



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

20 May 2021

**ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON THURSDAY 20 MAY 2021**

MINUTES

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

**ON THURSDAY, 20 MAY 2021
COMMENCING AT 5:00PM**

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

APOLOGIES: Councillor James Ewart

Staff: Peter Bascomb, Chief Executive Officer
David Rawlings, Chief Strategy Officer
Jeff Morgan, Chief Operating Officer
Gina Woodward, Chief Communications Officer
Nick Byrne, Chief Financial Officer
Catherine Thompson, Governance Administration Officer

1. OPENING MEETING

The Mayor opened the meeting at 5:01PM

1.1 APPROVING COUNCILLOR ATTENDANCE BY AUDIO VISUAL LINK

COUNCIL RESOLUTION

96/21

That the council, consistent with Council's adopted procedures for attendance by councillors at meetings by audio-visual link approve the attendance of Councillors John Rooney, Anne Maslin and Brian Old via remote audio-visual link.

Moved Councillor Stewart

Seconded Councillor Castellari

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.

2. ACKNOWLEDGEMENT OF COUNTRY

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

COUNCIL RESOLUTION

97/21

That the apology from Cllr Ewart be accepted and leave of absence be granted for the 20 May Council Meeting.

Moved Councillor Castellari

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.

4. CITIZENSHIP CEREMONIES

Nil

At 5:04pm the meeting adjourned for the public forum.

At 6:05pm the meeting resumed.

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

98/21

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 15 April 2021

7.2 Closed Session of the Ordinary Council Meeting Minutes

9.1.1. Policy Approval – SMRC Cemetery Operations

9.1.2 Support for GP Services in Bombala

9.1.3 Sect. 355 SMRC Tourism Advisory Committee – April 2021 – Draft Minutes

9.1.4 Monthly funds management report - April 2021

9.2.2 Amendments and Updates to Action List of Snowy Monaro Destination Management Plan 2019

9.4.3 Answers to questions with notice

9.4.4 Resolution action sheet update

9.4.5 New Legislation – Local Government Act: Proposals for de-amalgamations

9.4.5 New Legislation - Local Government Act: Rates Harmonisation

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

Moved Councillor Corbett

Seconded Councillor Rooney

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.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 15 APRIL 2021

COUNCIL RESOLUTION

99/21

THAT the minutes of the Ordinary Council Meeting held on 15 April 2021 are confirmed as a true and accurate record of proceedings.

Moved Councillor Corbett

Seconded Councillor Rooney

CARRIED

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 98/21 above as there was no challenge by Councillors.

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 15 APRIL 2021

COUNCIL RESOLUTION

100/21

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 15 April 2021 are confirmed as a true and accurate record of proceedings.

Moved Councillor Corbett

Seconded Councillor Rooney

Motion Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 98/21 above as there was no challenge by Councillors.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 DEVELOPMENT APPLICATION 10.2020.135.1 ECO-TOURIST FACILITY

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Town Planner
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage
Delivery Program Objectives:	8.1.3 Development assessment processes are streamlined to support regional development and growth
Attachments:	<ol style="list-style-type: none">1. DRAFT Conditions (<i>Under Separate Cover</i>)2. Plans (<i>Under Separate Cover</i>)3. Statement of Environmental Effects (<i>Under Separate Cover</i>)4. BASIX Certificate (<i>Under Separate Cover</i>)5. NatHERs Certificate Cabin 1 (<i>Under Separate Cover</i>)6. NatHERs Certificate Cabin 2 (<i>Under Separate Cover</i>)7. NatHERs Certificate Cabin 3 (<i>Under Separate Cover</i>)8. AHIMS Report (<i>Under Separate Cover</i>)9. Submission 1 (<i>Under Separate Cover</i>)10. Submission 2 (<i>Under Separate Cover</i>)11. Submission 3 (<i>Under Separate Cover</i>)12. Submission 4 (<i>Under Separate Cover</i>)13. Submission 5 (<i>Under Separate Cover</i>)14. Submission 6 (<i>Under Separate Cover</i>)15. Submission 7 (<i>Under Separate Cover</i>)16. Applicant Response to Submissions (<i>Under Separate Cover</i>)17. Renwick Services Deed (<i>Under Separate Cover</i>)

