



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

15 September 2022

**ORDINARY COUNCIL MEETING
HELD IN BOMBALA COMMUNITY CENTRE, 163 MAYBE STREET, BOMBALA NSW 2632
ON THURSDAY 15 SEPTEMBER 2022**

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

**ON THURSDAY, 15 SEPTEMBER 2022
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 Bob Stewart
Councillor Lynda Summers
Councillor Luke Williamson

APOLOGIES: Councillor John Castellari

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
Liana Biki, Secretary Council and Committees

1. OPENING MEETING

The Mayor opened the meeting at 1:00PM

2. ACKNOWLEDGEMENT OF COUNTRY

3. COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL

3.1 COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL LINK

Record No: I22/675

COUNCIL RESOLUTION

232/22

That Council:

- A. Approve the remote attendance of Cr Summers at the meeting on 15 September 2022, via audio-visual link and accept her reason of suffering from illness.
- B. Approve the remote attendance of Cr Hanna at the meeting on 15 September 2022, via audio-visual link and accept his reason of suffering from illness.

Moved Councillor Hopkins

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

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

Councillors Against: Nil.

At 1:03pm Councillor Summers and Hanna joined the meeting via audio-visual link.

4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

COUNCIL RESOLUTION

233/22

That the apology from Cr Castellari be accepted and leave of absence be granted.

Moved Councillor Beer

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 and Councillor Williamson.

Councillors Against: Nil.

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

234/22

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

Moved Councillor Johnson

Seconded Councillor Stewart

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 and Councillor Williamson.

Councillors Against: Nil.

Procedural Motion

COUNCIL RESOLUTION

235/22

That the Ordinary Council meeting be resumed at 1:23 pm.

Moved Deputy Mayor Higgins

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 and Councillor Williamson.

Councillors Against: Nil.

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

236/22

That the Ordinary Council meeting be adjourned to allow late speakers to talk on item 8.2, Planning Proposal 56 Hilldowns Road, Kalkite.

Moved Councillor Stewart

Seconded Councillor Williamson

LOST

Record of Voting

Councillors For: Councillor Frolich, Councillor Johnson, Councillor Stewart and Councillor Williamson.

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

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

237/22

- 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:
- 7.1 Ordinary Council Meeting 18 August 2022
 - 7.2 Closed Session of the Ordinary Council Meeting 18 August 2022
 - 9.1.2 Regional Housing Fund - Kalkite Sewage Treatment Plant upgrade - successful grant application notification
 - 9.3.1 Minutes from Management and Advisory Committees
 - 9.3.5 Road Naming for subdivision of 10 Jindabyne Road, Berridale
 - 9.3.8 Road Naming Proposal – Biilmann Close
 - 9.3.9 NSW Open Space Charter
 - 9.5.1 Ordinary Council Resolution Number Duplicate Issue
 - 9.5.2 Resolution Action Sheet Update
 - 9.5.3 Answers to Questions with Notice
 - 14.1 Legal Actions & Potential Claims Against SMRC as at 31 August 2022
- 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, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 18 AUGUST 2022

COUNCIL RESOLUTION

238/22

THAT the minutes of the Ordinary Council Meeting held on 18 August 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, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 237/22 above as there was no challenge by Councillors.

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 18 AUGUST 2022

COUNCIL RESOLUTION

239/22

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 18 August 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, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 237/22 above as there was no challenge by Councillors.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 DEVELOPMENT APPLICATION 10.2022.60.1 MULTI DWELLING HOUSING (4 UNITS) & STRATA SUBDIVISION

Record No: I22/481

Applicant Number:	10.2022.60.1
Applicant:	M P Kroenert
Owner:	Poplars (Jindabyne) Pty Ltd
DA Registered:	01/03/2022
Property Description:	Lot: 1 DP: 1228821 30C Kunama Drive EAST JINDABYNE NSW 2627
Assessment Number:	4003640
Area:	1690m ²
Zone:	RU5 - Village
Current Use:	Vacant Land
Proposed Use:	Multi Dwelling Housing & Strata Subdivision
Permitted in Zone:	Permitted
Recommendation:	Refusal

COUNCIL RESOLUTION

240/22

That item 8.1 be deferred.

Moved Mayor Davis

Seconded Deputy Mayor Higgins

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 and Councillor Williamson.

Councillors Against: Nil.

