



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Late Report**

**PUBLIC EXHIBITION COPY**

**Ordinary Council Meeting**  
**21 December 2016**



**ORDINARY COUNCIL MEETING  
TO BE HELD IN JINDABYNE HALL, THREDBO TERRACE, JINDABYNE NSW 2627**

**ON WEDNESDAY 21 DECEMBER 2016  
COMMENCING AT 5.30PM**

**LATE REPORT**

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- 15.1 Supplementary Report regarding MA2016/0002 removal of direct Barry Way access to Highview Estate. 2
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**15.1 SUPPLEMENTARY REPORT REGARDING MA2016/0002 REMOVAL OF DIRECT BARRY WAY ACCESS TO HIGHVIEW ESTATE.**

Record No:

Responsible Officer: Director Service Planning  
 Author: 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: 1. Draft Conditions of Consent MA2016/0002 [↓](#)

Applicant Number:	MA2016/0002
Applicant:	Coast Plan Consulting
Owner:	Village Style Retirement Services Pty Ltd and Wytown Pty Ltd
DA Registered:	15/3/16
Property Description:	Lots 11 & 12 DP1216242 and Lot 32 DP1118132
Property Number:	107740
Zone:	RU1 and
Current Use:	Partially developed residential subdivision
Approved Use:	Residential Subdivision 224 lots
Modification Proposed	<ul style="list-style-type: none"> <li>• Change to staging and lot layout for stages, 6, 7 and 8</li> <li>• Creation of a 'development lot' for the further development for the purposes of seniors housing.</li> <li>• Deletion of Condition 58 which requires the construction of an intersection between the Barry Way and Jillamatong Street prior to stage 6.</li> <li>• Inclusion of the construction of a new sewer pump station to service proposed lots within the development.</li> </ul>
Permitted in Zone:	Yes
Recommendation:	That the modification be approved as submitted with the exception that condition 58 not be deleted but amended to require the implementation of the intersection at a later stage and changes to conditions as necessary to facilitate the amendment.

## EXECUTIVE SUMMARY

The purpose of this report is to supplement the planning report presented to the November 2016 Council meeting for the approval of a modification to DA0079/2007, this modification MA2016/0002 was recommended for approval with a number of amended conditions. The applicant raised concerns regarding the amended condition 58 and issues relating to the provision of sewer infrastructure in lieu of s64 developer contributions. This report should be read in conjunction with the report and its supporting documents (on MA2016/0002) as presented to Council at its meeting of 30 November 2016.

Council at its November meeting resolved that the determination of MA2016/0002 be deferred and a further report be presented to Council with an alternative to condition 58 (as proposed) and consultation regarding the Barry Way exit and issues relating to Section 67 waste water contributions.

Consultation has been carried out with the applicant and relevant Council staff and an amended condition 58 is proposed as attached in the draft conditions of consent.

With respect to the issues regarding the payment of s64 contributions, this is not a consideration in the approval of development applications as its jurisdiction falls under both the Local Government Act and the Water Management Act and not the Environmental Planning and Assessment Act. Further discussions will need to be undertaken with the relevant Councils officers and the developer on this matter.

It is recommended that the application be modified in accordance with the amended conditions of consent attached.

## RECOMMENDATION

That

A. Pursuant to section 96(2) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that MA2016/0002 requesting the following amendments:

- (a) Change to staging and lot layout for stages, 6, 7 and 8
- (b) Creation of a 'development lot' for the further development for the purposes of seniors housing.
- (c) Amendment of condition 58 requiring construction of an intersection between the Barry Way and Jillamatong Street prior to release of the subdivision certificate for stage 9 or within 12months completion of stage 8.
- (d) Inclusion of the construction of a new sewer pump station to service proposed lots within the development.

to DA0079/2007 (being a staged 224 lot subdivision) on Lots 11 & 12 DP1216242 and Lot 32 DP1118132 be approved subject to amended conditions attached.

B. Accept the applicant's proposal for street names Alice Street, Abbott Street and Rawson Street

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## BACKGROUND

This report should be read in conjunction with the November Council report relating to MA2016/0002. At its meeting of 30 November 2016 Council resolved that it:

*“defer the report MA2016/0002 Deletion of Requirement for Barry Way Exit for Highview Estate Subdivision to the December Council meeting to allow consultation with the developer on proposed new road construction and Section 64 wastewater contributions.”*

The condition proposed under the report presented to Council November 2016 read:

*Prior to the release of the subdivision certificate for Stage 7A being granted, the developer must construct the road intersection of Road 6 (Jillamatong Street) with Barry Way.*

*The road intersection of Road 6 with Barry Way shall be designed and constructed in accordance with AUL/CHR geometry and engineering design standards as detailed in the Road and Traffic Authority’s “Road Design Guide”, including Safe Intersection Sight Distance for a 70 km/hr design speed in Barry Way.*

Council has consulted with the developer as required by the resolution and these discussions culminated in the following proposed condition being provided by the developer:

*“That Council amend the clause relating to the Barry’s Way intersection to read along the lines of: It as a condition that within 12 months of the completion of Stage 8 that the developer will undertake a traffic survey to determine whether and if so when the Barry’s Way intersection is required and if deemed by the Traffic Survey to be required then this will become a condition of the Development.”*

This suggested wording was provided to the Director of Service Delivery and Council’s Development Engineer and some minor amendments were included, however the conditions is considered to reflect the spirit of the discussions held with the applicant. It is proposed that the new amended condition 58 will read:

**Prior to the release of the subdivision certificate for stage 9 or within 12 months from the date of approval of the subdivision certificate of stage 8 the developer must either:**

- a) **construct the road intersection of Road 6 (Jillamatong Street) with Barry Way as required to the following specifications**
  - **The road intersection of Road 6 with Barry Way shall be designed and constructed in accordance with AUL/CHR geometry and engineering design standards as detailed in the Austroads “Guide to Road Design Parts 3 (2009), 4 (2009) and 4A (2009)”, including the “RMS” Supplement to Austroads “Guide to Road Design Parts 3 (2009), 4 (2009) and 4A (2009)”, including Safe Intersection Sight Distance for a 80 km/hr design speed in Barry Way.”**

**OR**

- b) **Undertake a comprehensive traffic study in consultation with Council officers to**
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**determine what treatment if any is required to service current and future stages of the development. Should this option be exercised, the traffic study must be approved by Council.**

**No further stages of the subdivision shall be carried out ~~past~~ after the completion of stage 8 without prior compliance with this condition of consent.**

**Note – Stages in the subdivision must be carried out in sequential order in compliance with the approved subdivision staging plan**

The second part of the resolution was that Council officers consult with the developer in relation to the levying of s64 wastewater contributions. This is a discussion that is outside the scope of the development assessment process and the DA merely requires that contributions be paid prior to the release of the subdivision certificate for each stage. Amounts payable for s64 contributions as they are levied under the Local Government Act are not specifically listed in the development consent. Any payment or offsetting of these contributions is a matter that is dealt with by Councils Water and Wastewater Section as they have carriage of issuing Certificates under S306 of the Water management Act which are issued upon payment of these contributions.

## **ASSESSMENT**

The application has been assessed against the provisions of the following documents:

<b>State Environment Planning Policies (SEPPs)</b>	None specifically relevant, SEPP Housing for Seniors or People with a Disability 2004 will be relevant to the assessment of the Seniors Housing development proposed within the development lot.
<b>Local Environmental Plan (LEP) (including draft LEPs)</b>	Snowy River LEP 2013.
<b>Development Control Plans</b>	Snowy River DCP 2013

And the provisions of s96(2) of the Environmental Planning and Assessment Act (please refer to the report presented on this topic to the November Council Meeting).

## **CONCLUSION**

It is considered that the proposed development generally complies with the relevant provisions of Section 79C of the Act, LEP, REP, DCPs, Codes and Policies. In conclusion, it is considered that the proposal is generally aesthetically, economically, socially and environmentally acceptable having regard to the surrounding natural and built environment. Accordingly, approval is recommended subject to the imposition of amended conditions of consent attached to this notice.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

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The deletion of the Barry Way Road exit will increase the number of vehicles using Jillamatong Street, Gippsland Street and Reedy's Cutting Road to exit the development. The applicant has provided a traffic study which supports its removal. The applicant has expressed concerns that the inclusion of the new intersection may increase the prevalence of "rat running" in the winter months. The opening up of this intersection would allow for cars to "jump the queue" and travel through Jillamatong Street onto Gippsland Street to either get into town or to come back through to Reedy's Cutting Road and then back onto the Barry Way, resulting in potential negative social impacts.

Council's Development Engineer has raised concerns that the information supporting the removal of the intersection completely does not take into account the effect that its removal will have on the narrow portion of Gippsland Street. Further investigation is deemed necessary to allow for consideration of a full removal of the intersection requirement.

The proposed lot layout includes for street widths that are in keeping with Jillamatong Street which is considered a "collector" road and not Twynam Street which on the original approval is designated a local road. These "local roads" were narrow and had treatments on one side that allowed for an open swale drain. The newly proposed roads have kerb and guttering on both sides with widths that allow for on street parking to not clog the road as it currently does on Twynam Street. The original approval designed the street drainage based on the principles of water sensitive urban design. Whilst this is a desirable outcome in many cases in this particular subdivision it has led to a number of less than desirable outcomes. The swale drains are difficult to manage from an infrastructure point of view and once the maintenance of the subdivision is handed back to Council they become a maintenance burden on Council. We have found that the swales have not been adequately maintained or poorly maintained by the new property owners. The swales do not allow for adequate street parking and these combined with the narrow widths have led to traffic congestion. This also leads to a less than pleasing visual outcome.

The inclusion of land for the purposes of Seniors Housing is important in providing a type of housing which is currently not offered in Jindabyne. It has been identified at many levels that there is a need for this type of development in the town and providing it in an attractive residential location is beneficial.

The proposal will increase the amount of residential allotments within Jindabyne Township whilst the zoning will allow for a range of dwelling types.

## **2. Environmental**

The modification is not considered to have adverse environmental impacts. The environmental impacts of the overall subdivision development were assessed as part of the original development application.

## **3. Economic**

The developer is required to pay development contributions under the provisions of s94 of the Environmental Planning and Assessment Act for the lots as prescribed in the development consent. Works relating to infrastructure provision to the lots (roads, stormwater and water and sewer services) are required to be installed and paid for by the developer to Councils

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specifications. Condition 63 was amended to allow for more flexibility with the provision of sewer infrastructure.

The levying of developer contributions under s64 of the Local Government Act (relating to water and sewer servicing) are not designated under the development consent. Conditions relating to the payment of such contributions relate only to the requirement for a certificate under the Water management Act

#### **4. Civic Leadership**

This report is a requirement of council resolution 216/16 which required a further report be presented to the December meeting of Council to review the amended condition 58. The previous report amended condition 58 to allow for the intersection construction to be delayed until the end of stage 6 however, it was required to be constructed prior to the commencement of stage 7A of the subdivision. A compromise has been reached that is considered addresses the concerns raised by Councils Development Engineer and is appropriate in allowing for the subdivision to proceed but protects the community in a way that the full deletion of the intersection may not. The draft amended condition has been prepared in consultation with the Director of Service Delivery, Councils Development Engineer and the developer (as required by resolution 216/16).

