



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

16 May 2024

**ORDINARY COUNCIL MEETING
HELD IN JINDABYNE MEMORIAL HALL, THREDBO TERRACE, JINDABYNE NSW 2627
ON THURSDAY 16 MAY 2024**

MINUTES

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**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN JINDABYNE MEMORIAL HALL, THREDBO TERRACE, JINDABYNE NSW 2627**

**ON THURSDAY, 16 MAY 2024
COMMENCING AT 1:00 PM**

PRESENT: Mayor Christopher Hanna
Deputy Mayor Tanya Higgins
Councillor Peter Beer
Councillor Louise Frolich
Councillor Narelle Davis
Councillor Karlee Johnson
Councillor Craig Mitchell
Councillor Bob Stewart
Councillor Lynda Summers
Councillor Luke Williamson

APOLOGIES: Councillor Tricia Hopkins

Staff: David Hogan, Chief Executive Officer
David Rawlings, Chief Strategy Officer
John Gargett, Acting Chief Operating Officer
Simon Rennie, Acting Chief Financial Officer
Stephanie Sellar-Peam, Acting Chief Workforce Officer
Grace Mackay, Secretary Council and Committees

1. OPENING MEETING

The Mayor opened the meeting at 1:00 PM

2. ACKNOWLEDGEMENT OF COUNTRY

3. COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL

Nil

4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

COUNCIL RESOLUTION

121/24

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

Moved Mayor Hanna

Seconded Councillor Frolich

CARRIED

Record of Voting

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

Councillors Against: Nil.

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

122/24

That the 16 May 2024 Ordinary Council Meeting be adjourned at 1:03 PM for Public Forum.

Moved Mayor Hanna

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Nil.

At 01:24 pm Councillor Frolich left the meeting.

At 01:25 pm Councillor Frolich returned to the meeting.

Note: The Mayor reopened the meeting at 1:41 PM.

5. DISCLOSURE OF INTEREST

5.1 COUNCILLOR HANNA

Councillor Chris Hanna declared an interest in Items 8.3 and 8.4 as he has a conflict of interest in this item due to *“Having family own adjoining property to the proposed subdivision”*. Councillor Hanna left the meeting at 1:48 PM and returned at 2:10 PM Councillor Hanna did not take part in discussion or voting on this item.

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

123/24

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 April 2024
- 7.2 – Extraordinary Council Meeting held on 02 May 2024
- 9.1.1 – Snowy River Hostel Expression of Interest (Update)
- 9.1.2 – Restructure of the Chief Operating Officer (COO) Role
- 9.2.1 – Monthly Funds Management Report – April 2024
- 9.2.2 – Quarterly Budget Review Statement (QBRs) 31 March 2024
- 9.3.1 – Proposed public Exhibition of Draft Disability Inclusion Action Plan 2024-2024
- 9.3.3 – Delivery Program Progress Report
- 10.1 – Minutes from Management and Advisory Committees
- 13.1 – Questions related to the new sports centre – Cr Williamson
- 14.2 – Awarding SMRC Waste Services Contract 002/2024

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

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

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

Councillors Against: Nil.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 18 APRIL 2024

COUNCIL RESOLUTION	124/24	
THAT the minutes of the Ordinary Council Meeting held on 18 April 2024 are confirmed as a true and accurate record of proceedings.		
Moved Councillor Davis	Seconded Councillor Summers	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.</i>	
<i>Councillors Against:</i>	<i>Nil.</i>	

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 123/24 above as there was no challenge by Councillors.

7.2 EXTRAORDINARY COUNCIL MEETING 2 MAY 2024

COUNCIL RESOLUTION	125/24	
THAT the minutes of the Extraordinary Council Meeting held on 02 May 2024 are confirmed as a true and accurate record of proceedings.		
Moved Councillor Davis	Seconded Councillor Summers	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.</i>	
<i>Councillors Against:</i>	<i>Nil.</i>	

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 123/24 above as there was no challenge by Councillors.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

Record No: I24/189

Applicant Number:	10.2022.307.1
Applicant:	Donald Southwell
Owner:	D V Southwell & L M Southwell
DA Registered:	01/08/2022
Property Description:	Lot: 38 DP 635407 Lot: 39 DP: 635407 Lot: 1 DP: 47154
Area:	94.333ha
Zone:	R5 – Large Lot Residential & RU1 Primary Production
Current Use:	Agriculture and dwelling house
Proposed Use:	10 lot subdivision – 9 residential lots and 1 agricultural lot
Permitted in Zone:	Permitted
Recommendation:	Approval

COUNCIL RESOLUTION

126/24

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 10.2022.307.1 for 10 lot subdivision at Lot: 38 DP 635407; Lot: 39 DP: 635407; and Lot: 1 DP: 47154, with conditions of consent attached to this report.

