

Minutes

Ordinary Council Meeting

17 April 2025

ORDINARY COUNCIL MEETING HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630

ON THURSDAY 17 APRIL 2025

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

ON THURSDAY, 17 APRIL 2025 COMMENCING AT 1:00 PM

PRESENT: Deputy Mayor Tricia Hopkins

Councillor Narelle Davis
Councillor Nick Elliott
Councillor Tanya Higgins
Councillor John Rooney
Councillor Reuben Rose
Councillor Bob Stewart
Councillor Lynda Summers
Councillor Andrew Thaler
Councillor Luke Williamson

APOLOGIES: Mayor Christopher Hanna

Staff: Stephen Dunshea, Chief Executive Officer

David Rawlings, Chief Strategy Officer Simon Rennie, Chief Financial Officer

John Gargett, Acting Chief Infrastructure & Projects Officer

Tony Murray, Chief Community Services Officer

Angela Sommerville, Chief People & Organisational Performance Officer

Patricia Swain, Secretary Council and Committees

1. OPENING MEETING

The meeting opened at 1:00 PM

In the absence of the Mayor the Deputy Mayor assumed the Chair.

2. ACKNOWLEDGEMENT OF COUNTRY

3. COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL

Nil

4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Councillor Hanna advised that he is unable to attend the meeting due to being short-staffed and unable to leave the store.

Procedural Motion

APOLOGY

COUNCIL RESOLUTION 102/25

That the apology be received from Councillor Hanna and leave of absence be granted.

Moved Councillor Davis Seconded Councillor Summers CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Rose, Councillor Stewart, Councillor Summers and

Councillor Williamson.

Councillors Against: Councillor Thaler.

Procedural Motion

ADJOURNMENT TO PUBLIC FORUM

COUNCIL RESOLUTION 103/25

CHAIR RULING

That the Ordinary Council meeting be adjourned at 1.03pm for public forum.

Moved Deputy Mayor Hopkins CARRIED

At 01:19 pm Councillor Thaler left the meeting.

At 01:20 pm Councillor Thaler returned to the meeting.

RESUMPTION OF MEETING

The Ordinary Council meeting resumed at 1.20pm.

Deputy Mayor Hopkins

5. DISCLOSURE OF INTEREST

5.1 COUNCILLOR THALER

Councillor Thaler declared interest in the following items;

- 1. Item 11.5 as he has a non-pecuniary, non-significant interest item due to being a neighbour. Cr Thaler does not intend on leaving the meeting and will participate in the debate.
- 2. Item 11.6 as he has a non-pecuniary, non-significant interest item due to being a complainant. Cr Thaler does not intend on leaving the meeting and will participate in the debate, and
- 3. Item 11.11 as he has a non-pecuniary, non-significant interest item due to being a complainant. Cr Thaler does not intend on leaving the meeting and will participate in the debate.

6. MATTERS DEALT WITH BY EXCEPTION

Items by Exception

Nil.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 20 MARCH 2025

COUNCIL RESOLUTION 104/25

That the minutes of the Ordinary Council Meeting held on 20 March 2025 are confirmed as a true and accurate record of proceedings, pending the correction of typos.

Moved Councillor Stewart Seconded Councillor Davis CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Rose, Councillor Thaler and Councillor Williamson.

7.2 EXTRAORDINARY COUNCIL MEETING 3 APRIL 2025

COUNCIL RESOLUTION 105/25

That the minutes of the Extraordinary Council Meeting held on 03 April 2025 are confirmed as a true and accurate record of proceedings.

Moved Councillor Davis Seconded Councillor Higgins CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Rose, Councillor Thaler and Councillor Williamson.