18. Development Application Form (*Under Separate Cover*)

Further Operational Plan Actions:

Applicant Number:	10.2020.135.1
Applicant:	B M Grenfell
Owner:	J L Grenfell & B M Grenfell
DA Registered:	28/10/2020
Property Description:	Lot 9 DP 861805 Ph Abington
Zone:	Primary Production – RU1
Current Use:	Dwelling
Proposed Use:	Eco-Tourist Facility
Permitted in Zone:	Yes
Recommendation:	Approval

EXECUTIVE SUMMARY

The purpose of this report is to seek approval for an Eco-tourist Facility, comprising of three (3) cabins at Charlottes Lane, Jindabyne. Each cabin is an ex-shipping container repurposed into a one (1) bedroom studio cabin. The cabins have been selected with sustainability in mind and to be consistent with the objectives for Eco Tourist Development (Clause 5.13) of the Snowy River Local Environmental Plan 2013.

In accordance with Council policy “Referral of Development Applications to Council” the application is referred to Council for determination as it has received more than five (5) submissions.

Upon assessment, the assessing officer is satisfied that the development complies with the provisions of the Snowy River Local Environment Plan 2013 (SRLEP) and the Snowy River Development Control Plan 2013 (SRDCP).

It is recommended that the development be approved with conditions.

If Council decided to make a determination other than as included in the recommendation, it must follow the procedure adopted through resolution 18/18 on February 2018.

COUNCIL RESOLUTION

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants approval to DA 10.2020.135.1 for an Eco-tourist Facility (3 cabins) on Lot 9 DP 861805 Ph Abington subject to the conditions attached.

In addition that:

- A. Each of the 3 cabins have water tanks attached with not less than 10,000ltrs capacity; and
- B. Cabins be rotated 45 degrees so long glass windows face north not west.

Moved Councillor Rooney

Seconded Councillor Corbett

LOST

Record of Voting

Councillors For: Councillor Corbett and Councillor Rooney

Councillors Against: Mayor Beer, Councillor Castellari, Councillor Haslingden, Councillor Last, Councillor Maslin, Deputy Mayor Miners, Councillor Old, and Councillor Stewart

MOTION TO DEFER ITEM 8.1 UNTIL A REPORT IS PROVIDED TO COUNCIL

COUNCIL RESOLUTION

That the development application be deferred until a report is brought back to council on the information and correspondence tabled at this meeting.

Moved Mayor Beer

Seconded Councillor Castellari

LOST

Record of Voting

Councillors For: Mayor Beer, Councillor Castellari and Councillor Rooney

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

9. OTHER REPORTS TO COUNCIL

9.1 KEY THEME 1. COMMUNITY

9.1.1 POLICY APPROVAL - SMRC CEMETERY OPERATIONS

Record No:

Responsible Officer: Chief Operating Officer

Author: Environmental Management Administration

Key Theme: 1. Community Outcomes

CSP Community Strategy: 3.2 Positive social behaviours (including law and order) are fostered and encouraged to maintain our safe, healthy and connected communities

Delivery Program Objectives: 3.2.1 Council's public health and regulatory responsibilities are planned for and delivered to facilitate a safe community and raise awareness

Attachments: 1. SMRC Policy - Cemetery Operations

Cost Centre 4 – Cemetery Operations

EXECUTIVE SUMMARY

In May 2016 following the amalgamation of the three local Councils, (Cooma-Monaro Shire, Bombala Shire and Snowy River Shire) the Cemetery Operations Unit and the Snowy Monaro Cemetery Advisory Committee determined that all operations for the 16 operational cemeteries and an additional seven non-operational cemeteries in the region would need to be aligned.

In order to achieve this a new set of Policies were required. Note this matter is not related to the clarification of policy on plaques and monuments discussed at the April 2021 Ordinary meeting of Council.

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

COUNCIL RESOLUTION

101/21

That Council approve the policy, *SMRC – Cemetery Operations*.

Moved Councillor Corbett

Seconded Councillor Rooney

CARRIED

Motion Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 98/21 above as there was no challenge by Councillors.

9.1.2 SUPPORT FOR GP SERVICES IN BOMBALA

Record No:

Responsible Officer: Chief Executive 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: Nil

EXECUTIVE SUMMARY

Council has been asked whether it is able to support the local GP practice in attracting and retaining GPs. Given that housing is a key issue in attracting staff, Council has been explicitly asked whether it is able to provide an additional house for a GP.