**GENERAL MATTERS**

1. Approved plans and documentation (Last Modified by MA2016/0002)

The subdivision is to comply with DA0079/2007 as originally submitted to Council on 2/11/2006, except where varied by the following modifications MOD0067/2007, MOD0003/2008, MOD0016/2008, MOD0022/2009, MOD0013/2010, MOD0011/2012; MOD0028/2014; MOD0001/2016, MA2016/0002 and the following amended plans and information, including:

- (a) Subdivision Plan prepared by Peter Burns Survey Plan, Dwg. No. SB01 B being Annexure 'B' to the Applicants notice of motion filed on the 13 April 2007 in Land and Environment Court Proceedings No. 11254 of 2006;
  - (b) Development Plans prepared by Northrop Consulting Engineers, Job No. NW050042, Dwg. No's:
    - (i) C101 DA, Issue C, dated 05/04/2007;
    - (ii) C102 DA; Issue C, dated 05/04/2007;
    - (iii) C103 DA; Issue C, dated 5/04/2007;
    - (iv) C104 DA, Issue C, dated 05/04/2007;
    - (v) C113 DA; Issue B, dated 05/04/2007;
    - (vi) C114 DA; Issue B, dated 5/04/2007 (refer to conditions of the RTA),
    - (vii) Approved subdivision plan by Peter Williams Burns, dated 31/8/2007,
    - (viii) Approved subdivision plan (enlargement of proposed Public Reserve) by Peter Williams Burns, dated 31/8/2007, and
  - (c) Landscaping Plan prepared by Moir Landscape Architecture, Dwg. No. LP01, Issue 2, dated April 2007,
  - (d) Subdivision Plan prepared by AWP Group – Drawing No A01 rev D dated Nov 08.
  - (e) Amended Staging Plan (Stages 3-8) A-01 Revision I dated November 08
  - (f) Amended Staging Plan (Stages 4A-4C) A-01 Revision I dated November 08 (stamped by Council MOD0011/2012, 28/2/2012)
  - (g) Amended stage 4C plan –overall site plan (C4C-02, dated 1/05/14)
  - (h) Amended Stage 4C proposed lot layout (C4C-04, dated 25/03/14)
  - (i) Amended Staging Plan and Layout for former Stage 8 (Proposed Stage 5) (C8 – L00, Dated 23/07/2015)
  - (j) Amended Stage 5 (Former Stage 8) Lot Layout (C8-L01, Dated 25/06/2015)
  - (k) Amended Staging Plan and Lot Layout showing all 12 stages C6\_DA1 Rev 2 (dated 9/09/2016) (added by MA2016/0002)
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(l) Amended Staging Plan and lot layout for stages 6,7 and 8 C6\_DA2 Rev3 (dated 13/09/2016) (added by MA2016/0002)

(m) Review of Intersection Capacity and Requirements Highview Estate Jindabyne prepared by SECA Solution Dated 4/12/2015 (added by MA2016/0002).

as endorsed by the Snowy River Shire Council and attached to this Notice, except where amended by the following conditions

2. Sequence of stages and construction of infrastructure (Last Modified by MA2016/0002)

Each stage of the subdivision is to proceed in ascending numerical order in accordance with AMENDED staging plans 2A & 2B SB01 (dated 18/7/2007) and C104 DA (Issue C, dated 05/04/2007) and stages 4A, 4B (Revision I, Dated Nov 08) and C (C4C-02 dated 1/05/2014), stages 5A & 5B (C8 - L00, Dated 23/07/2015), stages 6, 7A, 7B, 7C and 8 (C6\_DA2 Revision 3 dated 13/09/2016) and stages 9, 10,11 and 12 (C6\_DA1 Rev 2 dated 09/09/2016).

Any reference to a stage number in this consent is a reference to the stages shown in these plans. Any infrastructure works shown to be completed as a part of a stage are to be so completed, for example all related road and road intersection construction works. All works are to be completed at no cost to Council. Lot 208 may be developed as part of any stage.

3. Interpretation

The words "future development" on approved plan C101 DA (Issue C, dated 05/04/2007) or the words "future residential" on approved plan LP01 (Issue 2, dated April 2007) are not to be construed as Council's approval for the development of relevant land.

**PRIOR TO THE ISSUE OF A SUBDIVISION CONSTRUCTION CERTIFICATE FOR EACH STAGE OF THE SUBDIVISION**

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4. Building Industry Long Service Levy

Prior to the issue of a Construction Certificate for each stage, the Building Industry Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the *Building and Construction Industry Payments Act 1986*. This fee is payable on all projects in excess of \$25,000 in value and is calculated at the rate of 0.2% of the current value of works.

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5. Bond (Amended by MOD0013/2010)

The developer shall ensure that the bonds payable for each stage will be as follows:

A Safety and Restoration Bond of \$5000.00 and a non refundable administration charge (as per Councils adopted fees and charges applicable at the date of payment) to be payable as per the following schedule:

Stage 3	payable prior to release of CC
Stage 4	prior commencement of works
Stage 5	payable prior to release of CC
Stage 6	payable prior to release of CC
Stage 7	payable prior to release of CC
Stage 8	payable prior to release of CC
Stage 9	payable prior to release of CC
Stage 10	payable prior to release of CC
Stage 11	payable prior to release of CC
Stage 12	payable prior to release of CC

In order to guarantee the protection of public assets and performance of any work or use in the road reserve during construction and rectification of any defects in public works for twelve (12) months after construction (i.e. after construction is completed to Council's satisfaction), a defects liability bond must be paid to Council as follows:

A defects liability bond to the value of 5% of the cost of the contracted engineering construction works (plus a non-refundable administration charge as per Councils adopted fees and charges applicable at the date of payment) is payable prior to the release of the subdivision certificate for each stage. This bond will be retained by Council for a period of twelve (12) months commencing from the date that the works are accepted by Council as being "on-maintenance".

These bonds may be in the form of a cash bond or unconditional bank guarantee and are refundable upon written application and subject to an inspection 12 months after the works are accepted by Council as being "on-maintenance" for each stage.

The Bank Guarantee:

- (a) Will only be accepted direct from the issuing bank;
- (b) Must have no expiry date; and
- (c) Must quote Council's reference number (DA 79/2007).

Should any restoration or defect rectification works exceed the value of the bond held, Council will undertake the works and issue an invoice for the recovery of such costs.

6. Stormwater Management Plan

Prior to the issue of a Construction Certificate for each stage, a detailed stormwater management plan (SWMP), prepared by a qualified practicing Civil Engineer and in accordance with the requirements of Snowy River Shire Council DCP W1 – Water Sensitive Urban Design, Snowy River Shire Council’s DCP E2 – Erosion and Sediment Control and Council's Development Design and Construction Specifications, is to be submitted to and approved by Council.

The hydrology and hydraulic calculations are to be based on models described in the current edition of Australian Rainfall and Runoff. The SWMP is at least to include:

- (a) A silt arrestor/surcharge pit or other suitable drainage structure, within and adjacent to the property boundaries;
- (b) Details of the point of discharge; and
- (c) Method of connection to Council's stormwater drainage system.

7. Environmental Management Plan

(a) Prior to the issue of a Construction Certificate for each stage, an Environmental Management Plan (EMP) for the stage is to be submitted to Council for consideration and approval. Once approved this plan will form a part of this development consent. The EMP is to:

- (a) Address all environmental aspects of the development’s construction and operational phases, and
  - (a) Recommend any systems/controls to be implemented to minimise the potential for any adverse environmental impact(s), and
  - (b) Incorporate a programme for ongoing monitoring and review to ensure that the EMP remains contemporary with relevant environmental standards.

The EMP should include but is not limited to the following:

- (i) Soil and water management
  - (ii) Dust suppression
  - (iii) Litter control
  - (iv) Noise control
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- (v) Waste management
- (vi) Dangerous/hazardous goods storage
- (vii) Emergency response and spill contingency.

The relevant aspects of the approved EMP are to be implemented during the relevant phase(s) of the development.

8. Stormwater drainage – inter-allotment system

The plan of subdivision for each stage shall include the creation of inter-allotment drainage easements as necessary to allow every lot to discharge stormwater runoff from roof and paved areas to a public road or a Council controlled drainage system. These easements shall be not less than 1 metre wide. Drainage works within these easements shall be designed and constructed in conformity with the standards set out in Council’s Development Design and Construction Specifications.

9. Easements for services

Suitable easements for services shall be established as necessary to allow each lot to be connected to all normal urban utility services, including water supply, sewerage, electricity and telephone services.

10. Footpath construction strategy

Prior to the issue of a subdivision construction certificate for Stage 3, a footpath network strategy is to be prepared for the whole subdivision (stages 3-12). The strategy is to comply with relevant footpath related conditions of this development consent and Council’s DCP.

11. Soil classification

Prior to the issue of a subdivision certificate for Stage 3, a geotechnical report detailing the classification of soil type generally found within the subdivision is to be provided to Council. A general classification for each lot within the whole subdivision (stages 3-12) shall be provided and such classifications are/shall be made by a geotechnical engineer in accordance with the provision of SAA AS 2870 “Residential Slabs and Footings”.

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**DURING CONSTRUCTION**

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12. Prior to commencing any subdivision construction works

Prior to commencing any subdivision construction works, the following provisions of

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the *Environmental Planning and Assessment Act 1979* are to be complied with:

- (a) A Construction Certificate is to be obtained in accordance with Section 81A(4)(a).
- (b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(4)(b).
- (c) Council is to be notified at least two (2) days in advance of the intention to commence subdivision works, in accordance with Section 81A(4)(c).

13. Pre-works commencement meeting

Prior to the commencement of subdivision works for each stage, the developer and contractor shall meet on site with Council's representative to review the scope of works, soil and water management control measures, and the inspection and testing regime. The developer or their representative shall make arrangements with Council for this meeting not less than seven (7) days in advance.

14. Approved certified plans and specifications to be available

During construction, a copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification are to be kept on the site for each stage of the development at all times during construction and are to be readily available for perusal by any authorised officer of the Council or the Principal Certifying Authority.

15. Compliance certificate & inspections

During construction, pursuant to section 109C of the *Environmental Planning and Assessment Act 1979*, compliance certificates are to be obtained from Council or from an Accredited Certifier to demonstrate that relevant subdivision works have been completed in accordance with the following schedule. The subdivision works must be inspected either by Council's inspector or by an Accredited Certifier at each of the following stages of construction to confirm compliance with the standards set out in Council's Development Design and Construction Specifications.

- (a) After placement of all signs in accordance with the approved Traffic Control Plan;
  - (b) After stripping of topsoil from roads and fill areas, all Soil and Water Management Plan controls shall be in place at this stage;
  - (c) After completion of road sub-grade;
  - (d) After placement of water service conduits prior to backfilling;
  - (e) After placement and compaction of each layer of gravel pavement material;
  - (f) During application of bitumen seal or asphaltic concrete wearing surface;
  - (g) After laying and jointing of all stormwater pipelines prior to backfilling;
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- (h) After laying and jointing of all water supply pipelines prior to backfilling;
- (i) After laying and jointing of all sewerage pipelines prior to backfilling;
- (j) During pressure testing of all water supply pipelines;
- (k) During pressure testing of all sewerage pipelines;
- (l) During testing of all sewer manholes;
- (m) After completion of works; and
- (n) As otherwise required to confirm that the works are satisfactorily executed and in conformity with environmental controls.

It should be noted that Council charges fees for inspections and Compliance Certificates. These fees must be paid prior to release of the Subdivision Certificate for each stage.

16. Owners Consent – neighbouring properties

Evidence of owners consent shall be submitted to Council prior to the issue of a construction certificate for any works proposed on any lot not part of this application.

17. Water sensitive urban design

Water sensitive urban design practices are to be adopted for Roads 3, 4, 5, & 7, and part roads 10 & 12 and the following are to be incorporated into the design requirements:

- (a) Water quality features are to be designed into the land development site and not rely on special end of pipe devices to strip pollutants and nutrients from stormwater prior to discharge;
- (b) The use of porous pavements, directing runoff over filter strips or grass swales in landscaped areas; and
- (c) Utilising landscaping as an integral part of stormwater quality management, maximising use of infiltration and stormwater re-use (e.g. rainwater tanks).

The applicant will submit to the PCA (i.e. Council or Private Certifier) a statement demonstrating compliance with the requirements of this condition prior to release of the Construction Certificate for each stage.

