



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

29 June 2016

**ORDINARY COUNCIL MEETING
HELD IN BERRIDALE COUNCIL CHAMBERS, 2 MYACK STREET, BERRIDALE NSW 2628
ON WEDNESDAY 29 JUNE 2016**

MINUTES

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**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN BERRIDALE COUNCIL CHAMBERS, 2 MYACK STREET, BERRIDALE NSW 2628**

**ON WEDNESDAY, 29 JUNE 2016
COMMENCING AT 5.30PM**

PRESENT: Administrator Dean Lynch

APOLOGIES:

Staff: Joe Vescio, General Manager
Dennis Trezise, Assistant General Manager
Iliada Bolton, Director Special Projects
Suneil Adhikari, Director Service Delivery
Peter Smith, Director Service Planning
Stephen Molloy, Director Service Support
Erin Donnelly, Secretary Council and Committees

Notes: *The Administrator opened the meeting at 5.30PM, The attention of Council was drawn to 9.20 Financial Implications relating to deferred adoption of 2017 Revenue Policy and Budget, 9.21 Holland Road – Stormwater Upgrade and 9.22 Wangie Street Cooma – Road Upgrade as late reports not listed on the Council agenda and business paper and requested that Council consider the late reports as matters of urgency, At 6.44 pm the meeting was closed to the press and public, At 6.45 pm the Closed Session ended and the Council meeting continued in Open Session, There being no further business the Administrator declared the meeting closed at 6.46pm.*

The Administrator opened the meeting at 5.30PM

1. APOLOGIES

Nil

2. CITIZENSHIP CEREMONIES

Nil

3. PRESENTATIONS

(Minutes of Presentations are a summary only and do not purport to be a complete transcript of the proceedings.)

3.1 CHERYL MOULD - AITCHISON COTTAGE

Ms Cheryl Mould, Secretary Aitchison Cottage, gave a presentation to Council on the history and future plans for Aitchison Cottage. The committee are committed to resorting the cottage to its former historical structure, with plans to make the building available for community use including a community garden. Ms Mould explained the committee has conducted many fundraising events to support the restoration of the cottage, however, the committee would like advise on further funding options.

4. PUBLIC FORUM

(Minutes of Deputations from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

COUNCIL RESOLUTION

48/16

That members of the public be granted permission to address Council.

Approved by Administrator Lynch

4.1 PENELOPE JUDGE - DELEGATES CONCERNS

Ms Penelope Judge, a resident of Delegate, expressed her disappointment the response from a letter she had sent to the Administrator. Ms Judge also addressed council regarding the Local Representative Committee, believing the representation goes both ways.

Ms Judge also informed Council the Delegate community continues to be concerned about the water supply.

4.2 JOHN JUDGE - PROTOCOLS

Mr John Judge, resident of Delegate, asked Council to clarify aspects of the Administrators Delegations.

5. CONFIRMATION OF MINUTES

5.1 ORDINARY COUNCIL MEETING 25 MAY 2016

COUNCIL RESOLUTION

49/16

THAT the minutes of the Ordinary Council Meeting held on 25 May 2016 are confirmed as a true and accurate record of proceedings.

Approved by Administrator Lynch

5.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 25 MAY 2016

COUNCIL RESOLUTION

50/16

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 25 May 2016 are confirmed as a true and accurate record of proceedings.

Approved by Administrator Lynch

Business Arising Out Of The Minutes

Proceedings in Brief

A number of issues were raised by the Administrator seeking advice on progress with recommendations of the Committee. These issues did not require further resolutions from Council and were addressed by the General Manager

6. DISCLOSURE OF INTEREST

Nil

7. ADMINISTRATORS REPORT

7.1 NAIDOC WEEK

Administrator Lynch informed Council of events happening in the region to celebrate NAIDOC Week. The Snowy River Visitors Centre will be hosting an art exhibition from the Ngarigo and other indigenous artist. In September the Raglan will also host an art exhibition in celebration of NAIDOC Week.

7.2 LOCAL REPRESENTATIVE COMMITTEES

Administrator Lynch updated Council on the Local Representative Committees (LRC), the committees have been set up and have started operating. The three (3) chairs from each committee will also be part of the panel for the grant funding applications.

7.3 CHAMBER OF COMMERCE

The Administrator informed Council he has been in discussions with local Chamber of Commerce across the region. Chamber members have set up a board for the region, the purpose of this board is another way of having a voice with the LRC Members.

8. DELEGATES REPORT

8.1 MINUTES OF ADMINISTRATOR DELEGATIONS MEETING 10 JUNE 2016

RECORD NO:

RESPONSIBLE OFFICER: GENERAL MANAGER

AUTHOR: SECRETARY COUNCIL & COMMITTEES

ATTACHMENTS: 1. MINUTES - ADMINISTRATOR DELEGATIONS MEETING 10 JUNE 2016

EXECUTIVE SUMMARY

THE ADMINISTRATOR DELEGATION MEETING WAS HELD ON 10 JUNE 2016 IN HEAD OFFICE, 81 COMMISSIONER STREET, COOMA.

COUNCIL RESOLUTION

51/16

RECEIVE AND NOTE THE RECOMMENDATIONS APPROVED BY THE ADMINISTRATOR IN ACCORDANCE WITH *SECTION 226 DOT POINT ONE (1) OR TWO (2) OF THE LOCAL GOVERNMENT ACT*

APPROVED BY ADMINISTRATOR LYNCH

9. STAFF REPORTS

9.1 MINUTES OF THE LOCAL REPRESENTATIVE COMMITTEE MEETING HELD 14 JUNE 2016

Record No:

Responsible Officer: General Manager

Author: Secretary Council & Committees

Attachments: 1. Minutes - Snowy Monaro Local Representation Committee Meeting
14 June 2016

-
2. Attachment to Minutes - Appointment to Committees
 3. Local Representation Committee Acceptance - Angela Ingram
 4. Local Representation Committee Acceptance - Craig Mitchell
 5. Local Representation Committee Acceptance - Dian Hampshire
 6. Local Representation Committee Acceptance - Gabrielle Rea
 7. Local Representation Committee Acceptance - John Cahill
 8. Local Representation Committee Acceptance - John Shumack
 9. Local Representation Committee Acceptance - Paul Perkins
 10. Local Representation Committee Acceptance - Peter Beer
 11. Local Representation Committee Acceptance - Robert Frost
 12. Local Representation Committee Acceptance - Rogan Corbett
 13. Local Representation Committee Acceptance - Steve Goodyer
 14. Local Representation Committee Acceptance - Winston Phillips
-

EXECUTIVE SUMMARY

The Local Representative Committee met on 17 June 2016 in Cooma Council Chambers, 81 Commissioner Street Cooma.

COUNCIL RESOLUTION

52/16

That the Administrator receive and note the minutes of the Local Representative Committee Meeting held 14 June 2016.

Approved by Administrator Lynch

9.2 REALIGNMENT OF BIG YARD ROAD, MOONBAH

Record No:

Responsible Officer: Director Technical Services & Operations
Author: Property Officer
Key Direction: 2. Expanding Connections Within the Shire and Beyond
Delivery Plan Strategy: DP2.5 Continual maintenance and improvement of the road infrastructure network.
Operational Plan Action: OP2.9 Undertake a comprehensive condition assessment of all Councils Timber and Concrete Bridges, Culverts and Causeways and search for suitable grant funding to implement upgrades where necessary
Attachments: 1. Map of Section of Big Yard Road to be Realigned
2. Consent from David Woodhouse - Realignment of Big Yard Road
3. Consent from Ray Weston - Realignment of Big Yard Road
Cost Centre
Project PJ180263 – Big Yard Road Bridge Replacement
Further Operational Plan Actions:

EXECUTIVE SUMMARY

During the final planning stage for the replacement of the Rendezvous Creek Bridge on Big Yard Road at Moonbah an anomaly between the constructed road and the paper road reserve was identified. The paper road (approx. 1186.88 metres) only passes through Lot 4 DP 756711. The two landowners involved were contacted with a view to realigning the road reserve over the constructed road for a distance of approximately 1280 metres.