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

COUNCIL RESOLUTION

102/21

That Council

- A. Obtain an estimate of the rental return available from Council's 63 Queen St Bombala property if it were fully furnished;
- B. Make available, to support the attraction and retention of an additional GP, either:
 - (a) Council's 63 Queen St property, furnished or unfurnished, rent free OR
 - (b) Rental subsidy equal to the estimate obtained from Part A of this resolution depending on the preferences of the GP;
- C. Expend up to \$30,000 to furnish the Queen St property if required;
- D. Enter into a Memorandum of Understanding with the MoU subject to annual review.

Moved Councillor Corbett

Seconded Councillor Rooney

CARRIED

Motion Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 98/21 above as there was no challenge by Councillors.

9.1.3 SECTION 355 SMRC TOURISM ADVISORY COMMITTEE - APRIL 2021 - DRAFT MINUTES

Record No:

Responsible Officer:	Chief Communications Officer
Author:	Executive Assistant (Communications)
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	6.1 The Snowy Monaro region is a destination that offers a variety of quintessential year – round experiences, attractions and events
Delivery Program Objectives:	6.1.1 Promote tourism and enhance the Snowy Monaro Region as a year round destination of choice through a collaborative approach between all stakeholders and interest groups
Attachments:	1. Draft Minutes - Section 355 Tourism Advisory Committee - 21 April 2021

EXECUTIVE SUMMARY

The Tourism Advisory Committee held its second meeting of 2021 in the Cooma Council Chambers and via Zoom. The Draft Minutes from the 21 April 2021 meeting are presented, as attached, for Council's information.

Please note: These Draft Minutes will be presented for adoption in the next Section 355 Tourism Advisory Committee meeting, scheduled for 23 June 2021.

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

COUNCIL RESOLUTION

103/21

That Council receive the Draft Minutes of the Section 355 SMRC Tourism Advisory Committee meeting, held on 21 April 2021.

Moved Councillor Corbett

Seconded Councillor Rooney

CARRIED

Motion Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 98/21 above as there was no challenge by Councillors.

9.1.4 MONTHLY FUNDS MANAGEMENT REPORT - APRIL 2021

Record No:

Responsible Officer:	Chief Financial Officer
Author:	Finance Officer
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 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 April 2021.

Cash and Investments are \$71,841,116.

Certification

I, Nicholas Byrne, 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.

COUNCIL RESOLUTION

104/21

That Council:

- A. Receive the report indicating Council's cash and investments position as at 30 April 2021; and
- B. Receive the Certificate of the Responsible Accounting Officer.

Moved Councillor Corbett

Seconded Councillor Rooney

CARRIED

Motion Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 98/21 above as there was no challenge by Councillors.

9.1.5 DIVESTMENT OF RESIDENTIAL AGED CARE - ENDORSEMENT OF EVALUATION CRITERIA

Record No:

Responsible Officer: Chief Executive Officer

Author: Chief Operating Officer

Key Theme: 1. Community Outcomes

CSP Community Strategy: 1.2 High quality community support and residential aged care services are available and accessible to residents across the region

Delivery Program Objectives: 1.2.1 Competitive cost effective aged care and community support services are available within the region

Attachments: 1. Evaluation criteria

EXECUTIVE SUMMARY

At the Council Meeting on 18 June 2020 Council resolved to pursue Stream 2 of the Business Improvement Fund (BIF) grant program for Yallabee Lodge and Snowy River Hostel. Council was successful in obtaining funding and resolved to receive and note the successful application and receipt of funding under stream 2 of the Business Improvement Fund at the 17 December 2020 meeting of Council.

The BIF is delivered by the Department of Health and aims to assist providers improve their business operations ensuring they can meet the needs of senior Australians. The fund is designed to improve service provision at a local and system level. The way in which care and services are to be delivered to the aged has changed significantly as a result of ongoing reform influencing the decision to pursue this grant funding. Council's application related to Stream 2 which provides funding assistance to transition to a new provider.

Since receipt of funding, a transition adviser has been engaged by Council and an expression of interest process will now commence subject to Council endorsement of the evaluation criteria presented in this report.

