



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

19 October 2023

ORDINARY COUNCIL MEETING
HELD IN BOMBALA COMMUNITY CENTRE, 163 MAYBE STREET, BOMBALA NSW 2632
ON THURSDAY 19 OCTOBER 2023

MINUTES

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Confirmed

**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN BOMBALA COMMUNITY CENTRE, 163 MAYBE STREET, BONBALA NSW 2632**

**ON THURSDAY, 19 OCTOBER 2023
COMMENCING AT 1:00PM**

PRESENT:

Mayor Christopher Hanna
Deputy Mayor Tanya Higgins
Councillor Peter Beer
Councillor Louise Frolich
Councillor Narelle Davis
Councillor Tricia Hopkins
Councillor Karlee Johnson
Councillor Bob Stewart
Councillor Lynda Summers
Councillor Luke Williamson

APOLOGIES:

Councillor Craig Mitchell

Staff:

Peter Bascomb, Chief Executive Officer
David Rawlings, Chief Strategy Officer
John Gargett, Acting Chief Operating Officer
Stephanie Sellar-Peam, Chief Workforce Officer
Grace Wearn, Secretary Council and Committees

1. OPENING MEETING

The Mayor opened the meeting at 1:00PM

2. ACKNOWLEDGEMENT OF COUNTRY

3. COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL

Nil

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

246/23

That the 19 October 2023 Ordinary Council meeting be adjourned at 1:02 pm for Public Forum.

Moved Mayor Hanna

Seconded Councillor Davis

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Note: Mayor reopened meeting at 1:55 pm.

4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

COUNCIL RESOLUTION

247/23

That the apology from Cr Mitchell be accepted and leave of absence be granted.

Moved Councillor Beer

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

5. DISCLOSURE OF INTEREST

Councillor Summers declared a non-significant non-pecuniary disclosure of interest relating to item 9.5.2, proposal for a social enterprise nursery. The nature of the interest is that Cr Summers is the chair of Snowy Landcare.

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

248/23

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 – Open minutes from the Ordinary Council meeting held on 21 September 2023
- 7.2 – Open minutes from the Extraordinary Council meeting held on 8 September 2023
- 7.3 – Closed minutes from the Extraordinary Council meeting held on 8 September 2023
- 9.1.1 – Determine Future Use of Old Adaminaby Church – Lot 21 Sec 13 DP 758008
- 9.2.1 – Monthly Funds Management Report – September 2023
- 9.3.3 – Tabling of Disclosures by Councillors and Designated Persons
- 9.4.3 – Event Support Grant Applications
- 9.5.1 – Resolution Action Sheet Updates
- 10.2 – Minutes from the Local Traffic Committee meeting held on 19 September 2023
- 10.3 – Minutes from the Local Traffic Committee meeting held on the 14 August 2023
- 14.1 – Legal Actions and Claims Against SMRC

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

Moved Councillor Davis

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 21 SEPTEMBER 2023

COUNCIL RESOLUTION

249/23

THAT the minutes of the Ordinary Council Meeting held on 21 September 2023 are confirmed as a true and accurate record of proceedings.

Moved Councillor Davis

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 248/23 above as there was no challenge by Councillors.

7.2 OPEN SESSION OF THE EXTRA ORDINARY COUNCIL MEETING HELD ON 8 SEPTEMBER 2023**COUNCIL RESOLUTION****250/23**

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 21 September 2023 are confirmed as a true and accurate record of proceedings.

Moved Councillor Davis**Seconded Councillor Hopkins****CARRIED****Record of Voting**

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 248/23 above as there was no challenge by Councillors.

7.3 CLOSED SESSION OF THE EXTRA ORDINARY COUNCIL MEETING HELD ON 8 SEPTEMBER 2023**COUNCIL RESOLUTION****251/23**

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 21 September 2023 are confirmed as a true and accurate record of proceedings.

