



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Minutes**

**Ordinary Council Meeting**

**21 July 2022**



**ORDINARY COUNCIL MEETING**  
**HELD IN JINDABYNE MEMORIAL HALL, THREDBO TERRACE, JINDABYNE NSW 2627**  
**ON THURSDAY 21 JULY 2022**

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

**ON THURSDAY, 21 JULY 2022  
COMMENCING AT 1:00PM**

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

**APOLOGIES:**

**Staff:** Peter Bascomb, Chief Executive Officer  
David Rawlings, Chief Strategy Officer  
Jeff Morgan, Chief Operating Officer  
Tracy Sligar, Chief Financial Officer  
Gina Woodward, Chief Communications Officer  
Richard Doolan, Chief Workforce Officer  
Grace Harvey, Secretary Council & Committees  
Liana Biki, Executive Support Officer

## 1. OPENING MEETING

The Mayor opened the meeting at 1:01PM

### COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL LINK

Record No: I22/473

#### COUNCIL RESOLUTION

171/22

That Council

- A. Approve the remote attendance of Cr Castellari at the meeting on 21 July 2022 via audio-visual link and accept his reason of carer responsibilities that will inhibit my attending on time
- B. Approve the remote attendance of Cr Hopkins at the meeting on 21 July 2022 via audio-visual link and accept her reason of Covid isolation.

**Moved Councillor Hanna**

**Seconded Councillor Frolich**

**CARRIED**

#### Record of Voting

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

*Councillors Against: Nil.*

## 2. ACKNOWLEDGEMENT OF COUNTRY

## 3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

## 4. CITIZENSHIP CEREMONIES

Nil

### Procedural Motion

### ADJOURNMENT

#### COUNCIL RESOLUTION

172/22

That the Ordinary Council meeting be adjourned at 1:05 pm for Public Forum.

**Moved Councillor Frolich**

**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:** *Nil.*

### Procedural Motion

#### COUNCIL RESOLUTION

**173/22**

That the Ordinary Council Meeting be resumed at 1:46 pm.

**Moved Councillor Hanna**

**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 Stewart and Councillor Summers.*

**Councillors Against:** *Nil.*

## 5. DISCLOSURE OF INTEREST

### 5.1 COUNCILLOR HOPKINS

Councillor Hopkins declared an interest in Item 8.2 as she has a conflict of interest in this item due to "I have a personal friendship with one of the applicants – Karlee Johnson". Councillor Hopkins left the meeting at 2:02 pm and returned at 2:08 pm Councillor Hopkins did not take part in discussion or voting on this item.

### 5.2 COUNCILLOR JOHNSON

Councillor Johnson declared an interest in Item 8.2 as she has a conflict of interest in this item due to "being the landowner of the proposed development". Councillor Johnson left the meeting at 2:02 pm and returned at 2:08 pm Councillor Johnson did not take part in discussion or voting on this item.

### 5.3 COUNCILLOR HANNA

Councillor Hanna declared an interest in Item 8.2 as he has a conflict of interest in this item due to "being friends with both owners". Councillor Hanna left the meeting at 2:02 pm and returned at 2:08 pm Councillor Hanna did not take part in discussion or voting on this item.

### 5.3 COUNCILLOR DAVIS

Councillor Davis declared an interest in Item 8.2 as she has a conflict of interest in this item due to "applicant is a Councillor and part of Group A which I stood with". Councillor Davis left the meeting at 2:02 pm and returned at 2:08 pm Councillor Hanna did not take part in discussion or voting on this item.

## 6. MATTERS DEALT WITH BY EXCEPTION

### Items by Exception

The Mayor requested that Councillors nominate any items listed in Corporate Business and Confidential Business that they wished to discuss.

