



SNOWY MONARO
REGIONAL COUNCIL

BUSINESS PAPER

Administrator Delegations Meeting
5 September 2016

CONFLICTS OF INTEREST

A conflict of interest arises when the Administrator or Council staff are influenced, or are seen to be influenced, in carrying out their duties by personal interests. Conflicts of interest can be pecuniary or non-pecuniary in nature.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of a financial gain or loss.

A non-pecuniary interest can arise as a result of a private or personal interest, which does not relate to money. Examples include friendship, membership of an association or involvement or interest in an activity.

The Administrator or staff member who considers they may have a conflict of interest should read Council Policy.

The responsibility of determining whether or not the Administrator or Council employee has a pecuniary or non-pecuniary interest in a matter, is the responsibility of that individual. It is not the role of the Administrator or General Manager, or another Council employee to determine whether or not a person may have a conflict of interest.

Should you be unsure as to whether or not you have a conflict of interest you should err on the side of caution and either declare a conflict of interest or, you should seek the advice of the Director General of Local Government.

The contact number for the Director General of Local Government is 4428 4100.

COUNCIL CODE OF CONDUCT

The Council Code of Conduct is a requirement of Section 440 of the Local Government Act 1993, which requires all councils to have a code of conduct to be observed by the Administrator, members of staff and delegates of the Council attending a Council meeting or a meeting of a committee of Council.

The code of conduct sets out the responsibilities of the Administrator and Council employees attending a Council meeting or a meeting of a committee of Council. The code also sets out how complaints against a Council employee, the Administrator or General Manager are to be made.

COUNCIL CODE OF MEETING PRACTICE

The Council Code of Meeting Practice is a requirement of Section 360(3) of the Local Government Act 1993, which requires all councils to have a code of meeting practice. The code of meeting practice is to be observed by the Administrator, members of staff, delegates of the Council and members of the public attending a Council or a meeting of a committee of Council.

Acknowledgement of Owners of Land

Council wishes to show our respect to the First Custodians of this land the Ngarigo people and their Ancestors past and present who pass on this duty of custodianship of the land to us the current custodians. We are proud to be Australian and celebrate the diverse backgrounds and cultures that make up our Nation – our Land.

**ADMINISTRATOR DELEGATIONS MEETING
TO BE HELD IN HEAD OFFICE, 81 COMMISSIONER STREET, COOMA NSW 2630**

**ON MONDAY 5 SEPTEMBER 2016
COMMENCING AT 9.00AM**

BUSINESS PAPER

1. OPENING OF THE MEETING	
2. DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST (Declarations also to be made prior to discussions on each item)	
3. CORPORATE BUSINESS - KEY DIRECTION 1. SUSTAINING OUR ENVIRONMENT FOR LIFE	
Nil	
4. CORPORATE BUSINESS - KEY DIRECTION 2. EXPANDING CONNECTIONS WITHIN THE REGION AND BEYOND	
4.1 Public Exhibition of Bombala And Delegate Town Centre Upgrade Plans	3
5. CORPORATE BUSINESS - KEY DIRECTION 3. STRENGTHENING OUR LOCAL ECONOMY	
5.1 Rotary Markets Operation	5
6. CORPORATE BUSINESS - KEY DIRECTION 4. CREATING SAFER, HEALTHIER AND THRIVING COMMUNITY	
Nil	
7. CORPORATE BUSINESS - KEY DIRECTION 5. ENHANCING OUR HEALTHY, ACTIVE LIFESTYLE	
Nil	
8. CORPORATE BUSINESS - KEY DIRECTION 6. MANAGING DEVELOPMENT AND SERVICE DELIVERY TO RETAIN THE THINGS WE VALUE	
8.1 Tender for Contract 5/2015 for Design and Construct New Calf/Sheep Yards at Cooma Livestock Selling Centre	27
9. CORPORATE BUSINESS - KEY DIRECTION 7. PROVIDING EFFECTIVE CIVIC LEADERSHIP AND CITIZEN PARTICIPATION	
9.1 Adoption of Terms of Reference for Stronger Communities Fund Assessment Panel	30
10. CONFIDENTIAL MATTERS	37
10.1 Proposal to Sell Lot 39 DP 756729	

Item 22.1 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.2 Extention of Bitumus Sealing Contract LGP0812-2 with Downer Infrastructure

Item 22.2 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.3 Selection of Facilitator - People, Leadership and Culture Workshop - Implementation Project

Item 22.3 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

4.1 PUBLIC EXHIBITION OF BOMBALA AND DELEGATE TOWN CENTRE UPGRADE PLANS

Record No:

Responsible Officer:	General Manager
Author:	Acting Executive Assistant
Key Direction:	4. Creating a Safer, Healthier and Thriving Community
Delivery Plan Strategy:	DP4.1 Encourage opportunities to promote and protect our cultural heritage.
Operational Plan Action:	OP4.2 Ensure heritage matters are taken into consideration in the assessment of development applications for development in areas of cultural heritage.
Attachments:	Nil
Cost Centre	
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Bombala Council previously engaged the services of Scape Design to undertake project development planning for a redevelopment of the Bombala and Delegate commercial centres. Following site visits and consultation with Management Staff from the Bombala Branch the consultancy has provided draft plans for comment.

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

OFFICER'S RECOMMENDATION

That Council

- A. That the draft streetscape design plans prepared by Scape Design for the redevelopment of the Bombala and Delegate commercial centres be placed on public exhibition commencing 5 September 2016 for a minimum period of 28 days; and
- B. That public meetings be held at Bombala and Delegate at a time suitable to the Administrator;
- C. That the draft plans be available on the Council Website and social media platforms;
- D. That large format paper copies be made available for examination at Bombala Branch Office, Bombala Community Centre and Delegate Rural Transaction Centre; and
- E. That large format paper copies be provided to the Bombala Chamber of Commerce and the Delegate Progress Association for distribution to their members.

BACKGROUND

As per resolution at Council Meeting 31 August 2016 in Bombala.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Community consultation to be taken into account.

2. Environmental

Any environmental impacts will be dealt with the project guidelines.

3. Economic

Existing Budget Allocation.

4. Civic Leadership

Determination by Administrator

Approved by Administrator Dean Lynch in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act 1993.*

Signature:

Date:

5.1 ROTARY MARKETS OPERATION

Record No:

Responsible Officer:	Director Service Delivery
Author:	Deputy Director Service Delivery
Key Direction:	3. Strengthening Our Local Economy
Delivery Plan Strategy:	DP3.6 Collaboration between businesses, Council and agencies.
Operational Plan Action:	OP3.6 Support local business networks and our Chambers of Commerce.
Attachments:	1. Former CMSC Council Resolution ↓ 2. Letter dated 1999 ↓ 3. Temporary Licence Agreement ↓
Cost Centre	
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The temporary licence for the Rotary Markets expired in 2008. Council now request that Rotary submit a Development Application for conducting the monthly markets at Cooma Centennial Park for the next 5 years.

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

OFFICER'S RECOMMENDATION

That Council request that Rotary immediately submit a Development Application for conducting monthly markets at the Cooma Centennial Park.

BACKGROUND

In 1995 former Cooma-Monaro Shire Council endorsed the Rotary Club to host regular markets at the Cooma Centennial Park (resolution 685 of 9 October 1995 meeting). In addition to this in 2007 a temporary licence for the markets was issued. This licence expired on 31 July 2008.

