



SNOWY MONARO
REGIONAL COUNCIL

Minutes Confirmed

Ordinary Council Meeting

20 July 2023

**ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON THURSDAY 20 JULY 2023**

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

**ON THURSDAY, 20 JULY 2023
COMMENCING AT 1:00PM**

PRESENT: Mayor Narelle Davis
Deputy Mayor Tanya Higgins
Councillor Peter Beer
Councillor Louise Frolich – *via audio-visual link*
Councillor Christopher Hanna
Councillor Tricia Hopkins - *via audio-visual link*
Councillor Karlee Johnson
Councillor Craig Mitchell - *via audio-visual link*
Councillor Bob Stewart
Councillor Lynda Summers
Councillor Luke Williamson

APOLOGIES: Nil

Staff: Peter Bascomb, Chief Executive Officer
David Rawlings, Chief Strategy Officer
Jeff Morgan, Chief Operating Officer
Simon Rennie, Acting Chief Financial 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

3.1 COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL LINK

COUNCIL RESOLUTION

147/23

That Council approve the remote attendance of;

- Cr Mitchell – NSW Farmers Conference;
- Cr Hopkins – Interstate; and
- Cr Frolich – Travelling

for the 20 July 2023 Ordinary Council meeting via audio-visual link, and accept their reasons as listed.

Moved Deputy Mayor Higgins Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Nil.

4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

148/23

That the Ordinary Council meeting be adjourned at 1:03 PM for Public Forum.

Moved Councillor Hanna Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Nil.

Procedural Motion

RESUMPTION OF MEETING

COUNCIL RESOLUTION

149/23

That the Ordinary Council meeting be resumed at 1:25 pm.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

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

Councillors Against: Nil.

At 01:27 pm Councillor Johnson returned to the room.

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

150/23

- 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:
- 7.2 – Extraordinary Council Meeting held on 29 June 2023
 - 9.1.4 – Easement Request – Council Owned Lot 141 DP 1109187 in Cooma – Related to Subdivision Works Certificate 22.2020.207.1
 - 9.1.5 – Community Services Advisory Committee – Changes to Charter and Name
 - 9.3.1 – Locality Boundary Adjustment for Kalkite and Hill Top
 - 9.3.2 – Road Naming Proposal – Mountainside Subdivision stage 1 – Jindabyne
 - 9.3.3 – Organisational Performance Report – June 2023
 - 9.3.5 – Variation Approval – Jindabyne Shared Trail
 - 9.3.8 – Jindabyne Pool Refurbishment
 - 9.4.1 – Service NSW Partnership Agreement
 - 9.5.2 – Resolution Action Sheet Updates
 - 14.2 – Legal Actions and Potential Claims Against SMRC
- B. That the Officer's Recommendations in the reports listed above are hereby adopted.

Moved Councillor Williamson

Seconded Councillor Summers

CARRIED

Record of Voting

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

Councillors Against: Nil.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 15 JUNE 2023

COUNCIL RESOLUTION

151/23

THAT the minutes of the Ordinary Council Meeting held on 15 June 2023 are confirmed as a true and accurate record of proceedings, pending the following amendments:

Page: 9 Item: 8.2

Remove Cr Beer from the voting on item 8.2 as he was absent from this meeting as per resolution 08/23 from the 16 Feb 2023 Ordinary Council meeting.

Moved Councillor Beer

Seconded Councillor Johnson

CARRIED

Record of Voting

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

Councillors Against: Nil.

7.2 EXTRAORDINARY COUNCIL MEETING 29 JUNE 2023

COUNCIL RESOLUTION

152/23

THAT the minutes of the Extraordinary Council Meeting held on 29 June 2023 are confirmed as a true and accurate record of proceedings.

