees set under the *Companion Animals Regulation 2018* via the Office of Local Government Circular on 1 July 2020 (Attachment 1). This includes new annual permits introduced for owners of non-desexed cats, restricted dog breeds and dogs declared to be dangerous (Attachment 2). The animal management fees and charges have been updated to reflect the changes (Attachment 3).

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

COUNCIL RESOLUTION

118/20

That Council receive and note the updated fees and charges for companion animals registration fees set by the *Companion Animals Regulation* for the 2020-2021 financial year.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 18: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

9.4.4 MINUTES OF WASTE MANAGEMENT COMMITTEE MEETING HELD ON 11 JUNE 2020

Record No:

Responsible Officer: Chief Operating Officer
Author: Resource & Waste Administration 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: 10.1.1 Council has a transparent and bold growth objective which provides a framework for decision making
Attachments: 1. Waste Management Committee Meeting Minutes 11 June 2020
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Waste Management Committee met on 11 June 2020. The Committee's recommendations from the meeting are presented for Council's consideration and adoption.

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

COUNCIL RESOLUTION

119/20

That Council

- A. Receive and note the minutes of the Waste Committee held on 11 June 2020; and
- B. Adopt recommendation WMC19/20 of the Waste Management Committee meeting held on 11 June 2020 as listed in this report.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 19: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

9.4.5 INTERNAL AUDIT FUNCTION CHARTER REVIEW

Record No:

Responsible Officer:	Chief Executive Officer
Author:	Senior Internal Auditor
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.1 Independent audit and risk framework drives accountability
Attachments:	1. Internal Audit Function Charter
Cost Centre	3136 - Internal Audit

EXECUTIVE SUMMARY

This report seeks to obtain approval from Council on the revised *Internal Audit Function (IAF) Charter*. The IAF Charter is due for a review, which had been deferred in anticipation of guidance from the OLG on a proposed risk management and internal audit framework.

The Charter has been endorsed by Council's Executive Leadership Team at its meeting on 3 June 2020 [Resolution #: ELT68/20] and recommended by Council's Audit, Risk and Improvement Committee at its meeting on 19 June 2020 [Resolution #: ARIC27/20].

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

COUNCIL RESOLUTION

120/20

That Council approve the DRAFT *Internal Audit Function Charter*.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 20: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

9.4.6 BUSHFIRE RECOVERY UPDATE

Record No:

Responsible Officer: Chief Executive Officer
Author: Local Recovery 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: Nil
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

This is an information report to update the Councillors on the activities being undertaken to assist the community with the recovery after the impacts of the 2019/20 bushfires.

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

COUNCIL RESOLUTION	121/20
That Council receive and note the Bushfire Recovery Update.	
Moved Councillor Corbett	Seconded Councillor Ewart
	CARRIED

Note 21: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 103/20 above as there was no challenge by Councillors.

10. NOTICE OF MOTION

10.1 ACKNOWLEDGEMENT OF COUNTRY

Record No:

Responsible Officer: Chief Executive Officer
Author: Councillor James Ewart
Attachments: Nil

Councillor James Ewart has given notice that at the Ordinary Meeting of Council on 16 July 2020, he will move the following motion.

Executive Summary: An Acknowledgement of Country is an opportunity for anyone to show respect for Australia's Traditional Owners, and the continuing connection that Aboriginal and Torres Strait Islander peoples have to the land, sea, sky and waterways.

COUNCIL RESOLUTION

122/20

That a report on the reconciliation plan be brought to Council to ensure any change is in line with the accepted protocols

Moved Deputy Mayor Miners

Seconded Councillor Stewart

CARRIED

Record of Voting

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

Councillors Against: Councillor Rooney.

Note 22: Councillor Ewarts Motion - Lost

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

“That Council require section 355 committees meetings begin with the same acknowledgement of country used for Council meetings.”

Record of Voting

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

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

10.2 NOTICE OF MOTION TO RESCIND A RESOLUTION: REQUEST FOR CABLING IN RESERVE ROAD – PROPOSED ELYSIAN WIND FARM

Record No:

Responsible Officer: Chief Executive Officer

Author: Councillor Bob Stewart

Attachments: 1. Notice of Motion to Rescind a Resolution - Councillor Bob Stewart

Councillor Bob Stewart has given notice that at the Ordinary Meeting of Council on 16 July 2020, he will move the following motion.

COUNCIL RESOLUTION

123/20

“That the Council resolution relating to

Minutes No. OC 21052020_MIN_1276

Item No. 9.1.4

Title Request for cabling in Reserve Road – Proposed Elysian Wind Farm

Passed at the Council meeting held on 21 May 2020

COUNCIL RESOLUTION

92/20

- A. That Council provides in-principle approval to the Elyssian Wind Farm proponents for the use of the Kybeyan and Tuross road reserves for transmission line cabling, subject to Council having the right to reconsider pending the assessment of the Environmental Impact Statement, and prior to the final determination of the project; and
- B. Such in-principle approval is not to be taken as an indication of Council’s support for the Elyssian Wind Farm project.

Moved Councillor Ewart

Seconded Councillor Corbett

CARRIED

be and is hereby RESCINDED”.