Both landowners have agreed in writing to “gift” the land within the constructed road through each of their properties to Council. Mr Weston will be compensation by transfer of the section of road to be closed where it traverses Lot 4. However, since there is no paper road passing through lot 29, Mr Woodhouse has requested that in exchange for the land within the road reserve Council fence the eastern side of the road through lot 29 (a distance of approx. 165m).

The following officer’s recommendation is submitted for Council’s consideration.

COUNCIL RESOLUTION

53/16

That Council

- A. Approve the proposal to realign Big Yard Road over the constructed road through lot 29 and Lot 4 DP 756711 so that the Rendezvous Creek Bridge is within Council’s road reserve.
- B. Engage the services of a registered surveyor to create a plan of subdivision through lot 29 and lot 4

DP 756711.

- C. Make application to the Department of Lands to close the section of paper road through lot 4 DP 756711.
- D. Transfer the section of closed paper road through lot 4 DP 756711 to the adjoining landowner upon registration of the plan of subdivision and closure of the paper road in compensation.
- E. Agree to pay all costs for the survey, road closure application, Council fees, registration fees and any legal fees.

Approved by Administrator Lynch

9.3 ADOPTION OF THE SNOWY RIVER LOCAL TRAFFIC COMMITTEE RECOMMENDATIONS FROM THE 9 JUNE 2016 MEETING

Record No:

Responsible Officer:	Director Technical Services & Operations
Key Direction:	2. Expanding Connections Within the Shire and Beyond
Delivery Plan Strategy:	DP2.3 Continually monitor and improve traffic management throughout the Shire.
Operational Plan Action:	OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.
Attachments:	1. SM LTC minutes of 9 June 2016 meeting
Cost Centre	1510 Engineering and Operations Management
Project	Local Traffic Committee

EXECUTIVE SUMMARY

A copy of the Minutes from the Snowy River Local Traffic Committee Meeting held on 9th June 2016 is attached for Council's consideration and adoption of the recommendations.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

54/16

That Council

- A. Receive and note the minutes of the Snowy Monaro Local Traffic Committee meeting held on 9 June 2016; and
- B. Adopt the Snowy Monaro Local Traffic Committee recommendations LTC 01/16, 02/16, 03/16, 04/16, 05/16 and 06/16 of 9th June 2016.

Approved by Administrator Lynch

9.4 REQUEST FOR TEMPORARY ROAD CLOSURE OF PARK ROAD, BERRIDALE TO FACILITATE THE OPENING OF A NEW WAR MEMORIAL.

Record No:

Responsible Officer: Director Technical Services & Operations
Key Direction: 2. Expanding Connections Within the Shire and Beyond
Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.
Operational Plan Action: OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.
Attachments:
Cost Centre 1510 Engineering and Operations Management
Project Local Traffic Committee

EXECUTIVE SUMMARY

A request has been received from the Snowy River RLS Sub-Branch to temporarily close Park Street in Berridale for the purpose of conducting an unveiling and dedication ceremony of the recently completed War Memorial on Friday 1 July 2016 from 11:30 am until 13:30pm.

The following officer’s recommendation is submitted for Council’s consideration.

COUNCIL RESOLUTION

55/16

That Council

Approve temporary road closure of Park Street, Berridale from the gallery to Myack Street on 1 July 2016 from 11:30am until 12:30pm subject to:

- A. Providing a copy of a satisfactory Traffic Control Plan for the temporary closure of Park Street, Berridale.

Approved by Administrator Lynch

9.5 RESULTS OF PUBLIC EXHIBITION OF SNOWY RIVER AVENUE UPGRADE CONCEPT DESIGN

Record No:

Responsible Officer: Director Community & Environmental Services
Author: Manager Community & Strategic Planning
Key Direction: 6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy: DP6.10 Ensure that Council’s policy, land use planning, development assessment enhance liveability.
Operational Plan Action: OP6.30 Ensure that the local planning framework enhances amenity, safety and sustainability of community neighbourhoods.
Attachments: Nil
Cost Centre 1814 – Urban Roads Local

0820 – Strategic Planning

Project

R0296 – Snowy River Avenue Road Upgrade Project

Further Operational Plan Actions: DP6.11 Plan for, and undertake, works to improve the visual amenity of towns.

OP6.33 Implement the recommendations from the Jindabyne Action Plan.

DP2.3 Continually monitor and improve traffic management throughout the Shire.

OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.

OP2.5 Progressively implement the recommendations from the each of the Shire’s Township Action and Beautification Plans.

EXECUTIVE SUMMARY

The direction to improve the streetscape of Snowy River Avenue is included in the Jindabyne Action Plan 2030. This plan was developed with extensive community consultation and articulated two key areas to support a functional and strong CBD for Jindabyne. One key initiative was to develop a town square and the other to transform Snowy River Avenue into a ‘main street’. The current project has come forward due to availability of funds and critical upgrade of the road surface however it is still strongly on the agenda to realise a town square to complement the current project and realise a connected and strong town centre for Jindabyne.

In order to guide the transformation of the main street a Concept Design was developed. The Concept Design for the upgrade of Snowy River Avenue was placed on public exhibition from March 16 to April 12, 2016. During the public exhibition period Council staff conducted meetings with interested individuals, Jindabyne Central School management, Snowy Youth Council and Nugget’s Crossing centre management. Council staff also conducted in person consultation on Snowy River Avenue on April 2, and provided local media with a briefing on the project on March 31. A detailed briefing consultation was also held with the former Snowy River Shire Local Traffic Committee which incorporated a number of changes and consultation with RMS directly continues to occur to finalise the design for implementation.

Public feedback for the proposal was broadly supportive, with some submissions raising particular issues which the project team will be endeavouring to address as the project moves to the detailed design and construction phase later in 2016. A table documenting the various submissions made during the public exhibition period and project team response is included within this report.

The main issues raised during public consultation was reduction in parking and or movement of the parking into Kalkite Street Car Park and associated impacts, loading and unloading areas and priority of the project and costs. Comments were also received on street furniture, street plantings and cycle infrastructure. Many positive comments were received regarding improvements in safety, access for all abilities and general upgrade of the appearance of Snowy River Avenue and the benefits this brings.

A media release thanking community for their input has been released.

The following officer’s recommendation is submitted for Council’s consideration.

COUNCIL RESOLUTION

56/16

That Council

- A. Note the submissions made by members of the public displayed in the table in 'Background' section of this report on the Snowy River Avenue Concept Design;
- B. Note the planning responses provided to the comments made;
- C. Endorse the proposed next steps suggested for 2016 year of the Snowy River Avenue Upgrade Project including the establishment of a stakeholder working party to assist with detailed design and implementation.

Approved by Administrator Lynch

9.6 UPDATE ON PLANNING PROPOSALS COMMENCED IN FORMER SNOWY RIVER SHIRE COUNCIL UNDER SNOWY RIVER LEP 2013

Record No:

Responsible Officer:	Director Community & Environmental Services
Author:	Manager Community & Strategic Planning
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.10 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP6.30 Ensure that the local planning framework enhances amenity, safety and sustainability of community neighbourhoods.
Attachments:	Nil
Cost Centre	8010 – Strategic Planning
Project	Pursue Planning Proposals to amend Snowy River LEP 2013 as needed
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Prior to the merger and formation of Snowy Monaro Regional Council the former Snowy River Shire Council were pursuing two Planning Proposals to amend Snowy River LEP 2013.