Moved Councillor Williamson

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor 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 127/23 above as there was no challenge by Councillors.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 DEVELOPMENT APPLICATION 10.2023.144.1 - ADDITIONS AND ALTERATIONS TO EXISTING BUILDING (DELEGATE PRESCHOOL)

Record No: I23/414

Applicant Number:	10.2023.144.1
Applicant:	Snowy Monaro Regional Council
Owner:	Snowy Monaro Regional Council
DA Registered:	23/05/2023
Property Description:	34 Bombala Street DELEGATE Lot: 7 Sec: 8 DP: 758346
Zone:	RU5 - Village
Current Use:	Preschool
Proposed Use:	Alterations and Additions
Permitted in Zone:	Yes
Recommendation:	Approval

COUNCIL RESOLUTION

153/23

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 10.2023.144.1 for alterations and Additions on Lot 7 Sec 8 DP 758346, 34 Bombala Street DELEGATE NSW 2633 subject to conditions of consent attached to this report.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Nil.

9. OTHER REPORTS TO COUNCIL

9.1 OPERATIONS

Procedural Motion

INTO COMMITTEE

COUNCIL RESOLUTION

154/23

That Council move into committee.

Moved Councillor Mitchell

Seconded Councillor Williamson

CARRIED

Record of Voting

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

Councillors Against: Nil.

Procedural Motion

OUT OF COMMITTEE

COUNCIL RESOLUTION

155/23

That Council move out of committee.

Moved Councillor Williamson

Seconded Councillor Beer

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.1.1 DIVESTMENT OF RESIDENTIAL AGED CARE SERVICES - YALLAMBEE LODGE

Record No: I23/315

COUNCIL RESOLUTION

156/23

That Council:

- A. Acknowledge the withdrawal of Sapphire Coast Community Aged Care from the divestment process;
- B. Commence the staged closure of Yallambee Lodge, including public meetings, by transferring the assets, land and operation of Yallambee Lodge to Respect Aged Care to enable investment into the Hudson House;
- C. Approve the transfer of the Yallambee Lodge assets and land to Respect Aged Care to enable investment into the Hudson House on the grounds that the assets and land cannot be sold at a future date until renovations and extensions to 90 beds at the Hudson House are completed;
- D. Negotiate a payment within the available Yallambee Lodge budget to Respect Aged Care to cover operating costs of Yallambee Lodge;
- E. Acknowledge that once Respect Aged Care have completed renovations and extensions to 90 beds at the Hudson Centre, Yallambee Lodge may be closed and sold, but that will be a decision of Respect Aged Care.
- F. Advise the federal Department of Health that Council will not proceed with construction of a memory support unit, request that the funding be transferred to Respect Aged Care (with the exception of the fire compliance component) as an investment into constructing memory support facilities at the Hudson House and adjust Council's 2023/24 DP/OP and budget accordingly.

Moved Councillor Beer

Seconded Councillor Summers

CARRIED

Record of Voting

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

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

At 1:43 pm Councillor Frolich left the meeting.

At 1:46 pm Councillor Frolich returned to the meeting.

At 2:20 pm Councillor Mitchell left the meeting.

At 2:20 pm Councillor Mitchell returned to the meeting.

At 2:31 pm Councillor Johnson left the meeting.

At 2:31 pm Councillor Williamson left the meeting.

At 2:32 pm Councillor Williamson returned to the meeting.

At 2:32 pm Councillor Johnson returned to the meeting.

At 2:34 pm Councillor Mitchell left the meeting.

At 2:35 pm Councillor Mitchell returned to the meeting.

9.1.2 DIVESTMENT OF RESIDENTIAL AGED CARE SERVICES - SNOWY RIVER HOSTEL

Record No: I23/447

COUNCIL RESOLUTION

157/23

That Council:

- A. Acknowledge the withdrawal of Sapphire Coast Community Aged Care from the residential aged care divestment process;
- B. Implement the orderly closure of Snowy River Hostel;
- C. Authorise the CEO to apply for and receive federal government funding to assist with closure costs;
- D. Implement resolution 054/08 of the former Snowy River Shire Council and consolidate Snowy River Hostel (Lot 3 DP801367), the adjacent vacant land (Lot 10 DP1130244) and access (Lot 3 DP261695);
- E. Proceed with an Expression of Interest and Tender process for the sale of Snowy River Hostel (Lot 3 DP801367), the adjacent vacant land (Lot 10 DP1130244) and access (Lot 3 DP261695) to a provider of either affordable housing, social housing or community services with a further report to come to Council on the preferred purchaser / provider.