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

Lapsed Motion

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

- A. Endorse the expression of interest and request for proposal evaluation criteria for the divestment of residential aged care.
- B. Request the Community Services Advisory Committee nominate a member of that committee to participate in the evaluation of the expression of interest and request for proposals.
- C. That all councillors participate in the EOI and Request For Proposals.

COUNCIL RESOLUTION

105/21

That Council:

- A. Endorse the expression of interest and request for proposal evaluation criteria for the divestment of residential aged care.
- B. Request the Community Services Advisory Committee nominate a member of that committee to participate in the evaluation of the expression of interest and request for proposals.

Moved Councillor Last

Seconded Councillor Castellari

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

9.2 KEY THEME 2. ECONOMY

9.2.1 NSW LEGISLATIVE COUNCIL'S PORTFOLIO COMMITTEE NO. 4 – INDUSTRY INQUIRY - LONG TERM SUSTAINABILITY AND FUTURE OF THE TIMBER AND FOREST PRODUCTS INDUSTRY

Record No:

Responsible Officer:	Chief Communications Officer
Author:	Economic Development Officer
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	4.3 Capitalise on the region's proximity to Canberra and bordering NSW and Victorian regions to attract industry and investment
Delivery Program Objectives:	4.3.1 Council has advocated for increased regional outcomes that support the Snowy Monaro local government area
Attachments:	1. Draft Inquiry Submission

EXECUTIVE SUMMARY

The NSW Legislative Council's Portfolio Committee No. 4 – Industry is currently conducting an inquiry into the long-term sustainability and future of the timber and forest products industry.

Council has been invited to make a submission to the inquiry. The closing date for submissions is 28 May 2021.

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

COUNCIL RESOLUTION

106/21

That Council

- A. Endorse the attached letter, to the NSW Legislative Council's Portfolio Committee No. 4 – Industry, regarding their inquiry into the long-term sustainability and future of the timber and forest products industry; and
- B. Write to the Minister requesting Bombala become the future forestry hub of the south east.

Moved Councillor Stewart

Seconded Deputy Mayor Miners

CARRIED

Record of Voting

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

Councillors Against: Councillor Castellari.

MOTION TO BRING FORWARD AGENDA ITEM 10.4

COUNCIL RESOLUTION

107/21

That Council bring forward agenda item 10.4 Allocation of Council budget for the first phase of the Monaro Rail Trail Project.

Moved Councillor Stewart

Seconded Councillor Haslingden

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.

10.4 ALLOCATION OF COUNCIL BUDGET FOR THE FIRST PHASE OF THE MONARO RAIL TRAIL PROJECT PLANNING.

Record No:

Responsible Officer: Chief Executive Officer
Author: Councillor Anne Maslin
Attachments: 1. MRT Main Trail Proposed Development

Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 20 May 2021, she will move the following motion.

COUNCIL RESOLUTION

108/21

That Council allocate \$90,000 in the Council budget to ensure detailed planning can be conducted for the first phase of the Monaro Rail Trail project. The sections of the project to be planned in detail are the Nimmitabel – MacLaughlin River (10km), and the Bombala – Jincumbilly (24km) sections, and that the land owners are fully consulted in the areas proposed. It is important to make a start on this much needed project before the end of 2022.

Moved Councillor Maslin

Seconded Councillor Stewart

CARRIED

Record of Voting

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

Councillors Against: Councillor Rooney.

At 7:19pm the meeting adjourned for dinner.

The meeting resumed at 7:48pm.

At 7:51pm Clr Stewart returned to the meeting.

9.2.2 AMENDMENTS AND UPDATES TO ACTION LIST OF SNOWY MONARO DESTINATION MANAGEMENT PLAN 2019

Record No:

Responsible Officer: Chief Communications Officer
Author: Coordinator Economic Development

Key Theme:	2. Economy Outcomes
CSP Community Strategy:	6.1 The Snowy Monaro region is a destination that offers a variety of quintessential year – round experiences, attractions and events
Delivery Program Objectives:	6.1.1 Promote tourism and enhance the Snowy Monaro Region as a year round destination of choice through a collaborative approach between all stakeholders and interest groups
Attachments:	1. DMP Actions List
Cost Centre	WO46 – Tourism Operations Administration

EXECUTIVE SUMMARY

Council adopted the Snowy Monaro Destination Management Plan in 2019. Since then work on a number of actions has been undertaken. The attachment provides an update on action progress and recommends amendment to the wording, timing or priority of some actions for various reasons.