The first Planning Proposal included various minor and administrative amendments to LEP 2013. The Gateway Determination issued authorisation for Council to exercise delegation to make this plan. This process is nearing completion with legal drafting currently being prepared before the plan can be legally made.

The Second Planning Proposal concerns part Lot 20 DP219584 and details the proposed reclassification

and rezoning to allow legal access from Kosciuszko Road to the approved Shop-top housing development (DA0126/2015) at 3 McClure Circuit. This Planning Proposal is yet to be adopted by Council and forwarded for a Gateway Determination.

A short précis and the status and timing of each amendment is provided below.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

57/16

That Council receive and note the contents and status of the two Planning Proposals in progress prior to the merger and formation of Snowy Monaro Regional Council to amend Snowy River LEP 2013.

Approved by Administrator Lynch

9.7 DA2016/0148 - DWELLING HOUSE

Record No:

Responsible Officer:	Manager Development Assessment
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.10 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP 6.29 Ensure development assessment is undertaken in accordance with adopted Local Environmental Plans, Development Control Plans, Council Policy and State and Federal legislation.
Attachments:	<ol style="list-style-type: none">1. Assessment Report and Draft Conditions prepared by External Planner2. Development Plans3. BASIX Certificate4. Statement of Environmental Effects5. Soil Assessment6. Development Application Form

Further Operational Plan Actions:

Applicant Number:	Da2016/0148
Applicant:	Hazfad Investments Pty Ltd C/o Dabyne Planning
Owner:	John Fazakerley & Janine Hudson
DA Registered:	7 April 2016
Property Description:	Lot 7 DP 1210147
Property Number:	108341
Area:	5.658 hectares

Zone:	R5 – Large Lot Residential
Current Use:	Vacant Land
Proposed Use:	Dwelling House
Permitted in Zone:	Yes
Recommendation:	That the development be approved with conditions

EXECUTIVE SUMMARY

The purpose of this report is to approve a dwelling house and associated garage. The proposal is required to be determined by Council in compliance with the requirements of Councils' Code of Conduct as the applicant and owner is a staff member. In accordance with these requirements the application was assessed by an external planning consultant. The consultant has prepared an assessment report and draft conditions of consent which are attached to this report.

The recommendation provided is that the development be approved with conditions.

COUNCIL RESOLUTION

58/16

A. That pursuant to section 80(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that consent for a dwelling house on Lot 7 DP 1210147 Dalgety Road Berridale - Development Application No 0148/2016 is granted subject to conditions recommended in this report

Approved by Administrator Lynch

Note 1: Draft Conditions of Consent

Draft Conditions of Consent DA2016/0148

APPROVAL IN ACCORDANCE WITH APPROVED PLANS AND SUPPORTING INFORMATION

1. The developer is to ensure that the development complies fully with the plans as submitted to Council on the 7 April 2016 with supporting documentation including, but not limited to the development plans being:

Reference/Dwg No	Title/Description	Prepared By	Date/s
A-00	Drawing Register	MM	25/2/16
A-01	Site Plan	MM	25/2/16
A-02	Ground Floor	MM	25/2/16
A-03	North and South Elevation	MM	25/2/16
A-04	East and West Elevation	MM	25/2/16

A-05	Roof Plan	MM	25/2/16
A-06	Section A-01	MM	25/2/16

- *Statement of Environmental Effects – Dated March 2016 Prepared by DabynePlanning*
- *BASIX certificate No 710475S*
- *Watercheck Testing On-site Sewage Management Assessment – New System Installation Lot 7 Winter Hills Estate Berridale – Report No 201523*

as stamped by the Snowy River Council and attached to this Notice, except where amended by the following conditions of consent:

OTHER APPROVALS

2. This consent authorises the carrying out the following activities, pursuant to the provisions of Section 68 of the Local Government Act 1993 and Section 78(3) of the Environmental Planning and Assessment Act 1979, subject to full compliance with all other relevant conditions of this consent:
 - *Part C Management of waste - Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility*

PRIOR TO THE RELEASE OF THE CONSTRUCTION CERTIFICATE

3. The developer will submit a landscaping plan, for approval by Council, identifying tree plantings to be carried out to assist to reduce the visual impact of the proposed dwelling house from the Dalgety Road.
4. The developer shall submit to the PCA (i.e. Council or Private Certifier) full details on the heating appliance/s to be installed within the development prior to the release of the Construction Certificate. The details are include the location and type of appliance and the manufactures installation specifications
5. The developer is to submit (two) 2 copies of a stormwater drainage design for the development to the PCA (i.e. Council or Private Certifier) prior to the release of the Construction Certificate. The design is to be in accordance with the requirements of the approved BASIX Certificate
6. Final design details of the proposed external materials and finishes, including schedules and a sample board of materials and colours, will be submitted to and approved by Council prior to the issue of a Construction Certificate for above ground works

PRIOR TO COMMENCEMENT OF WORKS

7. The developer is to ensure no site works, construction or building works are to commence without first obtaining a Construction Certificate.
8. At least 48 hours prior to the commencement of any works on the site, a "Notice of Commencement of Work and Appointment of PCA Form" will be submitted to Council. This includes that prior to the commencement of works the Applicant will submit to Council:
 - (a) A construction certificate for the building work which has been issued by the PCA; and,
 - (b) Evidence that the person having the benefit of the development consent has:
 - i) Appointed a Principal Certifying Authority (PCA) and notified Council in writing of the appointment, irrespective of whether Council or an accredited private certifier is appointed;
 - ii) notified the PCA that the person will carry out the building work as an owner-builder, if that is the case; and,
 - (c) Evidence that the principal PCA has, no later than 2 days before the building work commences:
 - i) notified the consent authority and the Council of his or her appointment, and;
 - ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work; and,
 - (d) Evidence that the person having the benefit of the development consent, if not carrying out the work as an owner-builder has:
 - i) notified the principal PCA of any such appointment; and,
 - ii) unless that person is the principal contractor, notified the principal contractor of any critical state inspection and other inspections that are to be carried out in respect of the building work.
9. Building work involving residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates
 - (a) in the case of work to be done by a licensee under that Act:
 - i) has been informed in writing of the licensee's name, contractor license number and contact address details (in the case of building work undertaken by a contractor under the Home Building Act 1989); and
 - ii) is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989; or

(b) in the case of work to be done by any other person:

- i) has been informed in writing of the persons name, contact address details and owner-builder permit number; and
- ii) has been given a declaration signed by the property owner(s) of the land that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989 and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the specific person or licensed contractor is the holder of an insurance policy issued for the purposes of that Part of the Act is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part of the Act.

10. Prior to the commencement of construction, the Applicant will submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practicing Structural Engineer that comply with:

- (a) the relevant clauses of the Building Code of Australia,
- (b) the relevant development consent,
- (c) drawings and specifications comprising the Construction Certificate, and
- (d) the relevant Australian Standards listed in the BCA (Specification A1.3).

11. Before commencement of any work, a sign must be erected in a prominent, visible position:

- (a) stating that unauthorised entry to the work site is not permitted;
- (b) showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- (c) showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

This sign shall be maintained while the work is being carried out and removed upon the completion of the construction works

12. Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be:

- (a) a standard flushing toilet; and
- (b) connected to either: an accredited sewage management facility or an approved chemical closet.

The toilet facilities shall be provided on-site, prior to the commencement of any works.