Moved Councillor Summers

Seconded Deputy Mayor Higgins

LOST

Record of Voting

Councillors For: Mayor Davis, Councillor Hopkins, Councillor Summers and Councillor Mitchell.

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

At 3:16 pm Councillor Frolich left the meeting.

At 3:18 pm Councillor Frolich returned to the meeting.

9.1.2 DIVESTMENT OF RESIDENTIAL AGED CARE SERVICES - SNOWY RIVER HOSTEL

COUNCIL RESOLUTION

158/23

That the future of Snowy River Hostel be deferred pending consultation with the community.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Record of Voting

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

Councillors Against: Nil.

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

159/23

That the 20 July 2023 Ordinary Council meeting be adjourned at 3:21 PM for a five minute break.

Moved Councillor Summers

Seconded Councillor Williamson

CARRIED

Record of Voting

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

Councillors Against: Nil.

Meeting resumed at 3:30 PM.

9.1.3 LEESVILLE COMMERCIAL SUBDIVISION STAGE 3D BUDGET AMENDMENT

Record No: I23/457

COUNCIL RESOLUTION

160/23

That Council approve the following budget amendment for Leesville Commercial Subdivision Stage 3D:

- a) Revenue budget increase from \$1,100,000 to \$1,934,318.00
- b) Expenditure budget increase from \$600,000 to \$1,036,289

Moved Councillor Hanna

Seconded Councillor Williamson

CARRIED

Record of Voting

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

Councillors Against: Nil.

**9.1.4 EASEMENT REQUEST - COUNCIL OWNED LOT 141 DP 1109187 IN COOMA - RELATED TO
SUBDIVISION WORKS CERTIFICATE 25.2020.207.1**

Record No: I23/458

COUNCIL RESOLUTION

161/23

That Council

- A. Approve and proceed with allowing an easement for water, sewer and stormwater purposes to be created in the relevant area of Lot 141 DP 1109187, pursuant to Section 88B of the Conveyancing Act 1919;
- B. Agree that all costs incurred in actioning the easement creation are the responsibility of the developer (the applicant; linked to SWC 25.2020.207.1) inclusive of survey, general legal, and any registration fee costs.

Moved Councillor Williamson

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor 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 127/23 above as there was no challenge by Councillors.

9.1.5 COMMUNITY SERVICES ADVISORY COMMITTEE - CHANGES TO CHARTER AND NAME

Record No: I23/464

COUNCIL RESOLUTION

162/23

That Council receive the minutes of the Community Services Advisory Committee meeting held 7 June 2023 and approve the change in committee name to Residential Aged Care and Community Support Program Advisory Committee and updated Committee Charter.

Moved Councillor Williamson

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor 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 127/23 above as there was no challenge by Councillors.

9.2 FINANCE

9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - JUNE 2023

Record No: I23/452

COUNCIL RESOLUTION		163/23
That Council		
A. Receive the report indicating Council's cash and investments position as at 30 June 2023; and		
B. Receive the certificate of the Responsible Accounting Officer.		
Moved Councillor Hanna	Seconded Councillor Stewart	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.</i>	
<i>Councillors Against:</i>	<i>Nil.</i>	