Moved Councillor Stewart

Seconded Councillor Last

CARRIED

Record of Voting

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

Councillors Against: Nil.

11. MAYORAL MINUTES

Nil.

12. QUESTIONS WITH NOTICE

12.1 SPEED LIMIT ON HIGHWAY - EAST JINDABYNE

Councillor John Castellari

Question: What action has been taken on the motion supported at the March 19 2020 meeting of Council to approach TfNSW regarding the speed limit on the highway between Tyrolean Village and the East Jindabyne service station?

Would the relevant member of staff be willing to meet with the residents of East Jindabyne at a mutually convenient time to discuss progress and options?

12.2 TREE BUDGET

Councillor John Castellari

Question: I'm being approached by residents keen to plant koala friendly trees. Would we have budget available to set aside a sum to subsidise / purchase a capped number of trees for this purpose?

12.3 RESPONSE TO THE VALUER GENERAL

Councillor Sue Haslingden

Question: Currently the Valuer General is responding to concerns of potentially inflated land values recently received by certain areas of the community. Can Council please raise concerns as well with the VG in regards to lands that Council owns, also in some of these areas?

12.4 PUBLIC MEETING TO DISCUSS RATES

Councillor Sue Haslingden

Question: Can Council call a public meeting to discuss rates with ratepayers please?

12.5 CAR NEAR NORRIS PARK

Councillor John Last

Question: There is a decommissioned car parked near Norris Park. How long is it going to be parked there? It could potentially cause an accident.

12.6 PAYMENTS TO WILDLIFE RESCUE GROUPS

Councillor Anne Maslin

Question: Can Council expedite the payments to Wildlife rescue groups, of \$20,000 allocated by Council from the Fed Government Disaster Fund? Please could this money be delivered to the identified recipients by COB Friday July 17 2020.

12.7 SMRC COUNCILLOR ACCESS TO INFOCOUNCIL

Councillor Anne Maslin

Question: Can SMRC councilors be granted access to the Infocouncil search function, to make it easier to access past business papers, resolutions, and so forth? Is it possible to action this within two weeks, i.e. by July 30 2020.

12.8 CAT FREE ZONE - JINDABYNE

Councillor Brian Old

Question: We live on the fringe of one of the biggest National parks in Australia, and a beautiful place of the world. Feral cats are a massive problem. They did research just recently with a motion camera, and the recorded number of feral cats that were seen on these cameras were through the roof. So being a progressive Council, it's not such a crazy idea. There's cats all through Leesville. There's cats out at the tip. There's cats running through the old shopping centre. If we had a mandate, we may be able to control the issue.

12.9 CAR PARKING NEAR JINDABYNE DAM WALL

Councillor Brian Old

Question: People coming into town, are parking on the turn out area as you go on to the dam wall. At this time of year, there are people running across the road so they can walk around and have a look at the dam wall, and it will be sooner or later before someone will get collected there. Because people are coming around the bridge at 80kms can't see, as well as people coming down the hill can't see people. Maybe we can have a look at the problem?

12.10 MICHELAGO RAILWAY STATION LAND

Councillor John Rooney

Question: Could Council reach an agreement with John Holland to maintain the public land around the Michelago Railway Station and Ryrie St?

This area is in the heart of the village of Michelago. It has picnic tables, park benches and the Cenotaph. It is used for Australia Day and Anzac Day ceremonies. It is also a popular spot with locals and visitors alike. Sadly the area has been neglected by John Holland and has become infested with African Love Grass, a notorious fire hazard.

John Holland has discouraged the efforts of local volunteers to maintain the land so a better solution might be for Council to maintain it on behalf of John Holland and the community. This would involve regular mowing and spraying as required. If this was included in Council's regular maintenance schedule of public lands in Michelago, the costs would be low but the public benefit in terms of improved village appearance, and weed control, would be high.

Note 24: Conflict of Interest – Councillor Ewart

Councillor Ewart declared an interest in Item 13.1 as he has a conflict of interest in this item due to "Mother and Partner have an insurance claim with collapsed reservoir".

13. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

124/20

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 Legal Actions and Potential Claims Against SMRC as at 30 June 2020

Item 13.1 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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 Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

Note 25: 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 26: Confidential Session of Committee

At 7.12PM the meeting was closed to the press and public.

Note 27: Resumption of Open Committee Meeting

At 7.36PM the Closed Session ended and the Council meeting continued in Open Session.

14. REPORT FROM CONFIDENTIAL SESSION

13.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 30 JUNE 2020

COUNCIL RESOLUTION

125/20

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 30 June 2020 report, and ask the CEO to provide a report on the Tropic Asphalt matter.

Moved Councillor Stewart

Seconded Deputy Mayor Miners

CARRIED

Record of Voting

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

Councillors Against: Nil.

Note 28: Attendance of Councillor Ewart – Conflict of Interest

Councillor Ewart left the meeting at 7.13PM for the duration of the meeting.

There being no further business the Mayor declared the meeting closed at 7.40PM.



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 16 July 2020 were confirmed by Council at a duly convened meeting on 20 August 2020 at which meeting the signature hereon was subscribed.