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

COUNCIL RESOLUTION

109/21

That Council:

- A. Notes the updates to the DMP actions list provided in the attachment to this report
- B. Adopt the proposed changes to the action, its timing or priority, or deletion as the case may be, of the action items 1, 2, 4, 9, 23, 30, 31, 35, 52, 53 & 54 in the attached document.

Moved Councillor Corbett

Seconded Councillor Rooney

CARRIED

Motion Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 98/21 above as there was no challenge by Councillors.

9.3 KEY THEME 3. ENVIRONMENT

Nil

9.4 KEY THEME 4. LEADERSHIP

9.4.1 QUARTERLY BUDGET REVIEW STATEMENT (QBR) TO MARCH 2021

Record No:

Responsible Officer:	Chief Financial Officer
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: 1. March 2021 Quarterly Budget Review Statement
Cost Centre W17 Financial Services

EXECUTIVE SUMMARY

The third quarter (Q3) Quarterly Budget Review Statement (QBR) is presented to Council. The QBR is a summary of Council's financial position as at 31 March 2021 and includes a projection as at year end. The QBR outlines the major variations and recommended changes to the adopted 2020/21 Operational Plan from June 2020. These include changes resulting from carry forward projects and adjustments.

The March 2021 QBR projects a net operating deficit before capital items (\$5.8M) compared with December 2020 QBR (\$5.9M).

The projected year end cash position of General funded activities of Council is \$6K and is likely to continue to remain at these low levels without any corresponding increased income from rates. Expenditure reviews continue across Council activities to manage within the low levels of cash reserves and to allow Council to consider the need for a rate review.

A number of capital projects are unlikely to be completed this year and external and internal reserves have been adjusted. Other adjustments to internal reserves are limited to employee leave entitlements, commitments for plant replacements and bonds. Council is not in a position to commit any unfunded cash expenditure.

COUNCIL RESOLUTION

110/21

That Council:

- A. Receive the Quarterly Budget Review Statement (QBR) for the period ended 31 March 2021, and
- B. Authorise the adjustments to the Council's budgeted Income & Expenditure, Capital Expenditure and Cash & Investments as reported in the QBR.

Moved Councillor Castellari

Seconded Councillor Haslingden

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.

9.4.2 PLACING REVENUE POLICY ON PUBLIC EXHIBITION

Record No:

Responsible Officer: Chief Strategy Officer

Author: Chief Strategy Officer

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: 11.2.1 Council has best practice management for financial sustainability

Attachments: 1. Appendix B - Rate Structure Charts
2. Appendix C - Community Consultation - Your Say Feedback
3. Appendix D - Submission lodged

EXECUTIVE SUMMARY

The recommendation provided is the only one possible under the current decision of Council to limit any increase to no more than 10%. This limitation means that the Council will need to reduce the level of rates received by \$2.35million. Council already needs to reduce its spending by \$1.5million, meaning that \$3.85million will need to be cut from next year's budget. This will impact on the level of service that can be provided.

There is also a rescission motion to be considered at this meeting. If that motion is passed this will allow other options to be considered. To cover off on this eventuality the consultation on rate structures has been assessed to determine what principles the community supports.

There is strong community support for a model that aligns the value people see they get from Council services with what they pay. While this can be done to a reasonable extent, the impact of this on the smaller communities is seen as not being equitable or fair. It would result in areas with relatively low household earnings paying the highest household rates. This also does not align with the principle that capacity to pay should be a strong consideration.

By undertaking the modelling on a range of options it can be seen that a simplified model with a single base and ad valorem applied across all land provides very similar outcomes to the model that is built off attributing costs to the various rate categories. The model does have a higher number of landowners negatively impacted. Offsetting this is that the maximum impact is slightly lower and a simpler system will be easier to run and explain. That members of the community have proposed this model and been able to gain support is also a positive for showing that the Council is a community partner.

ALTERNATIVE RECOMMENDATION: Should the rescission motion be accepted by Council it is recommended that Council include the rates policy from Option 2 in appendix A into the 2021-22 Revenue Policy and place this on public exhibition.