Centennial Park is zoned RE1 – Public Recreation Zone under the provisions of Cooma-Monaro Local Environmental Plan 2013 (CMLEP 2013). Within this zone, 'markets' are permitted only with development consent. CMLEP defines 'markets' as the following:

***market** means an open-air area, or an existing building, that is used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.*

The Rotary Markets fit this definition and as such are permitted in Centennial Park only with development consent.

Given the time since the last temporary licence has expired, it is pertinent to request the Rotary Club to submit a Development Application seeking approval to undertake this event once a month for a period of 5 years. At this time a further development application would be required and this would present an opportunity to review impacts of the market on the park over the previous 5 years.

The development application will address some of the following issues that have arisen, including:

- Specification of the sale of goods at the markets and responsibility for monitoring and implementation,
- Restrictions of vehicle access to the park,
- Wet weather events (might include an alternative venue),
- Bond payable for ground repairs and damage.

Prior to the submission of the Development Application Council staff will conduct a meeting between Rotary and the Chamber of Commerce to facilitate communication between the two parties to ensure ongoing success of economic growth in the region.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

To ensure the ongoing success of the community markets.

2. Environmental

Ensure the facility is managed with the Environmental guidelines.

3. Economic

To ensure economic success and growth of the markets and business.

4. Civic Leadership

Previous Resolution former Cooma-Monaro Shire Council 685 of 9 October 1995.

1. That council endorse Sunday Markets in Centennial Park on the third Sunday of each Month, for community fund raising.
2. That Council undertake a review of the fee structure when reviewing the 1996/97 Management Plan
3. That Council be advised of the beneficiaries of the funds raise from stall fees.
4. That a letter of congratulations be forwarded to the organisers.
5. That stall holders display or sell cottage or second-hand goods at the markets from November, with a six month review period.

Determination by Administrator

Approved by Administrator Dean Lynch in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act 1993.*

Signature:

Date:

**REPORT OF THE DIRECTOR OF CORPORATE SERVICES
TO THE COUNCIL MEETING
TO BE HELD ON MONDAY, 9 OCTOBER 1995**

Item 1. Sunday Markets. (CS/PAR-3)

Reporting Officer: Bus. Develop. Mgr	File No.: CS/PAR-2
Budget Allocation: N/A	Expenditure: Nil
Effect of Recommendation on Budget: Nil	

Purpose of Report:

To appraise the trial of Sunday Markets in Centennial Park.

Commentary:

In May 1995 Council approved the trial of Markets in Centennial Park on the third Sunday of each month. Since the trial started, the Manager Engineering Design has been monitoring the use and effect on Centennial Park, and with the exception of minor problems with horse droppings on the grass area, there have not been any adverse comments. Organisers of the Markets have been canvassing patrons to gather information of why and how they heard about or attended the venue. Indications are that 85% of patrons who attended the Markets stopped in Cooma because they saw the Markets, or stopped because they saw advertising indicating Markets were on. Further, those patrons interviewed stated they would not have stopped in the town had it not been for the Markets.

Local operators of stalls are keen to see the Sunday Markets in the Park concept continue. Although traders in the CBD of Cooma have been approached to participate in the Markets, to date none have availed themselves of the opportunity. On average there were 30 stalls present at each Market day, with over 90% local operators.

During the trial period, the local newspaper sought public comment on the Markets, and responses indicate popular support for regular periodic Markets to be held.

THIS IS PAGE ONE OF REPORT OF DIRECTOR OF CORPORATE SERVICES TO
COUNCIL MEETING, 9.10.95.

General Manager _____ Mayor

9(2)

**REPORT OF DIRECTOR OF CORPORATE SERVICES TO COUNCIL
MEETING, 9.10.95.**

Item 1. (Continued)

Council staff have not had any adverse comments reported about the Markets or the operation of the Markets in Centennial Park.

Summary:

In summary, local craft supplies and businesses from the CBD have been provided with an opportunity to participate in Sunday Market trading, although only local craft suppliers/operators have availed themselves of the opportunity.

No adverse comment has been received from businesses or the general public on the operation of the Markets. Favourable comments have been forthcoming from patrons of the Markets and anecdotal evidence suggests travellers who would not normally stop in Cooma did so because of the Markets.

RECOMMENDATION:

1. That Council endorse Sunday Markets in Centennial Park on the third Sunday of each month.
2. That Council undertake to review the fee structure when reviewing the 1996/97 Management Plan.
3. That Council be advised of the beneficiaries of the funds raised.
4. That a letter of congratulations be forwarded to the organisers.

THIS IS PAGE TWO OF REPORT OF DIRECTOR OF CORPORATE SERVICES TO
COUNCIL MEETING, 9.10.95.

General Manager _____ Mayor

MINUTES OF COUNCIL MEETING, 9.10.95.

REPORT OF DIRECTOR OF CORPORATE SERVICES TO COUNCIL, 9.10.95:

Item 1. Sunday Markets.

685. **RESOLVED:**
(Jacoby/Kaltoum)
1. That Council endorse Sunday Markets in Centennial Park on the third Sunday of each month, for community fund raising.
 2. That Council undertake to review the fee structure when reviewing the 1996/97 Management Plan.
 3. That Council be advised of the beneficiaries of the funds raised from stall fees.
 4. That a letter of congratulations be forwarded to the organisers.
 5. That stall holders display or sell cottage or second-hand goods at the markets from November, with a six month review period.

CARRIED

REPORT OF DIRECTOR OF ENVIRONMENTAL SERVICES TO COUNCIL, 9.10.95:

Town Planning Items:

Item 1. Road Name Required.

686. **RESOLVED:**
(Rushton/Jacoby)
- That the name be "Glen Road".

CARRIED

Item 2. Subdivision Excising a Lot Containing an Existing Dwelling - Portion 3 Parish Rose Valley (Numeralla).

687. **RESOLVED:**
(Rushton/Phillips)
- That the recommendation be adopted.

CARRIED

THIS IS PAGE SIX OF MINUTES OF COUNCIL MEETING, 9.10.95

General Manager

Mayor



COOMA-MONARO SHIRE COUNCIL

81 COMMISSIONER STREET COOMA
P.O. BOX 714 COOMA NSW 2630

TELEPHONE (02) 6450 1777
FAX (02) 6450 1790

OFFICE HOURS Monday - Friday 9 AM - 5 PM

All correspondence to be addressed to the General Manager

Enquiries Ross Lawley
Our Ref CS/PAR.2 *28/4*
Your Ref

28/4/99

28 April 1999

Rotary Club of Cooma Inc.
PO Box 14
COOMA NSW 2630

ATTENTION: JOHN CLARKE

Dear John

COOMA ROTARY HIGH COUNTRY MARKETS IN CENTENNIAL PARK,
COOMA

Further to your recent discussions with Council's Recreation Services Manager we advise that these markets should comply with Council's resolution number 685 of 9-10-95 as follows:

- 1 That Council endorse Sunday Markets in Centennial Park on the third Sunday of each month, for community fund raising.
- 2 That Council undertake a review of the fee structure when reviewing the 1996/97 Management Plan.
- 3 That council be advised of the beneficiaries of the funds raised from stall fees.
- 4 That a letter of congratulations be forwarded to the organisers.
- 5 That stall holders display or sell cottage or second-hand goods at the markets from November, with a six month review period.

In regard to point five, if your club considers that a wider range of goods needs to be permitted for sale at the markets, you should formally request this of council.

