



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

20 February 2025

ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON THURSDAY 20 FEBRUARY 2025

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

**ON THURSDAY, 20 FEBRUARY 2025
COMMENCING AT 1:00 PM**

PRESENT:

Mayor Christopher Hanna
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:

Nil

Staff:

Stephen Dunshea, Chief Executive Officer
David Rawlings, Chief Strategy Officer
Simon Rennie, Chief Financial Officer
Zac Crombie-Brown, Acting Chief Infrastructure & Projects Officer
Peter Smith, Acting Chief Community Services Officer
Angela Sommerville, Chief People & Organisational Performance Officer
Patricia Swain, 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

Nil.

Procedural Motion

MOTION

COUNCIL RESOLUTION

15/25

That Howard Charles be approved to speak to Item 11.8 (for) at the Public forum.

Moved Councillor Stewart

CARRIED

Record of Voting

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

Councillors Against: Nil.

At 01.02pm Adjourn for public forum.

At 2.04 pm Resumed meeting.

5. DISCLOSURE OF INTEREST

5.1 COUNCILLOR THALER

Councillor Thaler declared non-pecuniary disclosure of interest in Item 11.15 due to “living at Nimmitabel” and Item 11.1 due to “Has friendships with people who are in the Monaro Historic Railway and is a member of the Friends of the Bombala Railway”.

5.2 COUNCILLOR HANNA

Councillor Hanna declared an pecuniary disclosure of interest in Item 11.8 due to having a contract with Council for supply of personal protective equipment paid into my business account, this has been audited in the past and I have put this declaration on each year since being on Council”.

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.

All matters were requested to be discussed.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 12 DECEMBER 2024

COUNCIL RESOLUTION

16/25

That the minutes of the Ordinary Council Meeting held on 12 December 2024 are confirmed as a true and accurate record of proceedings.

Moved Councillor Davis

Seconded Deputy Mayor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Mayor Hanna, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rooney, Councillor Rose, Councillor Stewart, Councillor Summers and Councillor Thaler.

Councillors Against: Councillor Williamson.

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 12 DECEMBER 2024

COUNCIL RESOLUTION

17/25

That the minutes of the Closed Session of the Ordinary Council Meeting held on 12 December 2024 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, Mayor Hanna, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rooney, Councillor Rose, Councillor Stewart, Councillor Summers, Councillor Thaler and Councillor Williamson.

Councillors Against: Nil.

7.3 EXTRAORDINARY COUNCIL MEETING 23 DECEMBER 2024

COUNCIL RESOLUTION

18/25

That the minutes of the Extraordinary Council Meeting held on 23 December 2024 are confirmed as a true and accurate record of proceedings, pending the following amendment:

Page 5 Item 6.1.1 – Remove ‘OFFICER’S RECOMMENDATION’.

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

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

Councillors Against: Nil.

7.4 EXTRAORDINARY COUNCIL MEETING 10 JANUARY 2025

COUNCIL RESOLUTION

19/25

That the minutes of the Extraordinary Council Meeting held on 10 January 2025 are confirmed as a true and accurate record of proceedings.

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

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

Councillors Against: Nil.

7.5 EXTRAORDINARY COUNCIL MEETING 24 JANUARY 2025

COUNCIL RESOLUTION

20/25

That the minutes of the Extraordinary Council Meeting held on 24 January 2025 are confirmed as a true and accurate record of proceedings.

Moved Councillor Thaler

Seconded Councillor Williamson

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: Mayor Hanna and Councillor Thaler.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

At 02:29 pm Councillor Summers left the meeting.

At 02:33 pm Councillor Summers returned to the meeting.

8.1 DEVELOPMENT APPLICATION 10.2023.392.1 - CONSTRUCTION OF SHARED TRAILS WITH CARPARK AND AMENITIES

Record No: I24/148

Applicant Number:	10.2023.392.1
Applicant:	Snowy Monaro Regional Council
Owner:	Snowy Monaro Regional Council
DA Registered:	29/01/2024
Property Description:	Public Reserve Rainbow Drive EAST JINDABYNE Lot 33 DP 1250345, Lot 1 DP 857067, Lot 71 DP 830752, Lot 2 DP 816051, Lot 2, 3, 4 DP 237197, Lot 1 DP 232814 & Lot 9 DP 1216028
Zone:	Public Reserve
Current Use:	RE2 - Private Recreation, RU1 - Primary Production and SP1 - Special Activities
Proposed Use:	Community Facility/Environmental facilities – Shared Trail
Permitted in Zone:	Yes
Recommendation:	Approval