18. Footpath construction (all stages)

The developer shall construct a concrete footpath for the entire length of one side of each road in accordance with the approved subdivision construction certificate plans. Footpaths should be located so as to link and network with each other and be constructed with a non-skid surface. Design and construction shall be in conformity with the standards specified in Council's Development Design and Construction Specifications to include the following:

- (a) Concrete pavement not less than 1.2 metres wide;



- (b) Minimum concrete thickness 75 mm; and
- (c) Minimum concrete strength grade 20 MPa.

**19. Road turning areas during stage completion (Last Modified by MA2016/0002)**

- 1. Suitable 10 metre radius bitumen sealed vehicle turning areas are to be provided at street ends which connect with future roads in later stages in accordance with Council's Development Design and Construction Specifications. Affected stages include:**
  - a) Stage 6a (x1);**
  - b) Stage 6b (x2); and**
  - c) Stage 7c (x1);**
  
- 2. Suitable 10 metre radius compacted gravel vehicle turning areas are to be provided at street ends which connect with future roads in later stages in accordance with Council's Development Design and Construction Specifications. Affected stages include:**
  - a) Stage 3 (x2);**
  - b) Stage 5a (x1);**
  - c) Stage 7a (x1);**
  - d) Stage 7b (x1);**
  - e) Stage 9 (x2);**
  - f) Stage 10 (x2); and**
  - g) Stage 12 (x1).**

**Appropriate bollards or stabilised earth mounds are to be placed at road ends to prevent vehicle access between different areas of the subdivision during construction of the stages.**

**20. Underground electricity servicing**

Each allotment in the proposed subdivision shall be serviced with underground electricity. Any existing overhead powerlines are to be relocated underground.

**21. Battleaxe Driveway (Single & Double)**

The developer shall provide a driveway for the entire length of the access corridor to each battleaxe lot in conformity with Council's Development Design and Construction Specifications, specifically:

- (a) Concrete pavement not less than 3.0 metres wide;
  - (b) Minimum concrete thickness 150mm;
  - (c) Minimum concrete strength grade 25MPa;
  - (d) Minimum reinforcement SL72 steel mesh;
  - (e) Concrete footpath crossover between kerblines and the road boundary;
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- (f) Suitable stormwater drainage; and
- (g) appropriate transition zones in accordance with AS2890.1-2004 (Parking facilities – Off-street car parking).

For dual driveways, right-of-way access easements are to be established. The battleaxe driveways are to be completed prior to the release of the subdivision certificate for each stage.

22. Street lighting

The developer shall provide street and footpath lighting along all road reserves and along all pathways in public reserves and in relevant parts of open space areas in all stages. The lighting is to be installed in accordance with Australian Standards and in consultation with Council and operational prior to the release of the Subdivision Certificate for each stage. Footpath lighting is to be designed and installed to minimise light spill into adjoining private property.

23. Telephone servicing

The developer shall make arrangements for the provision of telephone services to the lots in the subdivision for Stages 3-12. Prior to the release of a subdivision certificate for each stage, the developer shall submit to the Principal Certifying Authority written notification from a recognized telecommunications carrier to confirm that arrangements have been undertaken to satisfy this condition for each stage.

24. Stormwater drainage – Council system

The plan of subdivision for each stage shall include the creation of easements to drain water not less than 3 metres wide in favour of Council. Drainage works within these easements shall be designed and constructed in conformity with the standards set out in Council's Development Design and Construction Specifications.

25. Public liability

Where construction work is on or adjacent to public roads, parks or drainage reserves, the applicant is to provide and maintain all warning signs, lights barriers and fencing in accordance with AS1742-1991. The applicant will be adequately insured against Public Risk Liability and will be responsible for any claims arising from these works.

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26. Site notice

Prior to commencement of any work for any stage, a sign must be erected in a prominent, visible position at the vehicular access points to the development site:

- (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 (PCA) 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.

27. Public access, site security and safety

It is the responsibility of the applicant to restrict public access to construction areas on each stage of the development when construction work is in progress. In this regard, the developer must ensure that perimeter fencing is provided for all construction areas in each stage of the development in accordance with *Occupational Health and Safety Regulation 2001*.

28a Independent services

During construction each lot shall be provided with independent services i.e. electricity, gas, telecommunications, sewer and water, and if necessary, inter-allotment drainage, all in accordance with the requirements of the relevant authority.

28. Adjustment to public utility services

The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifying Authority which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required prior to the release of the Construction Certificate(s).

29. Requirements of public authorities

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The applicant is to comply with the requirements of any public authorities (e.g. Country Energy, Telstra Australia, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services will be the responsibility of the applicant. Details of compliance with the requirements of any relevant public authorities are to be submitted to the PCA (i.e. Council or Private Certifier) prior to the issue of the Construction Certificate for below ground works for each stage.

**30. Traffic control plan**

Prior to commencement of works for each stage, approval must be obtained from Snowy River Shire Council's Traffic Committee for any interruption to pedestrian and vehicular traffic within the road reserve caused by the construction of this development. The traffic control plan must be prepared and implemented by a suitably qualified person and will address, but not be limited to, the following matters:

- (a) Ingress and egress of vehicles to the site;
- (b) Loading and unloading, including construction zones;
- (c) Predicted traffic volumes, types and routes; and
- (d) Pedestrian and traffic management methods.

Note: This includes temporary road closures for the delivery of materials, plant and equipment, concrete pours etc.

**31. Roads – arterial road works**

The undertaking of any roadway work within the arterial roads shall not be carried out without an approval being obtained from the Council under Section 138(1) of the *Roads Act 1993*. Council may not give its approval for such work except with the concurrence of the Roads and Traffic Authority in accordance with Section 138(2) of the Act.

**32. Compliance – traffic safety during construction works**

No work is to commence on site until such time as a person accredited to prepare traffic control plans in accordance with AS1742.3 and the Roads and Traffic Authority's publication "Traffic Control at Worksites" has certified a Traffic Control Plan for the development/site. The Traffic Control Plan is to be implemented during the construction phase of the development and a copy of the plan is to be available on site at all times. A copy of the Traffic Control Plan is to accompany the Notice of Commencement to be submitted to Council 2 days before any work is to commence

on site.

**33. Independent water and sewerage**

Each lot in every stage of the development shall be provided with a separate metered water service (min. 25mm) from Council's water reticulation system and a separate connection to Council's sewerage system. Applications for water and sewer services should be made to Council's Water and Waste Water Section, together with payment of the relevant fees.

**34. Construction vehicle and machinery access**

In order to protect the amenity of residents, no construction vehicles vehicle over 2 tonnes in weight are permitted to access the development site from Gippsland Street and/or Jillamatong Street, except to construct underground services in the immediate area. Specifically, no vehicle access is permitted via Lot 208 or via land to the east of Lot 34. For stages 3-8, construction vehicle and machinery access is to be via the proposed access to Barry Way in accordance with a permit from Council. For stages 9-10, construction vehicle and machinery access is to be via the Kosciuszko Way in accordance with a permit from the Roads and Traffic Authority.

**35. Construction – no removal of native vegetation**

There shall be no removal or disturbance of indigenous native vegetation, on any allotment, including canopy trees, understorey and ground cover vegetation, without the prior written consent of the Council through the subdivision construction certificate application process other than disturbance where identified on Northrop Engineers Development Application Engineering plans, for battering and regrading to allow the construction of roads, services and allotment regrading.

**36. Temporary sanitary facilities**

Toilet facilities are to be provided at, or in the close vicinity of the work site on each stage of the development 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.

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**37. Amenity**

During construction work must be conducted in a manner so as not to be injurious to health and amenity by reason of noise, vibrations, smells, dust, stormwater runoff, sediment loss, placement of construction materials and wastes, rubbish, footway interference, traffic generated, hours of operation and the like.

**38. Construction – hours of work**

Subdivision construction works are restricted to the following hours in accordance with the NSW Environment Protection Authority *Noise Control Guidelines*:

- (a) Mondays to Fridays, 7.00am to 6.00pm
- (b) Saturdays, 8.00am to 1.00pm
- (c) No work is permitted on Sundays and Public Holidays.

**39. Erosion & sediment control**

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.

**40. Erosion and siltation control measures**

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*.

**41. Protection of trees**

All street trees will be protected at all times during construction. Any tree on the

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footpath, which is damaged or removed during construction, will be replaced, to the satisfaction of Council.

**42. Site management**

The developer is to ensure that all builder's sheds, including temporary sanitary closets, must at all times be:

- (a) Located wholly within the site;
- (b) Properly constructed and maintained to industry standards;
- (c) Securely anchored to the ground; and
- (d) Removed prior to the release of the Subdivision Certificate for each stage of the development.

**43. Materials storage**

The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the applicant's expense.

**44. Dust control measures**

Effective dust control measures shall be introduced and maintained at all times. Full details of proposed methods of dust control shall be submitted to and approved with the construction certificate.

**45. Revegetation works**

The developer is to ensure that at the completion of site works for each stage, the following landscaping works are carried out:

- (a) Topsoil is spread over all disturbed areas\* with priority given to cut and fill batters;
- (b) All disturbed areas\* are re-vegetated using drylands grass mix with a complete fertiliser; and
- (c) All disturbed areas\* are to be weed free hay mulched. The hay mulching is to be undertaken by a suitable contractor in accordance with Snowy River Development Control Plan 1998 – Circular R3 Revegetation works.

(\* including all footpath areas and adjoining properties where applicable)

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**46.** Environmental – appropriate disposal of excavated or other waste

All excavated material or waste generated as a result of the development that cannot be re-used or recycled is to be disposed of at a Council approved site or waste facility. Details of the proposed disposal location of all excavated material from the development site are to be provided to the Principal Certifying Authority prior to construction works commencing.

**47.** Aboriginal cultural heritage – uncovering relics

If any archaeological relics are uncovered during the course of the work then works in that area are to cease immediately and the NSW Heritage Office contacted for further advice.

**48.** Subdivision – street lighting

During construction lighting is to be installed to illuminate access ways at head of cul-de-sacs and connecting pathways within any reserve.

**49.** Subdivision – fire hydrants

Locations of fire hydrants are to comply with AS2419 and be delineated by blue pavement markers in the centre of the road.

**50.** Signs – further development application required

No advertising sign that requires Council's approval is to be erected/displayed until Council has issued a development consent.

**SPECIFIC CONDITIONS APPLICABLE TO STAGE 2A & 2B (9 'SUPER LOTS')**

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**51.** Legal access (Stage 2A & 2B) (Amended by MOD0067/2007 & MOD0003/2008)

The plan of subdivision shall establish legal access to every lot in a manner which is consistent with the overall subdivision pattern approved under this Development consent.

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- 52.** Prior to the endorsement of the subdivision certificate (Stages 2A & 2B) (Amended by MOD0067/2007 & MOD0003/2008)

Prior to release of the Subdivision Certificate, the developer shall demonstrate the existence of legal arrangements to allow the construction of water supply, sewerage and drainage services and the creation of associated easements to enable later development in the manner envisaged by this development consent.

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### **SPECIFIC CONDITIONS APPLICABLE TO STAGES 3–12**

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- 53.** Dedication of land in accordance with the applicants offer made in Affidavit and Notice of Motion date 13 April 2007

Prior to the release of the Subdivision Certificate for Stage 3, the land depicted and coloured Green on drawing SB01, Issue B, being Annexure “B” to the Applicants Notice of Motion filed on 13 April 2007 in Land & Environment Court proceedings No. 11254/2006 is to be dedicated to Council as a Public Reserve free of cost.