Building a Better Community

On the matter of vehicles within the park, you are reminded of Council's policy that unauthorised vehicles are not permitted within any neighborhood parks, and your co-operation in advising and policing this with the stallholders would be appreciated. It may also assist in public relations with local business's if stallholders were also encouraged to park in Council's car park in Massie Street.

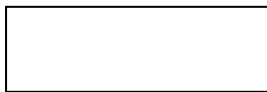
When Rotary assumed control of the markets from the previous organiser, the subject of fees did not arise as Council did not directly charge for the use of Centennial Park. All funds raised from the stallholders were used for local causes as is the case with your organisation.

Since that time however, Council has set a scale of fees for various uses of the park to ensure the funds are directed back into the park maintenance to offset the additional wear and tear. Currently these fees are \$11.00 per stall. Higher fees are payable for other uses such as amusement equipment.

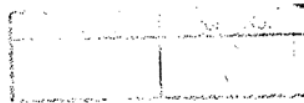
Through an oversight, Council has not been charging these fees, however we now advise that as from the June markets we will be invoicing yourselves at these rates. This fee should therefore be taken into account when setting your fees for stallholders.

If you have any queries in relation to the above, please contact Council's Recreation Services Manager, Ross Lawley, on 6450 1764.

Yours sincerely



DAVID BYRNE
DIRECTOR OF ENGINEERING SERVICES
for
NEIL WATT
GENERAL MANAGER



Ross Lawley (RL:DC)
RS/PAR/2

17 January 2008

President
Rotary Club of Cooma
P O Box 14
COOMA NSW 2630

ATTENTION: JOHN MOONEY

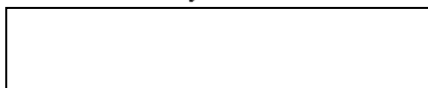
Dear John

**TEMPORARY LICENCE FOR ROTARY MARKETS IN
CENTENNIAL PARK, COOMA**

Please see attached a copy of the Temporary Licence for the conduct of your Club's markets in Centennial Park. This has now been executed by Council. I do however draw your attention to Section 6 (o) which has been deleted until such time as a suitable alternative venue is agreed upon with both parties. To progress this further please contact the undersigned on 02 6450 1764.

Council wishes you the best for the continued success of these markets.

Yours sincerely



ROSS LAWLEY
RECREATION & PROPERTY MANAGER
for
DAVID BYRNE
DIRECTOR OF ENGINEERING SERVICES

NUMBER.....

COOMA-MONARO SHIRE COUNCIL

**TEMPORARY LICENCE AGREEMENT FOR USE OF
CENTENNIAL PARK, COOMA**

**BY
INCORPORATED BODIES, SPORTING CLUBS OR ASSOCIATIONS**

On this day of two thousand and seven the **Cooma-Monaro Shire Council** (hereinafter referred to as the 'Trust') being a corporation constituted under the *Crown Land Act 1989* (hereinafter referred to as the 'Act') and being the Trustee of the whole of the land within Reserve No. R530002 for Public Recreation, notified on 10 January 1888 and situated at Sharp Street, Cooma, hereby grants pursuant to Section 108 of the Act a temporary licence to the person(s) specified in Section 1 of the Schedule 1 (hereinafter referred to as the 'Licensee') and subject to the following terms and conditions:


1. That the Licensee pays the Trust the specified licence fees.
2. That the licence remains in force for the period specified in Section 4 of Schedule 1.
3. That the Licensee shall not interfere with any other person authorised by the Trust to use the reserve or any part thereof.
4. That the Licensee will not use the land specified in Schedule 1, Section 2 except for the purposes authorised by this licence.
5. That the Licensee shall comply with the special conditions specified in Section 6 of Schedule 1.
6. That any notice provided for in this licence shall be deemed to be validly served if:
 - a) it is personally served on the Licensee or where the Licensee is a corporation or association, on an officer of the corporation or association;
 - b) it is sent by prepaid ordinary mail addressed to the Licensee at the address shown in Section 5 of Schedule 1.
7. That the Trust does not make or give any warranty, promise or covenant to the Licensee for quiet enjoyment of the licence area.

Signed on behalf of the
Cooma-Monaro Shire Council Reserves Reserve Trust

by 

Name..... *John V. S. C. C.*.....

Dated *11/1/2008*.....

Witness..... 

Signed by the Licensee:

Name Cheyl Moid

Dated 19th September 07

Witness

SCHEDULE 1

SECTION 1: LICENSEE

ROTARY CLUB OF COOMA INCORPORATED.

NAME OF 1ST CONTACT John Mooney

CONTACT NO - BH

NAME OF 2ND CONTACT John Medco

CONTACT NO - BH

SECTION 2: LICENSEE'S RIGHT

The licensee shall have the use of Centennial Park, Cooma, shown attached in Schedule 1, hereinafter called 'the said area', including the toilets and power outlets for the purpose of MARKET DAYS.

SECTION 3: LICENCE FEE

\$ Nil PER ANNUM

SECTION 4: LICENCE PERIOD

The licence term shall be from the 1st August 2007 until the 31st July 2008 and the period shall be for third Sunday of each month between 6.00 am and 3.00 pm or until terminated by:

- 4.1 The Trust by reason of breach by The Licensee of an essential term of this deed and such breach not having been remedied within sixty days after written notice by The Trust requiring that the breach be remedied, or
- 4.2 The Reserve or any relevant part of it being revoked to the extent that the revocation prevents The Licensee from exercising it's rights hereunder, or
- 4.3 The Licensee surrendering it's rights hereunder, or
- 4.4 The Crown is exercise of it's powers.

SECTION 5: ADDRESS FOR SERVICE OF NOTICE

To be completed and updated by the Licensee

PO Box 14
Cooma NSW 2630

SECTION 6: SPECIAL CONDITIONS

- a) The Licensee shall keep the said area and buildings clean and tidy and all papers and other rubbish shall be disposed of correctly. The licensee shall immediately repair and make good, damage occasioned by their use of the said area.
- b) The Licensee shall indemnify and keep indemnified the Trust and the Minister administering the Crown Lands Acts and the Trust in respect of any claim which may arise out of the Licensee's use and/or occupation of the said area covered by this licence against all actions, suits, claims, debts, obligations and other liabilities during the continuation of the Licence and further. The Licensee shall take out a public risk insurance policy with a reputable insurance office, approved by the Trust, in the names of the Licensee, the Trust and the Minister administering the Crown Lands Acts, insuring them against such of the said matters as can be insured against to the sum of not less than ten million dollars (\$10,000,000) and shall produce at any time when required by the Trust or the Minister the last renewal receipt of payment of such premium thereon. The Licensee must note the interest of the Licensor and the Minister on such policy. A copy of this insurance policy is to be forwarded to the Trust at least 7 days prior to the start of the period of hire.
- c) The Licensee shall arrange and maintain all other insurance as may be required by the Worker's Compensation Act or any other Act or Acts of Parliament in regard to the conduct of activities of the licensee on the demise premises. A copy of any such insurance's are to be forwarded to the Trust at least 7 days prior to the start of the period of hire.
- d) The Licensee shall comply during the period of the licence with the requirements of all statutes, Acts of Parliament, rules, regulations, ordinances or by-laws made thereunder affecting the said area covered by this licence and the use thereof.
- e) The Manager, or other authorised employee of the Licensee, responsible for supervising activities, must be a person approved by the appropriate controlling body.
- f) The Trust reserves the right to remove from or refuse entry to the reserve any person regardless of any arrangements or contract with the Licensee.