COUNCIL RESOLUTION

21/25

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to 10.2023.392.1 for the Construction of Shared Trails with Carpark and Amenities on Lot 33 DP 1250345, Lot 1 DP 857067, Lot 71 DP 830752, Lot 2 DP 816051, Lot 2, 3, 4 DP 237197, Lot 1 DP 232814 & Lot 9 DP 1216028, Public Reserve Rainbow Drive EAST JINDABYNE with conditions of consent attached to this report.

Moved Councillor Davis

Seconded Councillor Elliott

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Mayor Hanna, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rooney, Councillor Rose, Councillor Stewart, Councillor Summers and Councillor Thaler.

Councillors Against: Councillor Williamson.

8.2 DEVELOPMENT APPLICATION 10.2024.270.1 - 2 LOT TORRENTS TITLE SUBDIVISION

Record No: I25/41

Applicant Number:	10.2024.270.1
Applicant:	Jack Atkinson Surveying Pty Ltd
Owner:	B L Murray & T R Murray
DA Lodged:	30/10/2024
Property Description:	Lot: 25 DP: 701757
Area:	1.815 HA
Zone:	RU5 Village
Current Use:	Residential Dwelling House
Proposed Use:	Two (2) Lot Torrens Title Subdivision
Permitted in Zone:	Yes
Recommendation:	Approval with conditions

COUNCIL RESOLUTION

22/25

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to DA 10.2024.270.1 for Two (2) Lot Torrens Title Subdivision on Lot: 25 DP: 701757, 25 O'Brien Avenue BERRIDALE with conditions of consent attached to this report.

Moved Councillor Summers

Seconded Councillor Davis

CARRIED

Record of Voting

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

Councillors Against: Nil.

9. OTHER REPORTS TO COUNCIL

9.1 OPERATIONS

9.1.1 WATER AND WASTEWATER LAND ACQUISITIONS - ADAMINABY SEWER TREATMENT PLANT AND ADAMINABY WATER SUPPLY FACILITY

Record No: I24/673

COUNCIL RESOLUTION

23/25

That Council;

- A. Proceed with acquisition of the following land, and interests in land, from the Crown, by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) by authority contained in the Local Government Act 1993 (NSW) for the purposes of the Adaminaby Sewer Treatment Plant and Adaminaby Water Supply:
- i) proposed Lot 1 in Deposited Plan 1282211 (being part of folio 292/-/729876);
 - ii) proposed Lot 3 in Deposited Plan 1282211 (being part of folio 291/-/729876);
 - iii) proposed easement for right of access, marked A on Deposited Plan 1282211 (affecting folios 287/-/729870, 291/-/729876 and 292/-/729876);
 - iv) proposed easement for water supply, marked B on Deposited Plan 1282211 (affecting folios 287/-/729870, 291/-/729876 and 292/-/729876);
 - v) proposed easement for drainage of sewage, marked C on Deposited Plan 1282211 (affecting folios 287/-/729870, and 292/-/729876);
 - vi) proposed easement for water supply over existing line of pipes (approximate position), marked D on Deposited Plan 1282211 (affecting folios 287/-/729870);
- B. Acknowledge that minerals are to be excluded from the acquisition;
- C. Acknowledge that the acquisition is not for the purpose of resale;
- D. Classify the acquired freehold land (proposed Lots 1 & 3 in DP 1282211) as operational land in accordance with section 31 of the Local Government Act 1993 (NSW);
- E. Make the necessary applications to the NSW Minister for Local Government and the NSW Governor to obtain consent for the stated land acquisition and interests;
- F. Authorise the CEO to sign any documentation required for the acquisition processes.

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.1.2 DIVESTMENT OF COUNCIL OWNED OFFICE BUILDING - LOT 1 SP 19973 - BERRIDALE COMMUNITY SERVICES SITE

Record No: I25/37

COUNCIL RESOLUTION

24/25

That Council;

- A. In line with Council's 2024/25 Budget program and delivery of financial sustainability recommendations, authorise the Chief Executive Officer (CEO) to offer the vacant former Community Services Office in Berridale, being Unit 1 at 74 Jindabyne Road BERRIDALE (Lot 1 SP 19973) for sale on the open market, through a real estate agent;
- B. Authorise the CEO, to consult with agents to establish the market related sale price for Lot 1 SP 19973, and consult with councillors on and the agreed sale price prior to securing a sale.
- C. Authorise the CEO to execute any documents required to complete the sale.
- D. Receive a future report outlining a clear process and resourcing required to undertake a review of council's property assets with future use or other opportunities identified in relation to those properties.