- 54.** Road construction (Access Road 7)

Road 7 is to be not less than 15 metres wide as shown on the approved plans and constructed in accordance with Council’s Development Design and Construction Specifications, including:

- (a) Water Sensitive Urban Design principles incorporating layback kerb and gutter /edge restraints on one or both sides with a width of 6 metres between nominal kerblines are to be in designed and installed in accordance with section 4.1 of Council’s *Development Control Plan 1998, Circular H3, Highview Estate* as adopted by Council on 21 November 2006;
  - (b) Stormwater and subsoil drainage works;
  - (c) A bitumen sealed road pavement extending for the full width between the kerb and gutters or edge restraints;
  - (d) A suitable vehicle turning facility of minimum radius 10 metres at the western end of this road;
  - (e) Grassing of footway areas and the planting of street trees;
  - (f) Provision of street lighting;
  - (g) Erection of road name and 50km/h speed signs. The road name must be approved by Council in advance and must be shown on the final plan of subdivision; and
  - (h) A dished concrete driveway pavement 3.0 metre wide for access to each lot must be provided (only on that side of the road that is provided with a dished drain). The pavement shall have a minimum concrete strength
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grade of 25 MPa, minimum thickness of 150 mm and minimum reinforcement of SL72 mesh.

**55. Road construction (Collector roads Pt1\*,Pt2\*\* 3, 4, 5 6, Pt 8, 9 & 11 ) (Amended by MOD0067/2007 & MOD0003/2008 & MA2016/0002)**

Roads 1, Pt2,3,4,5, 6, Pt 8, 9, & 11 are to be not less than 18 metres wide as shown on the approved plans and constructed in accordance with Council's Development Design and Construction Specifications, including:

- (a) Barrier kerb and gutter along both sides with a width of 9 metres between nominal kerblines (to accommodate future possible bus route).
- (b) Stormwater and subsoil drainage works.
- (c) A bitumen sealed road pavement extending for the full width between the kerbs and gutters.
- (d) Grassing of footway areas and the planting of street trees;
- (e) Provision of street lighting; and.
- (f) Erection of road name and 50 km/h speed signs. The road name must be approved by Council in advance and must be shown on the final plan of subdivision.

\* *provision of concrete edge strip in lieu of Barrier kerb for that section of Road 1 that adjoins the open space*

\*\* ***extension of Twynam Street where it continues to service stage 7C***

**56. Road construction (Access roads ~~4,5~~, 10 & 12) (Amended by MOD0067/2007 & MOD0003/2008 & MA2016/0002)**

Roads ~~4,5~~, 10 & 12 are to be not less than 15 metres wide as shown on the approved plans and constructed in accordance with Council's Development Design and Construction Specifications, including:

- (a) Water Sensitive Urban Design principles incorporating layback kerb and gutter /edge restraints on one or both sides with a width of 6 metres between nominal kerblines are to be in designed and installed in accordance with section 4.1 of Council's *Development Control Plan 1998, Circular H3, Highview Estate* as adopted by Council on 21 November 2006;
  - (b) Stormwater and subsoil drainage works;
  - (c) A bitumen sealed road pavement extending for the full width between the kerb and gutters or edge restraints;
  - (d) Grassing of footway areas and the planting of street trees;
  - (e) Provision of street lighting;
  - (f) Erection of road name and 50 km/h speed signs. The road name must be approved by Council in advance and must be shown on the final plan of
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subdivision; and

- (g) A dished concrete driveway pavement 3.0 metre wide for access to each lot must be provided (only on that side of the road that is provided with a dished drain). The pavement shall have a minimum concrete strength grade of 25 MPa, minimum thickness of 150 mm and minimum reinforcement of SL72 mesh.

**57. Road construction (Local roads Pt 1\*, 2, 3, Pt 8 & 13) (Amended by MOD0067/2007 & MOD0003/2008 & MOD0011/2012 & MA2016/0002)**

Roads 2, 3, Pt 8 & 13 are to be not less than 15 metres wide as shown on the approved plans and constructed in accordance with Council's Development Design and Construction Specifications, including:

- (a) Water Sensitive Urban Design principles incorporating layback kerb and gutter /edge restraints on one or both sides with a width of 8 metres between nominal kerblines are to be designed and installed in accordance with section 4.1 of Council's *Development Control Plan 1998, Circular H3, Highview Estate* as adopted by Council on 21 November 2006;
- (b) Stormwater and subsoil drainage works;
- (c) A bitumen sealed road pavement extending for the full width between the kerb and gutters or edge restraints (specifically for stage 4a – from the boundary of lots 25 and 26 to the boundary of lots 43 and 44, for stage 4b – from the boundary of lots 43 and 44 to the boundary of lots 33 and 34, for stage 4c – from the boundary of lots 33 and 34 to the boundary of lots 38 and 76;
- (d) Grassing of footway areas and the planting of street trees or alternative landscaping as approved by council;
- (e) Provision of street lighting;
- (f) Erection of road name signs. The road name must be approved by Council in advance and must be shown on the final plan of subdivision; and
- (g) A dished concrete driveway pavement 3m wide for access to each lot must be provided (only on that side of the road that is provided with a dished drain). The pavement shall have a minimum concrete strength grade of 25 MPa, minimum thickness of 150mm and minimum reinforcement of SL72 mesh.

*\*Pt Road 1 being between the eastern end of Road 2 and the 'T' intersection with Road 1 (commencing between lots 116 & 123)*

- 57a. Road turning areas during stage 4a, 4b and 4c completion (Added by MOD011/2012)

Suitable 10 metre radius compacted gravel vehicle turning areas suitable for 2-wheel drive vehicles are to be provided at street ends which connect with future roads in later stages in accordance with Council's Development Design and Construction Specifications. Affected stages include:

- (a) Stage 4a (x1);
- (b) Stage 4b (x1);
- (c) Stage 4c (x1); or

Construction of the future road within stages 4b and 4c to a gravel standard and future road design levels with a 10m radius compacted gravel vehicle turning area suitable for 2-wheel drive vehicles in accordance with Council's Development Design and Construction Specifications.

Appropriate fixed bollards and stabilised earth mounds are to be placed at end of the vehicle turning area to prevent vehicle access between different areas of the subdivision during construction of the stages.

57b. Road construction (Stage 5a - Tate Close) (Added By MOD0001/2016)

The construction of the proposed road, Tate Close, during Stage 5a is to be not less than 15 metres wide as shown on the approved plans and constructed in accordance with Council's Development Design and Construction Specifications, including:

- (a) Barrier kerb and gutter along both sides with a width of 6 metres between nominal kerblines;
- (b) Stormwater and subsoil drainage works;
- (c) A asphalt concrete surfaced road pavement extending for the full width between the kerb and gutters or edge restraints;
- (d) Grassing of footway areas and the planting of street trees or alternative landscaping as approved by council;
- (e) Provision of street lighting;
- (f) Erection of road name signs. The road name must be approved by Council in advance and must be shown on the final plan of subdivision; and
- (g) A dished concrete driveway pavement 3m wide for access to each lot must be provided (only on that side of the road that is provided with a dished drain). The pavement shall have a minimum concrete strength grade of 25 MPa, minimum thickness of 150mm and minimum reinforcement of SL72 mesh.

57c. Road construction (Stage 5b - Jagungal Close) (Added By MOD0001/2016)

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The construction of the proposed road, Jagungal Close, during Stage 5b is to be not less than 15 metres wide as shown on the approved plans and constructed in accordance with Council's Development Design and Construction Specifications, including:

- (h) Barrier kerb and gutter along both sides with a width of 8 metres between nominal kerblines;
- (i) Stormwater and subsoil drainage works;
- (j) An asphalt concrete surfaced road pavement extending for the full width between the kerb and gutters or edge restraints;
- (k) Grassing of footway areas and the planting of street trees or alternative landscaping as approved by council;
- (l) Provision of street lighting;
- (m) Erection of road name signs. The road name must be approved by Council in advance and must be shown on the final plan of subdivision; and
- (n) A dished concrete driveway pavement 3m wide for access to each lot must be provided (only on that side of the road that is provided with a dished drain). The pavement shall have a minimum concrete strength grade of 25 MPa, minimum thickness of 150mm and minimum reinforcement of SL72 mesh.

**58. Barry Way intersection construction (Amended by MA2016/0002)**

**Prior to the release of the subdivision certificate for stage 9 or within 12 months from the date of approval of the subdivision certificate of stage 8 the developer must either:**

- a) construct the road intersection of Road 6 (Jillamatong Street) with Barry Way as required to the following specifications**
  - The road intersection of Road 6 with Barry Way shall be designed and constructed in accordance with AUL/CHR geometry and engineering design standards as detailed in the Austroads "Guide to Road Design Parts 3 (2009), 4 (2009) and 4A (2009)", including the "RMS" Supplement to Austroads "Guide to Road Design Parts 3 (2009), 4 (2009) and 4A (2009)", including Safe Intersection Sight Distance for a 80 km/hr design speed in Barry Way."**

**OR**

- b) Undertake a comprehensive traffic study in consultation with Council officers' to determine what treatment if any is required to service current and future stages of the development. Should this option be exercised, the traffic study must be approved by Council.**

**No further stages of the subdivision shall be carried out ~~past~~ after the completion of stage 8 without prior compliance with this condition of consent.**

**Note – Stages in the subdivision must be carried out in sequential order in**

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**compliance with the approved subdivision staging plan**

**59. Road access restriction (Stages 3 & 8) (Amended by MOD0001/2016 & MA2016/0002)**

**For traffic safety reasons, except during an emergency, no direct vehicular access is permitted from the Barry Way to Lots 1, 2, 3, 7, 8 (stage 3) & 51-57 (stage 8). A suitable Section 88B 'restriction' under the *Conveyancing Act 1919* is to be prepared to this affect and registered on the Titles of these lots. The Snowy Monaro Regional Council is to be the only beneficiary of the 'restriction'.**

**60. Road access restriction (Stages 5, 7C, 10 & 11) (Last Modified by MA2016/0002)**

**For public amenity reasons, except during an emergency, no direct vehicular access is permitted from the public reserve to within stage 5A & 5B as well as any future allotments within stages 7C, 10 & 11 that back on to the public reserve. A suitable Section 88B 'restriction' under the *Conveyancing Act 1919* is to be prepared to this affect and registered on the Titles of these lots. The Snowy River Shire Council is to be the only beneficiary of the 'restriction'.**

**61. Conditions of the Roads and Traffic Authority (Stage 9)**

The development is to be carried in accordance with the following conditions of the Roads and Traffic Authority (RTA):

- (a) The junction of Kosciusko Road and the site access road shall be constructed as a full 'seagull' in accordance with the RTA Road Design Guide. For safety reasons, the left slip lane must be sufficiently separated from the through-traffic lane at the junction to ensure that the driver decision making process for right turning vehicles utilising the junction is not compromised.
  - (b) The applicant shall provide suitable direction signage to provide for the changed traffic conditions. The applicant shall submit a 'signs and marking plan' to the RTA for approval.
  - (c) Street lighting at the new junction shall be provided in accordance with Australian Standard AS/NZS1158.
  - (d) Safe Intersection Sight Distance (SISD) to the RTA's standards shall be available for all movements to and from Kosciusko Road. The applicant would be required to undertake any necessary earthworks to achieve SISD. Landscaping and fencing shall not restrict vehicular sight lines on Kosciusko Road.
  - (e) Geometric road design shall be in accordance with RTA Road Design Guide. Pavement design shall be in accordance with the AUSTRROADS Pavement Design Guide. All design shall be for the existing speed zone.
  - (f) All roadworks associated with this development will be at no cost to the
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RTA and shall be completed prior to the issue of a Subdivision Certificate for Stage 9.

- (g) The developer shall attain Section 138 Approval from Council with RTA concurrence for works within the Classified Road Reserve.
- (h) The developer shall apply for a Road Occupancy Licence (ROL) from the RTA Traffic Operations Unit (TOU) prior to commencing work within the classified road reserve or within 100m of traffic signals. The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Direction to Restrict will also be required from the TOU. Please allow 2 weeks prior to commencement of work to process the Road Occupancy Licence.

Note: An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by the RTA Project Manager.