#### COUNCIL RESOLUTION

174/22

- A. That all items listed in Corporate Business both Open and Confidential be dealt with separately other than the following items which are moved by exception:
- 7.2 – Extraordinary Council Meeting 23 June 2022
  - 9.1.2 – Transfer of Grant Funding from Eucumbene Boat Ramp Project
  - 9.1.4 – Access & Parking - Ginger Leigh Park and RV dump point upgrades
  - 9.2.1 – Monthly Funds Management Report - June 2022
  - 9.2.2 – Management of GST and S355 Committees
  - 9.3.1 – Environment Upgrade Finance
  - 9.3.2 - Development Servicing Plans
  - 9.3.3 – Highlands Circuit Road Name Approval for Gazettal
  - 9.3.4 – Post Exhibition Report - Local Approvals Policy for Recovery Pods and Temporary Housing on Private Property
  - 9.3.5 – Sewer Easement Request - Council Owned Lot 18 DP 255651 in Nettin Circuit area Jindabyne - Related to Subdivision Works Certificate 25.2021.220.1
  - 9.3.6 – Sewer Easement Request - Council Owned Lot 2 DP 748500 in Leesville area Jindabyne - Related to Subdivision Works Certificate 11.2000.3000067.1
  - 9.4.1 – Appointment of Community Members on the Boco Rock Committee
  - 9.4.2 – Organisational Performance Report - June 2022
  - 9.4.4 – Draft Minutes - Audit, Risk and Improvement Committee 20 June 2022
  - 9.4.5 – Confirm Panel of Conduct Reviewers
  - 9.4.6 – Resolution Action Sheet Update
  - 12.1 – Answers to Questions with Notice
  - 13.1 – Legal Actions and Potential Claims Against SMRC as at 30 June 2022
  - 13.2 – CEO’s Annual Review
- B. That the Officer’s Recommendations in the reports listed above are hereby adopted.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

## 7. CONFIRMATION OF MINUTES

### 7.1 ORDINARY COUNCIL MEETING 16 JUNE 2022

#### COUNCIL RESOLUTION

175/22



THAT the minutes of the Ordinary Council Meeting held on 16 June 2022 are confirmed as a true and accurate record of proceedings.

**Moved Councillor Stewart**

**Seconded Councillor Frolich**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Councillor Frolich, Councillor Hanna and Councillor Stewart.*

**7.2 EXTRAORDINARY COUNCIL MEETING 23 JUNE 2022**

**COUNCIL RESOLUTION**

**176/22**

THAT the minutes of the Extraordinary Council Meeting held on 23 June 2022 are confirmed as a true and accurate record of proceedings.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

**8. PLANNING AND DEVELOPMENT APPLICATION MATTERS**

**8.1 DEVELOPMENT APPLICATION - DA10.2022.180.1 CONSTRUCTION OF AN OPEN BAY SHED**

Record No: I22/346

**COUNCIL RESOLUTION**

**177/22**

That pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to DA 10.2022.180.1 for a Shed on Lot: 2 Sec: 12 DP: 758239, with conditions of consent attached to this report.

**Moved Councillor Hanna**

**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 Stewart and Councillor Summers.*

*Councillors Against: Nil.*

*At 02:02 pm Councillor Johnson left the meeting.*

*At 02:02 pm Councillor Hanna left the meeting.*

*At 02:02 pm Mayor Davis left the meeting.*

*At 02:02 pm Councillor Hopkins left the meeting.*

**8.2 DEVELOPMENT APPLICATION 10.2022.223.1 DWELLING HOUSE AND DETACHED SHED**

Record No: I22/414

**COUNCIL RESOLUTION**

**178/22**

That pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to DA 10.2022.223.1 for a Dwelling house and detached shed on Lot: 1 DP: 1266876, with conditions of consent attached to this report.

**Moved Councillor Stewart**

**Seconded Councillor Summers**

**CARRIED**

**Record of Voting**

*Councillors For: Councillor Beer, Councillor Castellari, Councillor Frolich, Deputy Mayor Higgins, Councillor Stewart and Councillor Summers.*

*Councillors Against: Nil.*

*At 02:08 pm Mayor Davis returned to the meeting.*

*At 02:08 pm Councillor Hanna returned to the meeting.*

*At 02:08 pm Councillor Hopkins returned to the meeting.*

*At 02:08 pm Councillor Johnson returned to the meeting.*

## 9. OTHER REPORTS TO COUNCIL

### 9.1 KEY THEME 1. COMMUNITY

#### 9.1.1 MINUTES FROM COUNCILS MANAGEMENT AND ADVISORY COMMITTEES

Record No: I22/274

#### COUNCIL RESOLUTION

179/22

That Council

- A. Receive the minutes of the Adaminaby Hall, Bombala Exhibition Ground, Michelago Hall management committees.
- B. Make contact with committees who utilise the online booking system to ensure teething problems are resolved and a report provided at the next meeting