Moved Councillor Rose

Seconded Councillor Thaler

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Mayor Hanna, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rose, Councillor Stewart, Councillor Summers, Councillor Thaler and Councillor Williamson.

Councillors Against: Councillor Rooney.

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

25/25

That the Ordinary Council meeting be adjourned at 3.28pm for a break.

Moved Councillor Higgins

Seconded Mayor Hanna

CARRIED

RESUMPTION OF MEETING

RESUMPTION OF MEETING

The ordinary Council Meeting resumed at 3.35pm

9.2 FINANCE

9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - DECEMBER 2024

Record No: I24/711

COUNCIL RESOLUTION

26/25

That Council;

- A. Receive the report indicating Council's cash and investments position as at 31 December 2024; and
- B. Receive the certification of the Responsible Accounting Officer.

Moved Councillor Davis

Seconded Councillor Summers

CARRIED

Record of Voting

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

Councillors Against: Nil.

Cr Stewart return to meeting 3.37

9.2.2 MONTHLY FUNDS MANAGEMENT REPORT - JANUARY 2025

Record No: I25/49

COUNCIL RESOLUTION

27/25

That Council;

- A. Receive the report indicating Council's cash and investments position as at 31 January 2025; and
- B. Receive the certification of the Responsible Accounting Officer.

Moved Councillor Davis

Seconded Deputy Mayor Hopkins

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.2.3 QUARTERLY BUDGET REVIEW STATEMENT (QBR) 31 DECEMBER 2024

Record No: I25/77

COUNCIL RESOLUTION

28/25

That;

- A. Council receive the quarterly budget review statement for the quarter ended 31 December 2024 and approve the variations noted therein.
- B. The CFO report to council at the next meeting as to how councillors can be informed about the status of unrestricted funds between quarterly review statements until the end of the financial year.

Moved Councillor Williamson

Seconded Councillor Thaler

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.3.1 DELIVERY PROGRAM PROGRESS REPORT

Record No: I25/28

COUNCIL RESOLUTION

29/25

That Council note the delivery program progress report.

Moved Councillor Thaler

Seconded Councillor Elliott

CARRIED

Record of Voting

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

Councillors Against: Nil.

Procedural Motion

INTO COMMITTEE

COUNCIL RESOLUTION

30/25

That Council move into committee.

Moved Councillor Williamson

Seconded Councillor Thaler

LOST

Record of Voting

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

Councillors Against: Councillor Davis, Mayor Hanna, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rooney and Councillor Summers.

9.3 STRATEGY

9.3.2 DRAFT SNOWY MONARO COMMUNITY STRATEGIC PLAN

Record No: I25/32

COUNCIL RESOLUTION

31/25

That Council consent to the public exhibition of the Draft Snowy Monaro Community Strategic Plan (2025 Revision) for 28 days in accordance with Section 406 (1) of the *Local Government Act 1993*.

Moved Councillor Davis

Seconded Deputy Mayor Hopkins

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.3.3 INVITATION TO COMMENT ON THE DRAFT MODEL CODE OF MEETING PRACTICE

Record No: I25/36

COUNCIL RESOLUTION

32/25

A. Provide the following feedback to the OLG on the draft model code of conduct;

1. Council supports the broad direction of the OLG's draft model code of meeting practice which seeks increasing transparency and robust and respectful debate.
2. Council supports the minister's intent to decrease code of conduct complaints by setting a new balance between mayors, councillors and general managers.
3. Council supports the intention of the Minister to depoliticise the role of general managers.
4. Council supports an end to private councillor briefing sessions, which would now be open to the public. We agree that private councillor briefing sessions have the potential to have "a corrosive effect on the transparency of council decision making."

B. That the issues raised by staff as outlined in the report be provided in addition to Council's submission.

Moved Councillor Rose

Seconded Councillor Thaler

CARRIED

Record of Voting

Councillors For: Councillor Elliott, Mayor Hanna, Councillor Rose, Councillor Stewart, Councillor Thaler and Councillor Williamson.