Moved Councillor Stewart

Seconded Councillor Mitchell

CARRIED

Record of Voting

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

Councillors Against: Nil.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

Record No: I24/66

Applicant Number:	10.2023.200.1
Applicant:	Instep Management Group Pty Limited
Owner:	D P Graham
DA Registered:	04/07/2023
Property Description:	79 High Plains Lane JINDABYNE NSW 2627 Lot: 2 DP: 1184090
Zone:	RU1 - Primary Production
Current Use:	Vacant
Proposed Use:	Eco-Tourist Facilities
Permitted in Zone:	Permitted
Recommendation:	Approval

COUNCIL RESOLUTION

127/24

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to DA 10.2023.200.1 for a single Dwelling and 5 Eco-Tourist Cabins (and associated outbuildings), subject to the conditions attached to this report.

Moved Councillor Williamson

Seconded Councillor Beer

CARRIED

Record of Voting

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

Councillors Against: Councillor Frolich and Councillor Williamson.

At 01:48 pm Mayor Hanna left the meeting.

**8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION
- STAGE 2A (LOTS 201 - 230)**

Record No: I24/240

Applicant Number:	10.2021.325.1
Applicant:	Cavallo Projects
Owner:	Bottomline Group Pty Limited
DA Registered:	07/10/2021
Property Description:	Old Dry Plains Road COOMA NSW 2630 Lot 1 DP 737275, Lot 11 DP 1266312, Lot 157 DP 750524, Lot 159 DP 750524, Lot 211 DP 750524, Lot 158 DP 750524
Zone:	R5 Large lot Residential C4 – Environmental Living
Proposed Use:	Subdivision
Permitted in Zone:	Permitted
Recommendation:	Approval

COUNCIL RESOLUTION

128/24

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to 10.2021.325.1 for a Large Lot Residential Subdivision - Stage 2A (Lots 201 - 230) on Lot 1 DP 737275, Lot 11 DP 1266312, Lot 157 DP 750524, Lot 159 DP 750524, Lot 211 DP 750524 and Lot 158 DP 750524, 108 Old Dry Plains Road COOMA NSW 2630 with conditions of consent attached to this report.

Moved Councillor Summers

Seconded Councillor Stewart

CARRIED

Record of Voting

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

Councillors Against: Councillor Frolich, Councillor Johnson, Councillor Williamson and Councillor Mitchell.

**8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION
- STAGE 2B (LOTS 231 - 237)**

Record No: I24/239

Applicant Number:	10.2021.321.1
Applicant:	Cavallo Projects
Owner:	Bottomline Group Pty Limited
DA Registered:	07/10/2021
Property Description:	Old Dry Plains Road COOMA NSW 2630 Lot 1 DP 737275 Lot 11 DP 1266312 Lot 189 DP 750524 Lot 197 DP 750524
Zone:	R5 Large lot Residential C4 – Environmental Living
Proposed Use:	Subdivision
Permitted in Zone:	Permitted
Recommendation:	Approval

COUNCIL RESOLUTION

129/24

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to 10.2021.321.1 for a Large Lot Residential Subdivision - Stage 2B (Lots 231 - 237) on Lot 1 DP 737275, Lot 11 DP 1266312, Lot 189 DP 750524 and Lot 197 DP 750524, 108 Old Dry Plains Road COOMA NSW 2630 with conditions of consent attached to this report.

Moved Councillor Williamson

Seconded Councillor Johnson

CARRIED

Record of Voting

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

Councillors Against: Councillor Frolich, Councillor Johnson, Councillor Williamson and Councillor Mitchell.

At 02:10 pm Mayor Hanna returned to the meeting.

9. OTHER REPORTS TO COUNCIL

9.1 OPERATIONS

9.1.1 SNOWY RIVER HOSTEL EXPRESSION OF INTEREST (UPDATE)

Record No: I24/265

COUNCIL RESOLUTION

130/24

That Council continue discussions with interested parties over the next two months to seek a direction forward.

