



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

17 February 2022

**ORDINARY COUNCIL MEETING
HELD IN BOMBALA COMMUNITY CENTRE, 163 MAYBE STREET, BOMBALA NSW 2632
ON THURSDAY 17 FEBRUARY 2022**

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

**ON THURSDAY, 17 FEBRUARY 2022
COMMENCING AT 5:00PM**

PRESENT:

Mayor Narelle Davis
Deputy Mayor Tanya Higgins
Councillor Peter Beer
Councillor John Castellari – via audio-visual
Councillor Louise Frolich – via-audio-visual
Councillor Christopher Hanna
Councillor Tricia Hopkins
Councillor John Last
Councillor Karlee Pateman
Councillor Bob Stewart
Councillor Lynda Summers – via audio-visual

APOLOGIES:

Staff:

Peter Bascomb, Chief Executive Officer
David Rawlings, Chief Strategy Officer
Jeff Morgan, Chief Operating Officer
John Bingham, Chief Financial Officer
Gina Woodward, Chief Communications Officer
Beth Barratt-Browne, Chief Workforce Officer
Grace Harvey, Secretary Council & Committees

1. OPENING MEETING

The Mayor opened the meeting at 5:02PM

1.1 COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL LINK

Record No: I22/52

COUNCIL RESOLUTION	9/22
That Council	
A. Approve the remote attendance of Cr Castellari at the meeting on 17 February 2022 , via audio-visual link and accept his reason of I would like to attend the 17 February meeting of Council by zoom as the extended night time drive to Bombala would be a bit of a challenge for my eyesight and could jeopardise safety.	
B. Approve the remote attendance of Cr Summers at the meeting on 17 February 2022 , via audio-visual link and accept her reason of due to current Covid restriction.	
C. Approve the remote attendance of Cr Frolich at the meeting on 17 February 2022 , via audio-visual link and accept her reason of I am requesting to attend the monthly Council meeting scheduled for this Thursday 17 February in Bombala via audio-visual link as I am required to isolate for 7 days due to being a close contact.	
Moved Councillor Hopkins	Seconded Deputy Mayor Higgins
	CARRIED
Record of Voting	
<i>Councillors For:</i>	<i>Councillor Beer, Mayor Davis, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson and Councillor Stewart.</i>
<i>Councillors Against:</i>	<i>Nil.</i>

2. ACKNOWLEDGEMENT OF COUNTRY

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

4. CITIZENSHIP CEREMONIES

Nil.

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

10/22

That the Ordinary Council Meeting be adjourned at 5:06 pm for Public Forum.

Moved Mayor Davis

CARRIED

At 5:07 pm Councillor Last joined the meeting.

The Council meeting resumed at 5:39 pm.

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.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 6 JANUARY 2022

COUNCIL RESOLUTION

11/22

THAT the minutes of the Ordinary Council Meeting held on 06 January 2022 are confirmed as a true and accurate record of proceedings.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Councillor Last.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 DEVELOPMENT APPLICATION 10.2021.176.1 STAGED 10 X ECO-TOURIST CABINS + MANAGERS RESIDENCE & SHED

Record No: I21/279

MOTION

That pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to DA 10.2021.176.1 for an Eco-tourist Facility - 10 cabins, manager's residence, storage shed, shipping container and solar system in stages on Lot 1 DP 1215063 Ph Wallace, with conditions of consent attached to this report.

Moved Councillor Frolich

Seconded Councillor Stewart

LOST

Record of Voting

Councillors For: Councillor Frolich and Councillor Summers.

Councillors Against: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Last and Councillor Stewart.

COUNCIL RESOLUTION

12/22

That the application be deferred until further information has been supplied in regard to the Eco-tourism aspects of the development other than what has been supplied in the statement of environmental effects and Council further consider the presentations made at this meeting.