8.2 PLANNING PROPOSAL - 56 HILLDOWNS ROAD, KALKITE

Record No: I22/529

Applicant Number:	DD330.2022.1005.001
Applicant:	Dino Sacco
Owner:	John Sacco Enterprises Pty Ltd
PP Registered:	9 June 2022

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HELD ON THURSDAY 15 SEPTEMBER 2022

Property Description:	56 Hilldowns Road, Kalkite
Property Number:	40529497
Area:	74 hectares
Existing Zone:	RU1 Primary Production
Proposed Zone:	RU5 Village, B1 Neighbourhood Centre, C4 Environmental Living, RE1 Public Recreation, SP2 Infrastructure
Current MLS:	40 Hectares
Proposed MLS:	Various, Nil, 700, 800sqm, 1500sqm, 5ha and 10ha
Recommendation:	The Planning Proposal be submitted to the Department of Planning for a Gateway Determination.

COUNCIL RESOLUTION

241/22

That Council:

- A. Submit the planning proposal to the Minister of Planning for a gateway determination.
- B. Advise the Department of Planning and Environment that Council wishes to be issued with an authorisation to use its delegation for the planning proposal.
- C. Proceed with consultation on the planning proposal in the event the NSW Department of Planning & Environment issues a gateway determination.

Moved Councillor Frolich

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 and Councillor Williamson.

Councillors Against: Nil.

9. OTHER REPORTS TO COUNCIL

9.1 OPERATIONS

9.1.1 2021-2023 COUNTRY PASSENGER TRANSPORT INFRASTRUCTURE GRANTS SCHEME - SUCCESSFUL APPLICATION NOTIFICATION

Record No: I22/574

COUNCIL RESOLUTION

242/22

That Council

- A. Receive and note the successful application under CTPIGS 2021-23 grant scheme for \$85,097.80 for 9 bus shelters within the Monaro Region.
- B. Allocate \$64,000 to the 2022/23 budget and \$21,097.80 to the 2023/2024 budget.
- C. Add construction of the following bus shelters to the capital works program within Council's 2022-2026 Delivery Program and 2022-2023 Operational Plan:
 - i. Jerrara Drive, East Jindabyne;
 - ii. Bombala Street, Nimmitabel;
 - iii. Cooma North Public School, Mittagang Road, Cooma;
 - iv. Bombala Primary School, Bright Street, Bombala;
 - v. Bombala High School, Bright Street, Bombala
 - vi. Monaro High School, Mittagang Road, Cooma;
 - vii. Eucumbene Road/Kosciuszko Road, Kalkite
 - viii. Hilltop Road/Kosciuszko Road, Jindabyne;
 - ix. Avonside Road/Kosciuszko Road, Jindabyne.

Moved Councillor Stewart

Seconded Deputy Mayor Higgins

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 and Councillor Williamson.

Councillors Against: Nil.

9.1.2 REGIONAL HOUSING FUND - KALKITE SEWAGE TREATMENT PLANT UPGRADE - SUCCESSFUL GRANT APPLICATION NOTIFICATION

Record No: I22/625

COUNCIL RESOLUTION

243/22

That Council:

- A. Receive and note the advice of the successful grant application for the amount of \$1,400,000

under the NSW Regional Housing Fund for the delivery of the Kalkite Sewage Treatment Plant upgrade.

- B. Reduce the 2022-2023 budget by \$500,000 and allocate these funds to the 2023-2024 budget year.

Moved Councillor Beer

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 and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 237/22 above as there was no challenge by Councillors.

9.2 FINANCE

9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - AUGUST 2022

Record No: I22/621

COUNCIL RESOLUTION

244/22

That Council

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

Moved Councillor Hopkins

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 and Councillor Williamson.

Councillors Against: Nil.

9.2.2 MONTHLY BUDGET REVIEW STATEMENT (MBRS) TO 31 AUGUST 2022

Record No: I22/626

COUNCIL RESOLUTION

245/22

That the Budget Review Statement for the month ended 31 August 2022 be received and the variations noted therein be approved.

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

9.3 STRATEGY

9.3.1 MINUTES FROM MANAGEMENT AND ADVISORY COMMITTEES

Record No: I22/470

COUNCIL RESOLUTION	246/22	
That Council		
A. Receive the minutes of the Cooma North Ridge Reserve Advisory Committee; and		
B. Receive the minutes of the Bombala Exhibition Ground Management Committee;		
Moved Councillor Beer	Seconded Councillor Johnson	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.</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 237/22 above as there was no challenge by Councillors.