Moved Councillor Davis**Seconded Councillor Hopkins****CARRIED****Record of Voting**

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 248/23 above as there was no challenge by Councillors.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 DEVELOPMENT APPLICATION 10.2007.3000079.17 - CREATE AN ASSET PROTECTION ZONE FOR LOTS ADJOINING COUNCILS PUBLIC RESERVE (STAGE 9)

Record No: I23/565

Applicant number:	10.2007.3000079.17
Applicant:	T Tuxworth
Owner:	Snowy Monaro Regional Council
Da registered:	01/08/2023
Property description:	Twynam Street JINDABYNE NSW 2627 Lot 30 & 31 DP 1118132
Zone:	R1 - General Residential
Current use:	Vacant Community Land
Proposed use:	Create an Asset Protection Zone for lots adjoining Councils Public Reserve (Stage 9)
Permitted in zone:	Yes
Recommendation:	Refusal

COUNCIL RESOLUTION

252/23

That Pursuant to section 4.16(1)(b) of the *Environmental Planning and Assessment Act 1979 (as amended)* refuse modify DA 10.2007.3000079.17 for the inclusion of a condition of consent to allow for a caveat on Lots 30 & 31 DP 1118132 for an Asset Protection Zone, for the following reasons;

1. The subject lands, Lot 30 and 31 DP 1118132, do not have an active Plan of Management which allows for 'other estates'. As such the proposed development is in contravention of section 35 of the Local Government Act 1993.
2. Ministerial consent has not been granted and as such the proposed development is in contravention of section 47 (5) of the Local Government Act 1993.
3. The proposed development and design does not meet the site suitability and public interest tests of 4.15 of the Environmental Planning and Assessment Act 1979.
4. The proposed development is not in keeping with the Rural Fires Act 1997 and 3.2.5 of Planning for Bushfire Protection 2019.

Moved Councillor Davis

Seconded Councillor Summers CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

8.2 DEVELOPMENT APPLICATION 10.2023.63.1 - 56 WELLINGTON STREET BOMBALA - NEW GRANDSTAND

Record No: I23/454

Applicant Number:	10.2023.63.1
Applicant:	Snowy Monaro Regional Council
Owner:	Snowy Monaro Regional Council
DA Registered:	10/03/2023
Property Description:	Lot: A DP: 154400, Lot: 1 DP: 151403, Lot: 1 DP: 151404, Lot: 10 DP: 1097766, Lot: 12 DP: 1097766, Lot: 14 DP: 1097766, Lot: 13 DP: 1097766, Lot: 11 DP: 1097766
Property Number:	56 Wellington Street
Area:	Bombala
Zone:	RE1 – Public Recreation
Current Use:	Recreational facility (outdoor)
Proposed Use:	Recreational facility (outdoor)
Permitted in Zone:	Yes
Recommendation:	Approval with Conditions

COUNCIL RESOLUTION

253/23

That Council:

- A. Pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)*, it is recommended that consent to DA 10.2023.63.1 for a grandstand, is granted subject to the conditions attached.
- B. If Council decides to make a determination other than as included in the recommendation, it must follow the procedure adopted through resolution 18/18 on 15 February 2018; and
- C. Any person who made a submission is notified according to the regulations.

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

8.3 DEVELOPMENT APPLICATION 10.2007.3000079.18 - CREATE AN ASSET PROTECTION ZONE FOR LOTS ADJOINING COUNCILS PUBLIC RESERVE (STAGE 7C)

Record No: I23/566

Applicant Number:	10.2007.3000079.18
Applicant:	T Tuxworth
Owner:	Snowy Monaro Regional Council
DA Registered:	01/08/2023
Property Description:	Twynam Street JINDABYNE NSW 2627 Lot: 30 DP: 1118132
Zone:	R1 - General Residential
Current Use:	Vacant Community Land
Proposed Use:	Create an Asset Protection Zone for lots adjoining Councils Public Reserve (Stage 7C)
Permitted in Zone:	Yes
Recommendation:	Refusal