13. Prior to the commencement of works, the Applicant will submit to the satisfaction of the PCA (i.e. Council or Private Certifier) documentation confirming the building will be protected from termite attack in accordance with the provisions of Australian Standard AS 3660.1. The submitted documentation will include:

- (a) details of the proposed methods to be used; and
- (b) certification of works performed;

A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:

- (a) the method of protection;
- (b) the date of installation;
- (c) where a chemical barrier is used, its life expectancy as listed on the National
- (d) Registration Authority label; and
- (e) the need to maintain and inspect the system on a regular basis.

NOTE: Under slab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building

DURING WORKS

14. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification will be kept on the site at all times and will be readily available for perusal by any officer of the Council or the PCA.
15. The developer is to ensure that where site works are undertaken including all excavations, land clearing and materials storage, all topsoil that is removed is stripped and stockpiled in an appropriate location for future revegetation works. The stockpiled area is to be encircled by a geofabric filter fence.

The developer is to ensure that erosion and siltation control measures are installed and maintained on the site for the entire length of the construction project. Erosion control measures are to include the placement of hay bales staked in the ground or the erection of geofabric filter fencing at the bottom of all areas where cut and fill is carried out and within any existing drainage areas from those cut and fill areas. These control measures are to be in accordance with the requirements of the consent authority and best management practices as

outlined in the NSW Department of Housing's "Managing Urban Stormwater: Soils and Construction" Manual (1998) – the Blue Book".

16. An all-weather stabilised access point must be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single access way.
17. The PCA (i.e. Council) is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the PCA via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.
18. The developer is to ensure that prior to any plumbing work being commenced the licensed plumber / drainer must lodge with Council a starting docket and a dimensioned schematic layout of the sanitary drainage lines.

The developer is to ensure that all plumbing and drainage work is in accordance with the Australian Standard 3500 and the NSW Codes of Practice for Plumbing and Drainage.

19. All new hot water installations will deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50°C. A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.

PRIOR TO OCCUPATION

19. A certificate prepared by an appropriate qualified person is to be submitted for the following building components, certifying to the PCA (i.e. Council or Private Certifier) that the nominated works have been carried out in accordance with the Building Code of Australia, relevant Australian Standards and any conditions of Development Consent. Works are not to progress past this point until the PCA has confirmed that this condition has been satisfied.

- (a) Truss certificate
- (b) Wet seal certificate
- (c) Fire place installers certificate
- (d) Roof fixers certificate
- (e) Plumber's certificate for tempered water (bathroom max 50⁰)
- (f) Smoke alarm certificate per AS3786
- (g) Termite certificate as per AS 3660.1
- (h) Any engineer's certificate
- (i) Fire separation certificate in accordance with requirements of the BCA

20. The PCA (i.e. Council) is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the PCA via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

21. The developer is to ensure that prior to occupation of the dwelling house with reference to the "Guidelines for the Planning, Construction and Maintenance of Trails" the internal vehicular access road within Lot 7 is constructed in accordance with the following minimum standards:

- (a) The road must be 4 metres wide;
- (b) Cross slope of the road must be no greater than 1:14 or 7% (i.e. a 28cm drop over 4 metres); and
- (c) Road gradients must not exceed 16.7% (1:6) for gravel construction and 20% (1:5) for sealed surfaces.

ADMINISTRATIVE CONDITIONS

22. In the event of any inconsistency between conditions of this consent and the approved drawings/documents referred to in Condition 1, the conditions of this consent prevail.

23. The developer will comply with any relevant prescribed conditions of development consent under the Environmental Planning and Assessment Regulation.

9.8 PLANNING PROPOSAL TO RE-CLASSIFY AND REZONE PART LOT 20 DP 219584 AS AN AMENDMENT TO SNOWY RIVER LEP 2013

Record No:

Responsible Officer:	Director Community & Environmental Services
Author:	Manager Community & Strategic Planning
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.10 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP6.30 Ensure that the local planning framework enhances amenity, safety and sustainability of community neighbourhoods.
Attachments:	1. Planning Proposal Reclassification and Rezoning 3 & 5 McClure cct
Cost Centre	8010 – Strategic Planning
Project	Pursue Planning Proposals to amend Snowy River LEP 2013 as needed
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

This report presents a Planning Proposal that concerns part Lot 20 DP219584 and details the proposed reclassification and rezoning to allow legal access from Kosciuszko Road to the approved Shop-top housing development (DA0126/2015) at 3 McClure Circuit. This Planning Proposal is presented to Council with a view to adopting the Planning Proposal and forwarding to the Department of Planning and Environment for a gateway determination.

The attached Planning Proposal details the amendment to SRLEP2013.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

59/16

That Council:

- A. Formally considers the Planning Proposal;
- B. Adopts the Planning Proposal under Section 55 of the Environmental Planning and Assessment Act 1979; and
- C. Forwards the Planning Proposal to the Minister for a gateway determination under section 56 of the Environmental Planning and Assessment Act 1979.

Approved by Administrator Lynch

9.9 DRAFT CONDITIONS OF APPROVAL DA0014/2015

Record No:

Responsible Officer:	Manager Development Assessment
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.10 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP 6.29 Ensure development assessment is undertaken in accordance with adopted Local Environmental Plans, Development Control Plans, Council Policy and State and Federal legislation.
Attachments:	Nil
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The purpose of this report is to seek endorsement for draft conditions of consent for DA0014/2015 – Conversion of short term sites to long term sites at Buckenderra Holiday Village.

The proposal sought to convert 50 of the designated short-term caravan sites to long-term spaces allowing year-round accommodation at Buckenderra Holiday Village. In a report presented to the Snowy River Shire Delivery and Operations Committee Meeting of 10 May 2016, Council officers recommended refusal for the development application. The recommendation was not accepted and an amendment was made to the original motion to approve the application with a requirement that Council staff provide a report to the next Council meeting supplying conditions of consent.

As Council officers recommended refusal an outside consultant was appointed to provide the draft conditions. Those draft conditions are reproduced within the body of this report.

It is recommended that Council endorse the draft conditions contained herein and allow for the notice of determination to be released to the applicant.

COUNCIL RESOLUTION

60/16

That Council endorse the draft conditions of consent for DA0014/2015 contained in this report.

Approved by Administrator Lynch

Note 2: Draft Conditions of Consent

Draft Conditions of Consent DA0014/2016

APPROVAL IN ACCORDANCE WITH APPROVED PLANS AND SUPPORTING INFORMATION

1. The development is carried out in accordance with the following approved plans and supporting information, as amended by conditions of this consent:

<i>Drawings prepared by ADW Johnson</i>			
Drawing No	Revision	Name of Plan	Date
11848-COMMAP - 001-A	A	Buckenderra Caravan Holliday Village	09/09/15

- Statement of Environmental Effects – Minor Development date stamped 18 August 2014
- Buckenderra Holiday Village – Social Impact Assessment – Key Insights Pty Ltd – August 2015
- Assessment of Effluent Management – Buckenderra Holiday Village – Soil and Land Conservation Consulting – June 2015

2. This consent is limited to the conversion of 50 existing short term to long term sites as identified on the approved plans.

PRIOR TO THE COMMENCEMENT OF USE OF LONG TERM SITES

3. The developer is to provide a current audit of evidence of compliance with conditions of DA0133/2006 approved by Council on the 29 July 2008.
4. A community support management plan is to be prepared and submitted to Council for approval to implement recommendations 1, 2, 3 and 4 of the *Buckenderra Holiday Village – Social Impact Assessment prepared by Key Insights Pty Ltd – August 2015*. This plan is to be developed in consultation with:
 - Snowy River Shire Council
 - Community service and support providers
 - Bus operators servicing the local area
 - Other relevant agencies and organisations

All matters raised by the relevant stakeholders are to be identified and addressed within the support management plan.