9.3.2 NORTH RIDGE RESERVE COMMITTEE CHARTER

Record No: I22/248

COUNCIL RESOLUTION	247/22	
That Council:		
a) Adopt the Cooma North Ridge Reserve Committee Charter; and		
b) Nominate councillor Hopkins.		
Moved Councillor Stewart	Seconded Councillor Hopkins	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor</i>	

Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.
Councillors Against: Nil.

9.3.3 MEMBERSHIP OF THE ARTS AND CULTURE SECTION 355 ADVISORY COMMITTEE

Record No: I22/583

COUNCIL RESOLUTION

248/22

That Council

A. Appoint the following community representatives to the Arts and Culture Section 355 Advisory Committee:

- A Ben Eyles
- B Lisa Matthes
- C Sue Haslingden
- D Denise Ferris
- E Andrei Davidoff
- F Ron Dowd.

B. Request the committee to consult with all applicants to develop a plan for this advisory committee for the next 12 months.

Moved Councillor Hopkins

Seconded Councillor Hanna

CARRIED

Record of Voting

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

Councillors Against: *Councillor Stewart, Councillor Summers and Councillor Williamson.*

9.3.4 DRAFT SOUTH EAST AND TABLELANDS REGIONAL PLAN 2041

Record No: I22/590

COUNCIL RESOLUTION

249/22

That Council:

A. Receive and note the draft South East and Tablelands Regional Plan.

B. Authorise the CEO to sign Council's draft submission on the plan aligned with the attached draft.

Moved Councillor Stewart

Seconded Councillor Johnson

CARRIED

Record of Voting

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

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

9.3.5 ROAD NAMING FOR SUBDIVISION OF 10 JINDABYNE ROAD, BERRIDALE

Record No: I22/591

COUNCIL RESOLUTION

250/22

That Council

- A. Endorse the names Higgins Circuit, Hyles Street and Try Street to go to the Geographical Names Board for pre-approval
- B. Endorse the name Higgins Circuit, Hyles Street and Try Street to be publicly advertised for a period of 28 days

Moved Councillor Beer

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 and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 237/22 above as there was no challenge by Councillors.

9.3.6 BOMBALA CARETAKERS COTTAGE - REFURBISHMENT ESTIMATES

Record No: I22/573

COUNCIL RESOLUTION

251/22

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.

Moved Councillor Beer

Seconded Councillor Summers

LOST

Record of Voting

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

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

At 02:19 pm Councillor Summers left the meeting.

At 02:21 pm Councillor Summers returned to the meeting.

FORESHADOWED MOTION

COUNCIL RESOLUTION

252/22

That Council accept the quote of \$148,913 to renovate the cottage and ensure the spending does not exceed the grant funding.

Moved Councillor Stewart

Seconded Councillor Hopkins

CARRIED

Record of Voting

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

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

9.3.7 ORGANISATIONAL PERFORMANCE REPORT - AUGUST 2022

Record No: I22/654

COUNCIL RESOLUTION

253/22

That Council:

- A. Defer OP Action Title: 9.3.2.3 PROJECT: To investigate opportunities to employ local people with a disability at ScrapMart tip shops from the 2022-2023 operational plan year to the 2023-2024 operational plan year.
- B. That the update of the disability inclusion plan currently being undertaken use more inclusive language.
- C. Note the progress outlined in the reports.

Moved Councillor Frolich

Seconded Councillor Johnson

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Deputy Mayor Higgins and Councillor Hopkins.

At 02:48 pm Councillor Williamson left the meeting.

At 02:50 pm Councillor Williamson returned to the meeting.

9.3.8 ROAD NAMING PROPOSAL - BIILMANN CLOSE

Record No: I22/588

COUNCIL RESOLUTION

254/22

That Council approve the name Biilmann Close for gazettal by the Geographical Names Board.

Moved Councillor Beer	Seconded Councillor Johnson	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.</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 237/22 above as there was no challenge by Councillors.

9.3.9 NSW OPEN SPACE CHARTER

Record No: I22/484

COUNCIL RESOLUTION	255/22	
That Council agree to become a signatory to the NSW Public Spaces Charter		
Moved Councillor Beer	Seconded Councillor Johnson	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.</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 237/22 above as there was no challenge by Councillors.