Councillors Against: Councillor Davis, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rooney and Councillor Summers.

AMENDMENT

33/25

That Council;

- A. supports the broad direction of the OLG's draft model code of meeting practice which seeks increasing transparency and robust and respectful debate.
- B. enact the desired change that information relating to upcoming council decisions is not to be provided in briefings, that a clause establishing this needs to be added into the model code.
- C. the requirement for the implications of proposed motions to be advised to the governing body before they determine a matter be retained as the governing body should be fully informed before it makes a decision.
- D. advise the requirement for the public forum to be held before the start of the council meeting in clause 4.1 be removed.
- E. flexibility continues to be available for councillors to attend meetings by audio-visual link so as to make being a councillors more accessible to employed people and those with other responsibilities that limit their ability to always physically attend meetings.
- F. change to how staff attendance is determined not be undertaken due to the logistical problems this will create in having staff attend meetings to assist in providing information to councillors.
- G. the Office of Local Government needs to clearly establish that should the requirements under the local government legislation and regulations result in a breach of workplace safety requirements, that the liability and costs resulting from compliance by Council rests with the Office of Local Government.
- H. if the governing body is to be given the power to compel staff to attend council meetings that this be limited to those staff authorised for councillors to contact in any staff interaction policy.
 - a. That the process of standing when the mayor enters the room and when talking is not in keeping with modern standards and will portray councils as organisations out of touch with modern society.
- I. That the requirement to address the Mayor in a Council Meeting as Mr Mayor or Madam Mayor be extended to include 'Mayor' consistent with the proposal to address a Chair who is not the Mayor as Mr Chairperson, Madam Chairperson or Chair.
- J. That the powers of mayors to put forward mayoral minutes not be expanded due to the corruption risks that this creates.

Moved Councillor Rooney

Seconded Councillor Higgins

LOST

Record of Voting

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

At 05:05 pm Councillor Higgins left the meeting.

At 05:07 pm Councillor Higgins returned to the meeting.

9.3.4 TABLING OF PECUNIARY INTEREST DISCLOSURES BY COUNCILLORS

Record No: I25/39

COUNCIL RESOLUTION

34/25

That Council note the disclosures of pecuniary interest returns completed by councillors and staff.

Moved Councillor Thaler

Seconded Deputy Mayor Hopkins

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.4 COMMUNICATIONS

Nil

At 05:09 pm Councillor Williamson left the meeting.

At 05:15 pm Councillor Williamson returned to the meeting.

At 05:19 pm Councillor Stewart left the meeting.

At 05:21 pm Councillor Stewart returned to the meeting.

9.5 EXECUTIVE OFFICE

9.5.1 ISSUANCE OF PERFORMANCE IMPROVEMENT ORDER

Record No: I25/73

MOTION

35/25

That Council;

- A. table the performance order issued by the Minister for local government.
- B. direct the CEO to investigate obtaining the services of an independent assessor to review the relevant council meetings during the reporting period to provide reports on compliance to the minister, as directed by the PIO.

Moved Councillor Thaler

Seconded Deputy Mayor Hopkins

LOST

Record of Voting

Councillors For: Councillor Elliott, Deputy Mayor Hopkins, Councillor Rose, Councillor Thaler and Councillor Williamson.

Councillors Against: Councillor Davis, Mayor Hanna, Councillor Higgins, Councillor Rooney, Councillor Stewart and Councillor Summers.

COUNCIL RESOLUTION

36/25

That Council table the performance order issued by the Minister for Local Government.

Moved Councillor Rooney

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Mayor Hanna, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rooney, Councillor Rose, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Thaler and Councillor Williamson.

At 05:41 pm Councillor Summers left the meeting.

At 05:43 pm Councillor Summers returned to the meeting.

9.5.2 SETTLEMENT OF CLAIMS - SNOWY RESERVOIR COLLAPSE - STATUS REPORT

Record No: I25/76

COUNCIL RESOLUTION

37/25

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

Moved Deputy Mayor Hopkins

Seconded Councillor Summers

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.5.3 RESOLUTION ACTION SHEET UPDATES

Record No: I25/85

COUNCIL RESOLUTION

38/25

That Council note Resolution Action Sheet Updates.