- g) This licence is subject to the provisions of the Crown Lands Act 1989, including Sections 108 and 109 of that Act.
- h) The licensee shall not sublet, assign or otherwise deal with the said area without the consent of the licensor.
- i) The Licensee shall not interfere with any other person authorised by the Trust to use the said area or any part thereof.
- j) Fees are payable in advance in accordance with Council *Policy for Booking Council Sportsgrounds, Playing Fields and Parks*.
- k) No relationship of landlord or tenant is or is intended to be created between the parties hereto by virtue of this licence or in any way whatsoever.
- l) All improvements, erections and fixtures now or hereafter to be erected on the said area are acknowledged by the Licensee to be absolute property of the Crown.
- m) During the period of the licence referred to in Section 4 and after each period of use place all rubbish in the appropriate receptacles in the Reserve and leave it clean and tidy and in a similar condition to that which it enjoyed at the commencement of the period of use. Natural disasters are excluded from this provision. The area used must be left in a reasonable condition following the period of exclusive use. The Licensor reserves the right to recover from the Licensee reasonable costs incurred as a result of the failure to comply with this condition.
- n) The Licensor reserves the right to cancel the use of the said area should it consider that due to inclement weather the activities may cause an unacceptable risk of damage to the surface of the park. The criteria used in Council's policy *Management of Facilities during inclement weather* shall be applicable.
- ~~(o) If the use of the said area is cancelled by the licensor or licensee due to inclement weather the use of the area shown in Schedule 1, Section 2 in accordance with License Number may be used~~
- p) It is the responsibility of the Licensee to determine the fitness of the said area for the use by the Licensee. If the said area is considered unfit for use, Council should be notified as soon as possible to enable appropriate action to be taken.
- q) In accordance with Council's Plan of Management for Neighbourhood Parks, Passive Recreation Areas and Playgrounds, only service and emergency vehicles are permitted to enter the said area as shown on Schedule 1, Section 2.
- r) In accordance with Council's resolution 419/97 no animals are permitted by the lessee within the said area, unless prior written approval from Council is obtained.

- s) A Risk Management Assessment shall be completed by the 31st October in the first year of the term of the lease and approved by the Licensor.
- t) Any Recommendations approved in the Risk Assessment shall be complied with by the Licensee.
- u) All stallholders shall comply during the period of the licence with Council's resolution 685/95 on the sale of goods at the markets.
- v) All stallholders shall comply during the period of the licence with the requirements of all statutes, Acts of Parliament, rules, regulations, ordinances or by-laws made thereunder affecting the said area covered by this licence and the use thereof.

Public Liability Insurance

With (Insurer)

Date... 4/7/07

QBB Insurance (Australia) Ltd

Expiry 30/6/08

Copy on File

Yes/No

Yes/No

File Number

Copy Attached

Other Insurances Required

Yes/No

Type.....

With (Insurer)

Expiry Date

Copy on File

Yes/No

File Number

Copy Attached

Yes/No



QBE INSURANCE (AUSTRALIA) LIMITED
ABN 78 003 191 035

Specialist Risk
133 Mary Street
Brisbane QLD 4000

Postal Address
GPO Box 634
Queensland QLD 4001

Telephone: (07) 3031 8466
Facsimile: (07) 3031 8426
DX 243 Brisbane

Broker: Aon

Certificate of Currency

Policy number AT 0008958 PLB

Name of Insured Rotary Club of Cooma & The Minister of Lands, Ti-Tree Racecourse Trust(as Principal) as an interested party for their respective rights and interests.

Type of Insurance Public and Products Liability

Cover QBE will pay in respect of Personal Injury or Property Damage first happening during the Period of Insurance and caused by an Occurrence within the Territorial Limits in connection with Your Business.

Limit of Liability Public \$30,000,000 any one Occurrence
Products \$30,000,000 any one Occurrence & in the aggregate for all injury or damage occurring during the period of insurance.

Period of Insurance From: 4.00 pm on 30 June 2007 to 4.00 pm on 30 June 2008

This Certificate has been signed on behalf of QBE Insurance (Australia) Limited at:

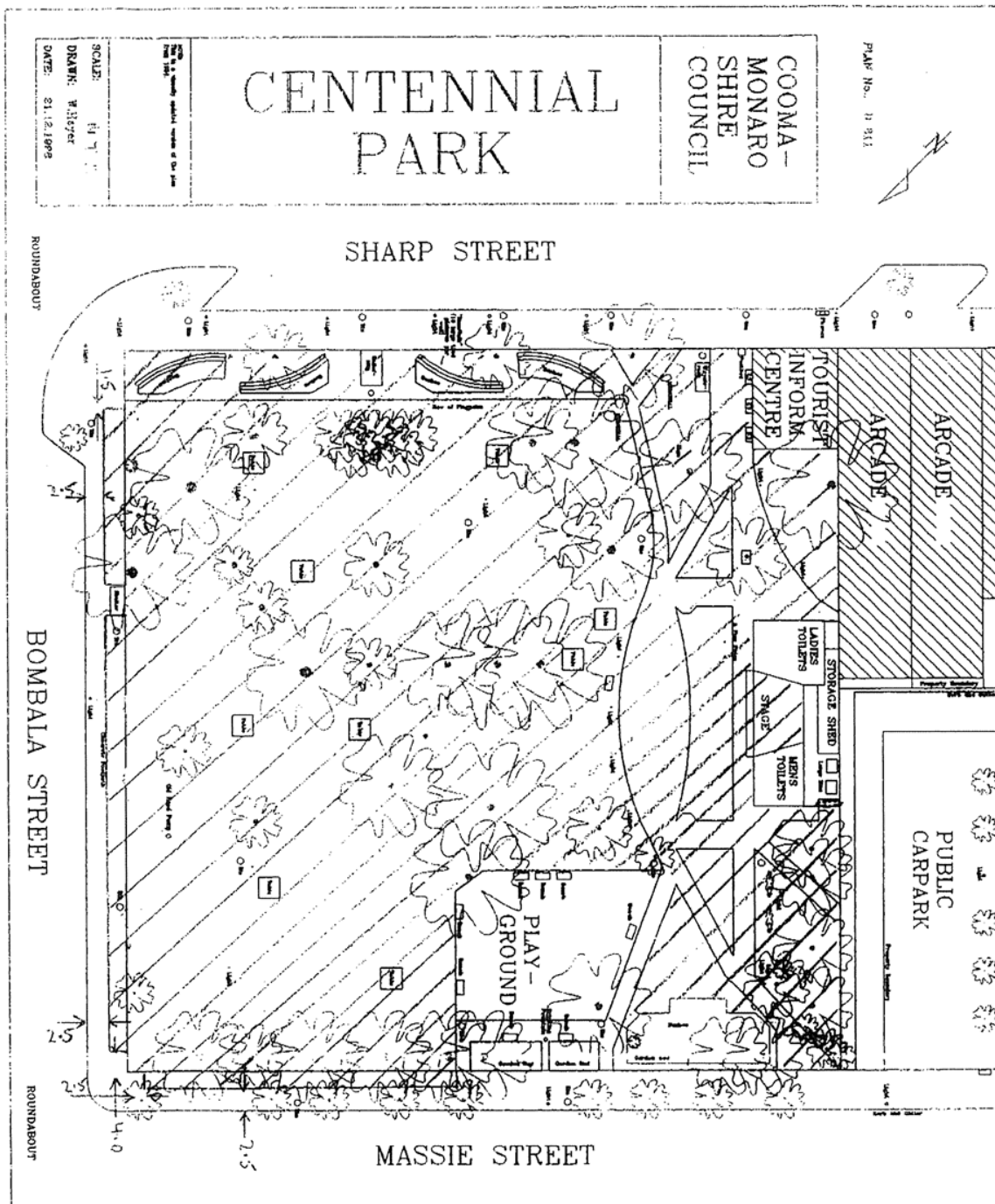
Brisbane this 4th day of July 2007

Signed



Senior Liability Underwriter
Specialist Risk

SCHEDULE 1





COOMA-MONARO SHIRE COUNCIL

81 COMMISSIONER STREET COOMA
P.O. BOX 714 COOMA NSW 2630

TEL: (02) 6450 1777
FAX: (02) 6450 1799

OFFICE HOURS: Monday - Friday 9 AM - 5 PM

All correspondence to be addressed to the General Manager

Inquiries Ross Lawley
Our Ref: CS/PAR.2 11284
Your Ref:

Resolution 685/95

28 April 1999

Rotary Club of Cooma Inc.
PO Box 14
COOMA NSW 2630

ATTENTION: JOHN CLARKE

Dear John

COOMA ROTARY HIGH COUNTRY MARKETS IN CENTENNIAL PARK,
COOMA

Further to your recent discussions with Council's Recreation Services Manager we advise that these markets should comply with Council's resolution number 685 of 9-10-95 as follows:

- 1 That Council endorse Sunday Markets in Centennial Park on the third Sunday of each month, for community fund raising.
- 2 That Council undertake a review of the fee structure when reviewing the 1996/97 Management Plan.
- 3 That council be advised of the beneficiaries of the funds raised from stall fees.
- 4 That a letter of congratulations be forwarded to the organisers.
- 5 That stall holders display or sell cottage or second-hand goods at the markets from November, with a six month review period.

In regard to point five, if your club considers that a wider range of goods needs to be permitted for sale at the markets, you should formally request this of council

Building a Better Community

COOMA-MONARO SHIRE COUNCIL

MANAGEMENT OF FACILITIES DURING INCLEMENT WEATHER

This policy is to provide guidance to sporting organisations and other users when inclement weather affects Council owned or managed facilities. This policy applies to Cooma Showground and all facilities listed in Council's Plan of Management for Sportsgrounds excluding Nimmitabel, Bredbo, and Numeralla Sportsgrounds and Nimmitabel Showground.

A Council owned or managed facility may be closed for use if the following conditions have occurred;

- 1 - If twenty millimetres or more of precipitation is recorded within forty-eight hours prior to the day a facility is to be used.
- 2 - If thirty millimetres or more of precipitation is recorded within seven days prior to the day a facility is to be used.
- 3 - If the Director of Engineering Services considers that facilities are unplayable for any reason.

When making the decision to close any facility, Council will consider all circumstances, including actual conditions, type of ground and the nature of the proposed use.


PROCEDURE

The Visitors Centre will be advised of which facilities are not playable on that day by 9.30 am at the latest, or the person nominated on the booking form will be advised as soon as a decision is made.

GLOSSARY

TERM	MEANING
DIRECTOR OF ENGINEERING SERVICES	The Director of Engineering Services as appointed by Council or an employee of Council authorised by the DES to decide on the use of any Council owned or managed facility.
PRECIPITATION	The quantity of precipitation as measured by Council at the Meteorological Station behind Norris Park, Cooma.
FACILITY	Any Council controlled sportsground, playing field or park.

ISSUE : 1 REVISION : 0	DOCUMENT NUMBER : RC - MN - RT - PL - 00002	DOCUMENT ISSUED BY : EMF
ISSUE DATE : 04-10-00	Page 1 of 2	TRAINEE :
REVIEW DATE : 04-10-04	COOMA-MONARO SHIRE COUNCIL	TRAINER :

TITLE OF POLICY	BOOKING COUNCIL SPORTS / SHOW GROUND PLAYING FIELD AND PARKS POLICY	TYPE OF POLICY	COUNCIL APPROVED 
APPLICABLE TO	RECREATION, VISITOR CENTRE, DEBTORS CLERK	FILE NUMBER	RS / SPO / 3
CIRCULATION	ALL STAFF AND COUNCILLORS <input type="checkbox"/> CONTRACTORS <input type="checkbox"/> OTHERS	DATE POLICY WAS ADOPTED	Item 17 11 July 2005
POLICY AUTHOR	ROSS LAWLEY	RESOLUTION NUMBER	644
POSITION OF AUTHOR	RECREATION & PROPERTY MANAGER	AUTHORISED BY	GENERAL MANAGER
RELEVANT LEGISLATION AUSTRALIAN STANDARD EXTRACT FROM THE LOCAL GOVERNMENT STATE AWARD			
AIM	Cooma-Monaro Shire Council is committed to ensuring all recreation facilities are managed and maintained for use by the residents and visitors to Cooma Monaro Shire, in accordance to Council Procedures and Risk Management Principles.		
DESCRIPTION	<p>All bookings of Recreation facilities and the Multifunction Centre and must be made at the Visitors Centre in Sharp Street, Cooma.</p> <p>For season long hirers, expressions of interest for the use of these facilities will be advertised in the local print media and be required as follows;</p> <p style="text-align: center;">Summer usage – October –April</p> <p style="text-align: center;">Winter usage – April – October</p> <p>Priority for booking in a season will be given to the primary user for the previous season of that facility.</p> <p>Council will, however, accept bookings for individual, casual or annual events etc. at any time. Council reserves the right to decline a booking for any individual, casual or annual event if it is considered that it may unduly affect the use of the facility by the primary user of that facility. The date for any of these bookings will then be advised to the appropriate primary user of that facility.</p> <p>Booking Process for ALL Users</p> <p>1. Users to Complete a Facility Booking form</p> <p>The facility user must complete the Booking Form, obtained on councils Internet website, at the Cooma Visitors Centre or Council offices. All bookings are to be made at the Visitors Centre as per the Procedure for Hiring Council Facilities.</p>		

ISSUE NUMBER: 1 REVISION: 1	DOCUMENT NUMBER: RC - MN - RT - PL - 00006	DOCUMENT ISSUED BY: EMF
ISSUE DATE: 11-7-05	Page 1 of 3	TRAINEE:
REVIEW DATE: 11-7-06	COOMA MONARO SHIRE COUNCIL	TRAINER:

DESCRIPTION	<p>2. User to sign Licence Agreement It is a requirement that each user signs a licence agreement prior to using the facility, as described in the Procedure for Hiring Council Facilities.</p> <p>3. Booking Confirmation On receipt of necessary documents (signed licence agreement, Public Liability Certificate of Currency, completed risk assessment) Council will send a confirmation of the booking to the user listing the costs and particulars of the booking. Council Recreation Staff will be notified and preparations to the facility / grounds will be made as requested on the booking form.</p> <p>4. Payment Use of Council facilities will be charged according to Councils Management Plan for the current year. At the end of the month, Councils Debtors Clerk will invoice the necessary users. For casual bookings - full payment of fees is required at the time of booking. Accounts are payable monthly. Users that fail to pay within 30 days will receive a 7 day notice advising of cancellation of use of the facility. Legal action will be taken to recover outstanding debts in accordance with Councils approved Sundry Debtor Debt Recovery Policy.</p> <p>Alternatively sporting users have the option of participating in Councils policy for Waiving of Fees for Sporting Organisations.</p> <p>Exceptions Junior sport (majority of team below the age of 16 years) no fees are charged.</p> <p>5. Cancellation Of Bookings Must be made in writing giving the reason and delivered to the Visitors Centre a minimum of 48 hours prior to the date for which the facility is booked. If this notice is not given, Council will retain a 10% administration fee based on the total fees of all cancelled bookings. The full fee will be refunded if;</p> <ul style="list-style-type: none"> (i) Council cancels the booking in accordance with our Management of Facilities during Inclement Weather Policy. (ii) Council cancels the booking for any other reason. (iii) The hirer deems on reasonable grounds on the day of the booking that the facility is unfit for its purpose as identified on the Action request form. <p>6. Refunds For casual hirers these will be made within one month of the cancellation.</p>
-------------	---

