



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Minutes**

**Ordinary Council Meeting**

**20 April 2023**



**ORDINARY COUNCIL MEETING  
HELD IN JINDABYNE MEMORIAL HALL, THREDBO TERRACE, JINDABYNE NSW 2627  
ON THURSDAY 20 APRIL 2023**

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

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

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

**APOLOGIES:** Nil

**Staff:** Peter Bascomb, Chief Executive Officer  
David Rawlings, Chief Strategy Officer  
Jeff Morgan, Chief Operating Officer  
Tracy Sligar, Chief Financial Officer  
Stephanie Sellar-Peam, Chief Workforce Officer  
Liana Biki, Secretary Council and Committees

## 1. OPENING MEETING

The Mayor opened the meeting at 1:01pm.

## 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

#### ADJOURNMENT

#### COUNCIL RESOLUTION

71/23

That the Ordinary Council meeting be adjourned at 1:04pm for the Citizenship Ceremony and Public Forum.

Moved Deputy Mayor Higgins

Seconded Councillor Hopkins

CARRIED

#### Record of Voting

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

*Councillors Against: Nil.*

### Procedural Motion

#### COUNCIL RESOLUTION

72/23

That the Ordinary Council meeting be resumed at 1:39pm.

Moved Councillor Mitchell

Seconded Councillor Johnson

CARRIED

#### Record of Voting

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

*Councillors Against: Nil.*

## 5. DISCLOSURE OF INTEREST

Nil

## 6. MATTERS DEALT WITH BY EXCEPTION

### Items by Exception

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

### COUNCIL RESOLUTION

73/23

- A. That all items listed in Corporate Business both Open and Confidential be dealt with separately other than the following items which are moved by exception:
- 7.1 Ordinary Council Meeting 16 March 2023
  - 9.1.1 Old Adaminaby 'Rainbow Pines' Caravan Park - Lots 376-378 DP 821745 - Assignment of Lease
  - 9.2.1 Monthly Funds Management Report - March 2023
  - 9.3.2 Three Rivers Estate - Alternate Road Naming Proposal
  - 9.3.3 Finalisation of Snowy Monaro Development Servicing Plan
  - 9.4.1 Polo Flat Master Plan and Industry Study
  - 9.5.1 Organisation Structure Review
  - 9.5.2 Resolution Action Sheet Updates
  - 9.5.3 Answers to Questions with Notice
  - 10.1 Minutes from Management and Advisory Committees
  - 10.2 Minutes from Youth Council Meetings
  - 10.3 Minutes of January 2023 Local Traffic Committee
  - 10.4 Minutes of February 2023 Local Traffic Committee
  - 14.1 Legal Actions and Potential Claims Against SMRC
- B. That the Officer's Recommendations in the reports listed above are hereby adopted.

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

### Record of Voting

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

*Councillors Against: Nil.*

## 7. CONFIRMATION OF MINUTES

### 7.1 ORDINARY COUNCIL MEETING 16 MARCH 2023

#### COUNCIL RESOLUTION

74/23

THAT the minutes of the Ordinary Council Meeting held on 16 March 2023 are confirmed as a true and accurate record of proceedings.

Moved Councillor Mitchell

Seconded Councillor Johnson

CARRIED

#### Record of Voting

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

*Councillors Against: Nil.*

#### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

## 8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

### 8.1 DEVELOPMENT APPLICATION 10.2020.90.4 - 4.55(1A) MODIFICATION TO DRAINAGE DESIGN (STAGE 2), MODIFICATION TO EXTERNAL OPENINGS (STAGE 3)

Applicant Number:	10.2020.90.4
Applicant:	Snowy Monaro Regional Council
Owner:	Delegate School Of Arts
Property Description:	Lot: 11 Sec: 8 DP: 758346 School of Arts 38 Bombala Street DELEGATE NSW 2633
Zone:	RU5 - Village
Current Use:	Community Facility
Proposed Use:	Community Facility
Permitted in Zone:	Yes
Recommendation:	Approval



**COUNCIL RESOLUTION**

**75/23**

That pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent for DA 10.2020.90.4 for the Modification to Drainage Design (Stage 2), Modified External Openings - Additional Three Windows (Stage 3), on Lot 11 Section 8 DP 758346 subject to the modified conditions of consent attached to this report.