5. Concept plans and associated details are to be provided to Council, for approval, that demonstrate the proposed conversion of the existing café into a community centre contained in recommendation 5 of the *Buckenderra Holiday Village – Social Impact Assessment prepared by Key Insights Pty Ltd – August 2015*. These plans and details are to identify demonstrate engagement with relevant community support organisations to identify and meet current and future needs of residents of the site.
6. The following approvals are to be obtained from Council pursuant to Section 68 of the Local Government Act 1993 for the proposed development:
 - a. Proposed alterations to the existing sewage management system
7. Consent from Council under Section 138 of the Roads Act 1993, must be obtained prior to any works taking place on a public road
8. The applicant is to prepare an audit and where required develop a program of works, for approval of Council, outlining compliance with the requirements of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds, and Moveable Dwellings) Regulation 2005* for the proposed long term sites.
9. The applicant is to provide a bus service from the site to local service centres (being Jindabyne, Berridale and Cooma) for park residents. The bus shall be located on the site and available for use when needed.

USE OF SITE

10. The applicant/operator shall ensure that those sites nominated as “long term” be occupied only by the owner of the subject site.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

11. A Construction Certificate must be obtained prior to the commencement of any works on site.
12. At least 2 days prior to commencement of works on-site, a notice of commencement (refer attached form) is to be submitted to Council in accordance with the provisions of section 81(2)(c) of the Environmental Planning & Assessment Act 1979.

DURING CONSTRUCTION

13. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification will be kept on the site at all times during construction and will be readily available for perusal by any officer of the Council or the PCA.
14. The developer is to ensure that erosion and siltation control measures are installed and maintained on the site for the entire length of the construction project. Erosion control measures are to include the placement of hay bales staked in the ground or the erection of geo fabric filter fencing at the bottom of all areas where cut and fill is carried out and within any existing drainage areas from those cut and fill areas. These control measures are to be in accordance with the requirements of the consent authority and best management practices as outlined in the NSW Department of Housing "Soils and Construction, Managing Urban Stormwater 4th Edition, March 2004 the Blue Book".
15. The developer is to ensure that all builder' sheds, including temporary sanitary closets, must at all times be located wholly within the site; properly constructed and maintained to industry standards; securely anchored to the ground, and removed upon completion of the project.
16. The applicant must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council. The burning of builders waste on site by open fire is prohibited.
17. A hoarding or fence must be erected between any work site and adjoining public places. The work site must be kept lit between sunset and sunrise and the hoarding or fence is to be removed when the work has been completed.
18. The developer is to ensure that work on the development site by all persons using power tools and equipment is limited to the following hours:
 - Mon Fri 7.00am to 8.00pm
 - Saturday 7.00am to 8.00pm
 - Sunday 8.00am to 8.00pm
 - Public Holidays 8.00am to 8.00pm
19. The Principal Certifying Authority (PCA) (i.e. Council or Private Certifier) is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the PCA via the notice under Section 81A of the Environmental Planning and Assessment Act 1979
20. The developer is to ensure that at all times all excavations and backfilling associated with the development is executed safely and in accordance with professional standards. The developer is to ensure that site excavations are properly guarded and protected at all times to prevent them from being a danger to life or property.

21. The developer is to ensure that prior to any plumbing work being commenced the licensed plumber / drainer must lodge with Council a starting docket and a dimensioned schematic layout of the sanitary drainage lines. The developer is to ensure that all plumbing and drainage work is in accordance with the Australian Standard 3500 and the NSW Codes of Practice for Plumbing and Drainage.
22. Adequate measures will be taken to prevent dust from affecting the amenity of the existing caravan park during any construction.
23. Toilet facilities are to be provided within the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a standard flushing toilet and connected to either: an accredited sewage management facility or an approved chemical closet. The toilet facilities shall be provided on-site, prior to the commencement of any works.

PRIOR TO OCCUPATION OF THE BUILDING

24. An Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning and Assessment Act 1997 have been complied with as well as all of the conditions of the Development Consent.

ADMINISTRATIVE CONDITIONS

25. In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.
26. The developer shall comply with any relevant prescribed conditions of development consent under the Environmental Planning and Assessment Regulation. The following conditions are prescribed in relation to a development consent for development that involves any building work:
 - The work must be carried out in accordance with the requirements of the Building Code of Australia
 - A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out showing the name, address and telephone number of the principal certifying authority for the work, and showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and stating that unauthorised entry to the work site is prohibited. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992.

9.10 LGNSW MEMBERSHIP

Record No:

Responsible Officer: Director Corporate Services
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy: DP7.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest
Operational Plan Action: OP7.5 Provide timely, accurate and relevant information to Council to enable informed decision making.
Attachments: Nil
Cost Centre 3110 Mayor & Council
Project Membership
Further Operational Plan Actions:

EXECUTIVE SUMMARY

Previously, all former Councils of Snowy Monaro Regional Council were members of Local Government NSW (LGNSW). LGNSW are requesting membership subscriptions for the 2017 Financial Year.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

61/16

That Council

- A. Note the former Councils memberships ceased when dissolved by the proclamation;
- B. Not apply for membership of LGNSW; and
- C. Apply for membership to Country Mayors Association.

Approved by Administrator Lynch

9.11 REQUEST FOR ADDITIONAL PURPOSE TO RESERVE 97830 - OLD DALGETY FIRE SHED

Record No:

Responsible Officer: Director Technical Services & Operations
Author: Property Officer
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy: DP7.10 Council ensures through its efficient operations that it can claim to be a value for money organisation for the community

Operational Plan Action: OP7.28 Crown Reserves in Council's Trusteeship constructed and maintained to meet Council's service requirements.

Attachments: Nil

Cost Centre 1940 – Rural Fire Service

Project No identified Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Council has been approached by the Lessee of the Snowy River Holiday Park at Dalgety to have Crown Reserve 97830 (Crown Reserve for Fire Fighting adjoining the Holiday Park) added to the Lease for the Snowy River Holiday Park.

Crown Reserve 97830 is a reserve for firefighting comprising only 0.0395ha, the site of the old three bay Dalgety Fire Shed. The fire shed, although in good condition, has been standing empty and unused for a number of years and the addition of Reserve 97830 into the lease for the Snowy River Holiday Park would ensure that the asset is maintained and protected from vandalism.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

62/16

That Council

- A. Request that the Minister consent to a new purpose of 'public recreation' being added to Reserve 97830 (Reserve for firefighting)
- B. To subsequently seek the concurrence of the Minister to add Reserve 97830 to the Lease for Reserve 97831 (Dalgety Caravan Park & Camping Ground Reserve Trust) through a variance to the lease or the method advised by the Crown.

Approved by Administrator Lynch

9.12 MONTHLY FUNDS MANAGEMENT REPORT - MAY 2016 - SNOWY MONARO REGIONAL COUNCIL

Record No:

Responsible Officer: Director Corporate Services

Author: Management Accountant

Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation

Delivery Plan Strategy: DP7.6 Increase and improve Council's financial sustainability.

Operational Plan Action: OP7.17 Effective management of Council funds to ensure financial sustainability.

Attachments:

Cost Centre 4010 Financial Services

Project Fund Management

Further Operational Plan Actions:

OP7.1 Completion of reporting requirements in accordance with legislation

EXECUTIVE SUMMARY

The following details funds management position for the reporting period ending 31 May 2016. Cash and Investments as at 31 May 2016 are \$54,782,611.