ISSUE NUMBER: 1 REVISION: 1	DOCUMENT NUMBER: RC - MN - RT - PL - 00006	DOCUMENT ISSUED BY: EMF
ISSUE DATE: 11-7-05	Page 2 of 3	TRAINEE:
REVIEW DATE: 11-7-06	COOMA MONARO SHIRE COUNCIL	TRAINER:

GLOSSARY	<p>FACILITY - means any Council controlled sportsground, showground, playing field, park or multifunction centre</p> <p>HIRER - means an organisation or individual in whose name a booking is made.</p> <p>BOOKING - means all bookings for training, games and any other permitted use of the facility.</p> <p>PLAYING FIELD- means the area specifically marked or designated within which a game or event is conducted.</p> <p>PRIMARY USER - means the organisation that used a facility for the majority of a season the previous year</p> <p>GAME- means any organised game or activity carried out on a Council controlled sportsground, showground, playing field or park.</p> <p>SUMMER - end of October long weekend to 31st March</p> <p>WINTER - 1st April to end of October long weekend</p>
REFERENCE DOCUMENTATION	<p>PROCEDURE FOR HIRING COUNCIL FACILITIES</p> <p>FACILITY BOOKING FORM</p> <p>TEMPORARY LICENCE AGREEMENT (CROWN / COUNCIL)</p> <p>CASUAL HIRERS LICENCE AGREEMENT (CROWN / COUNCIL)</p>

H:\COOMAS INTEGRATED MANAGEMENT SYSTEM\3 SERVICES AND FUNCTIONS\RECREATION\POLICIES AND PROCEDURES\POLICY FOR BOOKING COUNCIL SPORTS SHOW GROUND PLAYING FIELD AND PARKS.doc

ISSUE NUMBER: 1 REVISION: 1	DOCUMENT NUMBER: RC - MN - RT - PL - 00006	DOCUMENT ISSUED BY: EMF
ISSUE DATE: 11-7-05	Page 3 of 3	TRAINEE:
REVIEW DATE: 11-7-06	COOMA MONARO SHIRE COUNCIL	TRAINER:

18/09/2007 11:27 61-2-64522438

JOHN MOONEY & CO

PAGE 01/01

Page 1 of 1

John Mooney

att. Ross Lacey

From: "jymercer" <jymercer@bigpond.com>
To: "Ashley Constance" <alish64@bigpond.com>; "Cheryl and Colin Mould" <cmould@bigpond.net.au>; "Chris Adams" <kydra1@bigpond.net.au>; "David Byrne" <david.byrne@cooma.nsw.gov.au>; "Dugald Mitchell" <dugald@coomatown.com.au>; "John Clarke" <john@bmrllawyers.com.au>; "John Gill" <ccprint@acr.net.au>; "John Mercer" <jymercer@bigpond.com>; "John Mooney" <johnmooneyco@bigpond.com>; "Les Sutcliffe H" <dseccooma@bigpond.net.au>; "Lou Moore" <moorelou@snowy.net.au>; "Peter Davis" <phdavis@snowy.net.au>
Sent: Sunday, September 02, 2007 5:55 PM
Subject: Rotary Markets - Council licence Agreement

Board Members

Having now read the agreement my comments and suggested actions

Before we sign the agreement John Mooney needs to clarify the following points with Council

- 1) Is there a licence fee involved or is this \$nil
- 2) Section 6 Special Conditions
 - a) What is our liability in this area for instance damage to toilets and park furniture including playground
 - h) sublet and assign – presumably we need included something about the licence of stalls for a fee
 - j) a copy of the Policy for Booking Council Sportsgrounds, Playing Fields and Parks
 - n) and p) a copy of the policy for Management of Facilities during inclement weather
 - o) do we have another area i.e the adjacent Car Park we can takeover in inclement weather
 - q) we need permission to at least have ourselves (for the caravan / BBQ) and the castle mqn enter the area for set-up of equipment
 - r) The Million Paws Walk each year do RSPCA get permission or do we given it is on our market day
 - u) a copy of resolution 685/95 on sale of goods

I will check our insurance policy to ensure it meets Special Conditions 6b)

Who will do the Risk Management Assessment to meet Special Conditions 6s)

Regards
John Mercer
Secretary

*Ross Could you PLEASE CLARIFY
THE ABOVE BY NEXT WEDNESDAY*

COOMA-MONARO SHIRE COUNCIL	
10 SEP 2007	
File No.	RS PAR 2
Document Type	Letter
Action Officer	Ross L
Attachment	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Cc, To	
From	
Reply To	
Registered By	

Thank

John Mooney

9/10/07

8.1 TENDER FOR CONTRACT 5/2015 FOR DESIGN AND CONSTRUCT NEW CALF/SHEEP YARDS AT COOMA LIVESTOCK SELLING CENTRE

Record No:

Responsible Officer:	Director Service Delivery
Author:	Deputy Director Service Delivery
Key Direction:	3. Strengthening Our Local Economy
Delivery Plan Strategy:	DP3.4 Promote the Shire as a place to do business.
Operational Plan Action:	No Action 2015
Attachments:	Nil
Cost Centre	W1583
Project	Contract 5/2015 for Design and Construct New Calf/Sheep Yards at Cooma Livestock Selling Centre

Further Operational Plan Actions:

EXECUTIVE SUMMARY

For Council to accept a tender for the Design and Construct New Calf/Sheep Yards at Cooma Livestock Selling Centre.

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

OFFICER'S RECOMMENDATION

That Council award Contract 5/2015 Design and Construct New Calf/Sheep Yards at Cooma Livestock Selling Centre to Allenspach Steel Pty Ltd for the revised sum of \$433,738.00 (incl. GST).

BACKGROUND

It has been identified that over the last 3 years the sustained stock numbers through the Cooma Livestock Selling Centre has been in sheep and calf sales. For this period additional portable yards have been erected for calf sales held in autumn, funded mainly by the agents conducting the sales. During the autumn calf sales, calves have also been sold in the sheep yards. In some years sheep sales held during this period have also made use of the portable yards to cater for the larger sheep sales.

The selling of calves in the sheep yards has incurred damage to these yards and this incurs future costs for increased maintenance.

The improvements to the yards which would cater for these increases in sheep and calf numbers has been identified as replacing the old existing dirt sheep yards with dirt calf yards. This would make the yards sustainable for both sheep and calf selling.

These recent increases in sheep and calf numbers has seen income rise over the last 5 years from \$170,000 in 2010/11 to \$230,000 in 2014/15. The Cooma Associated Agents have achieved these increases largely through changes to sale days and the Monaro's reputation for the quality of sheep and calves. They predict they can continue to grow these sales with the right infrastructure in place.