**Moved Councillor Frolich**

**Seconded Councillor Johnson**

**CARRIED**

#### Record of Voting

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

*Councillors Against: Councillor Stewart and Councillor Summers*

#### 9.1.2 TRANSFER OF GRANT FUNDING FROM EUCUMBENE BOAT ROAMP PROJECT

Record No: I22/339

#### COUNCIL RESOLUTION

180/22

That Council approve the redirection of the outstanding amount from Round 2 Stronger Country Community Fund (SCCF2 – 0349 – A) in the amount of \$ 121,411 to complete the restoration of the Adaminaby Big Trout.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

#### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

### 9.1.3 SHOWGROUND STIMULUS FUND - BOMBALA CARETAKERS COTTAGE

Record No: I22/424

#### LOST MOTION

That Council

- A. Demolish the Caretakers' Cottage at the Bombala Showground.
- B. Seek a variation for the remainder of the funds post demolition to address alternative options to be identified by the Bombala Exhibition Ground Project Engagement Group.
- C. Not proceed with the previously approved loan for the caretaker cottage project.

**Moved Councillor Summers**

**Seconded Deputy Mayor Higgins**

#### 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, Councillor Johnson and Councillor Stewart.*

#### MOTION

#### COUNCIL RESOLUTION

**181/22**

That Council

- A. Proceed with obtaining a minimum of 2 quotes for the renovation of the Bombala cottage and a report comes back to Council
- B. Not proceed with the previously approved \$75,000 loan for the caretaker cottage project.

**Moved Councillor Stewart**

**Seconded Councillor Frolich**

**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: Nil.*

### 9.1.4 ACCESS & PARKING - GINGER LEIGH PARK AND RV DUMP POINT UPGRADES

Record No: I22/430

#### COUNCIL RESOLUTION

**182/22**

That Council transfer \$250,000 from the balancing project funds under the SCFMPP to allow for the completion of road works in the caravan park, Bombala at the agreed scope.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

**9.2 KEY THEME 2. ECONOMY**

**9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - JUNE 2022**

Record No: I22/455

**COUNCIL RESOLUTION**

**183/22**

That Council

- A. Receive the report indicating Council's cash and investments position as at 30 June 2022; and
- B. Receive the certificate of the Responsible Accounting Officer.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

**9.2.2 MANAGEMENT OF GST AND S355 COMMITTEES**

Record No: I22/459

**COUNCIL RESOLUTION**

**184/22**

That Council note the information in the report.

<b>Moved Councillor Beer</b>	<b>Seconded Councillor Johnson</b>	<b>CARRIED</b>
<b>Record of Voting</b>		
<i>Councillors For:</i>	<i>Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.</i>	
<i>Councillors Against:</i>	<i>Nil.</i>	

### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

## 9.3 KEY THEME 3. ENVIRONMENT

### 9.3.1 ENVIRONMENT UPGRADE FINANCE

Record No: I22/385

<b>COUNCIL RESOLUTION</b>	<b>185/22</b>	
That Council		
A. Supports the implementation of Environmental Upgrade Agreements within the Snowy Monaro local government area;		
B. Appoints a third-party provider, Building Better Finance, to deliver streamlined Environmental Upgrade Agreements for a trial period of two years;		
C. Request staff prepare a report to Council at the end of the trial period on the performance of the Environmental Upgrade Agreements.		
<b>Moved Councillor Beer</b>	<b>Seconded Councillor Johnson</b>	<b>CARRIED</b>
<b>Record of Voting</b>		
<i>Councillors For:</i>	<i>Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.</i>	
<i>Councillors Against:</i>	<i>Nil.</i>	

### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

### 9.3.2 DEVELOPMENT SERVICING PLANS

Record No: I22/412

<b>COUNCIL RESOLUTION</b>	<b>186/22</b>
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That Council

- A. Remove all reductions on development servicing plan charges.
- B. Provide those with approvals provided while the reduced fees were in place three months to take advantage of the discount to release land onto the market.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