**62. Water & sewerage servicing (Part Stage 3: Lots 1–5 only)**

The developer shall provide all necessary water supply and sewerage reticulation works, property connections and associated facilities to service every lot in conformity with Council's Development Design and Construction Specifications. Sewerage connection to lots 1 to 5 shall be via a gravity system direct to Council's existing manhole (approximately 30 metres upstream of manhole no. 4188). Where existing water or sewer mains potentially service any lot the developer must make arrangements with Council's Water and Waste section for the provision of any required water connection or sewer junction.

**63. Water and sewage services (Stage 3-12) (Amended by MOD011/2012) & MA2016/0002**

The development must be connected to Councils water and sewage system. A certificate of compliance under section 64 of the Local Government Act (1993) in respect of each stage of the development must be obtained from the Council prior to the release of the subdivision certificate for that stage.

**Note: Council consent shall not be construed as approval of the Northrop's Sewer Servicing Strategy dated 1 February or Hunter Water Australia's Water Supply Strategy**

The Developer shall construct at no cost to Council a sewage pumping station at the location shown on the amended Highview Staging plan titled "Proposed Lot Layout", drawing number C6\_DA2 Revision 4 and provide to Council a sewer servicing plan to ensure that spare capacity is available in the existing gravity sewer mains discharging to and including sewage pumping station JSPS4. Should it

**be determined that there is insufficient spare capacity, then the means to achieve this must be demonstrated and provided for at no cost to Council.**

**Alternatively, the Developer may connect the development to Jindabyne Sewage Pumping Station JSPS6 and upgrade JSPS6 to ensure the pump station has adequate capacity to the satisfaction of Council's Director, Service Delivery or his delegate.**

**The location, design, construction and staging of the sewage pumping station shall be carried out in accordance with Council's Development Design and Construction Specifications and to the satisfaction of Council's Director, Service Delivery or his delegate.**

**The site of the sewage pumping station shall be established as a separate allotment and transferred to Council free of any cost or encumbrance on title upon registration of the plan of subdivision. The lot shall be established as "Operational Land".**

**64.** Relocation of existing trunk water mains (Stage 4A)

The developer shall relocate the existing delivery and rising trunk mains to an alignment in accordance with Council's Development Design and Construction Specifications within the proposed road reserve of Road 1, unless the Council, acting reasonably, notifies the applicant that this is unnecessary.

**65.** Pathway reserve (Stage 4C) (Amended by MOD011/2012)

The developer shall construct a footpath to the south and east of Lot 37 to connect to Gippsland Street to the standards specified in Council's Development Design and Construction Specifications including the following:

- (a) Concrete pavement not less than 1.5 metres wide
- (b) Minimum concrete thickness 75 mm
- (c) Minimum concrete strength grade 20 MPa
- (d) 1.8 metre high 'Rivergum' Colorbond fencing with ridge capping and with the coloured surfaces facing inwards towards the footpath reserve.

The dog-leg design is to be replaced with a curved design with appropriate directional transitions in the interests of public safety (good visual surveillance to reduce opportunities for human concealment). The pathway shall be provided in a manner that cannot be used by motorised vehicular traffic.

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**66. Pathway reserve (Stage 6A) (Amended by MA2016/0002)**

The developer shall construct a footpath between Lots 42 & 44 and the Seniors Living precinct to the standards specified in Council's Development Design and Construction Specifications including the following:

- (a) Concrete pavement not less than 1.5 metres wide
- (b) Minimum concrete thickness 75 mm
- (c) Minimum concrete strength grade 20 MPa
- (d) 1.8 metre high 'Rivergum' Colorbond fencing with ridge capping and with the coloured surfaces facing inwards towards the footpath reserve.

The pathway shall be provided in a manner that cannot be used by motorised vehicular traffic.

**67. Concrete vehicular entrance and access to water reservoir (Stage 5b) (Amended by MOD0001/2016)**

The developer shall construct a sealed access driveway between Jagungal Close and the existing water reservoir in accordance with Council's Development Design and Construction Specifications prior to the release of the subdivision certificate for Stage 5b.

**67a. Re-vegetation of Proposed Lot 23 – Service Easement/Corridor (Stage 5) (Added by MOD0001/2016)**

The developer shall revegetate and maintain proposed Lot 23 to the satisfaction of Council prior to it being dedicated to Council at the subdivision certificate stage (Stage 5b).

**67b. Fencing (Stages 5a & 5b & 7c) (Added by MOD0001/2016 and amended by MA2016/0002)**

To ensure that fencing is used in a way which enhances safety, the developer shall put in place a suitable 88B 'restriction' under the *Conveyancing Act 1919* to ensure that lots 5 – 8 and 14 – 19 (both lots inclusive) of proposed Stage 5 and lots 41-47 (inclusive) in proposed stage 7C, maintain rear fences that are predominantly open in design.

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**68.** Excavation works (Stage 9)

In relation to the construction of Stage 9, the developer is to ensure that if an excavation associated with the development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must:

- (a) Preserve and protect the adjoining building from damage, and if necessary, underpin and support the building in an approved manner; and

At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give written notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

**69.** Road access restriction (Stage 9)

For traffic safety reasons, except during an emergency, no vehicular access is permitted from Road 9 to Lots 125 & 126. A suitable Section 88B 'restriction' under the *Conveyancing Act 1919* is to be prepared to this effect and registered on the Titles of these lots. The Snowy River Shire Council is to be the only beneficiary of the 'restriction'.

**70.** Accessway bordering Lots 125, 126, 128, 194 & 195 (Stage 9)

The developer shall provide a Right-of-Way driveway for the entire length of the driveway access corridor bordering Lots 125, 126, 128, 194 & 195 in accordance with Council's Development Design and Construction Specifications, specifically:

- (a) The Right-of-Way is to benefit Lots 125, 126 & 194 only;
- (b) A 'restriction' under section 88B of the *Conveyancing Act 1919* is to be created on the Titles of Lots 128 & 195 restricting access to Lots 128 & 195 from the Right-of-Way. Lots 125, 126 & 194 are to be the only beneficiaries of the restriction;
- (c) There shall be no more than a single dwelling on each lot unless the Right-of-Way is upgraded to "Access Road" standard, as specified in the Highview Estate DCP Circular H3;
- (d) Concrete pavement not less than 3.0 metres wide;
- (e) Minimum concrete thickness 150mm;
- (f) Minimum concrete strength grade 25MPa;
- (g) Minimum reinforcement SL72 steel mesh;
- (h) Concrete footpath crossover between kerblines and the road boundary;
- (i) Suitable stormwater drainage; and
- (j) Prior to the issue of a Subdivision Certificate, the section 88B of the

*Conveyancing Act 1919* documentation described in this condition shall to be worded to the satisfaction of Council.

**71. Footpath connection (Stage 9) (Amended by MOD0016/2008)**

The developer shall provide a public reserve three (3) metres wide (as shown on plans submitted with MOD0016/2008 and as amended in red), and construct a pathway, along the eastern boundary of Lot 208 in between Gippsland Street and Road 8. The pathway shall be provided in a manner that cannot be used by motorised vehicular traffic and is to meet the standards specified in Council's Development Design and Construction Specifications, including the following:

- (a) Concrete pavement not less than 1.5 metres wide;
- (b) Minimum concrete thickness 75 mm;
- (c) Minimum concrete strength grade 20 MPa; and
- (d) 1.8 metre high 'Pale eucalypt' Colorbond fencing with ridge capping and with the coloured surfaces facing inwards towards the footpath reserve.

**72. Vehicular access restriction to Road 10 (Stage 9)**

The developer shall construct a suitable landscaped barrier at the north-eastern corner of Lot 129 to physically prevent vehicular traffic access between the intersection of Roads 8 and 9 (at the bend) and the court bulb of Road 10.

**73. Footpath connection (Stage 10) (Amended by MOD0016/2008)**

The developer shall construct a pathway connecting the eastern end of Road 10 (at the court bulb) to the intersection of Roads 8 & 9 abutting the northern boundary of lot 129 and connect with the pathway along the eastern boundary of Lot 208. The pathway shall be provided in a manner that cannot be used by motorised vehicular traffic and is to meet the standards specified in Council's Development Design and Construction Specifications to include the following:

- (a) Concrete pavement not less than 1.5 metres wide;
- (b) Minimum concrete thickness 75 mm; and
- (c) Minimum concrete strength grade 20 MPa.

**PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE FOR EACH STAGE OF THE SUBDIVISION**

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**74. Application**

The developer is to submit to Council a completed Subdivision Certificate application form for each stage together with:

- (a) The original linen plan/s and six (6) copies;
- (b) Relevant section 88B instruments under the *Conveyancing Act 1919*;
- (c) Subdivision Certificate application fee applicable at the time of application;
- (d) Inspection fees applicable at the time of release of the subdivision certificate;
- (e) Certificate from a recognised telecommunications carrier certifying that telephone connection has been provided to the site; and
- (f) Certificate from a recognised electricity authority certifying that electricity connection has been provided to the site.

**75. Construction works completed**

Prior to the issue of a Subdivision Certificate, all construction works are to be completed in accordance with the approved Subdivision Construction Certificate plans and documentation for that stage and relevant conditions of this consent.

**76. Developer contributions (Last Amended by MA2016/0002)**

**Prior to the issue of a Subdivision Certificate for each stage, the following s94 monetary contributions are to be paid to Council pursuant to Snowy River Development Contributions Plan 2005;**

**Stage 3 (38 lots) (Modified by MOD0022/2009)**

a) Community facilities	=	\$18,696
b) Regional Waste Management	=	\$22,458
c) Bushfire	=	\$5,434
d) Credit for 1 lot	=	\$1,226
Total	=	\$45,362

**Stage 4 (total of 21 lots) (Modified by MOD0011/2012)**

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**Stage 4A (6 lots)**

a) Community facilities	=	\$2952
b) Regional Waste Management	=	\$3546
c) Bushfire	=	\$858
d) Credit for 1 lot	=	\$1,226
Total	=	\$6130

**Stage 4B (7 lots)**

a) Community facilities	=	\$3444
b) Regional Waste Management	=	\$4137
c) Bushfire	=	\$1001
Total	=	\$8582

**Stage 4C (8 lots) (modified by MOD0028/2014)**

a) Community facilities	=	\$3936
b) Regional Waste Management	=	\$4728
c) Bushfire	=	\$1144
Total	=	\$9808

**Stage 5A (8 lots) (Amended by MOD0001/2016)**

a) Community facilities	=	\$4,648
b) Regional Waste Management	=	\$5,584
c) Bushfire	=	\$1,352
Total	=	\$11,584

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**Stage 5B (14 lots) (Amended by MOD0001/2016)**

a) Community facilities	=	\$8,134
b) Regional Waste Management	=	\$9,772
c) Bushfire	=	\$2,366
Total	=	\$20,272

**Stage 6A(4) (Amended by MA2016/0002)**

a) Community facilities	=	\$2324
b) Regional Waste Management	=	\$27928
c) Bushfire	=	\$572
Total	=	\$4904

**Stage 6B(11 Lots) (Amended by MA2016/0002)**

a) Community facilities	=	\$6391
b) Regional Waste Management	=	\$7678
c) Bushfire	=	\$1573
Total	=	\$13486

**Stage 7A (9 lots) (Amended by MA2016/0002)**

a) Community facilities	=	\$5229
b) Regional Waste Management	=	\$6282
c) Bushfire	=	\$1287
Total	=	\$11034

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**Stage 7B (14 lots) (Amended by MA2016/0002)**

a) Community facilities	=	\$8134
b) Regional Waste Management	=	\$9772
c) Bushfire	=	\$2002
<b>Total</b>	<b>=</b>	<b>\$17164</b>

**Stage 7C(13 lots) (Amended by MA2016/0002)**

a) Community facilities	=	\$7553
b) Regional Waste Management	=	\$9074
c) Bushfire	=	\$1859
<b>Total</b>	<b>=</b>	<b>\$15938</b>

**Stage 8 (7 lots) (Amended by MOD0001/2016)**

a) Community facilities	=	\$4067
b) Regional Waste Management	=	\$4886
c) Bushfire	=	\$1001
<b>Total</b>	<b>=</b>	<b>\$8582</b>

**Stage 9 (26 lots including Lot 208)**

a) Community facilities	=	\$16,354
b) Regional Waste Management	=	\$10,062
c) Bushfire	=	\$2,808
<b>Total</b>	<b>=</b>	<b>\$29,224</b>

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Stage 10 (36 lots)

a) Community facilities	=	\$22,644
b) Regional Waste Management	=	\$13,932
c) Bushfire	=	\$3,888
Total	=	\$40,464

**Stage 11 (4 lots) (Amended by MA2016/0002)**

<b>a) Community facilities</b>	<b>=</b>	<b>\$2324</b>
<b>b) Regional Waste Management</b>	<b>=</b>	<b>\$2792</b>
<b>c) Bushfire</b>	<b>=</b>	<b>\$572</b>
<b>Total</b>	<b>=</b>	<b>\$4904</b>

Stage 12 (13 lots)

a) Community facilities	=	\$8,177
b) Regional Waste Management	=	\$5,031
c) Bushfire	=	\$1,404
Total	=	\$14,612

Note 1: The Contribution Plans may be inspected at Council's Department of Environmental Services offices at Berridale and Jindabyne. The contribution rates for the above facilities and services are adjusted annually on 1 July. Contributions will only be accepted at the rate applying at the date of payment. Council allows works or dedications of land in lieu of cash contributions in accordance with the Contributions Plan.