Moved Councillor Beer

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

8.2 DEVELOPMENT APPLICATION 10.2021.359.1 - COMMUNITY LIBRARY AND INNOVATION HUB

Record No: I21/424

COUNCIL RESOLUTION

13/22

That Council, pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)*, grants consent to DA 10.2021.359.1 for an Information and Education Facility – Community Library and Innovation Hub at 1 Thredbo Terrace Jindabyne being Lot 31 DP227005, with conditions of consent attached to this report.

Moved Councillor Hanna

Seconded Councillor Last

CARRIED

Record of Voting

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

Councillors Against: Councillor Frolich.

8.3 DEVELOPMENT APPLICATION 10.2021.311.1 TOURIST AND VISITOR ACCOMMODATION – ADDITIONS TO EXISTING HOTEL ACCOMMODATION (NEW BUILDING CONTAINING 16 ROOMS)

Record No: I21/428

COUNCIL RESOLUTION

14/22

That

- A. Pursuant to Clause 4.6 of the Snowy River Local Environmental Plan 2013, Council supports the variation to the maximum height limit applying to the site as requested by the applicant.
- B. Pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to DA 10.2021.311.1 for additions to existing hotel accommodation (New building containing 16 Rooms) and associated car parking, relocation of existing signage structure and access on Lot 3 DP 533566, 48 Kosciuszko Road Jindabyne with conditions of consent attached to this report.

Moved Councillor Last

Seconded Councillor Hopkins

CARRIED

Record of Voting

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

Councillors Against: Nil.

8.4 DEVELOPMENT APPLICATION 10.2021.342.1 OUTDOOR SEATING AREA LOCATED ON FRONT PAVED AREA ON PREMISES

Record No: I21/430

COUNCIL RESOLUTION

15/22

That Council pursuant to section 4.16 (1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)*, grants consent to DA 10.2021.342.1 for outdoor dining in the road reserve Highdale carpark Berridale immediately adjacent to Lots 2, 3 and 4 SP19973, Jindabyne Road Berridale, with draft conditions of consent attached to this report.

Moved Councillor Last

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Nil.

8.5 DEVELOPMENT APPLICATION DA10.2021.361.1 - COVERED BBQ AND SEATING

Record No: I22/3

COUNCIL RESOLUTION

16/22

That Council, pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)*, grants consent to DA 10.2021.361.1 for a covered BBQ and seating at Ryrie Street, Michelago being Lot 6 DP 11158, with conditions of consent attached to this report.

Moved Deputy Mayor Higgins

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Nil.

9. OTHER REPORTS TO COUNCIL

9.1 KEY THEME 1. COMMUNITY

Procedural Motion

COUNCIL RESOLUTION

17/22

That Council move into committee of the whole.

Moved Councillor Hanna

Seconded Councillor Beer

CARRIED

Record of Voting

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

Councillors Against: Nil.

Procedural Motion

COUNCIL RESOLUTION

18/22

That Council move out of committee of the whole.

Moved Deputy Mayor Higgins

Seconded Councillor Beer

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.1.1 APPOINTMENT OF DELEGATES TO COMMITTEES FOR THE PERIOD TO SEPTEMBER 2023

Record No: I22/47

COUNCIL RESOLUTION

19/22

That Council

A. Nominate councillor or CEO representative/s to those committees that it wishes to continue representation on.

External

- ANU Medical School - Community Advisory Committee – Mayor Davis
- Boco Rock Community Fund Committee – Mayor (chair), CEO, Councillor Hopkins and Councillor Stewart
- Boco Rock Community Fund Sub Committee - Delegates are as appointment to the Boco Rock Community Fund Committee. As above.
- Bundian Way Advisory Committee – Councillor Castellari
- Canberra Region Joint Organisation of Councils (CRJO) – Mayor Davis
- Community Safety Precinct Committee – Councillor Hanna
- Cooma Correctional Centre Community Consultative Committee – Councillor Hopkins
- Country Universities Centre Board – Mayor Davis
- District Bushfire Management Committee – Councillor Higgins
- Jindabyne Liquor Accord – Councillor Frolich