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, 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 123/24 above as there was no challenge by Councillors.

9.1.2 RESTRUCTURE OF THE CHIEF OPERATING OFFICER (COO) ROLE

Record No: I24/269

COUNCIL RESOLUTION

131/24

That Council endorse that;

- A. The Chief Operating Officer role to be split into two separate roles.
- B. The Chief Operating Officer role is to be removed from the Organisational structure and replaced with the following positions;
 - i. Chief of Community Services
 - ii. Chief of Infrastructure and Projects
- C. Both roles to report to the CEO as part of the Executive leadership team.

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, 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 123/24 above as there was no challenge by Councillors.

9.1.3 BOMBALA LAUNDROMAT UPDATE

Record No: I24/274

COUNCIL RESOLUTION	132/24	
That Council note the approach to be taken and a report be brought back to the June 2024 Ordinary Council meeting to continue the process.		
Moved Councillor Stewart	Seconded Councillor Davis	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Councillor Davis, Mayor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Mitchell.</i>	
<i>Councillors Against:</i>	<i>Councillor Frolich and Councillor Williamson.</i>	

9.2 FINANCE

9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - APRIL 2024

Record No: I24/261

COUNCIL RESOLUTION	133/24	
That Council:		
A. Receive the report indicating Council’s cash and investments position as at 30 April 2024; and		
B. Receive the certificate of the Responsible Accounting Officer.		
Moved Councillor Davis	Seconded Councillor Summers	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.</i>	
<i>Councillors Against:</i>	<i>Nil.</i>	

9.2.2 QUARTERLY BUDGET REVIEW STATEMENT (QBR) 31 MARCH 2024

Record No: I24/270

COUNCIL RESOLUTION

134/24

That Council receive the quarterly budget review statement for the quarter ended 31 March 2024 and approve the variations noted therein.

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, 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 123/24 above as there was no challenge by Councillors.

9.3 STRATEGY

9.3.1 PROPOSED PUBLIC EXHIBITION OF DRAFT DISABILITY INCLUSION ACTION PLAN 2024-2028

Record No: I24/202

COUNCIL RESOLUTION

135/24

That Council endorse the Draft Disability Inclusion Action Plan 2024-28 (Draft DIAP) for public exhibition for a period of 28 days.

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, 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 123/24 above as there was no challenge by Councillors.

Procedural Motion

INTO COMMITTEE

COUNCIL RESOLUTION	136/24	
That Council move into committee.		
Moved Councillor Frolich	Seconded Councillor Mitchell	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Councillor Williamson and Councillor Mitchell.</i>	
<i>Councillors Against:</i>	<i>Deputy Mayor Higgins, Councillor Johnson, Councillor Stewart and Councillor Summers.</i>	

Procedural Motion

OUT OF COMMITTEE

COUNCIL RESOLUTION	137/24	
That Council move out of committee.		
Moved Councillor Summers	Seconded Councillor Johnson	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Councillor Davis, Mayor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Mitchell.</i>	
<i>Councillors Against:</i>	<i>Councillor Frolich and Councillor Williamson.</i>	

9.3.2 DONATIONS AND SPONSORSHIPS 2024 APPLICATIONS

Record No: I24/237

COUNCIL RESOLUTION	138/24
That Council provide donations to the following;	
<ul style="list-style-type: none">• Lions Club of Jindabyne - \$3,700.00• Nimmitabel Advancement Group - \$2,000.00• Nimmitabel Advancement Group - \$1,500.00• Monaro Equestrian Association Inc - \$732.00• Bombala Youth Booth Inc - \$1,500.00• Delegate RSL Sub-branch - \$1,500.00	

- Bredbo Men's Shed - \$407.20
- Jindabyne Cycling Club Inc - \$1,000.00
- Cooma Landcare Inc - \$120.00
- Rosie O'Sullivan School of Dance - \$1,000.00
- Monaro Community Radio Inc. (2MNO) - \$1,500.00
- Cantible Cooma - \$1,000.00
- Lake Jindabyne Snow Dragons Inc - \$2,000.00
- Michelago Region Community Association - \$2,000.00
- Motherland - \$3,850.00
- Berridale Tennis Club Inc. - \$2,500.00
- Michelago Memorial Hall & Tennis Courts 355 Committee - \$1,458.62
- Enjo Clean Up Volunteer Group - \$4,000.00

Moved Councillor Stewart

Seconded Councillor Johnson

CARRIED

Record of Voting

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

Councillors Against: Councillor Frolich.