Note 2: The discounted contributions payable for this development are limited to the number of allotments as indicated on the approved plans. Any further

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subdivision creating additional allotments will be assessed and levied for contributions for all facilities and services applicable under the provision of the relevant Contributions Plans in force at that time.

Note 3: In calculating the above contributions, credit has been allocated for (2) existing allotments (at Stage 3 and Stage 4).

~~Note 4: Stages 9 – 12 are those shown in Northrop’s Plan No. C104 Issue C, dated 05/04/2007. Amended Plans for Stages 3 – 8 are those approved by MOD0011/2012 (prepared for the Urban Group, project no. HV, dated November 2008, A-01 revision 1). Amended Staging Plan and Layout are as shown in Northrop’s Plan No. C8-100, dated 23/07/2015 C6\_DA1 Rev2 dated 09/09/16~~

Note 5: Requirements that should be imposed on the development under Section 64 of the Local Government Act 1993, are provided for by Condition 63.

Note 6: These conditions of consent provide for Lot 208 to be developed at any stage. Developer contributions have been calculated with Lot 208 as part of Stage 9. If Lot 208 is developed prior to stage 9, then contribution must be paid at that time and credit must be provided at stage 9.

**77.** Landscaping (Amended By MOD0001/2016)

The developer is to landscape each stage of the development in accordance with the landscape plan prepared by Moir Landscape Architecture (drawing No LP01, Issue 2, dated April 2007, Project No 0240) prior to the release of the Subdivision Certificate for that stage. In particular, street trees are to be a minimum 1.5m high (advanced plantings) and are to be planted in accordance with Council’s “Street Tree Planting Minimum Specifications”. The existing water tank is to be visually screened with landscaping approved by Council prior to the issue of a Subdivision Certificate for Stage 5.

**77a.** Landscaping (Added By MOD0001/2016)

The developer is to provide, to the satisfaction of Council, street trees along Jagungal Close and Tate Close, in line with the suggested street trees for a ‘Local Road’ on the approved landscape plan prepared by Moir Landscape Architecture (drawing No LP01, Issue 2, dated April 2007, Project No 0240). This will occur prior to the release of the subdivision certificates for both stage 5a & 5b.

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**78.** Works-as-executed plans

Upon completion of the subdivision works for each stage, the developer shall provide Council with a complete set of plans of the works as constructed, detailing all variations from the approved plans and to the acceptance of the Council's Director of Engineering and Operations or his nominee. The plans shall be submitted to Council in hardcopy format (A1), and electronic format (PDF and DWG). These plans must be prepared and certified by a Registered Surveyor or Chartered Professional Engineer.

**79.** Easements to drain sewage

The plan of subdivision and Section 88B instrument shall establish suitable easements not less than 3 metres wide in favour of Council to contain all sewerage mains within all lots in the subdivision.

**80.** Property numbers / house numbers

Prior to the submission of the application for the Subdivision Certificate for each Stage, the developer shall obtain a property number or house number for each lot from Council's Rates/Property Officer in conformity with Council's numbering system.

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## 16.1 ADOPTION OF SNOWY MONARO REGIONAL COUNCIL - VISION AND VALUES

Record No:

Responsible Officer:	Director Special Projects Office
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.12 Through clear and consistent communications, Council provides the community with timely feedback in progress towards goals.
Operational Plan Action:	OP7.32 Undertake consultation with community and staff, providing assistance where possible, throughout the merger process.
Attachments:	1. Snowy Monaro Regional Council Vision and Values <a href="#">↓</a>
Cost Centre	3130 – Merger Project
Project	Vision, Values and Culture
Further Operational Plan Actions:	<p>OP7.5 Achieve a stronger, more efficient Council through a successful merger.</p> <p>OP7.9 Community members are afforded the opportunity to review, comment and participate in decision making through policy applications.</p> <p>OP7.17 Improve organisation wide Risk Management through use of ISO 31000 principles.</p> <p>OP7.24 Undertaken an efficient and effective merger process as a result of any State Government decision to create the new local government area of Snowy Monaro Regional Council.</p> <p>OP7.25 Ensure Council attracts, retains and develops a capable workforce that delivers positive outcomes.</p> <p>OP7.26 Council will maintain effective personal management systems that ensure the organisation is sustainable</p> <p>OP7.34 Support and encourage public engagement methods which invite comment from community and informs the decision making.</p> <p>OP7.35 Ensure that all project planning processes are underpinned by collaborative engagement principles.</p> <p>OP7.36 The Executive Leadership Team will be responsible for implementing the organisation's strategies and objectives, and for carrying out the day-to-day management and control of Council's affairs.</p>

### EXECUTIVE SUMMARY

On 12 May 2016 the Governor General issued the Local Government (Council Amalgamations) Proclamation 2016. This resulted in three former local government areas being merged into one new council.

The Special Projects Office identified a critical operational risk in the merger Transition Plan that "Council does not achieve shared values, norms and expectations across the organisation". To address this risk an external facilitator was engaged to assist with developing shared vision and values for the organisation.

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

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### **OFFICER'S RECOMMENDATION**

That Council

A. Adopt the vision "A Trusted Community Partner"

B. Adopt the following values that support achievement of this vision:

- (a) Solutionary
- (b) Together
- (c) Accountable
- (d) Innovative
- (e) Caring

### **BACKGROUND**

As mentioned above, the transition plan includes a critical operational risk that "*Council does not achieve shared values, norms and expectations across the organisation*". Recommended controls include:

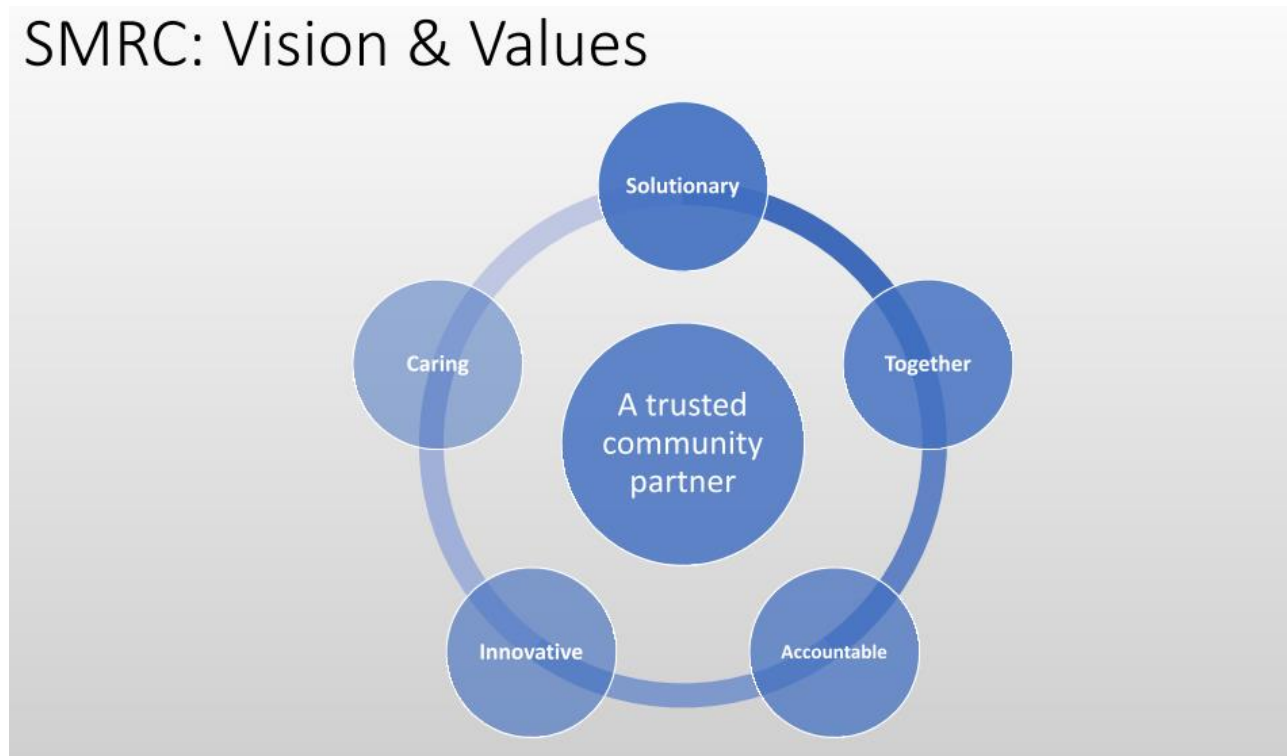
- Strong leadership
- Consistent message continuously communicated
- Performance management for non-compliance with communicated direction

An identified treatment was the "analysis of three cultures and development of clear values, vision and expectations".

Ms Anna Marshall, People Mastery was engaged to work with a cross-section of council employees to develop what is seen as the shared vision and values for the organisation. This has been completed and the outcomes are now presented to the Administrator for adoption.

An encouraging aspect of the project was the level of alignment of values shared across all tiers of the organisation. The workshops have involved approximately 10% of the workforce giving confidence that these are an accurate reflection of how we will be able to achieve the shared vision.

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*Figure 1: Snowy Monaro Regional Council – Vision and Values*

Following adoption of the vision and values presented, council will continue work with People Mastery to develop a transition plan that will embed a positive culture and achieve what as an organisation we “want to be” and how we will demonstrate this by our actions and behaviours.

It is proposed that the first action of the transition plan is to undertake a workshop with Local Representative Committees’ (LRC) and with all council employees. People Mastery, will be facilitating an engaging, highly participative workshop on SMRC Vision and Values including:

- Sharing the development process to date
- Highlighting the difference between 'change' and 'transition' and what this means for Council
- Gaining input into the development of critical behaviours (which underpin the key values) which will be pivotal in creating a constructive organisational culture"

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Local Government Reform has provided the opportunity for the organisation to reflect and document our vision and embed the values, norms and expectations to develop a strong and positive organisational culture.

The vision and values is not a brand or marketing process. Culture is something that you ‘feel’ and a way of ‘being’. By having clear vision and values, leadership across the organisation will enable recognition and support of acceptable behaviours that clearly demonstrate our values and achieve the vision of council.

## **2. Environmental**

The recommendation of this report has no impact on environmental sustainability.