- Local Traffic Committee – Councillor Hanna
- Monaro Regional Interagency Committee – Councillor Higgins, alternative Councillor Hopkins
- NSW Government’s Asbestos Coordination Committee – Councillor Beer
- Snowy Monaro Local Emergency Management Committee – CEO Peter Bascomb
- South East Arts Board – Councillor Castellari, alternative Councillor Frolich
- Southern Regional Planning Panel – Mayor Davis, CEO Peter Bascomb, alternative Councillor Beer

Internal

- Audit, Risk and Improvement Committee – Councillor Summers, alternative Councillor Hopkins
- Youth Council – Councillor Frolich, alternative Councillor Johnson
- Reconciliation Action Plan Working Group – Councillor Castellari
- Cemeteries Committee – Councillor Frolich, alternative Councillor Hanna
- Community Services – Councillor Hopkins, alternative Councillor Johnson
- Cooma Saleyards – Mayor Davis and Councillor Stewart
- Snowy Monaro Arts & Cultural Committee – Councillor Castellari, alternative Councillor Frolich
- Snowy Monaro Biosecurity (Weeds) – Councillor Stewart and Councillor Summers
- Yamaga Sister City – Councillor Hanna, alternative Councillor Frolich
- Housing and Social Services – Councillor Beer, alternative Councillor Higgins
- CEO Performance Review Committee – Mayor Davis, Deputy Mayor Higgins and Councillor Summers
- Waste Management Committee – Councillor Higgins and Councillor Frolich

B. Dissolve inactive committees; Flood Risk Management, Koala Management Plan, Recreational Facilities, Snowy Monaro Tourism, Water and Sewer.

Moved Councillor Frolich

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

9.2 KEY THEME 2. ECONOMY

9.2.1 APPROVAL FOR CAPITAL UPGRADE OF PEAK CREEK BRIDGE AND DEEP CREEK BRIDGE UNDER THE NSW FIXING COUNTRY BRIDGES ROUND 1 FUNDING PROGRAM.

Record No: I22/78

COUNCIL RESOLUTION

20/22

That Council

- A. Agree to accepting the replacement bridges at Peak Creek and Deep Creek as new infrastructure.
- B. Approves inclusion of the capital upgrade of Peak Creek Bridge on The Snowy River Way and Deep Creek Bridge on Mila Road in the 2021-22 Operational Plan

C. Allocate a capital expenditure budget of \$1,667,954 and a capital revenue budget of \$1,667,954 towards the projects.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Councillor Last.

9.2.2 MONTHLY FUNDS MANAGEMENT REPORT - NOVEMBER 2021

Record No: I22/23

COUNCIL RESOLUTION

21/22

That Council

- A. Receive the report indicating Council's cash and investments position as at 30 November 2021; and
- B. Receive the certificate of the Responsible Accounting Officer.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Councillor Last.

9.2.3 MONTHLY FUNDS MANAGEMENT REPORT - DECEMBER 2021

Record No: I22/31

COUNCIL RESOLUTION

22/22

That Council

- A. Receive the report indicating Council's cash and investments position as at 31 December 2021; and
- B. Receive the certificate of the Responsible Accounting Officer.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor

Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.
Councillors Against: Councillor Last.

9.2.4 MONTHLY FUNDS MANAGEMENT REPORT - JANUARY 2022

Record No: I22/55

COUNCIL RESOLUTION

23/22

That Council

- A. Receive the report indicating Council's cash and investments position as at 31 January 2022; and
- B. Receive the certificate of the Responsible Accounting Officer.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Councillor Last.

9.3 KEY THEME 3. ENVIRONMENT

9.3.1 ADOPTION OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD ON 16 NOVEMBER 2021

Record No: I21/375

COUNCIL RESOLUTION

24/22

That the recommendations of the meeting of the Local Traffic Committee held on 16 November 2021 be adopted.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Councillor Last.