9.3.10 CONSIDERATION OF JOINT ARIC

Record No: I22/664

COUNCIL RESOLUTION	256/22	
That Council retain an individual ARIC.		
Moved Councillor Summers	Seconded Councillor Hopkins	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson and Councillor Summers.</i>	
<i>Councillors Against:</i>	<i>Councillor Stewart and Councillor Williamson.</i>	

At 02:51 pm Councillor Beer left the meeting.

At 02:55 pm Councillor Beer returned to the meeting

9.4 COMMUNICATIONS

9.4.1 MONARO RAIL TRAIL - POTENTIAL CONSTRUCTION FUNDING GRANT APPLICATIONS

Record No: 122/589

ORIGINAL MOTION

That Council continue to actively support the development of the MRT and seek grant funding for construction of stage 1a (whether in part or in entirety) once the following matters have been resolved to the satisfaction of Council:

- A. QPRC and SMRC have entered into all necessary arrangements with TfNSW to ensure that construction can proceed;
- B. Annual operational costs, including depreciation, can be funded through Council's General Fund;
- C. QPRC and SMRC have executed an MoU covering planning for, construction and subsequent operation of the proposed Monaro Rail Trail;
- D. Full construction costs can be secured from external sources.
- E. That Council advise the Cooma Monaro Rail Group, that Council does not support the extension of the tourist train south of Rock Flat.

Moved Councillor Stewart

Seconded Councillor Johnson

The original motion was withdrawn.

Procedural Motion

COUNCIL RESOLUTION

257/22

That Council move into committee.

Moved Councillor Beer

Seconded Councillor Frolich

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 and Councillor Williamson.

Councillors Against: Nil.

Procedural Motion

COUNCIL RESOLUTION

258/22

That Council move out of Committee.

Moved Councillor Beer

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 and Councillor Williamson.

Councillors Against: Nil.

FORESHADOWED MOTION

COUNCIL RESOLUTION

259/22

That Council

- A. Continue to provide in principle support to Monaro Rail Trail Inc;
- B. Request a comprehensive briefing from Cooma Monaro Rail Group to Council;
- C. Continue to work on the development of Queanbeyan to Cooma segment of the proposed rail trail and;
- D. That a report come back to Council to the next meeting.

Moved Councillor Stewart

Seconded Councillor Frolich

CARRIED

Record of Voting

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

Councillors Against: Councillor Williamson.

9.5 EXECUTIVE OFFICE

9.5.1 ORDINARY COUNCIL RESOLUTION NUMBER DUPLICATE ISSUE

Record No: I22/571

COUNCIL RESOLUTION

260/22

That Council:

- A. Note the duplication errors within the 28 June 2021 Extraordinary Council Meeting and 15 July 2021 Council Meeting Minutes resolution numbering, and
- B. Approve the amendment to the duplicate resolution numbers to include the addition of 'A' in

order to create an individual specific resolution number.

Moved Councillor Beer

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 and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 237/22 above as there was no challenge by Councillors.

9.5.2 RESOLUTION ACTION SHEET UPDATE

Record No: I22/641

COUNCIL RESOLUTION

261/22

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

Moved Councillor Beer

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 and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 237/22 above as there was no challenge by Councillors.

9.5.3 ANSWERS TO QUESTIONS WITH NOTICE

Record No: I22/642

COUNCIL RESOLUTION

262/22

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

Moved Councillor Beer

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

<i>Summers and Councillor Williamson.</i>
<i>Councillors Against: Nil.</i>

Motions Without Debate

The above officer’s recommendation became a resolution of Council as a result of resolution 237/22 above as there was no challenge by Councillors.

9.6 WORKFORCE

Nil

10. REPORTS OF COMMITTEES

Nil

11. NOTICE OF MOTION

11.1 VOTING DELEGATES FOR THE 2022 LGNSW ANNUAL CONFERENCE

Record No: 122/627

Responsible Officer: Chief Executive Officer
 Author: Councillor Lynda Summers
 Attachments: Nil

Councillor Lynda Summers has given notice that at the Ordinary Meeting of Council on 15 September 2022, she will move the following motion.