7.3 CLOSED SESSION OF THE EXTRAORDINARY COUNCIL MEETING 3 APRIL 2025 - WITHDRAWN At 02:01 pm Councillor Williamson left the meeting.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 DEVELOPMENT APPLICATION 10.2024.80.1 - CONSTRUCTION OF 0.68KM OF SHARED USE TRAIL AND ROAD UNDERPASS

Record No: 125/92

Applicant Number:	10.2024.80.1
Applicant:	Snowy Monaro Regional Council
Owner:	G McBurnie, Vuez Eco Resort Pty Ltd, Snowy Hydro Limited
DA Lodged:	26/04/2024
Property Description:	Kosciusko Road, Hatchery Bay RD and Gaden Road, JINDABYNE NSW 2627
	Lot: 6 DP: 880342
	Lot: 5 DP: 880342
	Lot: 5 DP: 248096
	Lot: 1 DP: 236901
	Lot: 3 DP: 549281
Zone:	SP1 – Special Activities
	SP3 – Tourist
	RU1 – Primary Production
Current Use:	Road Reserve and Dwelling
Proposed Use:	Environmental Facilities
Permitted in Zone:	Yes
Recommendation:	Approval

COUNCIL RESOLUTION 106/25

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to 10.2024.80.1 for Construction of 0.68km of Shared Use Trail and Road Underpass Lot: 6 DP: 880342, Lot: 5 DP: 880342, Lot: 5 DP: 248096, Lot: 1 DP: 236901, Lot: 3 DP: 549281, Kosciusko Road, Hatchery Bay RD and Gaden Road, JINDABYNE NSW 2627 with conditions of consent attached to this report.

Moved Councillor Davis

Seconded Councillor Elliott

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Rose, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Thaler.

At 02:06 pm Councillor Williamson returned to the meeting.

At 02:08 pm Councillor Thaler left the meeting.

8.2 DEVELOPMENT APPLICATION 10.2024.294.1 - CHANGE OF USE SHED TO DWELLING WITH 4.6 VARIATION OVER 10%

Record No: I25/3

Applicant Number:	10.2024.294.1
Applicant:	T C McKenzie
Owner:	T C McKenzie
DA Lodged:	20/11/2024
Property Description:	'Top of the Range' 7049 The Snowy River Way Jindabyne Lot :2 DP: 1259995
Zone:	RU1 – Primary Production
Current Use:	Rural Tourist Accommodation
Proposed Use:	Dwelling House
Permitted in Zone:	Yes
Recommendation:	Approved

COUNCIL RESOLUTION 107/25

Pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that Council grants consent to DA10.2024.294.1 for Change of Use Shed to Dwelling on Lot 2 DP1259995, 7049 The Snowy River Way, Jindabyne subject to conditions of consent attached to this report.

Moved Councillor Elliott Seconded Councillor Rose CARRIED

Record of Voting

Councillors For: Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rooney,

Councillor Rose, Councillor Summers and Councillor Williamson.

Councillors Against: Councillor Davis and Councillor Stewart.

At 02:10 pm Councillor Thaler returned to the meeting.

8.3 DEVELOPMENT APPLICATION 10.2024.79.1 - CONSTRUCTION OF SHARED TRAIL AND FIVE PEDESTRIAN BRIDGES - WITHDRAWN

Record No: 125/94

Applicant Number:	10.2024.79.1	
Applicant:	Snowy Monaro Regional Council	
Owner:	Snowy Monaro Regional Council, Snowy Hydro and Freeform Property No 2 Pty Ltd	
DA Lodged:	26/04/2024	
Property Description:	Along the foreshore of Lake Jindabyne – east. Kunama Estate to East Jindabyne	
	Lot 19 DP 530537, Lot 1 DP 248100, Lot 30 DP 236875, Lot 26 DP 548802, Lot 21 DP 235881, Lot 28 DP 236875, Lot 29 DP 236875, Lot 2 DP 248100, Lot 24 DP 1089304, Lot 4 DP 232161, Lot 2 DP 816051, Lot 9 DP 1216028	
Zone	SP1 – Special Activities, C3 – Environmental Management, RE1 – Public Recreation, RU5 – Village, RE2 – Private Recreation, R5 – Large Lot Residential	
Current Use	Residential Accommodation, Public open space and vacant land	
Proposed Use	Environmental Facility and Recreation area	
Permitted in Zone	Yes	
Recommendation	Approval	

RECOMMENDATION - WITHDRAWN

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to 10.2024.79.1 for Construction of Shared Trail and five (5) Pedestrian Bridges on Lot 19 DP 530537, Lot 1 DP 248100, Lot 30 DP 236875, Lot 26 DP 548802, Lot 21 DP 235881, Lot 28 DP 236875, Lot 29 DP 236875, Lot 2 DP 248100, Lot 24 DP 1089304, Lot 4 DP 232161, Lot 2 DP 816051, and Lot 9 DP 1216028, Lake Jindabyne Foreshore, EAST JINDABYNE with conditions of consent attached to this report.