COUNCIL RESOLUTION

254/23

That Pursuant to section 4.16(1)(b) of the *Environmental Planning and Assessment Act 1979 (as amended)* refuse modify DA 10.2007.3000079.18 for the inclusion of a condition of consent to allow for a caveat on Lot 30 DP 1118132 for an Asset Protection Zone, for the following reasons;

1. The subject land, Lot 30 DP 1118132, does not have an active Plan of Management which allows for 'other estates'. As such the proposed development is in contravention of section 35 of the Local Government Act 1993.
2. Ministerial consent has not been granted and as such the proposed development is in contravention of section 47 (5) of the Local Government Act 1993.
3. The proposed development and design does not meet the site suitability and public interest tests of 4.15 of the Environmental Planning and Assessment Act 1979.
4. The proposed development is not in keeping with the Rural Fires Act 1997 and 3.2.5 of Planning for Bushfire Protection 2019.

Moved Mayor Hanna

Seconded Councillor Davis

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

8.4 REQUEST TO VARY DCP REQUIREMENT - REVIEW OF DETERMINATION

Record No: I23/667

Applicant Number:	16.2022.249.1
Applicant:	C Timmins
Owner:	M A Timmins and E Timmins
DA Registered:	21/06/2022
Date of Determination	30/5/2023
Property Description:	Lot 2 DP 572732
Area:	168.2 Ha
Zone:	RU1 Primary Production
Current Use:	Primary Production
Proposed Use:	Two-lot subdivision and construction of a new dwelling, machinery shed and workshop
Permitted in Zone:	Yes
Recommendation:	Approval with conditions

COUNCIL RESOLUTION

255/23

That;

- A. Council agree to set aside the requirement of Clause C3.1-2 of Snowy River Development Control Plan 2013 in relation to DA 10.2022.249.1 (Review 16.2023.1.1).
- B. No further dwelling approvals, including dual occupancy/secondary dwellings, be issued on Bushy Park Road until such time as the intersection of Bushy Park Road and Kosciusko Road has been upgraded in accordance with applicable requirements as advised by Transport for NSW.
- C. Council re-examine its Development Control Plan requirements in relation to Rights of Carriageway for rural subdivisions, and the triggers for dedication of Rights of Carriageway as Council roads.

Moved Councillor Stewart

Seconded Councillor Frolich

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

8.5 DEVELOPMENT APPLICATION - 10.2023.196.1 - REFURBISHMENT OF THE BOMBALA WAR MEMORIAL SWIMMING POOL, INCLUDING NEW PLANT ROOM AND PLANT EQUIPMENT, NEW POOL CONCOURSE, NEW SHELTERS, AND MINOR INTERNAL ALTERATIONS.

Record No: I23/669

Applicant Number:	10.2023.196.1
Applicant:	R Kilpatrick
Owner:	Snowy Monaro Regional Council
DA Registered:	19/07/2023
Property Description:	Lot 360 DP756819 and Lot 7018 DP94005
Zone:	RE1 Public Recreation and E1 Local Centre
Current Use:	Outdoor recreation facility (public swimming pool)
Proposed Use:	Alterations and Additions to outdoor recreation facility, including new plant room and plant equipment, new pool concourse, new shelters, and minor internal alterations.
Permitted in Zone:	Yes
Recommendation:	Approval with Conditions

COUNCIL RESOLUTION

256/23

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that council grants consent to DA 10.2023.196.1 for alterations and additions to existing outdoor recreation facility on Lot 360 DP756819 and Lot 7018 DP94005, Bombala War Memorial Swimming Pool, Therry Street Bombala with conditions of consent attached to this report.

Moved Councillor Beer

Seconded Councillor Davis

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Councillor Frolich.

At 02:06 pm Councillor Williamson left the meeting.