**Moved Councillor Hanna**

**Seconded Councillor Summers**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Nil.*

**9. OTHER REPORTS TO COUNCIL**

**9.1 OPERATIONS**

**9.1.1 OLD ADAMINABY 'RAINBOW PINES' CARAVAN PARK - LOTS 376-378 DP 821745 - ASSIGNMENT OF LEASE**

**COUNCIL RESOLUTION**

**76/23**

That Council approve to proceed with the assignment of lease over Crown Reserve 130067 and Crown Reserve 130068, being Lots 376-378 DP 821745 (Old Adaminaby 'Rainbow Pines' Caravan Park), to Michael Mustafa Pty Limited – ABN 95 080 246 055 / ACN 080 246 055.

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

**9.2 FINANCE**

**9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - MARCH 2023**

**COUNCIL RESOLUTION**

**77/23**

That Council

- A. Receive the report indicating Council's cash and investments position as at 31 March 2023; and  
B. Receive the certificate of the Responsible Accounting Officer.

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

### 9.3 STRATEGY

#### 9.3.1 ORGANISATIONAL PERFORMANCE REPORT - MARCH 2023

**COUNCIL RESOLUTION**

**78/23**

That:

- A. Council note the progress outlined in the report.
- B. All Jindabyne town centre improvement projects in the 2022-2023 Operational Plan (OP) and known as OP Action Titles:
- i. 12.4.2.19 PROJECT: Jindabyne Town Centre Upgrades
  - ii. 2.2.3.4 PROJECT: Jindabyne Town Centre Toilet Block Demolition
  - iii. 2.2.3.5 PROJECT: Jindabyne Town Centre Toilet Block
  - iv. 12.1.2.10 PROJECT: Jindabyne Town Centre Improvements
- be consolidated into one project to be identified as the 'Jindabyne Town Centre Upgrades', and deferred to the 2023-24 Operational Plan.
- C. Council amend the 2022/2023 OP Action 10.3.12.4 Project: Fixing Local Roads Round 2 - Upgrade of Avonside Road to reduce the scope of the project by sealing 6.1km of road instead of 8km, and to be completed within the 2023/2024 Operational Plan financial year.

**Moved Councillor Summers**

**Seconded Councillor Hanna**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Councillor Frolich, Councillor Johnson and Councillor Williamson.*

#### 9.3.2 THREE RIVERS ESTATE - ALTERNATE ROAD NAMING PROPOSAL

**COUNCIL RESOLUTION**

**79/23**

That Council endorse the proposed road names Constellation Drive, Orion Close, Canis Close and Crux

Circle to:

- A. be publicly advertised for a period of 28 days.
- B. go to the Geographical Names Board for pre-approval.

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

**9.3.3 FINALISATION OF SNOWY MONARO DEVELOPMENT SERVICING PLAN**

**COUNCIL RESOLUTION**

**80/23**

That Council adopt the Snowy Monaro Development Servicing Plan.

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

**9.4 COMMUNICATIONS**

**9.4.1 POLO FLAT MASTER PLAN AND INDUSTRY STUDY**

**COUNCIL RESOLUTION**

**81/23**

That Council

- A. Accept the funding amount of \$227,272.68 (ex GST) under the NSW Government's Business Case and Strategy Fund; and
- B. Allocate \$60,000 to the 2022/23 budget and the remaining \$167,272.68 to the 2023/24 budget.

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

**Record of Voting**

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

**Councillors Against:** *Nil.*

#### **Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

## **9.5 EXECUTIVE OFFICE**

### **9.5.1 ORGANISATION STRUCTURE REVIEW**

#### **COUNCIL RESOLUTION**

**82/23**

That Council, noting the pending commencement of the Towards Excellence project, which incorporates the recommendations from the Financial Sustainability Review, the Office of Local Government and various service reviews, retain the current structure and areas of responsibility.

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

#### **Record of Voting**

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

**Councillors Against:** *Nil.*

#### **Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

### **9.5.2 RESOLUTION ACTION SHEET UPDATES**

#### **COUNCIL RESOLUTION**

**83/23**

That Council note the resolution action updates.

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

#### **Record of Voting**

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

**Councillors Against:** *Nil.*

#### **Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

### 9.5.3 ANSWERS TO QUESTIONS WITH NOTICE

#### COUNCIL RESOLUTION

84/23

That Council note the answers to questions with notice.