9.3 STRATEGY

Mayoral Minute

MOTION

COUNCIL RESOLUTION		164/23
That Council amend the order of business for the start of Strategy section 9.3 to:		
A. 10.1 Minutes from June 2023 ARIC meeting		
B. 9.3.7 Audit risk and improvement committee annual report		
C. 9.3.4 Undertaking an audit of council activities		
D. The remaining items in section 9.3		
Moved Mayor Davis		CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Mayor Davis, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Summers and Councillor Mitchell.</i>	
<i>Councillors Against:</i>	<i>Councillor Frolich, Councillor Johnson, Councillor Stewart and Councillor Williamson.</i>	

9.3.1 LOCALITY BOUNDARY ADJUSTMENT FOR KALKITE AND HILL TOP

Record No: I23/303

COUNCIL RESOLUTION

165/23

That Council:

- A. Endorse the proposed adjustment of the boundary of Kalkite and Hill Top to be publicly advertised for a period of 28 days in the Monaro Post.
- B. Endorse the creation of a locality boundary adjustment proposal in the Geographical Names Board place naming system and seek pre-approval.

Moved Councillor Williamson

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor 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 127/23 above as there was no challenge by Councillors.

9.3.2 ROAD NAMING PROPOSAL - MOUNTAINSIDE SUBDIVISION STAGE 1 - JINDABYNE

Record No: I23/405

COUNCIL RESOLUTION

166/23

That for the Mountainside subdivision in Jindabyne approved under DA10.2022.232.1

- A. Council endorse the proposed road names Mountainside, Traverse and Sidecut to be publicly advertised in the Monaro Post for a period of 28 days.
- B. Council endorse the proposed road names Mountainside, Traverse and Sidecut to go to the Geographical Names Board for pre-approval.

Moved Councillor Williamson

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor 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 127/23 above as there was no challenge by Councillors.

9.3.3 ORGANISATIONAL PERFORMANCE REPORT - JUNE 2023

Record No: I23/433

COUNCIL RESOLUTION

167/23

That Council:

- A. Amend 2023-2024 Operational Plan to “complete” Bombala Caravan Park upgrades.
- B. Amend the 2023-2024 Operational Plan to include “complete” the Bombala Caretakers Cottage
- C. Amend the 2023-2024 Operational Plan to include completion of the Bombala Showground Upgrades
- D. Amend the 2023-2024 Operational Plan to include completion of the Bombala Showground upgrades, including electrical upgrades
- E. Amend 2023-2024 Operational Plan to include Rainbow Drive stormwater upgrade.
- F. Amend 2023-2024 Operational Plan to include Eucumbene Cove stormwater upgrade.
- G. Amend the 2023-2024 Operational Plan to include construction of bus shelters at:
 - (a) Jerrara Drive, East Jindabyne,
 - (b) Bombala Street, Nimmitabel,
 - (c) Mittagang Road, Cooma North Public School,
 - (d) Mittagang Road, Monaro High School, Cooma
 - (e) Bright Street, Bombala
 - (f) Eucumbene Road/Kosciuszko Road, Kalkite.
- H. Amend the 2023-2024 Operational Plan to include upgrade of the Cooma water treatment plant raw water pump and variable speed drive.
- I. Amend the 2023-2024 Operational Plan to include the completion of the Adaminaby sewerage treatment plant.
- J. Jindabyne Town Centre – Sewer upgrade project to be deferred and undertaken in line with SAP, once this scope is clarified.
- K. Amend the 2023-2024 Operational Plan to include the completion of the arts and culture strategy.
- L. Amend the 2023-2024 Operational Plan to include finalise the reflect stage of the reconciliation action plan.
- M. Amend the 2023-2024 Operational Plan to include the construction of the road segment to the new Emergency Operations Centre from Polo Flat Road, Cooma.
- N. Amend the 2023-2024 Operational Plan to include completion of the Bombala Exhibition Hall, CWA Room upgrades

Moved Councillor Williamson

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor 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 127/23 above as there was no challenge by Councillors.

Procedural Motion

MOTION

COUNCIL RESOLUTION

168/23

That Council move into committee.

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

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

Councillors Against: Nil.

Procedural Motion

MOTION

COUNCIL RESOLUTION

169/23

That Council move out of committee.