## **3. Economic**

This project has been funded from the implementation fund. The budget allocated is \$20,000.

## **4. Civic Leadership**

This project has enabled the Executive Team to discuss and agree on the vision and values that will see Snowy Monaro Regional Council being successful in the long term and maximise the opportunity of local government reform process for our organisation and the community.

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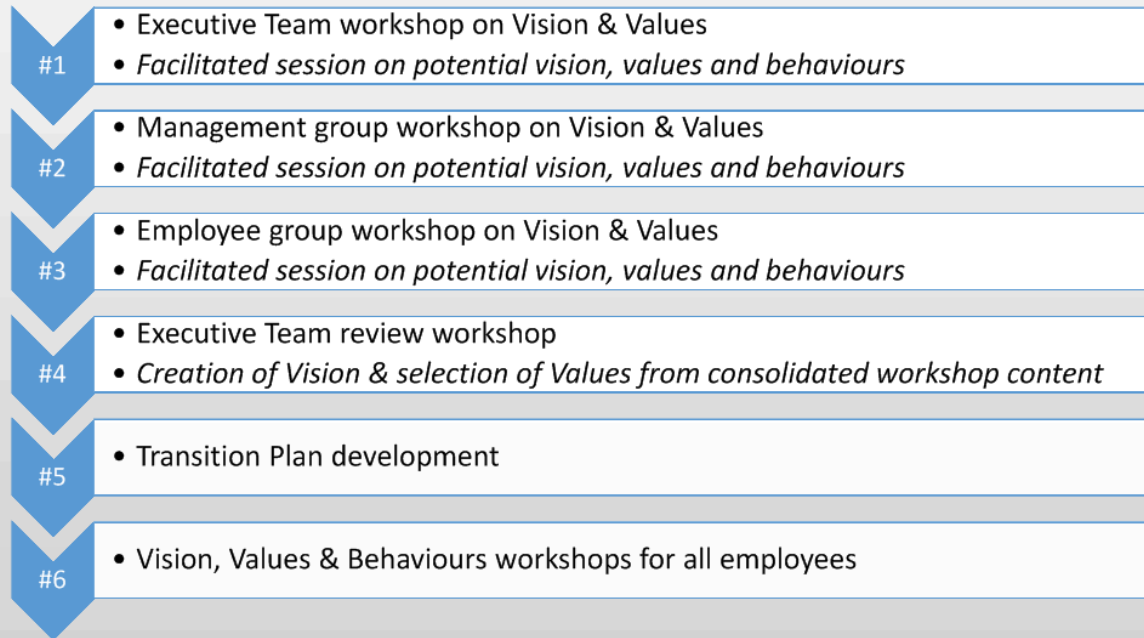
## SMRC Vision & Values



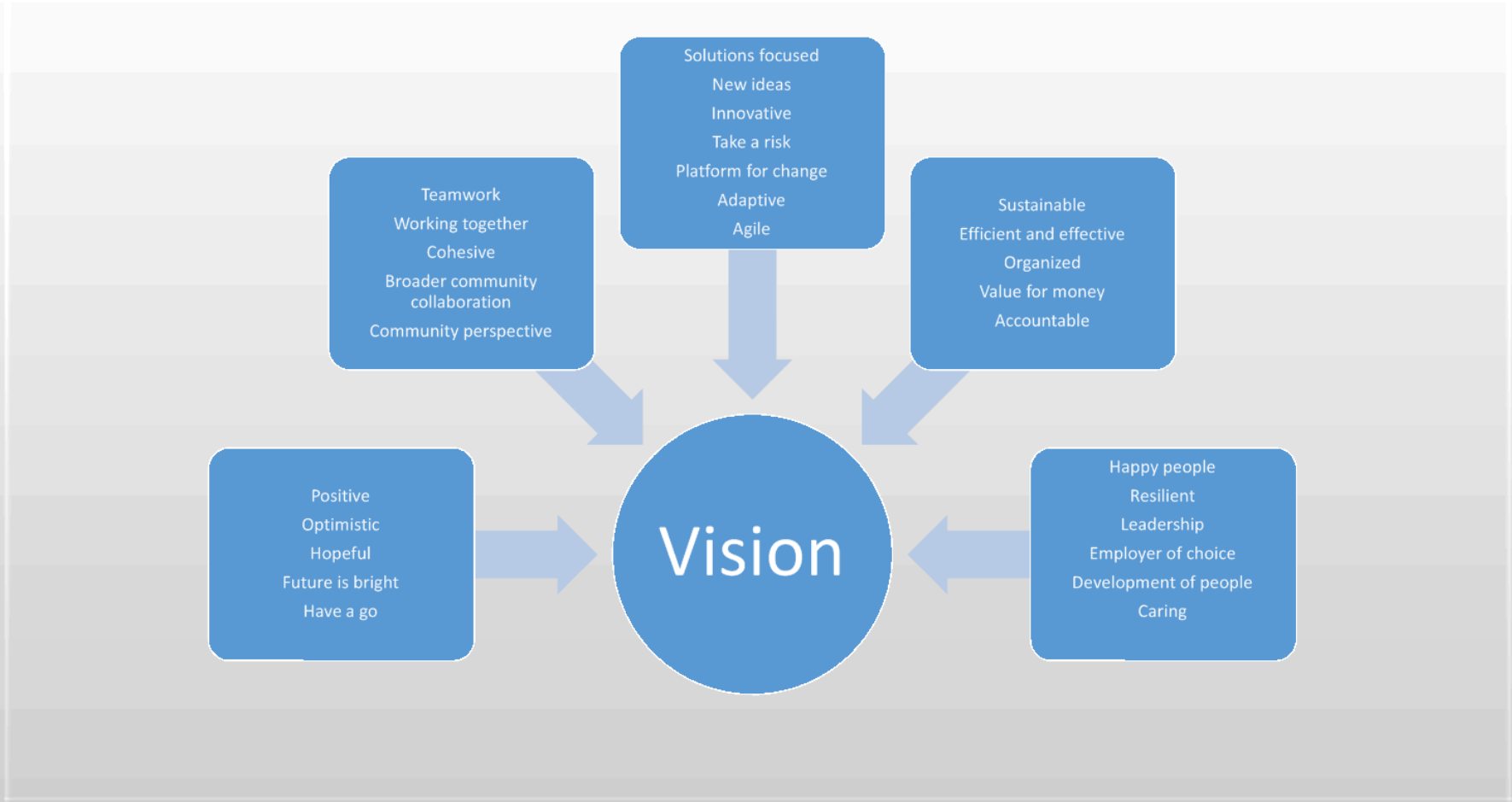




## Vision, Values & Behaviours development process

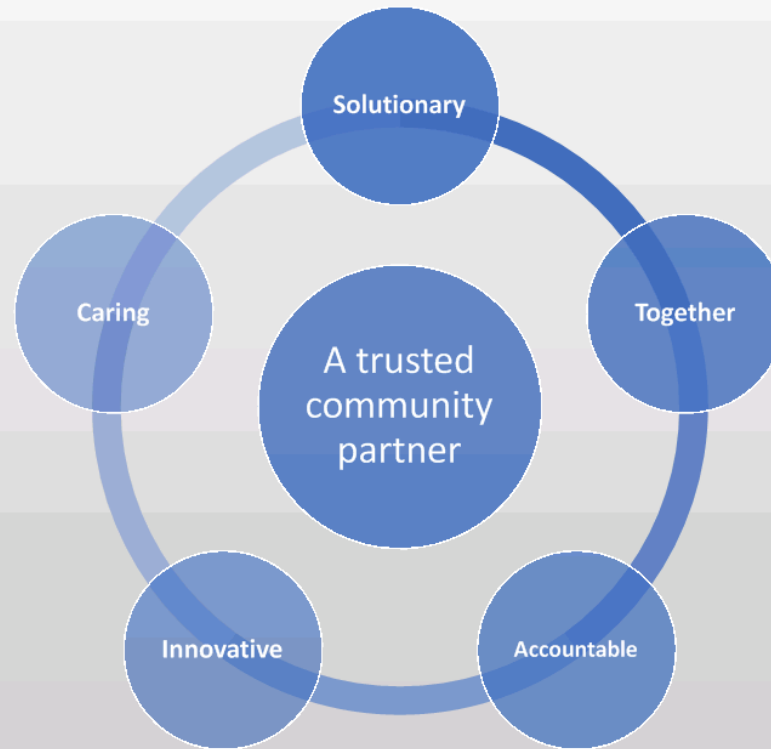








## SMRC: Vision & Values



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## 16.2 DELIVERING THE BENEFITS OF COUNCIL AMALGAMATIONS - DEPARTMENT OF PREMIER AND CABINET AND KPMG PROJECTIONS

Record No:

Responsible Officer:	Director Special Projects Office
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:	OP7.5 Achieve a stronger, more efficient Council through a successful merger.
Attachments:	1. Delivering the Benefits of Council Amalgamations - DPC Presentation <a href="#">↓</a>
Cost Centre	3130 - Merger
Project	Stronger Councils Framework

Further Operational Plan Actions: OP7.9 Community members are afforded the opportunity to review, comment and participate in decision making through policy applications.

OP7.10 Investigate and implement funding opportunities to reduce Council's infrastructure gap.

OP7.16 Advocate with State and Federal Government for the removal of barriers to economic and community development.

OP7.17 Improve organisation wide Risk Management through use of ISO 31000 principles.

OP7.18 Effective management of Council funds to ensure financial sustainability.

OP7.24 Undertaken an efficient and effective merger process as a result of any State Government decision to create the new local government area of Snowy Monaro Regional Council.

OP7.32 Undertake consultation with community and staff, providing assistance where possible, throughout the merger process.

OP7.34 Support and encourage public engagement methods which invite comment from community and informs the decision making.

OP7.36 The Executive Leadership Team will be responsible for implementing the organisation's strategies and objectives, and for carrying out the day-to-day management and control of Council's affairs.

### EXECUTIVE SUMMARY

On 16 September 2016, Department of Premier and Cabinet issued a document to Snowy Monaro Regional Council titled "Delivering the benefits of council amalgamations". This document sets baseline targets for the realisation of savings associated with the formation of our merged council. The Stronger Councils Framework relies on measures of success linked to the agreed savings (KPMG projections) and include targets to achieve net financial savings and net financial benefits over the next 20 years.

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

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### OFFICER'S RECOMMENDATION

That Council

- A. Receive and note the report on Department of Premier and Cabinet "Delivering the benefits of council amalgamations"
- B. That the KPMG projections detailed in the document are being used as the base level target for the Stronger Councils Framework – Snowy Monaro Regional Council Key Performance Indicators (KPIs)

### BACKGROUND

Page Four of the document states the purpose:

*This report provides information for newly formed councils to commence its target setting process*

- *This report seeks to provide newly formed councils with the background necessary to understand the context behind the development of estimated financial savings associated with council amalgamations. Specifically, this report seeks to:*
  - *Summarise the assumptions used to estimate the financial savings associated with the formation of the Council.*
  - *Summarise the assumptions used to estimate the financial costs associated with the formation of the Council.*
  - *Provide a brief explanation of the conservative approach used to develop these assumptions and subsequently the reasons why these assumptions may understate the potential savings associated with the formation of the Council.*
- *This report also provides information to support newly formed councils to establish financial targets for the implementation of the council merger and develop strategies to achieve these targets. This includes:*
  - *An updated estimate of potential financial costs and savings, incorporating the most recently available information regarding the timing of the amalgamation process and providing reference to critical dates for the planning process.*
  - *Additional information on matters newly formed councils will need to give regard to as part of the planning process.*

### QUADRUPLE BOTTOM LINE REPORTING

#### 1. Social

The Stronger Councils Framework will assist council with maintaining a focus on what actions can be implemented now to achieve transformation over the medium term. By measuring success, council can demonstrate to the community that decision-making is made with a focus on achieving local benefits for our community.