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

#### Record of Voting

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

*Councillors Against: Nil.*

#### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

## 9.6 WORKFORCE

Nil

## 10. REPORTS OF COMMITTEES

### 10.1 MINUTES FROM MANAGEMENT AND ADVISORY COMMITTEES

#### COUNCIL RESOLUTION

85/23

That Council receive the minutes of the:

- i. Bombala Exhibition Ground Management Committee meeting held 8 February 2023
- ii. Cooma North Ridge Reserve Advisory Committee meeting held 22 February 2023
- iii. Cemetery Advisory Committee meeting held 14 November 2022

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

#### Record of Voting

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

*Councillors Against: Nil.*

#### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

## 10.2 MINUTES FROM YOUTH COUNCIL MEETINGS

### COUNCIL RESOLUTION

86/23

That Council note the Youth Council meeting minutes as attached.

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

### Record of Voting

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

*Councillors Against: Nil.*

### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

## 10.3 MINUTES OF JANUARY 2023 LOCAL TRAFFIC COMMITTEE

### COUNCIL RESOLUTION

87/23

That Council adopt the following recommendations:

- 6.3 Ride for Country Kids Alpine Tour - 12 to 14 March 2023
- 6.4 Delegate Anzac

from the Local Traffic Committee held on 24 January 2023.

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

### Record of Voting

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

*Councillors Against: Nil.*

### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

**10.4 MINUTES OF FEBRUARY 2023 LOCAL TRAFFIC COMMITTEE**

**COUNCIL RESOLUTION**

**88/23**

That Council adopt the following recommendations:

- 6.1 Berridale Anzac Service
- 6.2 Jindabyne Anzac Day March
- 6.3 Cooma Anzac Day March
- 6.4 Nimmitabel Anzac Day March
- 6.5 Berridale PO Loading Zone Request
- 6.6 Adaminaby Easter Fair

from the Local Traffic Committee held on 28 February 2023.

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Nil.*

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

**11. NOTICE OF MOTION**

Nil

**12. MAYORAL MINUTES**

Nil

**13. QUESTIONS WITH NOTICE**

Nil

**14. CONFIDENTIAL MATTERS**

**COUNCIL RESOLUTION**

**89/23**

1. THAT pursuant to Section 10A subsections 2 & 3 and Section 10B of the Local Government Act, 1993 (as amended) the following item on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

#### **14.2 Consideration of the reappointment of the CEO**

Item 14.2 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 Hanna**

**Seconded Councillor Beer**

**CARRIED**

#### **Record of Voting**

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

*Councillors Against: Nil.*

#### **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 1:49pm the meeting was closed to the press and public.

#### **Note 3: Resumption of Open Committee Meeting**

At 3:45pm the Closed Session ended and the Council meeting continued in Open Session.

### **15. REPORT FROM CONFIDENTIAL SESSION**

#### **14.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC**

#### **COUNCIL RESOLUTION**

**90/23**

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

**Moved Councillor Mitchell**

**Seconded Councillor Johnson**

**CARRIED**

#### **Record of Voting**



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

**Councillors Against:** *Nil.*

**Motions Without Debate**

The above officer’s recommendation became a resolution of Council as a result of resolution 73/23 above as there was no challenge by Councillors.

**14.2 CONSIDERATION OF THE REAPPOINTMENT OF THE CEO**

**OFFICER’S RECOMMENDATION** **93/23**

That Council

A. Offer Peter Bascomb a two-year contract as Chief Executive Officer (Performing the role of General Manager) commencing 18 November 2023 with a two year term.

B. Set the total remuneration package at the same amount as if the existing contract was to have continued.

**Moved Deputy Mayor Higgins** **Seconded Councillor Beer** **LOST**

**Record of Voting**

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

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

**14.2 FORESHADOWED MOTION**

**COUNCIL RESOLUTION** **94/23**

That Council

A. Support the current CEO to the conclusion of his contract; and

B. Commence the process of recruitment of a new Chief Executive Officer (Performing the role of General Manager)

**Moved Councillor Hanna** **Seconded Councillor Hopkins** **CARRIED**

**Record of Voting**

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

**Councillors Against:** *Councillor Beer, Deputy Mayor Higgins and Councillor Summers.*

There being no further business the Mayor declared the meeting closed at 3:48pm.



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CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 20 April 2023 were confirmed by Council at a duly convened meeting on 18 May 2023 at which meeting the signature hereon was subscribed.