Moved Deputy Mayor Hopkins

Seconded Councillor Davis

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Mayor Hanna, 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: I25/11

COUNCIL RESOLUTION

39/25

That Council receive the minutes of the Open Spaces and Recreational Facilities Committee meeting held 14 August 2024.

Moved Councillor Rooney

Seconded Councillor Davis

CARRIED

Record of Voting

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

Councillors Against: Nil.

10.2 S355 SALEYARD/TRANSIT YARD FACILITY ADVISORY COMMITTEE MINUTES 11 DECEMBER 2024

Record No: I25/46

COUNCIL RESOLUTION

40/25

- A. That the minutes of the Saleyards/Transit Yard Facilities Advisory Committee held on 11 December 2024 be noted.
- B. That in response to the Committee's recommendations (1,2 & 3) to Council as presented in the report, the Committee be advised consistent with the comments also provided in the report.

Moved Councillor Thaler

Seconded Councillor Elliott

CARRIED

Record of Voting

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

Councillors Against: Nil.

Procedural Motion

EXTENSION OF TIME

COUNCIL RESOLUTION

41/25

That the meeting be extended an hour.

Moved Mayor Hanna

Seconded Councillor Thaler

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Mayor Hanna, Deputy Mayor Hopkins, Councillor Rose, Councillor Stewart, Councillor Thaler and Councillor Williamson.

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

At 06:24 pm Councillor Higgins left the meeting.

At 06:26 pm Councillor Higgins returned to the meeting.

11. NOTICE OF MOTION

11.1 TO COMPLETE BUSINESS CASE, PROJECT PLAN FOR CONSTRUCTION OF MONARO RAIL TRAIL

Record No: I25/47

Councillor Narelle Davis has given notice that at the Ordinary Meeting of Council on 20 February 2025, she will move the following motion.

COUNCIL RESOLUTION

42/25

That Council;

- A. Reinstate investigations into the feasibility and potential future delivery of the Monaro Rail Trail (MRT) Project into the Operational Plan and Delivery Program 2024 - 2027.
- B. Request the CEO to undertake a review of reports previously submitted to Council by consultants engaged by SMRC in partnership Queanbeyan-Palerang Regional Council (QPRC) and MRT Inc against the Office of Local Government's Capital Expenditure Guidelines and the NSW Government's rail trails guidance and report the results to Council.
- C. Fund any costs associated with the Capital Expenditure Guidelines review from Grant funds already allocated to the Monaro Rail Trail project and remaining in the 2024/25 budget.
- D. To write a letter of support to QPRC to support their grant application of construction of rail trail from Queanbeyan to Royalla.

Moved Councillor Davis

Seconded Councillor Stewart

CARRIED

Record of Voting

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

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

Procedural Motion

MOTION

RULING OF THE CHAIR

43/25

That council adjourn the meeting at 7.11pm to reconvene on Monday, 3 March 2025 at 10.00am.

Ruled by Mayor Hanna

Confirmed

ORDINARY COUNCIL MEETING – COOMA CHAMBERS & VIA AUDIO VISUAL LINK
PART 2 – MONDAY, 3 MARCH 2025 - 10.00am

Procedural Motion

RESUMPTION OF MEETING

COUNCIL RESOLUTION

44/25

That the meeting of 3 March 2025 (part 2) be resumed 10.00am.

Mayoral ruling - Cr Hanna

APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

At 09.55 am Councillor Rooney left the meeting – procedural only - absent for Part 2 – 3 March 2025

At 09:55 am Councillor Williamson left the meeting - procedural only - as above.

Procedural Motion

MOTION

COUNCIL RESOLUTION

45/25

That the apology from Councillor Williamson and Councillor Rooney be accepted and leave of absence be granted at the meeting on 3 March 2025 (Part 2 – following adjournment 20 February 2025) for the following reasons;

A. Councillor John Rooney, due to personal commitments.

B. Councillor Luke Williamson, due to work commitments.

Moved Councillor Davis

Seconded Councillor Higgins

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Mayor Hanna, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rose, Councillor Stewart, Councillor Summers and Councillor Thaler.

Councillors Against: Nil.

COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL

Procedural Motion

MOTION

COUNCIL RESOLUTION

46/25

That Council approve the remote attendance via audio visual link of Councillor Thaler at the meeting on 3 March 2025 (Part 2 – following adjournment 20 February 2025) and accept the reason due to travelling and work commitments.