9.3.2 ADOPTION OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD ON 25 JANUARY 2022

Record No: I22/49

COUNCIL RESOLUTION

25/22

That the recommendations of the meeting of the Local Traffic Committee held on 25 January 2022 be adopted.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Councillor Last.

9.3.3 APPROVE ROAD NAMES FOR TWO NEW ROADS IN A SUBDIVISION TO THE SOUTH OF DALGETY

Record No: I22/17

COUNCIL RESOLUTION

26/22

That Council approve the road names Riverbend Drive and Quarry Lane to go to the Geographical Names Board to be gazetted.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Councillor Last.

9.3.4 COUNCIL SUBMISSION ON DRAFT STATE SIGNIFICANT AGRICULTURAL LAND MAP PREPARED BY DEPARTMENT OF PRIMARY INDUSTRIES

Record No: I22/72

COUNCIL RESOLUTION

27/22

That Council endorse the submission (attached) in relation to the Draft State Significant Agricultural Land Mapping prepared by the Department of Primary Industries with the omission of reference to

recommendation 10 by the Commissioner.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Councillor Last, Mayor Davis, Councillor Frolich, Councillor Hanna, Councillor Hopkins and Councillor Johnson and Councillor Stewart.

Councillors Against: Deputy Mayor Higgins and Councillor Summers.

9.4 KEY THEME 4. LEADERSHIP

9.4.1 POSITIONAL APPROACH OF COUNCIL TO CROWN ROAD PROPOSED CLOSURE - CLUSTER 623454 - LOCALITY OF EAST JINDABYNE

Record No: I22/75

COUNCIL RESOLUTION

28/22

That Council support the closure of the Crown Public Roads (Cluster 623454) on condition that

- A. Appropriate public access through to the East Jindabyne foreshore is provided in any future subdivision Development Application related to Lot 29 DP 236875 and immediate surrounds.
- B. That appropriate foreshore access be taken to mean access that would enable a person to travel by foot along a formed pathway through the residential component of the future subdivision to the boundary of the reserve and then through the reserve to the foreshore.

Moved Councillor Castellari

Seconded Councillor Frolich

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.4.2 QUARTERLY BUDGET REVIEW STATEMENT (QBR) TO 31 DECEMBER 2021

Record No: I22/32

COUNCIL RESOLUTION

29/22

That Council

- A. Receive the Quarterly Budget Review Statement (QBR) for the period ended 31 December 2021, and

B. Authorise the adjustments to the Council's budgeted Income & Expenditure, Capital Expenditure and Cash & Investments as reported in the QBRS and the report, Budget Adjustments to Allow for New Budget Controls.

Moved Councillor Hopkins

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Councillor Last.

9.4.3 MINUTES - AUDIT, RISK AND IMPROVEMENT COMMITTEE 10 DECEMBER 2022

Record No: I22/24

COUNCIL RESOLUTION

30/22

That Council receive and note the Minutes of the Audit, Risk and Improvement Committee meeting held on 10 December 2021.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Councillor Last.

9.4.4 RESOLUTION ACTION SHEET UPDATE

Record No: I22/63

COUNCIL RESOLUTION

31/22

That Council receive the resolution update for the period ending January 2022.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Councillor Last.

9.4.5 ANSWERS TO QUESTIONS WITH NOTICE

Record No: I22/64

COUNCIL RESOLUTION

32/22

That Council receive the answers to questions with notice for the period ending January 2022.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: Councillor Last.

10. NOTICE OF MOTION

10.1 MOTION TO RESCIND RESOLUTION 4/22

Record No: I22/74

COUNCIL RESOLUTION

33/22

That the Council resolution relating to

Minutes No. 4/22

Item No. 4.2

Title Meeting Dates and Times of Council Meetings – March 2022 to September 2024

Passed at the Council meeting held on: 6 January 2022 be and is hereby RESCINDED.