9.3.3 DELIVERY PROGRAM PROGRESS REPORT

Record No: I24/256

COUNCIL RESOLUTION

139/24

That Council note the delivery program progress report.

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, 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 123/24 above as there was no challenge by Councillors.

9.4 COMMUNICATIONS

Nil

9.5 EXECUTIVE OFFICE

9.5.1 RESOLUTION ACTION SHEET UPDATES

Record No: I24/258

OFFICER'S RECOMMENDATION

That Council note the resolution action updates.

This is an information only report.

COUNCIL RESOLUTION

140/24

That Council note the resolution action updates.

Moved Councillor Davis

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.6 WORKFORCE

Nil

10. REPORTS OF COMMITTEES

OFFICER'S RECOMMENDATION

That Council receive the minutes of the:

- i. Bombala Exhibition Ground Management Committee minutes of meeting held 14 February 2024;
- ii. Michelago Hall and Tennis Courts Management Committee minutes of meeting held 21 February 2024;
- iii. Adaminaby Hall Management Committee minutes of meeting held 6 March 2024;

10.1 MINUTES FROM MANAGEMENT AND ADVISORY COMMITTEES

Record No: I24/229

COUNCIL RESOLUTION

141/24

That Council receive the minutes of the:

- i. Bombala Exhibition Ground Management Committee minutes of meeting held 14 February 2024;
- ii. Michelago Hall and Tennis Courts Management Committee minutes of meeting held 21 February 2024;
- iii. Adaminaby Hall Management Committee minutes of meeting held 6 March 2024;

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, 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 123/24 above as there was no challenge by Councillors.

11. NOTICE OF MOTION

**11.1 TO HOLD A POLL IN CONJUNCTION WITH THE 14 SEPTEMBER 2024 COUNCIL ELECTIONS
REGARDING DE-AMALGAMATION**

Record No: I24/267

Councillor Bob Stewart has given notice that at the Ordinary Meeting of Council on 16 May 2024, he will move the following motion.

COUNCIL RESOLUTION

That Council defer the decision on holding a poll *“Do you support the de-amalgamation of Snowy Monaro Regional Council”* until the Ordinary Council meeting in June 2024 with a revised recommendation on what issues should be taken to the community at the 2024 Local Government election.

Moved Councillor Stewart

Seconded Councillor Frolich

LOST

Record of Voting

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

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

12. MAYORAL MINUTES

Nil

13. QUESTIONS WITH NOTICE

OFFICER'S RECOMMENDATION

That the response to the question/s be noted.

13.1 QUESTIONS RELATED TO THE NEW SPORTS CENTRE - CR WILLIAMSON

Record No: I24/221

ATTACHMENTS

1. Risk Assessment
2. Question Form - Cr Williamson

COUNCIL RESOLUTION

142/24

That the response to the question/s be noted.

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, 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 123/24 above as there was no challenge by Councillors.

14. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

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.

14.2 Awarding of SMRC Waste Services Contract 002/2024

Item 14.2 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and (dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council 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 Williamson

Seconded Councillor Mitchell

Record of Voting

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

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 3:09 pm the meeting was closed to the press and public.

Note 3: Resumption of Open Committee Meeting

At 3:19 pm the Closed Session ended and the Council meeting continued in Open Session.

15. REPORT FROM CONFIDENTIAL SESSION

14.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC

COUNCIL RESOLUTION**143/24**

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

Moved Councillor Williamson**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, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

14.2 AWARDING OF SMRC WASTE SERVICES CONTRACT 002/2024

COUNCIL RESOLUTION**144/24**

That Council endorse the recommendation to engage Remondis Australia Pty Ltd as listed in the Tender Evaluation Panel report (Option 1), for a three (3) year term with two (2) by one (1) year extension options in Council's favour, and authorise the CEO to proceed with final contract negotiations and execute the final contract.

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

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, 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 123/24 above as there was no challenge by Councillors.

There being no further business the Mayor declared the meeting closed at 3:19 PM.

CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 16 May 2024 were confirmed by Council at a duly convened meeting on 20 June 2024 at which meeting the signature hereon was subscribed.

Unconfirmed