#### 2. Environmental

This framework supports good governance which considers environmental sustainability when making decisions about council operations and service delivery.

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### **3. Economic**

Resourcing to implement this framework and the supporting activities that will enable Council to achieve the projected net benefits of the amalgamation process is being undertaken within the merger project and utilises merger implementation funding within the guidelines.

### **4. Civic Leadership**

The stronger council framework provides a short term focus for long term benefit of the merged entity. It guides the transformation of the council into an organisation that clearly demonstrates the five characteristics of a modern council being:

- Strategic capacity
- Outstanding service provision
- Robust community relationships
- Strong performance
- Sound organisational health

Local benefits and savings are being tracked by the Special Projects Office and are reported monthly to the Department of Premier and Cabinet.

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# Delivering the benefits of council amalgamations

**Setting baseline targets for the realisation of savings associated with the formation of merged councils**

**Snowy Monaro Regional Council**

16 September 2016





# Section 1: Background

Introduction and objectives



## Introduction

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### The draft Stronger Councils framework identifies a measure of success as

*Agreed savings (KPMG projections as starting point) and efficiencies are met in agreed timeframes and reinvested into community priority projects*

- Following the recent workshops and recognising that the KPMG savings were projected over a 20 year period the above measure will be reflected in the framework as follows:
  - Cumulative net financial savings (NPV) of \$10 million over 10 years included in Council's long term financial forecasts; and
  - Cumulative net financial benefits (including the *New Council Implementation Grant*) of \$1.0 million achieved by September 2017.
- These savings are presented in NPV terms. This refers to the net difference between savings and costs from the amalgamation, discounted at an annual rate of 9.5 per cent. The discount rate is applied to future cash flows to account for the cost of money used for investment and the change in the value of money over time.
- This report refines some of the assumptions of the KPMG analysis and presents the savings targets in 5 year increments as well as savings targets to September 2017.
- Snowy Monaro Regional Council (the Council) may propose a different target supported by evidence after conducting local analysis. Council should note that the target is inclusive of monetary values assigned to efficiencies gained through the reallocation of duplicated back-office, administration and corporate support roles to frontline service positions.



## Background

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### This report provides information for newly formed councils to commence its target setting process

- This report seeks to provide newly formed councils with the background necessary to understand the context behind the development of estimated financial savings associated with council amalgamations. Specifically, this report seeks to:
  - Summarise the assumptions used to estimate the financial savings associated with the formation of the Council.
  - Summarise the assumptions used to estimate the financial costs associated with the formation of the Council.
  - Provide a brief explanation of the conservative approach used to develop these assumptions and subsequently the reasons why these assumptions may understate the potential savings associated with the formation of the Council.
- This report also provides information to support newly formed councils to establish financial targets for the implementation of the council merger and develop strategies to achieve these targets. This includes:
  - An updated estimate of potential financial costs and savings, incorporating the most recently available information regarding the timing of the amalgamation process and providing reference to critical dates for the planning process.
  - Additional information on matters newly formed councils will need to give regard to as part of the planning process.







## Section 2: Potential net benefits of the Snowy Monaro Regional Council amalgamation process

**Setting the base target for Council to develop its plan for  
realising the benefits of local government reform**



## Potential net benefits of the Snowy Monaro Regional Council amalgamation process

### Analysis commissioned from KPMG conservatively estimated net financial savings for the new council.

- In 2015, KPMG estimated that the cumulative net financial savings of council amalgamation for Council from FY16 to FY35 was \$13 million in FY15 dollars.
  - The approach used by KPMG was based on a series of conservative assumptions regarding the scope and timing of benefits available to amalgamating councils.
  - The estimated net financial savings did not take into account the \$5 million grant provided to Council for implementation to cover the costs of streamlining its operations.
  - The estimated net financial savings also did not take into account the \$15 million grant from the *Stronger Communities Fund* to fund community projects.
- The assumptions used by KPMG have now been updated to reflect more recent information. The updated estimate of cumulative net financial savings for Council from FY16 to FY35 is \$13 million in FY16 dollars. The updated assumptions include:
  - The timing of the Council's proclamation and the proclaimed number of councillors. This impacts the timing of certain costs and savings, such as savings and costs associated with workforce restructuring and efficiency.
  - The retention of former councillors and the timing of the new council elections. This impacts the scale and timing of expenses associated with councilor remuneration.
  - The additional year of discounting needed to present these savings in FY16 dollars instead of FY15 dollars.
- Council's LTFP is the most appropriate tool to reflect the target savings and the dollar value of efficiencies. For this reason the net financial savings have been calculated for a 10 year period from FY18 to FY27. The cumulative net financial savings are estimated to be \$10 million. Council should note that this time period does not include much of the upfront costs associated with the merger.



## Potential net benefits of the Snowy Monaro Regional Council amalgamation process

The table below summarises the updated estimated impacts associated with the merger and the assumptions used to develop these estimates. The costs associated with amalgamation are largely incurred in the first few years of the reform, while the benefits of amalgamation are ongoing.

### Grants

**\$5 m**

- Consists of a \$5 million *New Council Implementation Grant* to meet the costs of streamlining Council operations.
- Does not include the \$15 million grant from the *Stronger Communities Fund* to fund community projects.

### Costs

**\$3.2 m**

- NPV of costs associated with the consolidation of ICT systems over 20 years.
- The costs of ICT investment are expected to be incurred in FY17 and FY18.

**\$0.9 m**

- NPV of costs associated with back office restructuring over 20 years.
- Costs of redundancies for directors and general Managers are expected to have been completed in FY18.

**\$1.2 m**

- NPV of costs associated with merger transition, such as relocation costs and costs of training staff, over 20 years.
- These costs are expected to be incurred from FY16 to FY18.



## Potential net benefits of the Snowy Monaro Regional Council amalgamation process

### Benefits

**\$16.2 m**

- NPV of savings or other benefits associated with workforce efficiency and reduced salary expenditure over 20 years.
- These benefits and savings commence in FY17 and remain in place throughout the period considered by the modelling.
- A phasing in approach has been taken for the period between FY17 and FY21, to reflect that it will take time for the Council to put in place the changes needed to realise these benefits.

**\$2.1 m**

- NPV of savings associated with the reduced cost of materials and contracts over 20 years. These benefits are based on the expectation of scale benefits associated with council expenditure.
- These benefits and savings commence in FY17 and remain in place throughout the period considered by the modelling.
- A phasing in approach has been taken for the period between FY17 and FY20, to reflect that it will take time for the Council to put in place the changes needed to realise these benefits.

**-\$0.2 m**

- NPV of savings associated with changes in the remuneration of councillors over 20 years.
- This is driven by a change in the number of councillors and is expected to be realised from the next election date of the Council onwards.





## Potential net benefits of the Snowy Monaro Regional Council amalgamation process

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### The KPMG estimates were based on conservative assumptions and may understate the potential savings available to individual councils

- The assumptions used by KPMG to estimate the financial benefits of council amalgamation were necessarily conservative given the broad based analysis conducted across a wide range of council clusters. For instance:
  - The discount rate of 9.5 per cent per year is higher than prevailing market conditions, reducing the impact of cost savings in future years. A lower discount rate would increase the size of benefits in today's dollars, when compared with costs which are less heavily discounted.
  - The efficiencies are limited to savings associated with back office savings and efficiencies, contracts and materials and councillor remuneration, however other benefits may be available for Council to achieve.
  - The assumed savings were conservative to reflect the broad range of councils involved in the merger process. Council may consider greater savings achievable for their specific situation.
- As a result, Council may set its own targets that are greater than the \$10 million for the LTFP period estimated through the updated analysis outlined in this section.
- Council will need to consider whether larger targets are more appropriate for their situation. This can be completed as part of the strategic planning process.





# Appendix

**Estimated net benefits of the Snowy Monaro Regional Council  
(FY16-FY35)**



## Estimated net benefits of the creation of the Snowy Monaro Regional Council

The table below provides a summary of the estimated impacts of the formation of the Council based on the most recent available information. These estimates are presented in five yearly increments and on a net present value basis in FY16 dollars. The table on the following page indicates these results at key stages in the implementation of the council amalgamation process.

	FY16-FY20	FY21-FY25	FY26-FY30	FY31-FY35	Total (FY16-FY35)
Net savings on back office efficiencies (\$m, NPV)	3.4	5.6	4.2	3.0	16.2
Net saving on materials and contracts (\$m, NPV)	0.4	0.7	0.6	0.4	2.1
Net savings on councillor remuneration (\$m, NPV)	(0.1)	0.0	(0.1)	0.0	(0.2)
<b>Total net savings (\$m, NPV)</b>	<b>3.7</b>	<b>6.3</b>	<b>4.7</b>	<b>3.4</b>	<b>18.1</b>
Net cost of ICT consolidation (\$m, NPV)	3.2	0.0	0.0	0.0	3.2
Net cost of back office savings and efficiencies (\$m, NPV)	0.9	0.0	0.0	0.0	0.9
Net cost of merger transition (\$m, NPV)	1.2	0.0	0.0	0.0	1.2
<b>Total net costs (\$m, NPV)</b>	<b>5.3</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>5.3</b>
<b>Net financial savings (\$m, NPV)</b>	<b>(1.6)</b>	<b>6.3</b>	<b>4.7</b>	<b>3.4</b>	<b>12.8</b>
New Council Implementation Grant (\$m, NPV)	5.0	0.0	0.0	0.0	5.0
<b>Net position of amalgamation (\$m, NPV)</b>	<b>3.4</b>	<b>6.3</b>	<b>4.7</b>	<b>3.4</b>	<b>17.8</b>
Stronger Communities Fund (\$m, NPV)	15.0	0.0	0.0	0.0	15.0
<b>Overall net financial benefit of reform (\$m, NPV)</b>	<b>18.4</b>	<b>6.3</b>	<b>4.7</b>	<b>3.4</b>	<b>32.8</b>



## Estimated net benefits of the creation of the Snowy Monaro Regional Council

The table below provides a summary of the estimated aggregated impact of the formation of the Council at key stages in the implementation of the council amalgamation process.

	Completion of Phase 1 - Implementation (FY16 - SEP 2017)	Completed Medium Term Implementation (FY16-FY21)	Ten Year LTFP Period (FY18-FY27)	Twenty Year Estimate (FY16-FY35)
Net savings on back office efficiencies (\$m, NPV)	0.6	4.7	10.3	16.2
Net saving on materials and contracts (\$m, NPV)	0.0	0.5	1.4	2.1
Net savings on councillor remuneration (\$m, NPV)	0.0	(0.1)	(0.1)	(0.2)
<b>Total net savings (\$m, NPV)</b>	<b>0.6</b>	<b>5.1</b>	<b>11.6</b>	<b>18.1</b>
Net cost of ICT consolidation (\$m, NPV)	2.7	3.2	1.1	3.2
Net cost of back office savings and efficiencies (\$m, NPV)	0.8	0.9	0.3	0.9
Net cost of merger transition (\$m, NPV)	1.1	1.2	0.2	1.2
<b>Total net costs (\$m, NPV)</b>	<b>4.6</b>	<b>5.3</b>	<b>1.6</b>	<b>5.3</b>
<b>Net financial savings (\$m, NPV)</b>	<b>(4.0)</b>	<b>(0.2)</b>	<b>10.0</b>	<b>12.8</b>
New Council Implementation Grant (\$m, NPV)	5.0	5.0	0.0	5.0
<b>Net position of amalgamation (\$m, NPV)</b>	<b>1.0</b>	<b>4.8</b>	<b>10.0</b>	<b>17.8</b>
Stronger Communities Fund (\$m, NPV)	15.0	15.0	0.0	15.0
<b>Overall net financial benefit of reform (\$m, NPV)</b>	<b>16.0</b>	<b>19.8</b>	<b>10.0</b>	<b>32.8</b>