At 02:07 pm Councillor Williamson returned to the meeting.

9. OTHER REPORTS TO COUNCIL

9.1 OPERATIONS

9.1.1 DETERMINE FUTURE USE OF OLD ADAMINABY CHURCH - LOT 21 SEC 13 DP 758008

Record No: I22/50

COUNCIL RESOLUTION

257/23

That Council offer the Old Adaminaby Church site and building (Lot 21 Sec 13 DP 758008) under a lease or licence agreement for a use type permitted under the zoning (SP1 - Special Activities) through an Expression of Interest process.

Moved Councillor Davis

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

MOTIONS WITHOUT DEBATE

THE ABOVE OFFICER'S RECOMMENDATION BECAME A RESOLUTION OF COUNCIL AS A RESULT OF RESOLUTION 248/23 ABOVE AS THERE WAS NO CHALLENGE BY COUNCILLORS.

9.2 FINANCE

9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - SEPTEMBER 2023

Record No: I23/680

COUNCIL RESOLUTION

258/23

That Council:

- A. Receive the report indicating Council's cash and investments position as at 30 September 2023; and
- B. Receive the certificate of the Responsible Accounting Officer.

Moved Councillor Davis

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 248/23 above as there was no challenge by Councillors.

9.3 STRATEGY

9.3.1 JINDABYNE DEVELOPMENT CONTROL PLAN

Record No: I23/491

COUNCIL RESOLUTION

259/23

That Council:

- A. Endorse the public exhibition of draft Jindabyne Development Control Plan 2023; and
- B. Endorse the public exhibition period of 6 weeks, from 8 November to 20 December 2023.

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

9.3.2 DELIVERY PROGRAM PROGRESS REPORT - SEPTEMBER 2023

Record No: I23/665

COUNCIL RESOLUTION

260/23

That Council note the delivery program progress report.

Moved Councillor Hopkins

Seconded Councillor Johnson

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

9.3.3 TABLING OF DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS

Record No: I23/671

COUNCIL RESOLUTION

261/23

That Council note the disclosures of pecuniary interest returns completed by councillors and designated staff for the period 1 July 2022 to 30 June 2023.

Moved Councillor Davis

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 248/23 above as there was no challenge by Councillors.

9.3.4 FINANCIAL SUSTAINABILITY RECOMMENDATIONS - PROGRESS UPDATE

Record No: I23/688

OFFICER'S RECOMMENDATION

That Council note Financial Sustainability Recommendations - Progress Update.

This is an information only report.

COUNCIL RESOLUTION

262/23

That Council note Financial Sustainability Recommendations - Progress Update.

Moved Councillor Hopkins

Seconded Councillor Williamson

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

9.4 COMMUNICATIONS

Procedural Motion

INTO COMMITTEE

COUNCIL RESOLUTION

263/23

That Council move into committee.

Moved Councillor Beer

Seconded Councillor Frolich

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Stewart and Councillor Williamson.

Councillors Against: Councillor Davis, Councillor Johnson and Councillor Summers.

Procedural Motion

OUT OF COMMITTEE

COUNCIL RESOLUTION

264/23

That Council move out of committee.

Moved Councillor Davis

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Procedural Motion

AMENDMENT

COUNCIL RESOLUTION

265/23

That Council, subject to receiving landowner consent from TfNSW (or relevant sub-entity), accept the invitation from the federal government to apply for \$1 million of funding to begin construction of the Monaro Rail Trail at Bombala.

Moved Councillor Hopkins

Seconded Councillor Frolich

LOST

Record of Voting

Councillors For: Councillor Frolich, Councillor Hopkins and Councillor Williamson.

Councillors Against: Councillor Beer, Councillor Davis, Mayor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Stewart and Councillor Summers

Procedural Motion

PUT MOTION

COUNCIL RESOLUTION

266/23

That the motion/amendment be put without further debate.