Moved Councillor Summers

Seconded Councillor Hanna

CARRIED

Record of Voting

Councillors For: Councillor Castellari, Mayor Davis, Councillor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Last and Councillor Summers.

Councillors Against: Councillor Beer, Councillor Frolich, Councillor Hopkins and Councillor Stewart,.

Procedural Motion

COUNCIL RESOLUTION

34/22

That Council move into Committee of the whole.

Moved Councillor Beer

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

Procedural Motion

COUNCIL RESOLUTION

35/22

That Council move out of committee of the whole.

Moved Councillor Hanna

Seconded Councillor Stewart

CARRIED

Record of Voting

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

Councillors Against: Nil.

Motion

MOTION

That

- A. Subject to the right to amend the schedule for any reason from time to time, Council Meetings for the period March 2022 to September 2024 (the term of Council) are to be held on the fourth Thursday of each month commencing at 1:00pm with the primary location being the Cooma Council Chambers.
- B. Councillor Briefing Sessions are held on the second Thursday of each month commencing at 1:00pm, with the exception of January when no regular briefing is held.

Moved Councillor Summers

Seconded Councillor Hanna

LOST

Record of Voting

Councillors For: Deputy Mayor Higgins and Councillor Summers.

Councillors Against: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Councillor Hopkins and Councillor Johnson, Councillor Last and Councillor Stewart.

Procedural Motion

COUNCIL RESOLUTION

36/22

That Council move into committee of the whole.

Moved Councillor Hanna

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Councillor Last and Councillor Stewart.

Procedural Motion

COUNCIL RESOLUTION

37/22

That Council move out of committee of the whole.

Moved Councillor Stewart

Seconded Councillor Last

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Hanna, Councillor Hopkins, Councillor Johnson, Councillor Last and Councillor Stewart.

Councillors Against: Councillor Castellari, Councillor Frolich, Deputy Mayor Higgins and Councillor Summers.

COUNCIL RESOLUTION

38/22

That

- A. Subject to the right to amend the schedule for any reason from time to time, Council Meetings for the period March 2022 to September 2024 (the term of Council) are to be held on the third Thursday of each month commencing at 1:00pm with the primary location being the Cooma Council Chambers.
- B. Councillor briefing sessions are held on the first Thursday of each month commencing at 1:00pm, with the exception of January when no regular briefing is held.

Moved Councillor Stewart

Seconded Councillor Last

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Councillor Hopkins and Councillor Johnson, Councillor Last and Councillor Stewart.

Councillors Against: Deputy Mayor Higgins and Councillor Summers.

At 7:20 pm the meeting adjourned for a dinner break.

At 7:48pm the meeting was resumed.

11. MAYORAL MINUTES

11.1 NOTICE OF MOTION TO LOCAL GOVERNMENT NSW (LGNSW) SPECIAL CONFERENCE - FY2023 RATE PEG

Record No: I22/59

COUNCIL RESOLUTION

39/22

That Council

- A. Support Bega Valley Shire Council's proposed Notice of Motion to the LGNSW Special Conference, namely:
1. *Submit a motion to the upcoming Local Government NSW Special Conference urging the NSW Government to overturn and undertake a review of the IPART determination that properly considers Award and Consumer Price Index increases, Covid and supply chain impacts. Noting that any reduction in services and construction of community infrastructure, as a result of continued rate pegging, will be devastating.*
 2. *That Local Government NSW:*
 - a) *Reiterates the long-held position that Rate Pegging is crippling Councils in NSW, and that this problem has been further exacerbated by the recent IPART baseline rate cap of just 0.7%, the lowest rate cap in more than 20 years, further restricting Councils who are already working hard to help their communities recover from the economic and social impacts of natural disasters and the ongoing COVID-19 pandemic;*
 - b) *Notes that the rate cap will have significant repercussions on local services to the community with a reduction in compounded income of more than \$3.1 million over the next ten years.*
 - c) *Notes that IPART's decision is based on the cost of goods in 2020 and does not recognise the increase in the cost of essential commodities such as fuel. Further noting that IPART has decided to apply the public service wage increase of 1.2%, instead of the 2% guaranteed to Council workers for 2022, leaving local Councils even further out of pocket as more costs are shifted to local government;*
 - d) *Notes that according to the NSW Productivity Commission, cumulative negative impacts of over 40 years of rate pegging, and that the democratic process of local government elections is the most powerful protection against exorbitant rate rises;*
- B. Writes to the Local Member for Monaro, the Minister for Local Government, and the Chief Executive of the Office of Local Government advocating for the removal of universal rate pegging in NSW, allowing duly elected Councils to set rates, in consultation with their communities, noting that the baseline rate cap of just 0.7% in 2022 is set to have a devastating economic and social impact for many local Councils and the communities they serve.