NOTE: *The figures in the comparisons only compare the exiting rates against the equivalent in the modelled options to show the impact of the rate structure changes. The rate peg increase will be added on top of the changes modelled.*

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

COUNCIL RESOLUTION

111/21

That Council defer the item Placing revenue policy on public exhibition to an extraordinary meeting on Monday 24 May 2021 at 7:00pm, following a briefing session to be held from 5:30pm on the same day.

Moved Mayor Beer

Seconded Councillor Castellari

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.

9.4.3 ANSWERS TO QUESTIONS WITH NOTICE

Record No:

Responsible Officer: Chief Strategy Officer
Author: CIS Project Administration Support 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: 1. Answers to Questions

EXECUTIVE SUMMARY

As per clause 3.13 of Code of Meeting Practice a councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the Chief Executive Officer about the performance or operations of the Council.

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 April 2021.

COUNCIL RESOLUTION

112/21

That Council receive the answers to questions with notice for the period ending April 2021.

Moved Councillor Corbett

Seconded Councillor Rooney

CARRIED

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 98/21 above as there was no challenge by Councillors.

9.4.4 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer: Chief Strategy Officer
Author: CIS Project Administration Support Officer
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy: DP7.1.1.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.
Operational Plan Action: OP7.7 Provide timely, accurate and relevant information to Council to

enable informed decision making.

Attachments: 1. Action Sheet Updates
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 actions that are current and have recently been completed, for the period ending April 2021.

The In Progress Resolution Action Sheet for period ending April 2021 is attached to this report.

COUNCIL RESOLUTION	113/21
That Council receive the In Progress Resolution Action Sheet Update for the period ending April 2021.	
Moved Councillor Corbett	Seconded Councillor Rooney
	CARRIED

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 98/21 above as there was no challenge by Councillors.

9.4.5 NEW LEGISLATION - LOCAL GOVERNMENT ACT: PROPOSALS FOR DE-AMALGAMATIONS

Record No:

Responsible Officer: Chief Strategy Officer
Author: Chief Strategy 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

In the business paper is a notice on motion in relation to holding a poll on de-amalgamating. Since the business paper has been prepared new legislation has been passed that may be relevant to the item in the business paper.

The Local Government Amendment Bill 2021 includes a provision that allows Council to submit a written business case to the Minister to de-amalgamate. The business case must be submitted by the Minister to the Boundary's Commission for review.

Details of what is required in the business case are not known. This means that the cost of preparing the business case cannot be known at this stage. As the legislation requires the NSW Government to fund the de-amalgamation it is expected that the business case will require sufficient detail to identify the costs of any proposal.

This will not stop Council from holding a poll, but will potentially impact on the process that would be followed.

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

COUNCIL RESOLUTION

114/21

That Council note the information.

Moved Councillor Corbett

Seconded Councillor Rooney

CARRIED

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 98/21 above as there was no challenge by Councillors.

9.4.6 NEW LEGISLATION - LOCAL GOVERNMENT ACT: RATES HARMONISATION

Record No:

Responsible Officer: Chief Strategy Officer
Author: Chief Strategy Officer
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: 11.2.1 Council has best practice management for financial sustainability
Attachments: Nil
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

The rates harmonisation legislation does not allow individual rate to be adjusted, only the rates across a category. All of the options for names have been reviews and will still have some localities that will have to combine different rates. These will lead to increases over 10%.

The new provisions would allow the Council to implement at 10% cap model with a lower impact on the revenue raised by the Council. They would also allow the retention of more of the previous rating structures. Based on the assessment of the important principles, neither of these options is considered in the best interests of the broader community. The resulting rate structures will not be considered fair or equitable by the community.

Compared to the previous option, retaining three subcategories of farmland, roughly based on the

former areas) leads to a revenue shortfall of \$1.36million, down from the previous \$2.3million. This is because other farmland can be scaled up to offset the rate categories scaled down previously.

Having selected included those localities within the rate structure providing the lowest percentage increase it was then a matter of determining if a separate rate should be set for those to allow for the reduction in rates to meet the 10% cap. Doing so decreases the revenue shortfall to \$377,000 as a smaller group of landowners is scaled down (260, or 9% of farmland).