**9.3.3 HIGHLANDS CIRCUIT ROAD NAME APPROVAL FOR GAZETTAL**

Record No: I22/415

**COUNCIL RESOLUTION**

**187/22**

That Council approve the proposed road name 'Highlands Circuit' to go to the Geographical Names Board for gazettal.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

**9.3.4 POST EXHIBITION REPORT - LOCAL APPROVALS POLICY FOR RECOVERY PODS AND TEMPORARY HOUSING ON PRIVATE PROPERTY**

Record No: I22/369

**COUNCIL RESOLUTION**

**188/22**

That Council

- A. Adopt the Local Approvals Policy
- B. Notify persons who made a submission of Council's decision
- C. Notify current recipients of Recovery Pods and Resilience NSW of the adoption of the Local Approvals Policy

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

**9.3.5 SEWER EASEMENT REQUEST - COUNCIL OWNED LOT 18 DP 255651 IN NETTIN CIRCUIT AREA  
JINDABYNE - RELATED TO SUBDIVISION WORKS CERTIFICATE 25.2021.220.1**

Record No: I22/417

**COUNCIL RESOLUTION**

**189/22**

That Council

- A. Approve and proceed with allowing an easement for sewer purposes to be created in the relevant area of Lot 18 DP 255651, pursuant to Section 88B of the Conveyancing Act 1919;
- B. Agree that all costs incurred in actioning the easement creation are the responsibility of the developer (the applicant; linked to SWC 25.2021.220.1) inclusive of survey, general legal, and any registration fee costs.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

**9.3.6 SEWER EASEMENT REQUEST - COUNCIL OWNED LOT 2 DP 748500 IN LEESVILLE AREA JINDABYNE**



**- RELATED TO SUBDIVISION WORKS CERTIFICATE 11.2000.3000067.1**

Record No: I22/416

**COUNCIL RESOLUTION**

**190/22**

That Council

- A. Approve and proceed with allowing an easement for sewer purposes to be created in the relevant area of Lot 2 DP 748500, pursuant to Section 88B of the Conveyancing Act 1919;
- B. Agree that all costs incurred in actioning the easement creation are the responsibility of the developer (the applicant; linked to SWC 11.2000.3000067.1) inclusive of survey, general legal, and any registration fees costs.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

**9.4 KEY THEME 4. LEADERSHIP**

**9.4.1 APPOINTMENT OF COMMUNITY MEMBERS ON THE BOCO ROCK COMMITTEE**

Record No: I22/408

**COUNCIL RESOLUTION**

**191/22**

That Council appoint the following community representatives to the Boco Rock Community Enhancement Committee:

- A. Bombala area , Alicia Carraro and Frances Lomas
- B. Cooma-Monaro area, Chris Haylock and Lorayne Roberson; and
- C. Note the minutes of the sub-committee meeting held 15 June 2022.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

### 9.4.2 ORGANISATIONAL PERFORMANCE REPORT - JUNE 2022

Record No: I22/407

#### COUNCIL RESOLUTION

192/22

That Council vary the 2021-2022 operational plan and 2022-23 operational plan as follows:

- A. Defer action 10.1.4.4 - Process Management Framework: Develop and implement a framework for effectively capturing, mapping, analysing and improving business processes to the 2022-2023 Operational Plan.
- B. Defer Project 8.2.2.7 PROJECT (CW): Kalkite Sewage Treatment Plant electrical upgrades to the 2022-2023 Operational Plan.
- C. Defer Project 8.2.2.6 PROJECT (CW): Cooma Water Treatment Plant raw water pump and variable speed drive upgrade to the 2022-2023 Operational Plan.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

### 9.4.3 MONTHLY BUDGET REVIEW STATEMENT (MBRS) TO 30 JUNE 2022

Record No: I22/457

#### COUNCIL RESOLUTION

193/22

That the Budget Review Statement for the month ended 30 June 2022, including the capital projects carried forward, be received and the variations noted therein be approved.