Moved Councillor Beer

LOST

Record of Voting

Councillors For: Councillor Beer, Councillor Frolich and Councillor Hopkins.

Councillors Against: Councillor Davis, Mayor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

9.4.1 GRANT INVITATION TO BEGIN CONSTRUCTION OF THE MONARO RAIL TRAIL AT BOMBALA

Record No: I23/620

COUNCIL RESOLUTION

267/23

That Council, subject to receiving landowner consent from TfNSW (or relevant sub-entity):

- A. Accept the invitation from the federal government to apply for \$1 million of funding to begin construction of the Monaro Rail Trail at Bombala.
- B. Prepare and submit the application on the basis that, outside of the Bombala Station complex, the rail trail will be constructed on the track alignment necessitating the removal of the rails.
- C. The trail be constructed for as far as the funding will permit.
- D. Make preparations with TfNSW to enter into a lease of the rail corridor for the rail trail.
- E. Write to the three community groups who provided letters for this report, formally informing them of council's decision and inviting them to engage with the working group.
- F. That the removed rails be retained for potential repurposing for a future rail project.

Moved Councillor Summers

Seconded Councillor Johnson

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Mayor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Frolich, Councillor Hopkins and Councillor Williamson.

9.4.2 AMENDMENTS TO POLICY - SPONSORSHIP OF COUNCIL PROJECTS, EVENTS, SERVICES OR ACTIVITIES

Record No: I23/626

COUNCIL RESOLUTION

268/23

That Council adopt the updated Policy – Sponsorship of Council Projects, Events, Services or Activities following proof reading and correction of grammatical and other errors.

Moved Councillor Hopkins

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

9.4.3 EVENT SUPPORT GRANT APPLICATIONS

Record No: I23/674

COUNCIL RESOLUTION

269/23

That Council approve the following event support applications, in line with the funding support for Events Policy:

A. Cooma Canine Carnival - \$1,500

B. Australian National Busking Championship – Grand final - \$3,345

Moved Councillor Davis

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 248/23 above as there was no challenge by Councillors.

9.5 EXECUTIVE OFFICE

9.5.1 RESOLUTION ACTION SHEET UPDATES

Record No: I23/630

OFFICER'S RECOMMENDATION

That Council note the resolution action updates.

This is an information only report.

COUNCIL RESOLUTION

270/23

That Council note the resolution action updates.

Moved Councillor Davis

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 248/23 above as there was no challenge by Councillors.

9.5.2 PROPOSAL FOR A SOCIAL ENTERPRISE NURSERY

Record No: I23/679

COUNCIL RESOLUTION

271/23

That Council support the development of a social enterprise nursery as ancillary to the Adaminaby sewage treatment plant, subject to there being no nett cost to Council and obtaining the relevant approvals, by:

- A. Providing owner's consent for SHL to lodge a development application for the land;
- B. Entering into a long-term lease for the balance of lot 1 DP539221 at an annual rent that covers Council's costs including depreciation;
- C. Providing treated effluent to the nursery for irrigation purposes, rather than simply discharging the treated effluent to the creek.
- D. Request SHL in developing the charter for the social enterprise, incorporate a principle of complementary relationship with the existing local native nurseries, to encourage mutual long term sustainability.

Moved Councillor Summers

Seconded Councillor Davis

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

At 03:16 pm Councillor Beer left the meeting.

9.6 WORKFORCE

Nil

10. REPORTS OF COMMITTEES**10.1 MINUTES FROM MANAGEMENT AND ADVISORY COMMITTEES**

Record No: I23/621

COUNCIL RESOLUTION**272/23**

That Council receive the minutes of the:

- i. Bredbo Hall Management Committee meeting held 7 June 2023
- ii. Cemetery Advisory Committee meeting held Monday, 7 August 2023
- iii. Bombala Exhibition Ground Management Committee meeting held 9 August 2023

Moved Deputy Mayor Higgins

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Stewart and Councillor Summers.