9. OTHER REPORTS TO COUNCIL

9.1 OPERATIONS

9.1.1 JINDABYNE LANDFILL PROJECT UPDATE

COUNCIL RESOLUTION 108/25

That Council:

1. note the Jindabyne Landfill Project update report

2. take urgent action to address safety concerns at the site

3. address the situation regarding the non-functional weigh bridge

4. commence work as a priority to review the waste management strategy in the 2025-2026 operational plan.

Moved Councillor Davis Seconded Councillor Elliott CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Rose, Councillor Summers, Councillor Thaler and

Record No: 125/272

Record No: 125/227

Councillor Williamson.

Councillors Against: Councillor Stewart.

9.2 FINANCE

9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - MARCH 2025

COUNCIL RESOLUTION 109/25

That Council receive the report indicating Council's cash and investments position as at 31 March 2025; and the certification of the Responsible Accounting Officer.

Moved Councillor Davis Seconded Councillor Summers CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Rose, Councillor Stewart, Councillor Summers and

Councillor Thaler.

Councillors Against: Councillor Williamson.

9.3 STRATEGY

9.3.1 APPROVAL OF ROAD NAME BANK

Record No: 125/82

COUNCIL RESOLUTION 110/25

That Council approve the proposed road name bank at attachment 1.

Moved Councillor Stewart Seconded Councillor Davis CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Rose, Councillor Stewart, Councillor Summers,

Councillor Thaler and Councillor Williamson.

Councillors Against: Nil.

9.3.2 EXTRAORDINARY COUNCIL MEETINGS TO BE SCHEDULED FOR 1 MAY 2025

Record No: I25/179

COUNCIL RESOLUTION 111/25

That Council hold an extraordinary council meeting commencing at 1pm on 1 May 2025.

Moved Councillor Stewart Seconded Councillor Davis CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Rose, Councillor Stewart, Councillor Summers,

Councillor Thaler and Councillor Williamson.

Councillors Against: Nil.

At 02:34 pm Councillor Higgins left the meeting.

At 02:36 pm Councillor Higgins returned to the meeting.

9.3.3 DELIVERY PROGRAM PROGRESS REPORT

Record No: 125/180

COUNCIL RESOLUTION 112/25

That Council:

1. note the delivery program progress report.

2. ask the Mayor to share letters regarding the Bombala Community Centre funding.

Moved Councillor Davis Seconded Councillor Summers CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Rose, Councillor Stewart, Councillor Summers,

Councillor Thaler and Councillor Williamson.

Councillors Against: Nil.

AMENDMENT

COUNCIL RESOLUTION 113/25

That the motion be amended to ask the Mayor to share letters regarding the Bombala Community Centre funding.

Moved Councillor Williamson Seconded Councillor Rose CARRIED

Record of Voting

Councillors For: Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rooney,

Councillor Rose, Councillor Stewart, Councillor Thaler and Councillor Williamson.

Councillors Against: Councillor Davis and Councillor Summers.

9.4 COMMUNICATIONS

Nil

9.5 EXECUTIVE OFFICE

9.5.1 SETTLEMENT OF CLAIMS - SNOWY RESERVOIR COLLAPSE - STATUS REPORT

Record No: I25/178

COUNCIL RESOLUTION 114/25

That Council note the April 2025 Settlement of Claims - Snowy Reservoir Collapse - Status Report

Moved Councillor Thaler Seconded Councillor Stewart CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Stewart, Councillor Summers, Councillor Thaler and

Councillor Williamson.

Councillors Against: Councillor Rose.

9.5.2 RESOLUTION ACTION SHEET UPDATES

Record No: 125/271

COUNCIL RESOLUTION 115/25

That Council note Resolution Action Sheet Updates.

Moved Councillor Davis Seconded Councillor Elliott CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Rose, Councillor Stewart, Councillor Summers,

Councillor Thaler and Councillor Williamson.

Councillors Against: Nil.