8.1 TENDER FOR CONTRACT 5/2015 FOR DESIGN AND CONSTRUCT NEW CALF/SHEEP YARDS AT COOMA LIVESTOCK
SELLING CENTRE

When the new calf yards are built the opportunity should be taken to make changes to the drainage from the cattle yards and repair the damage to the sheep yards caused by the calf sales as calf sales would no longer be held in the sheep yards.

The total project required for these upgrades includes:

- Remove old obsolete steel sheep yards.
- Redirect animal waste drainage pipes from existing cattle yards to Settlement Pond.
- Level and extend the area of the new yards.
- Construct new steel sheep/calf yards.
- Install new water troughs in holding yards.
- Install improved floodlighting in the new sheep/calf yards and existing cattle yards.

To benefit from Commonwealth Government Grants under the National Stronger Regions Funding Program a contract for the design and construction of the new calf/sheep yards was prepared in July 2015 so that the project was “shovel ready” and eligible for the grant funding. Unfortunately Council has not been successful with this funding however has now included the total project funding in the 2016/17 budget so the contract can now proceed.

Council advertised publicly for tenders in June/July 2015 and received 3 tenders. These were assessed and all 3 tenderers were considered to have suitable experience in the construction of saleyards. Mad Dash Contracting however were the dearest and not considered as much value for money as ProWay and Allenspach Steel. Following some changes to the loading ramp layout and additional minor works including pen numbers, revised prices were requested from the 2 lowest tenderers.

Tenderer	Tender Amount (excl GST) \$	Revised Price \$ (excl GST)
ProWay Livestock Equipment	378,213.00	414,837.00
Mad Dash Contracting Pty Ltd	456,100.00	Not Requested
Allenspach Steel Pty Ltd	334,033.31	394,307.23

8.1 TENDER FOR CONTRACT 5/2015 FOR DESIGN AND CONSTRUCT NEW CALF/SHEEP YARDS AT COOMA LIVESTOCK
SELLING CENTRE

QUADRUPLE BOTTOM LINE REPORTING

1. Social

This will provide improved facilities for selling of calves and sheep at the Cooma Livestock Selling Centre. It will provide the regional agriculture industry with better access to improved and safer saleyards reducing the need for long travel to other saleyard centres. It will also maintain Cooma as a centre of excellence for the selling of Monaro sheep and calves.

2. Environmental

It will reduce the need to utilise portable yards on the outer perimeter of the sheep yards and outside normal environmental controls for selling calves. It will encourage the sale of regional stock in Cooma thus reducing the amount of travel required for stock and vendors.

3. Economic

The new calf/sheep yards will reduce the need to hire and setup portable calf yards for the autumn calf sales. In 2016 the cost for the portable yards was around \$6,500 and the new yards will save these costs. It will also reduce maintenance expenditure by approximately \$3,000 per year giving a total saving per annum of \$9,500. It is expected that the new yards will however maintain and grow existing stock numbers through the saleyards.

4. Civic Leadership

Council's investment in the Cooma Livestock Selling Centre infrastructure shows the community that Cooma is still an important centre for the agricultural industry.

Determination by Administrator

Approved by Administrator Dean Lynch in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act 1993*.

Signature:

Date:

9.1 ADOPTION OF TERMS OF REFERENCE FOR STRONGER COMMUNITIES FUND ASSESSMENT PANEL

Record No:

Responsible Officer:	General Manager
Author:	Grants Officer
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.6 Increase and improve Council's financial sustainability.
Operational Plan Action:	OP7.17 Effective management of Council funds to ensure financial sustainability.
Attachments:	1. DRAFT - Stronger Communities Fund Assessment Panel Terms of Reference (Document ID: 250.2016.233.1) ↓
Cost Centre	3130
Project	Adoption of Terms of Reference for Stronger Communities Fund Assessment Panel
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

This report actions section B of the Resolution generated from Report 16.2 - Establishment of the Stronger Communities Fund Assessment Panel as tabled at the Administrator Delegations Meeting on Friday 10th June 2016: Approve the Grants Officer to develop a Terms of Reference (ToR).

The ToR (Draft) provides for an initial Panel membership/operations period up to 30th June 2017 (to ensure Major Projects considerations are encapsulated time wise).

Specific to the SMCG program, an indicative procedural flow chart is included in the ToR; date references provided.

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

OFFICER'S RECOMMENDATION

That Council

A. Adopt the Stronger Communities Fund Assessment Panel Terms of Reference (Draft attached).

BACKGROUND

The SCF Guidelines mandate the establishment of a dedicated Fund Assessment Panel.

The ToR describes the purpose and general working arrangements of The Panel. The Panel will assess and make funding recommendations to Council for both the 'Community Grants Program' and the 'Major Projects Program' streams of the Stronger Communities Fund.

A Stronger Communities Fund Assessment Panel has been convened to assess SMCG applications in order to make funding recommendations to Council, as per the overarching Guidelines (attached). The Panel is comprised of:

- Administrator, or delegate

- State Member(s) of Parliament or representative
- Regional Coordinator of the Department of Premier and Cabinet, or delegate
- Other members, appointed by the Administrator, as required
 - The three (3) Chairs of the Local Representation Committees (Steve Goodyer; Rogan Corbett; John Cahill) have been appointed to the panel.
 - The Grants Officer has been appointed to the Panel in an Observer capacity.
- An independent probity adviser
 - Chair of the Audit Committee (Max Shanahan) has been appointed in capacity of Independent Probity Adviser.

The Panel will use the criteria defined in the guidelines to assess and recommend projects for funding. Council is ultimately responsible for determining projects, consistent with the Guidelines.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The Panel will be representative of the diversity within the Snowy Monaro community and will ensure a diversity of views and perspectives, which then guarantees that decisions are transparent and accountable

2. Environmental

The contents and recommendations of this report is not considered to have any detrimental environmental impacts.

3. Economic

Council's ability to accept the \$20 000 000 (combined NCIF & SCF) in grant funding is fundamentally linked to our commitment, as an entity, to deliver on the agreed funding terms

4. Civic Leadership

The establishment of the Panel demonstrates that Council is committed to ensuring equity and transparency in decision making processes. The Panel will assist Council to meet legislative compliance aspects and deliver on our external accountability responsibilities.

Determination by Administrator

Approved by Administrator Dean Lynch in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act 1993.*

Signature:

Date:

1 Name

The name of the committee is the Stronger Communities Fund Assessment Panel (The Panel).

2 Context

The Stronger Communities Fund (\$15M), secured by Council from the NSW State Government, effectively has two streams: Stream 1 - Community Grants (up to \$1M) & Stream 2 - Major Projects (\$14M).

- The 'Snowy Monaro Community Grants' (SMCG) program is the mechanism that Council initiated to deliver the grant funding (up to \$1M) opportunity to incorporated not-for-profit community groups;
- A Stronger Communities Fund Assessment Panel has been convened to assess applications received under the SMCG in order to make funding recommendations to Council;
- In late June, Council was advised by the Department of Premier & Cabinet (DPC) that Section 355 Committees are able to nominate projects for funding consideration also. Direction from the Administrator and General Manager provided that Section 355 Committees seeking to nominate a project should use the released SMCG form, and adhere to the SMCG close date;

Excerpt from the DPC:

"Stronger Communities Fund:

Section 355 committees - Councils can, at their discretion, extend the invitation for projects to section 355 Committees. Where councils invite projects from Section 355 committees they must ensure that these projects are:

- *submitted via the same formal process that the community groups follow*
- *assessed as per the fund guidelines and against the community grants program criteria*
- *funded from the major projects program funds (not the community grants program portion)"*
- Major Projects funding stream is for Council to fund projects that deliver new or improved infrastructure or services to the community. Major Project determinations will include projects put forward by Council's operational teams and internal divisions.
- Specific criteria for selecting Major Projects is set out in the Guidelines. As at August 2016, Council is working to identify an assessment methodology to be used as the framework to prioritise projects recommended for funding under the Major Projects funding stream.
- Council aims to publicly announce successful SMCG projects by 30 September 2016.
- Council determinations in relation to the Major Projects funding stream is slated for December 2016 (advice to OLG).