Moved Mayor Davis

CARRIED

Record of Voting

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

Councillors Against: *Nil.*

12. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

40/22

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:

13.1 Legal Actions and Potential Claims Against SMRC as at 31 January 2022

Item 13.1 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

2. The press and public be excluded from the proceedings of the Council in Closed Session on the basis that these items are considered to be of a confidential nature.
3. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as confidential and be withheld from access by the press and public, until such time as the Council resolves that the reason for confidentiality has passed or become irrelevant.
4. That the resolutions made by the Council in Closed Session be recorded in the Minutes of the Council Meeting.
5. That upon this recommendation being moved and seconded, the Chairperson invite representations from the public as to whether this part of the meeting should be closed to consider the nominated item.

Moved Councillor Beer

Seconded Councillor Hanna

CARRIED

Record of Voting

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

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 7:51 pm the meeting was closed to the press and public.

At 7:54 pm Councillor Frolich returned to the meeting.

Note 3: Resumption of Open Committee Meeting

At 7:57 pm the Closed Session ended and the Council meeting continued in Open Session.

13. REPORT FROM CONFIDENTIAL SESSION

14.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 31 JANUARY 2022

COUNCIL RESOLUTION

41/22

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 31 January 2022 report.

Moved Councillor Stewart

Seconded Councillor Summers

CARRIED

Record of Voting

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

Councillors Against: Nil.

14. QUESTIONS WITH NOTICE

12.1 COOMA NORTH WATER TANK

Councillor John Last

Question: What progress has the Council made in obtaining money for the erection of a new water tower? Bearing in mind that prior to the demolition of the old water tower at Cooma North, arrangements were well-in-hand for the erection of a new one.

12.2 DILAPIDATION SURVEY ON ROADS USED BY SNOWY 2.0

Councillor John Last

Question: With the matter of Council roads, has a *Dilapidation Survey* been made on roads being used by Snowy 2.0? Can you table a copy of that *Dilapidation Survey*?

12.3 PROGRESS ON CLAIMS WITH RD MILLER

Councillor John Last

Question: I refer to your letter to RD Miller Pty Ltd, being a *Defect Notice (7.6.21)*. this notice is attached to the question. Progress has been in our claims. Have RD Miller Pty Ltd complied with our claims, and if not, why not?

12.4 TRUCK WASH AT COOMA SALEYARDS

Councillor John Last

Question: What is the position concerning the truck wash at the Saleyards?

12.5 ENVIRONMENTAL DEVELOPMENT APPLICATIONS

Councillor Peter Beer

Question: Can the staff provide the Councillors past Eco-tourism DA's approved by the former SRSC and now SMRC with the following information to be provided:

- a) Number of approvals granted
- b) Number of developments being built and completed
- c) Number of developments that comply with their DA consent and conditions
- d) Number that have changed their use to another form of accommodation or use
- e) Any further information that may be of assistance for Councillors in the future DA considerations of Eco-tourism developments

There being no further business the Mayor declared the meeting closed at 8:04pm



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 17 February 2022 were confirmed by Council at a duly convened meeting on 17 March 2022 at which meeting the signature hereon was subscribed.