Moved Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Mayor Hanna, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rose, Councillor Stewart, Councillor Summers and Councillor Thaler.

Councillors Against: Nil.

Procedural Motion

MOTION

COUNCIL RESOLUTION

47/25

That Council approve the deferral of all Notices of motion submitted by Cr Williamson – Items 11.7, 11.8, and 11.9 to the next meeting – 20 March 2025.

Moved Councillor Stewart

Seconded Councillor Rose

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Mayor Hanna, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rose, Councillor Stewart, Councillor Summers and Councillor Thaler.

Councillors Against: Nil.

Procedural Motion

GENERAL MOTION

COUNCIL RESOLUTION

48/25

That Council approve the deferral of all Notices of motion submitted by Cr Rose – Items 11.3, 11.4, 11.5 and 11.6 to the next meeting – 20 March 2025.

Moved Councillor Rose

Seconded Councillor Thaler

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Mayor Hanna, Councillor Higgins, Councillor Rose, Councillor Stewart and Councillor Thaler.

Councillors Against: Deputy Mayor Hopkins and Councillor Summers.

11.2 IMPROVED COUNCIL ACTIVITY REPORTING

Record No: I25/50

Councillor Tricia Hopkins has given notice that at the Ordinary Meeting of Council on 20 February 2025, she will move the following motion.

COUNCIL RESOLUTION

49/25

That the CEO consider opportunities to improve the transparency of reporting on grant funded projects of over \$100,000.00 and/or of high Community interest, through its progress reports to Council on the Delivery Program & Operational Plan including reference to grant expiry dates.

Moved Deputy Mayor Hopkins

Seconded Councillor Davis

CARRIED

Record of Voting

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

Councillors Against: Councillor Thaler.

11.3 CORRESPONDENCE BETWEEN COUNCIL AND THE MINISTER

Record No: I25/51

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 20 February 2025, he will move the following motion.

MOTION - DEFERRED

That all correspondence (from the dates 01.09.24 – 31.01.25) between the council (staff and councillors) and both the Office of Local Government and Minister of Local Government, in relation to concerns regarding:

- the anticipated or actual performance of the new council;
- issues of councillor misconduct;
- the Minister's intention to issue a Performance Improvement Order (PIO) and
- all correspondence by staff and councillors subsequent and in relation to the proposed PIO,

be made available to councillors in a timely manner and prior to the next general meeting of council.

11.4 PAYMENTS MADE IN RELATION TO THE WATER RESERVOIR COLLAPSE

Record No: I25/52

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 20 February 2025, he will move the following motion.

MOTION - DEFERRED

That all payments made by the council to residents impacted by the Snowy No. 1 Reservoir failure, as well as the authority for these payments approved by relevant staff/councillors, in the period between 01.01.2020 and 31.01.2025 be provided (confidentially and with appropriate redaction) to councillors. This information is to be provided in a timely manner and, at latest, by the March 2025 general meeting of the council.

11.5 FULL AND ACCURATE MINUTES

Record No: I25/53

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 20 February 2025, he will move the following motion.

MOTION - DEFERRED

That a subcommittee of councillors be appointed to review current minute-keeping practices and make recommendations to ensure that council is fully compliant with Section 375 of the Local Government Act, which states:

"The council must ensure that full and accurate minutes are kept of the proceedings of a meeting of the council."

11.6 THE DISASTER READY FUND

Record No: I25/54

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 20 February 2025, he will move the following motion.

MOTION - DEFERRED

That an application under Stage 3 of the Federal Government's *Disaster Ready Fund*, announced on 22 January, be prepared and submitted as a priority. Furthermore, the draft application should be made available for councillor review as soon as it is completed to ensure transparency and alignment with council priorities.

11.7 IMPROVING TRANSPARENCY

Record No: I25/61

Councillor Luke Williamson has given notice that at the Ordinary Meeting of Council on 20 February 2025, he will move the following motion.

MOTION - DEFERRED

That Council adopt a policy that increases transparency of Council's governance by:

- A. Allowing members of the public to attend the briefing/meeting that precedes Ordinary and Extraordinary council meetings;
- B. Allowing members of the public to attend other briefings/meetings of councillors;
- C. Webcasting of all briefings and publishing the recording of the briefings/meetings.
- D. Allowing portion of briefings/meetings to be closed to the public in accordance with the NSW Local Government Act requirements for closing a portion of a public meeting as per 10A (2) of the Act.

