



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Extraordinary Council Meeting

24 October 2024

**EXTRAORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON THURSDAY 24 OCTOBER 2024**

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

**ON THURSDAY, 24 OCTOBER 2024
COMMENCING AT 10:00 AM**

PRESENT: Mayor Christopher Hanna
Deputy Mayor Tricia Hopkins
Councillor Narelle Davis
Councillor Nick Elliott
Councillor Tanya Higgins
Councillor John Rooney
Councillor Reuben Rose
Councillor Bob Stewart
Councillor Lynda Summers
Councillor Andrew Thaler
Councillor Luke Williamson – *via audio-visual link*

APOLOGIES: Nil

Staff: David Rawlings, Acting Chief Executive Officer
John Gargett, Acting Chief Infrastructure & Projects Officer
Tony Murray, Chief Community Services Officer
Megan Haigh, EA to CEO, Mayor and Councillors
Erin Donnelly, Governance Officer

1. OPENING MEETING

The Mayor opened the meeting at 10:00 AM

2. ACKNOWLEDGEMENT OF COUNTRY

3. COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL

3.1 COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL

COUNCIL RESOLUTION **240/24**

That Council approve the remote attendance of Councillor Luke Williamson at the meeting on 24 October 2024, via audio-visual link.

Moved Councillor Hanna **Seconded Councillor Stewart** **CARRIED**

Record of Voting

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

Councillors Against: Nil.

4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

5. DISCLOSURE OF INTEREST

Nil

6. OTHER REPORTS TO COUNCIL

6.1 EXECUTIVE OFFICE

6.1.1 UNLAWFUL MOTIONS

Record No: I24/577

There is no recommendation as this is a report from the CEO advising of action taken in accordance with the code of meeting practice. This report is not business before Council, simply legislative reporting.

Councillor Williamson arrived at 10.08 am

7. NOTICE OF MOTION

MOTION OF DISSENT

That councillors dissent from the ruling of the chair that there is a quorum.

Moved Councillor Rose

LOST

Record of Voting

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

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

7.1 UNREASONABLE COMPLAINANT CONDUCT POLICIES OF THE COUNCIL

Record No: I24/571

Councillor Reuben Rose has given notice that at the extraordinary meeting of Council on 24 October 2024, he will move the following motion.

MOTION

That:

- A. An urgent independent internal audit be conducted in relation to the application of Council's UCC policy. The audit to advise on the state of:
 - i. Compliance with council's policy.
 - ii. Compliance with the NSW Ombudsman's guidelines. *NOTE: This is not an arduous requirement because the Model Policy already requires that council has established and detailed systems "To guard against misuses or overuses of UCC policies, various systems should be in place.." (Page 2 of the Model Policy)*
- B. A meeting be held as soon as the internal audit is complete to advise councillors of the findings of the audit.

Moved Councillor Rose

Seconded Councillor Thaler

LOST

Record of Voting

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

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

COUNCIL RESOLUTION

241/24

The Managing Unreasonable Complainant Conduct (UCC) Policy be reviewed through the normal course of policy review with evaluation of the review from the ARIC Committee.

The review to be taken in light of the WHS Act within a timeframe of 6 months.

Moved Councillor Davis

Seconded Councillor Higgins

CARRIED

Record of Voting

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

Councillors Against: Councillor Rose and Councillor Williamson.

AMENDMENT

COUNCIL RESOLUTION

242/24

That the motion be amended to include:

That an independent assessment of the Council's systems and processes be made to ensure compliance with the NSW Ombudsman Managing Unreasonable Conduct by Complainant Model Policy.

Moved Councillor Rose

Seconded Councillor Thaler

LOST

Record of Voting

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

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

At 12:12 pm Councillor Thaler left the meeting.

At 12:15 pm Councillor Summers left the meeting.

At 12:17 pm Councillor Thaler returned to the meeting.

At 12:19 pm Councillor Summers returned to the meeting.

7.2 CIRCUMSTANCES RELATED TO THE RESIGNATION OF THE CEO

Record No: 124/574

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 24 October 2024, he will move the following motion.

COUNCIL RESOLUTION

243/24

That, in order to fulfil the statutory governance requirements of councillors any legal advice provided to council, relevant to or referenced in the resignation correspondence, in the period two weeks before and one week after the resignation notice be made available to councillors.

Moved Councillor Rose

Seconded Councillor Thaler

CARRIED

Record of Voting

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

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

8. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

244/24

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:

8.1 Appointment of Interim CEO

Item 8.1 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 Mayor Hanna

Seconded Deputy Mayor Hopkins

CARRIED

Record of Voting

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

Councillors Against: Councillor Rose and Councillor Thaler.

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 12.56 PM the meeting was closed to the press and public.

At 1:15 pm Councillor Williamson left the meeting.

Note 3: Resumption of Open Committee Meeting

At 1.57 PM the Closed Session ended and the Council meeting continued in Open Session.

9. REPORT FROM CONFIDENTIAL SESSION

8.1 APPOINTMENT OF INTERIM CEO

Record No: I24/585

This item is classified CONFIDENTIAL in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to personnel matters concerning particular individuals (other than councillors).

COUNCIL RESOLUTION

245/24

That Council:

A - Determine that the previous policy decision 106/20 set at the 21 May 2020 meeting includes the situation where the position of CEO becomes vacant.

B - Interview [REDACTED] for the interim CEO position.

Moved Councillor Hanna

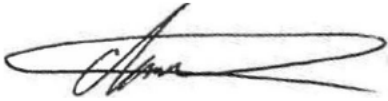
CARRIED

Record of Voting

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

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

There being no further business the Mayor declared the meeting closed at 2.00 pm



CHAIRPERSON

The above minutes of the Extraordinary Council Meeting of Snowy Monaro Regional Council held on 24 October 2024 were confirmed by Council at a duly convened meeting on 14 November 2024 at which meeting the signature hereon was subscribed.

Confirmed