9.6 WORKFORCE

Nil

10. REPORTS OF COMMITTEES

10.1 MINUTES FROM MANAGEMENT AND ADVISORY COMMITTEES

Record No: I25/177

COUNCIL RESOLUTION 116/25

That Council receive the minutes of the:

i. Bombala Exhibition Ground Management Committee - Meeting Held 12 February 2025

ii. Open Spaces and Recreational Facilities Committee - Meeting Held 11 March 2025

Moved Councillor Stewart Seconded Councillor Thaler

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Rose, Councillor Stewart, Councillor Summers and

Councillor Thaler.

Councillors Against: Councillor Williamson.

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION 117/25

CHAIR RULING

That the Ordinary Council meeting be adjourned at 3.20pm for a break.

Moved Deputy Mayor Hopkins CARRIED

RESUMPTION OF MEETING

The Ordinary Council meeting resumed at 3.32pm

Deputy Mayor Hopkins

CARRIED

At 03:32 pm Councillor Stewart left the meeting.

At 03:33 pm Councillor Stewart returned to the meeting.

At 03:55 pm Councillor Thaler left the meeting.

At 03:55 pm Councillor Thaler returned to the meeting.

11. NOTICE OF MOTION

11.1 ASSESSING COUNCIL'S INSURANCE ARRANGEMENTS

Record No: I25/231

Councillor Luke Williamson has given notice that at the Ordinary Meeting of Council on 17 April 2025, he will move the following motion.

MOTION 118/25

That Council:

- A. Establish a committee of council to consider the adequacy, cost and risk of council's current insurance arrangements and to refer the matter and consult with the ARIC committee on the matter.
- B. Direct the committee to provide a report to the full council as to its findings and recommendations by 30 June 2025.
- C. Appoint Councillors Williamson, Rose and Deputy Mayor Hopkins to the committee.

Moved Councillor Williamson

Seconded Councillor Rose

LOST

Record of Voting

Councillors For: Councillor Elliott, Councillor Rose, Councillor Stewart, Councillor Thaler and

Councillor Williamson.

Councillors Against: Councillor Davis, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rooney

and Councillor Summers.

Deputy Mayor Hopkins used her casting vote and voted against the motion.

11.2 NEW RURAL FIRE SERVICES HEADQUARTERS

Record No: 125/232

Councillor Andrew Thaler has given notice that at the Ordinary Meeting of Council on 17 April 2025, he will move the following motion.

COUNCIL RESOLUTION 119/25

That:

- A. A report be provided to council detailing the current status of the of proposed new Rural Fires Service Headquarters to be constructed at Polo Flat
- B. The cost projections to Council of the project, including the (now over-run) cost of the electrical services connection.
- C. The Chief Executive Officer provide, without limitation:
 - (a) The contract, if any, or agreement between SMRC and NSW RFS
 - (b) Any document or agreement that sets out the ownership of the facility and obligations as to operational costs
 - (c) The expected insurance cost projected insurance needs (noting the proposed helicopter maintenance hangar)
 - (d) Details of the expected rent and income from this facility
 - (e) Details of the annual funding to be provided to SMRC from the Crown, in right of New South Wales.
 - (f) Status of the current 'construction' progress and where we can view this actual construction.
 - (g) The net proceeds from the sale of the tied land at Leesville; Net of all development and planning costs.
 - (h) The cost of the electrical kiosk substation installation now required for the site.
 - (i) The CEO certify in writing that the Council will not be required to pay for any hydrocarbon fuel/s used at this site.

Moved Councillor Thaler Seconded Councillor Williamson CARRIED

Record of Voting

Councillors For: Councillor Elliott, Deputy Mayor Hopkins, Councillor Rose, Councillor Stewart,

Councillor Thaler and Councillor Williamson.

Councillors Against: Councillor Davis, Councillor Higgins, Councillor Rooney and Councillor Summers.

At 04:46 pm Councillor Thaler left the meeting.

At 04:46 pm Councillor Thaler returned to the meeting.

11.3 QUESTIONS TAKEN ON NOTICE

Record No: 125/233

Councillor Andrew Thaler has given notice that at the Ordinary Meeting of Council on 17 April 2025, he will move the following motion.

COUNCIL RESOLUTION 120/25

That:

A. Any questions taken on Notice at the Council meeting that are not answered at the Council meeting are taken on notice by staff or the executive must be answered within 30 days and where needed 60 days as a maximum.