Certification

The Responsible Accounting Officer of Snowy Monaro Regional Council hereby certify, as required by Regulation 212 of the Local Government (General) Regulation 2005, that investments as detailed in the attached listings were invested in accordance with Section 625 of the Local Government Act 1993, the Regulations and Council's Investment Policies.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

63/16

That Council:

- A. Receive and note the report indicating Council's Funds Management position as at 31 May 2016
- B. Receive and note the Certificate of the Responsible Accounting Officer.

Approved by Administrator Lynch

9.13 PLACING THE SNOWY MONARO REGIONAL COUNCIL DRAFT SUITE OF INTEGRATED PLANNING AND REPORTING DOCUMENTS ON PUBLIC EXHIBITION

Record No:

Responsible Officer: Director Governance & Executive Services
Author: Governance Officer
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy: DP7.13 Through clear and consistent communications, Council provides the community with timely feedback in progress towards goals.
Operational Plan Action: OP7.37 Council's monitoring and reporting mechanisms enable timely and accurate information on progress towards achieving the community's goals identified in the adopted strategic and operational plans in accordance with the IPR framework.
Attachments:

1. 2017 Fees & Charges (*Under Separate Cover*)
2. 2017 Revenue Policy (*Under Separate Cover*)
3. 2017 SMRC Delivery Program & Operational Plan (*Under Separate Cover*)

Cost Centre 0389 Corporate Governance
Project Integrated Planning & Reporting
Further Operational Plan Actions:

OP7.5 Provide timely, accurate and relevant information to Council to enable informed decision making.

OP7.6 Ensure that governance structures are open, transparent and fully accountable and that these are supported by relevant instruments.

OP7.39 Support and encourage public engagement methods which invite comment from community and inform the decision making.

EXECUTIVE SUMMARY

Snowy Monaro Regional Council (SMRC) was established on the 12 May 2016 through the merger of the former Bombala, Cooma Monaro and Snowy River Shire Councils. As of this date each of the former council areas draft Integrated Planning and Reporting (IPR) documents; that had been placed upon public exhibition for consultation with their communities, were removed as the individual documents did not represent the new entity.

A review of each of the former council area 2017 Operational Plans was undertaken resulting in the creation of the draft SMRC 2017 Operational Plan. In accordance with the guidelines handed down by the NSW Government, all newly merged councils must place their IPR documents on public exhibition for a minimum period of 28 days and have the suite of documents adopted by the 1 August 2016.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

64/16

That Council:

- A. Endorse the amended draft suite of IPR Documents and authorise them to be placed on public exhibition for a period of 28 days during this period submissions covering the Suite of IPR Documents may be made and received up until close of business on 27 July 2016;
- B. Receive a further report concerning all submissions received following the exhibition period, to enable consideration of any submissions prior to the formal adoption of the 2014-2017 Delivery Program and 2017 Operational Plan; and
- C. Undertake community consultation during the period of public exhibition.

Approved by Administrator Lynch

9.14 PARKING OF TRAILERS AND TRUCKS AT THE COOMA LIVESTOCK SELLING CENTRE (CLSC)

Record No:

Responsible Officer: General Manager

Author: Secretary Council & Committees

Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation

Delivery Plan Strategy: DP7.1 Ensure that legislative obligations are met throughout all Council departments.

Operational Plan Action: OP7.2 Completion of reporting requirements in accordance with legislation.

Attachments: Nil

Cooma Branch: Author: Recreation and Property Manager
Responsible Manager: Director of Engineering Services

Cost Centre W49.3

Project Implementation of fees for the parking of trailers and trucks at the Cooma Livestock Selling Centre

Further Operational Plan Actions:
DP - 3.1.2 Provide an appropriate regional facility for livestock selling for all of the Monaro by providing a viable self-funded livestock selling centre.
OP - 3.1.2 Facilities and support for livestock trade are provided.

EXECUTIVE SUMMARY

For Council to consider adopting a fee for the parking of Trailers and Trucks at the Cooma Livestock Selling Centre (CLSC).

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

65/16

That Council:

- A. Approve an annual fee of \$1,000 for parking up to two trailers and/or trucks at any time at the Cooma Livestock Selling Centre;
- B. Approve a casual fee of \$50 for periods longer than 48 hours for parking of one trailer and/or truck at the Cooma Livestock Selling Centre;
- C. Not impose the fee until such time the works at the facility are completed, pending completion of upgrade; and
- D. Further consultation will be undertaken on implementation of fees with the operators.

Approved by Administrator Lynch

9.15 NOMINATIONS TO THE JOINT REGIONAL PLANNING PANEL

Record No:

Responsible Officer: General Manager

Author: Secretary Council & Committees

Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation

Delivery Plan Strategy: DP7.1 Ensure that legislative obligations are met throughout all Council departments.

Operational Plan Action: OP7.4 Manage Council's community and land use planning processes to achieve regulatory requirements and community aspirations.

Attachments: Nil

Cooma Branch: Author: Director of Environmental Services

Responsible Officer: General Manager

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Following the formation of the Snowy Monaro Regional Council, nominations to the Joint Regional Planning Panel are required.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

66/16

That Council approve the Administrator and General Manager be nominated to the Joint Regional Planning Panel.

Approved by Administrator Lynch

9.16 LOCAL HERITAGE FUND 2015 - 2016

Record No:

Responsible Officer: General Manager

Author: Secretary Council & Committees

Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation

Delivery Plan Strategy: DP7.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest

Operational Plan Action: OP7.5 Provide timely, accurate and relevant information to Council to enable informed decision making.

Attachments: Nil

Cooma Branch Author: Planning Officer

Responsible Officer: Director of Environmental Services

Cost Centre 4015 Strategic Planning

Project SC736 Local Heritage fund 2015 – 2016

Further Operational Plan Actions: OP2.4.1 Seeking grant opportunities in collaboration with other organisations.

EXECUTIVE SUMMARY

To advise Council of the acquittal of the Local Heritage Fund 2015 – 2016

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

67/16

That Council receive and note the Local Heritage Fund 2015 – 2016 report.

Approved by Administrator Lynch

9.17 DA 10.2016.551.1 - NITHOLM ROAD, MIDDLE FLAT 2630 - 2 LOT SUBDIVISION

Record No:

Responsible Officer:	General Manager
Author:	Secretary Council & Committees
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.10 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP6.30 Ensure that the local planning framework enhances amenity, safety and sustainability of community neighbourhoods.
Attachments:	Nil
Cooma Branch	Author: Urban and Rural Planner Responsible Manager: Planning Manager
Cost Centre	GL 4010
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The purpose of this Report is to provide Council with an assessment of the matters it is required to consider in making its determination of the proposed development under the *Environmental Planning and Assessment Act 1979 (the Act)*.

This Application is reported to Council for a decision because it involves non-compliances with *Cooma-Monaro Development Control Plan 2014 (Amendment 1) (DCP 2014)*, which fall outside the authority of staff delegations.

This Report considers an application for a rural subdivision of 5 allotments, including lots 7, 8, 9 and 10 DP216316 and lot 138 DP750530, into two separate allotments. One lot is proposed to have an area of approximately 20 hectares and contain a residential dwelling, which is currently sited on lot 10 DP216316. The other proposed lot will have an area of approximately 140 hectares and consist of farm buildings, agricultural land and a single dwelling (workers cottage). No building works or further utility connections are proposed.

The site is located at Nitholm Road MIDDLE FLAT 2630. It is zoned RU1 - Primary Production under the provisions of *Cooma-Monaro Local Environmental Plan 2013*. The proposed development is defined as a subdivision and is permissible with consent in the zone.

The major issues associated with this Application concern non-compliances with:

- requirements of 2.3.3 in DCP 2014, which prescribes a 50m minimum setback from all boundaries is required for buildings in RU1 Primary Production zones and;
- requirements of 4.1.3 in DCP 2014, which prescribes new lots in Zone RU1 must have a minimum width of 150m in any direction.