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.3.4 Undertaking Audit of Council Activities 2016-2023

Record No: I23/428

COUNCIL RESOLUTION

170/23

That Council:

- A. Not accept any tender as the cost exceeds what is considered reasonable to allocate at this time.
- B. Request the CRJO to provide advice on the undertaking of an audit of financial systems and significant transactions.

Moved Councillor Johnson

Seconded Councillor Stewart

CARRIED

Record of Voting

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

Councillors Against: Nil.

At 4:02 pm Councillor Frolich left the meeting.

At 4:02 pm Councillor Frolich returned to the meeting.

At 4:04 pm Councillor Frolich left the meeting.

At 4:11 pm Deputy Mayor Higgins left the meeting.

At 4:12 pm Deputy Mayor Higgins returned to the meeting.

At 4:12 pm Councillor Frolich returned to the meeting.

9.3.5 VARIATION APPROVAL - JINDABYNE SHARED TRAIL

Record No: I23/449

COUNCIL RESOLUTION

171/23

That Council approve a variation to the deliverables of the Jindabyne Shared Trail covered under Deed RNSW 1166 (2019)

- A. That Council request a variation to Restart NSW to vary Deed RNSW1166 to not proceed with construction of Section 5; East Jindabyne to Kalkite and Thredbo Valley Picnic Area to Creel Bay.
- B. That prior to the project proceeding a formal agreement be entered into with the relevant community organisations setting out the responsibilities that will be taken on by those groups.
- C. That prior to commencement of construction a financial report identifying maintenance funds, sponsorship income, potential fees and charges and depreciation cost is provided to Council.

Moved Councillor Williamson

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor 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 127/23 above as there was no challenge by Councillors.

9.3.6 BOMBALA ARTS AND INNOVATION CENTRE

Record No: I23/450

COUNCIL RESOLUTION

172/23

That Council;

- A. Decline to accept the Bushfire Local Economic Recovery Fund Grant for the refurbishment of the Bombala Arts and Innovation Centre (former TAFE)
- B. Seek a variation from Stronger Country Communities Fund to utilise the remainder of the SCCF2 fund to make improvements to another suitable council asset in Bombala
- C. Seek to divest of building and land 8-12 Wellington Street Bombala as surplus to Council needs and in excess of available maintenance budget.

Moved Councillor Hanna

Seconded Councillor Summers

LOST

Record of Voting

Councillors For: *Councillor Summers.*

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

9.3.6 BOMBALA ARTS AND INNOVATION CENTRE

COUNCIL RESOLUTION

173/23

That Council seek an extension of the BLERF grant and undertake community consultation to develop a plan for managing the facility to be completed by the first ordinary Council meeting in 2024

Moved Councillor Stewart

Seconded Councillor Mitchell

CARRIED

Record of Voting

Councillors For: *Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor*

Summers, Councillor Williamson and Councillor Mitchell.
Councillors Against: *Nil.*

9.3.7 AUDIT RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT

Record No: I23/465

COUNCIL RESOLUTION

174/23

That Council note the annual report from ARIC.

Moved Councillor Summers

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: *Nil.*

9.3.8 JINDABYNE POOL REFURBISHMENT

Record No: I23/474

COUNCIL RESOLUTION

175/23

That Council confirm that \$375,000 of the LRCIP (Round 3) funding deferred to the 2023/24 period is an allocation to refurbishment of the Jindabyne pool budget within the current budget.

Moved Councillor Williamson

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: *Councillor Beer, Mayor Davis, Councillor Frolich, Councillor 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 127/23 above as there was no challenge by Councillors.

9.4 COMMUNICATIONS

9.4.1 SERVICE NSW PARTNERSHIP AGREEMENT

Record No: I23/424

COUNCIL RESOLUTION

176/23

That Council;

- A. Delegate authority to the Chief Executive Officer to enter into an agreement with Service NSW; and
- B. Any necessary documents be authorised for execution under the Common Seal of Council.