Councillors Against: Nil.

At 03:19 pm Councillor Johnson left the meeting.

At 03:20 pm Councillor Williamson left the meeting.

10.2 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING ON 19 SEPTEMBER 2023

Record No: I23/670

COUNCIL RESOLUTION**273/23****COMMITTEE RECOMMENDATION**

That Council note the minutes of the September Local Traffic Committee Meeting held on 19 September 2023.

Moved Councillor Davis

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 248/23 above as there was no challenge by Councillors.

10.3 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING 14 AUGUST 2023

Record No: 123/639

COUNCIL RESOLUTION**274/23**

That Council note the items considered by Local Traffic Committee at the meeting of 14 August 2023.

Moved Councillor Davis**Seconded Councillor Hopkins****CARRIED****Record of Voting**

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

11. NOTICE OF MOTION

11.1 NOTICE OF MOTION - SMITH ROAD

Record No: I23/683

Councillor Luke Williamson has given notice that at the Ordinary Meeting of Council on 19 October 2023, he will move the following motion.

COUNCIL RESOLUTION

275/23

That Council:

- A. Develop and submit the planning proposal to the Minister of Planning for a gateway determination to rezone the (a) rezone northern Smiths Road from C3 Environmental Management to C4 Environmental Living (or alternately RU2 Rural Landscape), and (b) reduce the minimum lot size from 80 hectares to 15 hectares.
- B. Advise the Department of Planning and Environment that Council wishes to be issued with an authorisation to use its delegation for the planning proposal.
- C. Take all reasonable action, including writing to the Minister, to encourage the expeditious reaching of the determination.

Moved Councillor Williamson

Seconded Councillor Johnson

LOST

Record of Voting

Councillors For: Councillor Frolich, Deputy Mayor Higgins, Councillor Johnson and Councillor Williamson.

Councillors Against: Councillor Beer, Councillor Davis, Mayor Hanna, Councillor Hopkins, Councillor Stewart and Councillor Summers.

At 03:38 pm Councillor Frolich left the meeting.

At 03:38 pm Councillor Frolich returned to the meeting.

11.2 NOTICE OF MOTION - WASTE MANAGEMENT STRATEGY

Record No: I23/687

Councillor Tanya Higgins has given notice that at the Ordinary Meeting of Council on 19 October 2023, she will move the following motion.

COUNCIL RESOLUTION

276/23

That Council include in the 2024-25 operational plan an action to;

- a) Undertake a 'midterm review' of the Waste Management Strategy; and
- b) Consider reconstituting the Waste Management Committee.

Moved Deputy Mayor Higgins

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

At 03:21 pm Councillor Johnson returned to the meeting.

At 03:21 pm Councillor Williamson returned to the meeting.

At 03:22 pm Councillor Beer returned to the meeting.

12. MAYORAL MINUTES

Nil

13. QUESTIONS WITH NOTICE

13.1 QUESTIONS WITH NOTICE

Record No: I23/686

Councillor Narelle Davis has given notice that at the Ordinary Meeting of Council on 19 October 2023, she will ask the following questions.

COUNCIL RESOLUTION

277/23

That the response to the questions be noted.

Moved Councillor Davis

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

14. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

278/23

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:

14.1 Legal Actions and Potential Claims Against SMRC

Item 14.1 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 Davis

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 248/23 above as there was no challenge by Councillors.

15. REPORT FROM CONFIDENTIAL SESSION

14.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC

COUNCIL RESOLUTION

279/23

That Council note the information in the Legal Actions and Potential Claims Against SMRC report.

Moved Councillor Davis

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 248/23 above as there was no challenge by Councillors.

There being no further business the Mayor declared the meeting closed at 4:00 PM.



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 19 October 2023 were confirmed by Council at a duly convened meeting on 16 November 2023 at which meeting the signature hereon was subscribed.