- B. If a question is not able to be answered, it must be recorded in the minutes that it was not able to be answered.
- C. All questions taken on notice must be recorded in the meeting minutes and noted as such.
- D. Council does not consider this a significant change to the code of meeting practice.

Moved Councillor Thaler Seconded Councillor Rose

CARRIED

Record of Voting

Councillors For: Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rose,

Councillor Stewart, Councillor Summers, Councillor Thaler and Councillor

Williamson.

Councillors Against: Councillor Davis and Councillor Rooney.

At 04:48 pm Councillor Summers left the meeting.

At 04:50 pm Councillor Rose left the meeting.

At 04:50 pm Councillor Rose returned to the meeting.

At 04:53 pm Councillor Summers returned to the meeting.

11.4 END ALL COVID RESTRICTIONS

Record No: 125/234

Councillor Andrew Thaler has given notice that at the Ordinary Meeting of Council on 17 April 2025, he will move the following motion.

MOTION 121/25

That Council:

1. End all Covid restrictions and directions across the entire LGA.

2. End all Covid mandates and requirements.

Moved Councillor Thaler Seconded Councillor Williamson LOST

Record of Voting

Councillors For: Councillor Elliott, Councillor Rose, Councillor Thaler and Councillor Williamson.
Councillors Against: Councillor Davis, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rooney,

Councillor Stewart and Councillor Summers.

Procedural Motion

QUESTION ON NOTICE

QUESTION ON NOTICE 122/25

That Cr Williamson puts a Question on Notice - to confirm if SMRC requires any COVID restrictions on new recruitment.

Moved Councillor Williamson

At 05:26 pm Councillor Stewart left the meeting.

11.5 INSPECT AND PROVIDE A REPORT IN RELATION TO 32 WOLFE STREET NIMMITABEL.

Record No: 125/235

Councillor Andrew Thaler has given notice that at the Ordinary Meeting of Council on 17 April 2025, he will move the following motion.

MOTION

That Council:

- 1. Inspect and provide a report in to the non-conformance/non-compliance of development consents, building codes, fire codes, fencing laws et al, at 32 Wolfe St Nimmitabel.
- 2. Direct the occupants of 32 Wolfe St to bring their property into compliance immediately.
- 3. Direct the occupants of 32 Wolfe St to immediately remove all unauthorised structures and things.

Moved Councillor Thaler

Seconded Councillor Williamson

Procedural Motion

11.5 INSPECT AND PROVIDE A REPORT IN RELATION TO 32 WOLFE STREET NIMMITABEL

MOTION RULED AS UNLAWFUL

123/25

The Chair ruled the motion as unlawful based on information provided at the meeting regarding a private interest Cr Thaler has pertaining to the owners of the subject property.

Deputy Mayor Hopkins

At 05:31 pm Councillor Stewart left the meeting.

At 05:37 pm Councillor Summers left the meeting.

At 05:37 pm Councillor Higgins left the meeting.

At 05:37 pm Councillor Rooney left the meeting.

At 05:37 pm Councillor Davis left the meeting.

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION 124/25

That the meeting be adjourned at 5.38pm, to allow councillors to calm down and due to a loss of quorum, for 10 minutes.

Moved Deputy Mayor Hopkins

CARRIED

RESUMPTION OF MEETING

The meeting resumed at 5.47pm.

Deputy Mayor Hopkins

Procedural Motion

MOTION OF DISSENT

MOTION 125/25

That the ruling of the Chair that the motion is unlawful be dissented with.

Moved Councillor Thaler LOST

Record of Voting

Councillors For: Councillor Rose, Councillor Thaler and Councillor Williamson.

Councillors Against: Councillor Davis, Councillor Elliott, Councillor Higgins, Deputy Mayor Hopkins,

Councillor Rooney, Councillor Stewart and Councillor Summers.

Procedural Motion

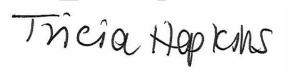
MOTION

COUNCIL RESOLUTION 126/25

CHAIR RULING

That the meeting be closed at 5.57pm and all items be deferred to the next ordinary meeting.

Moved Councillor Williamson CARRIED



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 17 April 2025 were confirmed by Council at a duly convened meeting on 15 May 2025 at which meeting the signature hereon was subscribed.