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

COUNCIL RESOLUTION

115/21

That Council note the information.

Moved Councillor Corbett

Seconded Councillor Rooney

CARRIED

MOTIONS WITHOUT DEBATE

THE ABOVE OFFICER'S RECOMMENDATION BECAME A RESOLUTION OF COUNCIL AS A RESULT OF RESOLUTION 98/21 ABOVE AS THERE WAS NO CHALLENGE BY COUNCILLORS.

10. NOTICE OF MOTION

10.1 REQUEST FOR AFFORDABLE HOUSING REPORT

Record No:

Responsible Officer: Chief Executive Officer

Author: Councillor John Castellari

Attachments: Nil

Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 20 May 2021, he will move the following motion.

COUNCIL RESOLUTION

116/21

That Council receive a report at the July Council meeting concerning how we can best leverage the State Government's recently announced policy on temporary supportive accommodation to relieve the strain on current access to affordable and emergency housing within our region.

Moved Councillor Castellari

Seconded Councillor Rooney

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.

10.2 MOTION TO RESCIND - RATES HARMONISATION LEGISLATION CHANGES

Record No:

Responsible Officer: Chief Executive Officer
Author: Councillor John Castellari
Attachments: 1. Motion to rescind motion carried - Rates Harmonisation Legislation Changes

Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 20 May 2021, he will move the following motion.

MOTION TO ENTER COMMITTEE

COUNCIL RESOLUTION	117/21
That Council enter into Committee	
Moved Councillor Haslingden	Seconded Deputy Mayor Miners CARRIED
Record of Voting	
<i>Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Maslin, Deputy Mayor Miners, Councillor Old and Councillor Stewart.</i>	
<i>Councillors Against: Councillor Last and Councillor Rooney.</i>	

At 8:24pm Council moved into committee.

MOTION TO EXIT COMMITTEE

COUNCIL RESOLUTION	118/21
That Council exit Committee.	
Moved Deputy Mayor Miners	Seconded Councillor Corbett CARRIED
Record of Voting	
<i>Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Last, Councillor Maslin, Deputy Mayor Miners, Councillor Old, Councillor Rooney and Councillor Stewart.</i>	
<i>Councillors Against: Nil.</i>	

At 8:42pm Council moved out of committee.

COUNCIL RESOLUTION	119/21
That the Council rescind Part B of resolution 93/21 from the meeting held 15 April 2021: “That Council:	
A. Write to the Premier, Deputy Premier and Minister of Local Government raising Council’s concerns over the inequity of the harmonisation of rates within our Local Government area; and	

- B. Not proceed with harmonisation of rates unless Council can come up with a model with no rate payer being more than 10% worse off.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Councillor Stewart.

10.3 MOTION TO GET A REPORT ON A BED TAX

Record No:

Responsible Officer: Chief Executive Officer

Author: Councillor Anne Maslin

Attachments: 1. OLG Special Variation Guidelines

Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 20 May 2021, she will move the following motion.

COUNCIL RESOLUTION

120/21

That Council provide a report on the benefits, possible charges, and methods of implementing a bed tax, or other user pays options modelled on successful tourist towns which utilise a user pays system in Australia and overseas.

Moved Councillor Maslin

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.

10.5 BOMBALA STREETScape REMEDIATION WORK

Record No:

Responsible Officer: Chief Executive Officer

Author: Councillor Anne Maslin

Attachments: Nil

Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 20 May 2021, she will move the following motion.

10.5 PROPOSED AMENDMENT

AMENDMENT

121/21

That Council instruct the CEO to take all steps available to Council to ensure the Bombala Streetscape Upgrade project is completed to the agreed professional standard as soon as possible. Given the contract was expected to be complete at the start of 2020, the contractor has had many months to remediate the aspects of the contract which were not fulfilled. Ratepayers have waited almost five years for this project to be complete.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Councillor Last, Councillor Maslin, Deputy Mayor Miners and Councillor Old.

COUNCIL RESOLUTION

122/21

That Council instruct the CEO to take all steps available to Council to ensure the Bombala Streetscape Upgrade project is completed to the agreed professional standard as soon as possible. Given the contract was expected to be complete at the start of 2020, the contractor has had many months to remediate the aspects of the contract which were not fulfilled. Ratepayers have waited almost five years for this project to be complete.