**Moved Councillor Summers**

**Seconded Deputy Mayor Higgins**

**CARRIED**

#### Record of Voting

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

*Councillor Summers.*  
*Councillors Against: Councillor Frolich.*

#### 9.4.4 DRAFT MINUTES - AUDIT, RISK AND IMPROVEMENT COMMITTEE 20 JUNE 2022

Record No: I22/458

##### **COUNCIL RESOLUTION**

**194/22**

That Council receive and note the Draft Minutes of the Audit, Risk and Improvement Committee meeting held on 20 June 2022.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

##### **Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

#### 9.4.5 CONFIRM PANEL OF CONDUCT REVIEWERS

Record No: I22/460

##### **COUNCIL RESOLUTION**

**195/22**

That Council adopt the panel of conduct reviewers in accordance with the CRJO recommendation.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

##### **Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

**9.4.6 RESOLUTION ACTION SHEET UPDATE**

Record No: I22/422

**COUNCIL RESOLUTION**

**196/22**

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

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

**10. NOTICE OF MOTION**

Nil

**11. MAYORAL MINUTES**

**11.1 ACCOUNTING TREATMENT OF RURAL FIRE SERVICE ('RED FLEET') ASSETS**

Record No: I22/461

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**COUNCIL RESOLUTION**

**197/22**

That

- A. Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification finally from the State Government about the accounting treatment of RFS assets.
- B. Re-affirms its complete support of and commitment to local RFS brigades noting that Snowy Monaro Regional Council's action is entirely directed towards the NSW Government's unacceptable position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils.
- C. Council writes to the local State Member Nichole Overall MP, the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and the Minister for Local Government Wendy Tuckerman MP:
  - (a) Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets;
  - (b) Advising of the impact of the Government's position on Council finances of this accounting treatment;
  - (c) Informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Snowy Monaro Regional Council's financial statements;
  - (d) Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is under the control of and the property of the RFS; and
  - (e) Amending s119 of the *Rural Fires Act 1997* so that the effect is to make it clear that RFS assets are not the property of councils.
- D. Council writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:
  - (a) Advising Members of Snowy Monaro Regional Council's position, including providing copies of correspondence to NSW Government Ministers; and
  - (b) Seeking Members' commitments to support NSW Councils' call to amend the *Rural Fires Act 1997* as set out in correspondence.
- E. Council writes to the Auditor General advising that notwithstanding any overtures of future qualified audits, it will not carry out RFS stocktakes on behalf of the NSW Government and will not record RFS assets in Snowy Monaro Regional Council's financial statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial Reporting provides for councils to determine whether or not they record the RFS assets as council assets.
- F. Council promotes these messages via its digital and social media channels and via its networks.

**Moved Mayor Davis**

**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:** *Nil.*

## 11.2 FINANCIAL SUSTAINABILITY REVIEW

Record No: I22/479

### COUNCIL RESOLUTION

**198/22**

That Council

- A. Endorse the attached Scope of Works as modified for the proposed Financial Sustainability Review;
- B. Seek an appropriately qualified contractor, using Council's standard procurement processes, to undertake the Financial Sustainability Review.

**Moved Mayor Davis**

**CARRIED**

#### Record of Voting

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

**Councillors Against:** *Councillor Castellari, Councillor Frolich and Councillor Stewart.*

## 12. QUESTIONS WITH NOTICE

### 12.1 ANSWERS TO QUESTIONS WITH NOTICE

Record No: I22/421

### COUNCIL RESOLUTION

**199/22**

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

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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:** *Nil.*

### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

## 13. CONFIDENTIAL MATTERS

### COUNCIL RESOLUTION

200/22

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 30 June 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.

#### 13.2 CEO's Annual Review

Item 13.2 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) 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 Johnson**

**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: Nil.*

### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

**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.

**14. REPORT FROM CONFIDENTIAL SESSION**

**13.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 30 JUNE 2022**

**COUNCIL RESOLUTION**

**201/22**

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 30 June 2022 report.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.

**13.2 CEO'S ANNUAL REVIEW**

**COUNCIL RESOLUTION**

**202/22**

That Council

A. Note that CEO's Performance and formulation of a new Agreement will be considered by the Performance Review Panel on 12 August.

B. Invite councillors to submit by 5 August any items for consideration by the Performance Review Panel.

**Moved Councillor Beer**

**Seconded Councillor Johnson**

**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: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/22 above as there was no challenge by Councillors.



There being no further business the Mayor declared the meeting closed at 3:26 pm



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CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 21 July 2022 were confirmed by Council at a duly convened meeting on 18 August 2022 at which meeting the signature hereon was subscribed.