11.8 AN AUDIT OF PAYMENTS TO THE HOLDERS OF COUNCIL LEADERSHIP OFFICES

Record No: I25/65

Councillor Luke Williamson he given notice that at the Ordinary Meeting of Council on 20 February 2025, he will move the following motion.

MOTION - DEFERRED

That Council:

- A. Immediately commission its independent auditor to conduct an audit of the appropriateness of all payments made to mayors, deputy mayors or administrators, current or past, of the Snowy Monaro Regional Council.
- B. Specify in the audit's terms of reference that the auditor will consider:
 - (a) The appropriateness of payments made to or into the accounts of mayors, deputy mayors or administrators, or to businesses or companies that they operated, held equity in, were employed by, or were directors of. ASIC, Australian Business Register and other searches, or other discovery methods, shall be employed to determine such interests.
 - (b) The appropriateness of payments of expenses incurred by or behalf of mayors, deputy mayors and administrators and paid for by council.
 - (c) The use of council credit cards, fuel cards, etc. Consideration to include whether such cards were used appropriately, consistent with council policies and whether usage did or did not continue after the end of individuals' respective terms (including during election periods).
 - (d) Where a mayor, deputy mayor and administrator (including businesses or companies they are involved with (as per point 2.a)) have received payments for services or goods provided to council or staff of council, the auditor should consider:
 - (i) Whether the mayor, deputy mayor or administrator declared a pecuniary conflict of interest and refrained on voting on any matter (e.g. annual budgets, budget variation, project approvals, etc) that directly or indirectly benefited their business interest.
 - (ii) Whether the related procurement decision was made following a suitable procurement process consistent with council's policy and applicable NSW Guidelines.
 - (e) Whether council executive have allowed or decided to allow, a mayor, deputy mayor or administrator (including businesses or companies they are involved with (as per point 2.a)) to benefit from council business in a manner that is inconsistent with council's procurement policy or good governance.
 - (f) Any other matter the independent internal auditor deems appropriate to consider.
- C. Direct the auditor to:
 - (a) Provide a comprehensive report specifying:
 - (i) The details and amounts of all payments to mayor, deputy mayor or administrator including businesses or companies they are involved with (as per point 2.a)), any concerns they may have related to each payment.
 - (ii) Advising councillors of any matters of concern.
 - (iii) Making recommendations for the consideration of councillors.
 - (b) Refer any matters of concern to ICAC.
- D. Establish a committee including Cllr Rose, Cllr Stewart and Cllr Elliott to oversee the audit.

11.9 ASSESSING COUNCIL'S INSURANCE ARRANGEMENTS

Record No: I25/67

Councillor Luke Williamson has given notice that at the Ordinary Meeting of Council on 20 February 2025, he will move the following motion.

MOTION - DEFERRED

That Council:

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

CR THALER – NOTIFICATION OF WITHDRAWAL OF ALL NOTICES

Cr Thaler advised Council that he withdraw all of his motions and will resubmit these to the next meeting on 20 March 2025.

11.10 NEW RURAL FIRE SERVICES HEADQUARTERS

Record No: I25/69

Councillor Andrew Thaler has given notice that at the Ordinary Meeting of Council on 20 February 2025, he will move the following motion.

MOTION - WITHDRAWN

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 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 hanger)
 - (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.

11.11 CANCEL UNREASONABLE CUSTOMER COMPLAINT RESTRICTIONS

Record No: I25/70

Councillor Andrew Thaler has given notice that at the Ordinary Meeting of Council on 20 February 2025, he will move the following motion.

MOTION - WITHDRAWN

That:

- A. All current UCC (Unreasonable Customer Complainant) restrictions be cancelled with immediate effect.
- B. The report from staff dealing with the SMRC UCC Policy be attended to with some urgency.

11.12 QUESTIONS TAKEN ON NOTICE

Record No: I25/71

Councillor Andrew Thaler has given notice that at the Ordinary Meeting of Council on 20 February 2025, he will move the following motion.

MOTION - WITHDRAWN

That:

- A. Any questions 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.

11.13 RELOCATION OF MICHELAGO BANK OF BINS

Record No: I25/72

Councillor Andrew Thaler has given notice that at the Ordinary Meeting of Council on 20 February 2025, he will move the following motion.