Moved Councillor Rooney

Seconded Councillor Castellari

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.

10.6 POLL TO ACCOMPANY COUNCIL ELECTIONS BALLOT PAPERS.

Record No:

Responsible Officer: Chief Executive Officer

Author: Councillor John Castellari

Attachments: Nil

Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 20 May 2021, he will move the following motion.

COUNCIL RESOLUTION

That Council conduct a poll concurrent with the September 2021 council elections and that the poll questions are:

- a. Do you support a demerger of the former Bombala Council? Yes No
- b. Do you support a demerger of the former Cooma Monaro Shire Council? Yes No
- c. Do you support a demerger of the former Snowy River Shire Council? Yes No

Moved Councillor Castellari

Seconded Councillor Stewart

LOST

Record of Voting

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

Councillors Against: Mayor Beer, Councillor Corbett, Councillor Maslin, Councillor Old and Councillor Rooney

11. MAYORAL MINUTES

Nil

12. QUESTIONS WITH NOTICE

12.1 BOMBALA TREES

Councillor Anne Maslin:

When will the trees destroyed last year in the Bombala Bicentennial Garden be replaced with new tree plantings? Have replacement trees been ordered so that they can be planted this winter/spring season? Will local suppliers be used as the preferred option?

12.2 OUTSTANDING RATES AND CHARGES

Councillor Rogan Corbett

Could Council be given a report in the confidential section of Council, a full breakdown of outstanding rates and fees going back 3years and beyond. And what step have been taken to recover the amount for the Snowy Monaro Council?

12.3 ROAD MAINTENANCE

Councillor Anne Maslin

When is the Quidong Road going to be graded as it is in terrible condition?

12.4 BOYBEYAN ROAD

Councillor Lynley Miners

Can we be updated on the start date of Boybeyan Rd?

12.5 JINDABYNE CEMETERY

Councillor John Castellari

The repaired area of the Jindabyne cemetery keeps getting washed away, can this be included in a maintenance schedule?

12.6 COST OF MICHELAGO CREEK CROSSING

Councillor John Rooney

Can council staff provide a report on the full cost of the Michelago creek crossing?

Once we know about the additional funding required to complete this project, and the associated works, can the Mayor and CEO make an application to the Deputy Premier to ask for supplementary funding?

13. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

123/21

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 Request for investigation**

Item 13.1 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.
 - 13.2 Legal actions and potential claims against SMRC as at 30 April 2021**

Item 13.2 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.
 - 13.3 Request for CEO performance review**

Item 13.3 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
2. The press and public be excluded from the proceedings of the Council in Closed Session on the basis that these items are considered to be of a confidential nature.
3. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as confidential and be withheld from access by the press and public, until such time as the Council resolves that the reason for confidentiality has passed or become irrelevant.
4. That the resolutions made by the Council in Closed Session be recorded in the Minutes of the

Council Meeting.

5. That upon this recommendation being moved and seconded, the Chairperson invite representations from the public as to whether this part of the meeting should be closed to consider the nominated item.

Moved Councillor 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 1: 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 2: Confidential Session of Committee

At 9:52 pm the meeting was closed to the press and public.

Note 3: Resumption of Open Committee Meeting

At 10.21 pm the Closed Session ended and the Council meeting continued in Open Session.

14. REPORT FROM CONFIDENTIAL SESSION

13.1 REQUEST FOR INVESTIGATION

Motion Withdrawn

13.2 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 30 APRIL 2021

COUNCIL RESOLUTION

124/21

That Council receive the information in the Legal Actions and Potential Claims Against SMRC as at 30 April 2021 report.

Moved Councillor Last

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

13.3 REQUEST FOR CEO PERFORMANCE REVIEW

COUNCIL RESOLUTION

That Council conduct a performance review of the General Manager no later than July 2021. Further that the Councillors conduct this performance review and do not call in an outside facilitator.

Moved Councillor Last

Seconded Councillor Haslingden

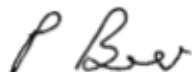
LOST

Record of Voting

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

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

There being no further business the Mayor declared the meeting closed at 10:23pm



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 20 May 2021 were confirmed by Council at a duly convened meeting on 17 June 2021 at which meeting the signature hereon was subscribed.