COUNCIL RESOLUTION	263/22
That Council nominate Mayor Cr Davis and Cr Summers as its voting delegates for the 2022 LGNSW Annual Conference.	
Moved Councillor Summers	Seconded Councillor Johnson CARRIED
Record of Voting	
<i>Councillors For:</i>	<i>Councillor Beer, Mayor Davis, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson and Councillor Summers.</i>
<i>Councillors Against:</i>	<i>Councillor Frolich, Councillor Stewart and Councillor Williamson.</i>

**11.2 NOTICE OF MOTION TO RESCIND RESOLUTION - ADDITION TO FINANCIAL SUSTAINABILITY
REVIEW ADVISORY COMMITTEE**

Record No: I22/630

Responsible Officer: Chief Executive Officer
Author: Councillor Bob Stewart
Attachments: Nil

Councillor Bob Stewart, Frolich and Williamson have given notice that at the Ordinary Meeting of Council on 15 September 2022, they will move the following motion.

COUNCIL RESOLUTION

264/22

We hereby give notice of the following motion of rescission:

That Part A of the Council resolution relating to

Minutes No. I22/479

Item No. 11.2

Title Financial Sustainability Review – Part A (only)

Passed at the Council meeting held on 21 July 2022;

11.2 FINANCIAL SUSTAINABILITY REVIEW

Record No: I22/479

COUNCIL RESOLUTION

1/22

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

be and is hereby rescinded.

Moved Councillor Stewart

Seconded Councillor Frolich

LOST

Record of Voting

Councillors For: Councillor Frolich, Councillor Stewart and Councillor Williamson.

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

12. MAYORAL MINUTES

12.1 MOTIONS FOR LGNSW CONFERENCE

Record No: I22/679

Author: Mayor Narelle Davis - Narelle Davis, Mayor

Attachments: Nil

EXECUTIVE SUMMARY

That the NSW Government prioritise working in partnership with regional and rural Councils, especially those with seasonal demands for short term and tourist accommodation.

COUNCIL RESOLUTION

265/22

That Council submit the following motions to LGNSW for consideration at the LGNSW Annual Conference being held on Sunday 23 October to Tuesday 25 October 2022:

1. That access to the Biosecurity information data base managed by DPI be broadened beyond statutory bio-security officers to include other appropriate stakeholders such as Landcare, local agronomists and relevant non-government and government agencies.
2. That the NSW Government prioritise working in partnership with regional and rural Councils, especially those with seasonal demands for short term and tourist accommodation, that may include but not be limited to:
 - a. Removing policy and legislative barriers that prevent incentivising owners putting existing housing into the long term rental market.
 - b. Working proactively with stakeholders (eg Land Councils) to release more land for housing developments, with 25% allocated to social housing/ key workforce housing (Cooma Model).
 - c. Fund more social and emergency housing and accommodation.

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 Frolich, Councillor Stewart and Councillor Williamson.

13. QUESTIONS WITH NOTICE

Nil

14. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

266/22

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:

14.1 Legal Actions and Potential Claims Against SMRC as at 31 August 2022

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.

14.2 CEO Performance Review

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 Johnson

CARRIED

Record of Voting

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

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 4:09 pm the meeting was closed to the press and public.

Note 3: Resumption of Open Committee Meeting

At 4:32 pm 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 AS AT 31 AUGUST 2022

COUNCIL RESOLUTION

267/22

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

Moved Councillor Beer

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 and Councillor Williamson.

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 237/22 above as there was no challenge by Councillors.

14.2 CEO PERFORMANCE REVIEW

COUNCIL RESOLUTION

268/22

That Council:

- A. That the Council note this Mayor's Minute which includes the CEO's Performance Review Panel's position following the Annual Review for 2021/22.
- B. The Panel in accordance with clause 8.3 of the CEO's Contract of Employment has noted the Better than Satisfactory (a term referred to in the CEO's Contract of Employment) performance.
- C. That for the 2022/23 Performance Review period the Performance Agreement Part D – Annual Projects & Priorities be included in the 2022/2023 Performance Agreement following determination by the Panel and the CEO.

Moved Councillor Beer

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 and Councillor Williamson.

Councillors Against: Nil.

MINUTES OF THE ORDINARY COUNCIL MEETING OF SNOWY MONARO REGIONAL COUNCIL
HELD ON THURSDAY 15 SEPTEMBER 2022

Cr Stewart acknowledged the passing of the Queen, and the new King Charles III on behalf of the Council.

There being no further business the Mayor declared the meeting closed at 4:34 pm



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 15 September 2022 were confirmed by Council at a duly convened meeting on 20 October 2022 at which meeting the signature hereon was subscribed.