Moved Councillor Williamson

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor 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 127/23 above as there was no challenge by Councillors.

9.5 EXECUTIVE OFFICE

9.5.1 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2023

Record No: I23/422

COUNCIL RESOLUTION

177/23

That Council;

- A. Authorise the Mayor to attend the Local Government NSW Annual Conference to be held on 12 – 14 November 2023.
- B. Nominate and authorise Councillor Higgins and Councillor Summers as the remaining voting members.
- C. Gather potential motions for consideration for submission of any strategic motions that impact the broader local government sector.

Moved Councillor Summers

Seconded Councillor Beer

CARRIED

Record of Voting

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

Councillors Against: Councillor Frolich and Councillor Hopkins.

9.5.2 RESOLUTION ACTION SHEET UPDATES

Record No: 123/448

COUNCIL RESOLUTION

178/23

That Council note the resolution action updates and approve the new format.

Moved Councillor Williamson

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor 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 127/23 above as there was no challenge by Councillors.

9.6 WORKFORCE

Nil

10. REPORTS OF COMMITTEES

10.1 MINUTES FROM JUNE 2023 AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING

Record No: 123/473

OFFICER'S RECOMMENDATION

That Council note the minutes from the 5 June 2023 Audit, Risk and Improvement Committee meeting.

This is an information only report.

COUNCIL RESOLUTION

179/23

That Council note the minutes from the 5 June 2023 Audit, Risk and Improvement Committee meeting.

. Moved Councillor Summers

Seconded Councillor Beer

CARRIED

Record of Voting

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

Councillors Against: Nil

11. NOTICE OF MOTION

11.1 IMPLEMENTATION OF THE RECOMMENDATION OF THE FINANCIAL SUSTAINABILITY REVIEW

Record No: I23/419

Responsible Officer: Chief Executive Officer

Author: Councillor Tricia Hopkins

Attachments: 1. Notice of Motion

2. FSR Mapping

Councillor Tricia Hopkins has given notice that at the Ordinary Meeting of Council on 20 July 2023, she will move the following motion.

COUNCIL RESOLUTION

180/23

That Council receive a quarterly report on the implementation of the recommendations of the Financial Sustainability Review, for consideration at an Ordinary Council meeting, commencing from July 2023.

Moved Councillor Hopkins

Seconded Councillor Williamson

CARRIED

Record of Voting

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

Councillors Against: Nil.

12. MAYORAL MINUTES

Motion placed at item 9.3.

13. QUESTIONS WITH NOTICE

Nil

14. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

181/23

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:

14.1 108 Commissioner Street Water Connection

Item 14.1 is confidential in accordance with s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

14.2 Legal Actions and Potential Claims Against SMRC

Item 14.2 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.

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 Hanna

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, 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 4:48 pm the meeting was closed to the press and public.

Note 3: Resumption of Open Committee Meeting

At 4:50 pm the Closed Session ended and the Council meeting continued in Open Session.

15. REPORT FROM CONFIDENTIAL SESSION

14.1 108 COMMISSIONER STREET WATER CONNECTION

COUNCIL RESOLUTION

182/23

That Council waive the amount of \$42,514.46 for outstanding water and sewer billing, interest and legal fees relating to assessment number 40221046, acknowledging that if the required work had been completed two weeks prior by the owner as requested by Council, these charges would not have eventuated.

Moved Councillor Stewart

Seconded Councillor Williamson

CARRIED

Record of Voting

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

Councillors Against: Councillor Summers.

14.2 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC

COUNCIL RESOLUTION

183/23

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

Moved Councillor Williamson

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor 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 127/23 above as there was no challenge by Councillors.

There being no further business the Mayor declared the meeting closed at 4:51 pm.

CHAIRPERSON



The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 20 July 2023 were confirmed by Council at a duly convened meeting on 17 August 2023 at which meeting the signature hereon was subscribed.

CONFIRMED