The proposed Lot 1 will have a minimum side setback of 20m and rear setback of 40m. These distances represent a variation from the DCP 2014 requirements, of 60% and 20% respectively. Additionally the

proposed Lot 1 will have a minimum width of 110m in some directions, which represents a variation of approximately 27% to the requirements of 4.1.3 DCP 2014.

No public submissions were received in relation to the proposal.

It is recommended that the proposed development be approved subject to appropriate Conditions of Consent shown in full in the draft Consent ATTACHED.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

68/16

That Council

- A. Vary Clause 2.3.3 of the *Cooma-Monaro Development Control Plan 2014 (Amendment 1)* to allow the siting of a dwelling 20 metres from the proposed northern boundary and 40 metres from the proposed eastern boundary of proposed Lot1; and
- B. That the Development Application 10.2016.551.1 for Torrens title subdivision of the site that will result in 2 new lots at Nitholm Road MIDDLE FLAT 2630 be determined under delegated authority in accordance with the attached *draft* Notice of Determination subject to signature (and minor corrective change/s if necessary) by the Planning Manager.

Approved by Administrator Lynch

Note 3: Conditions of Consent

Conditions of Consent DA 10.2015.551.1

Conditions

General

- 1) The development being carried out in accordance with the approved documents/plans listed in the Schedule below and development application except where amended by the conditions of this Consent as set out in the following conditions or by any subsequently approved Section 96 modification.

Document/Plan Schedule

Ref Description Prepared/Drawn By Received

- Statement of Environmental Effects Applicant/Peter Burns Surveyors 16/02/2016

S1of1 Amended Site Plan Peter Burns Surveyors 09/05/2016

- Letter supporting Amended site plan Peter Burns Surveyors 09/05/2016

Reason: Requirement that the development is completed in accordance with Council's consent. P_1_01

Required Works

- 2) The existing vehicular access within Lot 1 shall be upgraded (if required), from the entrance at the lot boundary, along the full extent of the right of way on Lot 1, to proposed lots 1 and 2 in the location shown on the approved plans in accordance with Appendix 5 of Cooma-Monaro Development Control Plan 2014(1) and Council's Specification for Engineering Works – Volume 1 (Design) and Specification for Engineering Works – Volume 2 (Construction) (SFEW).

Reason: To provide suitable access to lots. R_6_07

Conditions to be met prior to release of Occupation Certificate

3) A rural address number sign for this/each lot shall be installed by the applicant, with numerals at least 75 mm in height. The sign shall comply with Australian/New Zealand Standard AS/NZS 4724.2 – Geographic information – Rural addressing (details are available from Council).

Reason: To allow identification of rural properties. R_6_03

Conditions to be met prior to release of Subdivision Certificate

4) Landscaping shown on the approved plans on the northern boundary of lot 1 must be carried out prior to release of the Subdivision Certificate

Reason: To provide privacy screening to benefit Lot 1 due to reduced minimum setback.P_0_01

5) An 88B Instrument is to be prepared for all proposed easements, restriction to user and for any utility services (eg gas, electricity, etc) on any lot which benefits another lot. Council is to be empowered as the only authority able to vary or extinguish the parts of the Instrument which burden or benefit the Council.

Reason: To ensure legal access for all lots to appropriate utility services. P_2_03

6) An 88B Instrument is to be prepared under the Conveyancing Act 1919 for the creation of a Right of Carriageway over existing access track burdening Lot 1 to benefit Lot 2.

Reason: To ensure legal access for all lots. P_0_02

7) An 88B Instrument is to be prepared under the Conveyancing Act 1919 for the creation of a Right of Carriageway over the existing access track burdening Lot: 13 DP: 216316 to benefit lots 1 and 2.

Reason: To ensure legal access for all lots. R_0_01

Fees & Contributions

8) The applicant shall pay the current fee for issue of a rural address number/s. The fee shall be paid prior to issue of the Subdivision Certificate.

Reason: To allow identification of rural properties. R_6_05

Ongoing Conditions

9) All private road access to the dwelling on the site/development, including right/s-of-way, driveways and access points, shall be maintained in a safe, trafficable condition for all weather use by two-wheel drive vehicles.

Reason: In accordance with Cooma-Monaro Shire Council Development Control Plan 2014. R_2_06

Advice to Applicant

1) Council wishes to advise that it is the responsibility of the owner and/or applicant to determine if site security and/or safety fencing is required to be provided in accordance with clause 235 of the Occupational Health and Safety Regulation 2001 and Work Cover Authority requirements. Failure to

comply with these requirements may result in penalties being imposed upon the owner and/or applicant.

2) Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone 1100 before excavating or erecting structures. This is the law in NSW. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before you Dig service in advance of any construction or planning activities.

Note: Under the Telecommunications Act 1997 (Commonwealth), Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on 1800 810 443.

3) It is the responsibility of the applicant to check, understand and seek assistance where needed so as to ensure full compliance with the conditions of this Development Consent. Please contact Planning on (02) 6455 1911 if there is any difficulty in understanding or complying with any of the above conditions.

Notes

1) An applicant may request a review of this determination under Section 82A of the Environmental Planning and Assessment Act 1979. A request for a review must be lodged within 6 months of the date of this notification. A review under Section 82A cannot be made for Integrated, Designated or Crown Development.

2) Section 97 of the Act confers on an applicant or an objector who is dissatisfied with the determination of Cooma-Monaro Shire Council, a right of appeal to the Land and Environment Court exercisable within 6 months after receipt of this notice.

9.18 SNOWY MONARO REGIONAL COUNCIL PRIVACY POLICY

Record No:

Responsible Officer: Director Governance & Executive Services

Author: Secretary Council & Committees

Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation

Delivery Plan Strategy:	DP7.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest
Operational Plan Action:	OP7.6 Ensure that governance structures are open, transparent and fully accountable and that these are supported by relevant instruments.
Attachments:	<ol style="list-style-type: none">1. SMRC0008 - Policy - Privacy Management (<i>Under Separate Cover</i>)2. The Model Privacy Management Plan for Local Government (<i>Under Separate Cover</i>)3. IPC Factsheet - Health Privacy Principles (<i>Under Separate Cover</i>)4. IPC Factsheet - Information Protection Principles (<i>Under Separate Cover</i>)
Cost Centre	
Project	Corporate Governance
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Snowy Monaro Regional Council (SMRC) was established on the 12 May 2016 through the merger of the former Bombala, Cooma Monaro and Snowy River Shire Councils.

As part of the merger the Governance Working Group are assessing policies from the three former Councils. The Working Group has reviewed the former Privacy Management Policies and has endorsed that a policy which adopts the OLG Model Privacy Management Plan and Code of Practice for Local Government, published in 2000 is the most suitable for Snowy Monaro Regional Council.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

69/16

That Council:

- A. Place SMRC 0008 – Policy – Privacy Management on public exhibition for a period of 28 days;
- B. Adopt SMRC 0008 – Policy – Privacy Management should no submissions be received; and
- C. Should any submissions be received a further report come to Council at the end of the exhibition period to enable Council to consider any submissions received.

Approved by Administrator Lynch

9.19 BASKETBALL STADIUM DISABLED ACCESS

Record No:

Responsible Officer:	General Manager
Author:	Secretary Council & Committees
Key Direction:	4. Creating a Safer, Healthier and Thriving Community
Delivery Plan Strategy:	DP4.10 Provide appropriate services and facilities for people with a disability within the Shire.
Operational Plan Action:	OP4.19 Provide a suite of services that respond to the needs of people with a disability.