3 Purpose

The purpose of The Panel is:

- To review, assess and provide objective, independent recommendations to Council of applications received under the SMCG program.
- To ensure that guidelines and assessment criteria have been applied consistently and equitably for all applications.
- To review and make funding recommendations to Council in relation to projects recommended for funding via the Major Projects funding stream.

4 Membership

The SCF Guidelines state that Council's Fund Assessment Panel is to include:

- Administrator, or delegate
- State Member(s) of Parliament or representative
- Regional Coordinator of the Department of Premier and Cabinet, or delegate
- Other members, appointed by the Administrator, as required

- An independent probity adviser, appointed by the Administrator to advise the Panel on their deliberation and assessment process.

Per Report 16.2 Resolution - Administrator Delegations Meeting on 10 June 2016:

- The three (3) Chairs of the Local Representation Committees (Steve Goodyer; Rogan Corbett; John Cahill) have been appointed to the panel.
- Chair of the Audit Committee (Max Shanahan) has been appointed in capacity of Independent Probity Adviser.
- The Grants Officer is appointed to the Panel in an Observer capacity. Observers will have a responsibility to adhere to the principles outlined in the Terms of Reference (TOR) and may provide relevant strategic advice to the Panel, though they will not have voting rights.

Supplementary Notation:

- Other staff members (non-voting) with specific expertise may be co-opted as required.
- Positions on the Panel are voluntary and do not attract additional remuneration.
- The Administrator will be the default Chairperson for any formal meetings of the Panel.
- Term of Membership will be up until 30 June 2017.

5 Reporting

The Panel will be appointed by, and report to, the governing body.

6 Meeting Schedule

The Panel will hold meetings on an as required basis. No formal meeting schedule has been adopted.

- The Administrator will determine timing of any formal meeting/s, with details to be conveyed in writing to all members of the Panel.

7 Principles

The Panel will use the defined criteria for each program to assess and recommend projects for funding.

To be successful for funding, **community projects** must meet the following criteria:

- deliver social, cultural, economic or environmental benefits to local communities
- address an identified community priority
- be well defined with a clear budget
- demonstrate that any ongoing or recurrent costs of the project can be met by the community group once grant funding has been expensed
- the organisation must demonstrate the capacity to manage funds and deliver the project

Projects that are prioritised for **Major Projects** funding must meet the following criteria:

- have been through a community consultation process
- demonstrate social and/or economic benefits to the community
- consider issues of sustainability and equity across the broader community
- demonstrate project feasibility and value for money, including full lifecycle costs
- did not have funds allocated by the former councils
- give consideration to the processes and procedures outlined in the capital expenditure review guidelines issued by the Office of Local Government.

Council is ultimately responsible for determining projects, consistent with the Guidelines.

The following principles provide high-level guidance for the Panel and should be considered when making recommendations to Council:

Service	Maintaining seamless service delivery to our communities
Opportunity	Embrace opportunities to improve services and infrastructure for our communities
Cohesion	Bringing together strengths and strategies and identifying ways we can build on these
Engagement	Informing and involving our communities when planning and implementing change
Integrity	Ethical, open and accountable governance and administration
Respect	Commitment to valuing the knowledge and contributions of others including staff, communities and other partners

8 Operations

To facilitate SMCG assessment, the Grants Officer will provide the following administrative functions:

- Collation of applications, and subsequent application receipt acknowledgement;
- Pre-assessment of eligibility, and background synopsis;
- Provide a summary document of applications received, along with a proposed assessment matrix document to assist the Panel;
- Facilitate enquiries and general communication pertaining to the SMCG program;
- Council reporting, including recommendations for funding;
- Develop funding agreement documentation, inclusive of a reporting framework, for funded projects; and
- Monitor the delivery of acquittal milestones and the associated reporting deemed due from the funded project groups.

Supplementary Notation:

- Procedural information flow chart for SMCG forms last segment of this document. Indicative only.

9 Code of Conduct

The Model Code of Conduct applies to the members participating on The Panel.

- Panel members must declare any conflicts of interest that arise;
- Panel members must keep all information provided to them confidential and only make public comment on the information if given approval to do so by the Administrator.

10 Media Liaison

The Administrator is the designated media spokesperson for Council.

Members are to adhere to the Snowy Monaro Regional Council Communications Policy (SMRC0004).

11 Variation

Council reserves the right to review, vary or revoke this ToR to ensure it is relevant and appropriate.

9.1 ADOPTION OF TERMS OF REFERENCE FOR STRONGER COMMUNITIES FUND ASSESSMENT
PANEL

ATTACHMENT 1 DRAFT - STRONGER COMMUNITIES FUND ASSESSMENT PANEL TERMS OF
REFERENCE (DOCUMENT ID: 250.2016.233.1)

Page 35

The following Council documents provide related guidance:

Local Representation Committee Terms of Reference (250.2016.27.1)

Audit and Risk Committee Charter

SMRC0001 – Policy – Code of Conduct

SMRC0001 – Model Code of Conduct for Local Councils in NSW

SMRC0001 – Procedures for the Model Code of Conduct for Local Councils in NSW

SMRC0004 – Policy – Communications

SMCG Procedural Information & Assessment Flow:



Acquittal Reporting to monitored progressively, as per project specific Funding Agreement terms.

All SMCG funding allocated is to be fully expended by 30 June 2019, at the latest.

Refer to section: 8 Operations

10. CONFIDENTIAL MATTERS

In accordance with Section 10A(2) of the Local Government Act 1993, Council can exclude members of the public from the meeting and go into Closed Session to consider confidential matters, if those matters involve:

- (a) personnel matters concerning particular individuals; or
- (b) the personal hardship of any resident or ratepayer; or
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; or
- (d) commercial information of a confidential nature that would, if disclosed;
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law; or
- (f) matters affecting the security of the council, councillors, council staff or council property; or
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege or information concerning the nature and location of a place; or
- (h) an item of Aboriginal significance on community land.

and Council considers that the closure of that part of the meeting for the receipt or discussion of the nominated items or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information, and discussion of the material in open session would be contrary to the public interest.

In accordance with Section 10A(4) of the Local Government Act 1993 the Chairperson will invite members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential matters.

RECOMMENDATION

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

10.1 Proposal to Sell Lot 39 DP 756729

Item 10.1 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.2 Extention of Bitumus Sealing Contract LGP0812-2 with Downer Infrastructure

Item 10.2 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.3 Selection of Facilitator - People, Leadership and Culture Workshop - Implementation Project

Item 10.3 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

2. The press and public be excluded from the proceedings of the Council in Closed Session

on the basis that these items are considered to be of a confidential nature.

3. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as confidential and be withheld from access by the press and public, until such time as the Council resolves that the reason for confidentiality has passed or become irrelevant.
4. That the resolutions made by the Council in Closed Session be recorded in the Minutes of the Council Meeting.
5. That upon this recommendation being moved and seconded, the Chairperson invite representations from the public as to whether this part of the meeting should be closed to consider the nominated item.