MOTION - WITHDRAWN

That Council:

- A. Investigate and bring a report back to Council, prior to the April 2025 meeting, into the issues, needs and costs of relocating the Michelago Bank of Bins from within the town centre to a more amenable location in concurrence with the residents and users of the service and their needs.
- B. Halt expending any funds on the current Bank of Bins facility (repairs or rebuild) until the report noted above is received and considered by this Council.

11.14 MASTER PLAN FOR COOMA CBD, TOWN ENTRANCES, COOMA AND COOMA BACK CREEK RIPARIAN ZONES

Record No: I25/79

Councillor Narelle Davis has given notice that at the Ordinary Meeting of Council on 20 February 2025, she will move the following motion.

COUNCIL RESOLUTION

50/25

That Council place in the Draft 2025 – 2027 Delivery and Operational Plan an action to seek grant funding for the development of Town Master Plans commencing with Cooma CBD, Town Entrances, Cooma Creek and Cooma Back Creek riparian zones through the town.

Moved Councillor Davis

Seconded Deputy Mayor Hopkins

CARRIED

Record of Voting

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

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

Procedural Motion

MOTION OF DISSENT

MOTION

51/25

That Councillor Thaler dissents to the ruling of the chair that the matter of brumbies is outside the scope of the debate.

Moved Councillor Thaler

LOST

Record of Voting

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

Councillors Against: Councillor Davis, Mayor Hanna, Councillor Higgins, Deputy Mayor Hopkins and Councillor Summers.

11.15 COUNCIL REVIEWS THE DECISION FROM 2018 REGARDING RECREATIONAL FISHING IN LAKE WALLACE

Record No: I25/80

Councillor Narelle Davis has given notice that at the Ordinary Meeting of Council on 20 February 2025, she will move the following motion.

COUNCIL RESOLUTION

52/25

That Council reviews the decision from 2018 regarding recreational fishing in Lake Wallace.

Moved Councillor Davis

Seconded Councillor Elliott

CARRIED

Record of Voting

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

Councillors Against: Councillor Rose and Councillor Thaler.

11.16 EXTEND THE CURRENT MEMBERSHIP OF THE SMRC ARTS AND CULTURE 355 ADVISORY COMMITTEE UNTIL 31 JULY 2025.

Record No: I25/81

Councillor Narelle Davis has given notice that at the Ordinary Meeting of Council on 20 February 2025, she will move the following motion.

COUNCIL RESOLUTION

53/25

That Council extend the current membership of the SMRC Arts and Culture 355 Advisory Committee, Sale Yards and Transit Facility, Open Space and Recreation Committee and Cemetery Committee until 31 July 2025.

Moved Councillor Davis

Seconded Councillor Thaler

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Mayor Hanna, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rose, Councillor Stewart, Councillor Summers and Councillor Thaler.

Councillors Against: Nil.

11.17 CARRY OUT COUNCIL RESOLUTION 302/24 PASSED AT THE ORDINARY MEETING OF COUNCIL ON 12TH DECEMBER 2024 BY NO LATER THAN CLOSE OF BUSINESS 25TH FEBRUARY 2025

Record No: I25/88

Councillor Nick Elliott has given notice that at the Ordinary Meeting of Council on 20 February 2025, he will move the following motion.

MOTION - WITHDRAWN

That Council carry out Council Resolution 302/24 passed at the Ordinary Meeting of Council on 12th December 2024 by no later than close of business 25th February 2025.

12. MAYORAL MINUTES

Nil

13. QUESTIONS WITH NOTICE

14. CONFIDENTIAL MATTERS

RECOMMENDATION

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.

At 11.31am the meeting was closed to the press and public.

At 11.39 the Closed Session ended and the Council meeting continued in Open Session.

MOTION CONFIDENTIAL MATTERS

14.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC

COUNCIL RESOLUTION

54/25

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

Moved Councillor Stewart

Seconded Councillor Davis

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Elliott, Mayor Hanna, Councillor Higgins, Deputy Mayor Hopkins, Councillor Rose, Councillor Stewart, Councillor Summers and Councillor Thaler.

Councillors Against: Nil.

There being no further business the Mayor declared the meeting closed at 11.40am



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 20 February 2025 were confirmed by Council at a duly convened meeting on 20 March 2025 at which meeting the signature hereon was subscribed.

Confirmed