Attachments: Nil
Cooma Branch Author: Recreation and Property Manager
Responsible Officer: Director of Engineering Services
Cost Centre
Project Basketball Stadium Disabled Access
Further Operational Plan Actions: OP1.9.1 The existence of viable and active sporting groups is supported throughout the Shire.

EXECUTIVE SUMMARY

The Cooma Basketball Association received a grant and donation from former Cooma-Monaro Shire Council for the construction of disabled facilities at the Cooma Basketball Stadium. There was a cost overrun, and the association has requested additional funds to cover this amount.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

70/16

That Council

- A. Allocate additional funds towards this project in the amount of \$7,568 (incl. GST) from the former Cooma-Monaro Shire Council's Building Infrastructure Reserve; and
- B. For future community projects an MOU is drafted between organisations stipulating the responsibility of every party to the MOU.

Approved by Administrator Lynch

Note 4: Urgent Business Not On Agenda

The attention of Council was drawn to 9.20 Financial Implications relating to deferred adoption of 2017 Revenue Policy and Budget, 9.21 Holland Road – Stormwater Upgrade and 9.22 Wangie Street Cooma – Road Upgrade as late reports not listed on the Council agenda and business paper and requested that Council consider the late reports as matters of urgency.

9.20 FINANCIAL IMPLICATIONS RELATING TO DEFERRED ADOPTION OF 2017 REVENUE POLICY AND BUDGET

Responsible Officer: Director Corporate Services
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy: DP7.6 Increase and improve Council's financial sustainability.
Operational Plan Action: OP7.17 Effective management of Council funds to ensure financial sustainability.
Attachments: Nil
Cost Centre 3210 Executive Services
4010 Financial Services

Project IPR

Further Operational Plan Actions:

EXECUTIVE SUMMARY

As a result of the Amalgamation of councils, Snowy Monaro Regional Council is not required to adopt the 2017 Operational Plan, Budget, Revenue Policy and Schedule of Fees & Charges until 1 August. The former Councils Budget and Fees & Charges are currently applicable until 30 June. This leaves a gap of one month.

Interim arrangements are required to be put in place to cover this gap.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

71/16

That Council

- A. Vote Expenditure of \$10M for the period 1 July to 31 July 2016 to be utilised across all regions;
- B. The 2016 User Fees & Charges of each of the former Councils are extended to cover the period 1 July to 31 July 2016 with the following exemptions:
 - (i) Annual Rates & Charges
 - (ii) Legislated User Fees & Charges

Approved by Administrator Lynch

9.21 HOLLAND ROAD - STORMWATER UPGRADE

Responsible Officer:	General Manager
Author:	Secretary Council & Committees
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.4 Ensure Council's existing water and sewer infrastructure meets community needs and statutory requirements.
Operational Plan Action:	OP6.8 Carry out Water and Sewer maintenance throughout the Shire on a priority basis.
Attachments:	Nil
Cooma Branch:	Author: Works Manager Responsible Officer: Director of Engineering Services
Cost Centre	
Project	Stormwater Upgrade in Polo Flat, Cooma
Further Operational Plan Actions:	DP2.3 Best Practice Land Management OP2.3.3 The quality of the environment and life of residents and visitors has been enhanced by the provision of Council Policies, regulatory services and education

EXECUTIVE SUMMARY

As part of the ongoing need for stormwater upgrade in Polo Flat, an opportunity to improve the system has arisen as a result of a development application. The upgrade will result in improved stormwater management in one area of Polo Flat, and eliminate a property burdened with stormwater infrastructure.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

72/16

That Council approve a budget amount of \$80,000 (including \$10,000 contingency) be allocated from Cooma Infrastructure Reserves to provide the Council component for funding for this Stormwater upgrade in Polo Flat.

Approved by Administrator Lynch

9.22 WANGIE STREET - ROAD UPGRADE

Responsible Officer:	General Manager
Author:	Secretary Council & Committees
Key Direction:	5. Enhancing Our Healthy, Active Lifestyle
Delivery Plan Strategy:	DP5.1 Ensure relevant information is provided to facilitate and manage increased access.
Operational Plan Action:	OP5.1 Ensure access to recreational areas is sustainably maintained within Council annual review of the works program.
Attachments:	Nil
Cooma Branch:	Author: Works Manager Responsible Manager: Director of Engineering Service
Cost Centre	
Project	Wangie Street Road Upgrade
Further Operational Plan Actions:	DP4.1 Road, Air and Transport Networks/Links OP4.1.6 The State and local road network within the region is safe and efficient.

EXECUTIVE SUMMARY

As a result if an adjacent development Wangie Street between Wangie Street South and Walgarra, the road pavement is required to be upgraded following the construction of a new length of kerb and Gutter to meet design standards.

The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

73/16

That Council approve a budget amount of \$60,546 (\$7,600 contingency) be allocated from Cooma Infrastructure Reserve to provide the Council component of funding for Wangie Street Road upgrade.

Approved by Administrator Lynch

10. REPORTS BY GENERAL MANAGER

10.1 END OF COUNCIL STAFF FUNCTIONS

The General Manager informed Council staff functions will be held in the three (3) former Council areas to thank staff for their efforts. Councils services will be closed on Tuesday 5 July in Cooma, Wednesday 6 July in Bombala and Thursday 7 July in Berridale and Jindabyne.

10.2 STRONGER COMMUNITIES GRANT

The General Manager reminded Council the Stronger Communities Grant applications close on Sunday 10 July 2016. The assessments will be done by a panel consisting of the chairs from the three LRC, a member for Development Control Plan, representative for the local member and the chair of the Audit committee. All applications will go through the three LRCs and come to Council.

10.3 MONTHLY MERGER FORUM

The General Manager informed Council the Administrator, General Manager and the Director Special Projects will attend regular monthly strategic meetings hosted by the Department of Premier and Cabinet in Sydney.

10.4 WORKSHOPD WITH THE UNIONS

The General Manager informed Council he is currently organising workshops with the unions to discuss the structure review.

10.5 MEETING WITH MORRISON LOWE

The General Manager informed Council of his meeting with Morrison Lowe, who are providing council with a quote to undertake an audit on the infrastructure backlog and the socio-economic benefits obtained through or losses from the merger.

COUNCIL RESOLUTION

74/16

That Council receive and note reports by the General Manager.

Approved by Administrator Lynch

11. NOTICES OF MOTION

Nil

12. MOTIONS OF URGENCY

(in accordance with Clause 241(3) of the Local Government (General) Regulation 2005)

Nil

13. QUESTIONS WITH NOTICE

Nil

14. QUESTIONS TAKEN ON NOTICE

Nil

15. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

75/16

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:

15.1 Weed Control Services Tender

Item 22.1 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it 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.

Approved by Administrator Lynch

Note 5: Invitation to Public

Upon the above motion being moved and seconded, the Administrator 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 6: Confidential Session of Committee

At 6.44 pm the meeting was closed to the press and public.

Note 7: Resumption of Open Committee Meeting

At 6.45 pm the Closed Session ended and the Council meeting continued in Open Session.

16. REPORT FROM CONFIDENTIAL SESSION

15.1 WEED CONTROL SERVICES TENDER

COUNCIL RESOLUTION

76/16

That Council

- A. Receive and note the confidential report on the Weed Control Services Tender.
- B. Approve Buckley's Rural Services Pty Ltd as the successful tenderer for the lump sum of \$174 8000 for the first year plus CPI increases for each subsequent year.
- C. That Council affixes its seal to the contact document prior to 1st September 2016

Approved by Administrator Lynch

There being no further business the Administrator declared the meeting closed at 6.46pm

CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 29 June 2016 were confirmed by Council at a duly convened meeting on 27 July 2016 at which meeting the signature hereon was subscribed.