



SNOWY MONARO
REGIONAL COUNCIL

BUSINESS PAPER

PUBLIC EXHIBITION COPY

Ordinary Council Meeting
19 October 2017

CONFLICTS OF INTEREST

A conflict of interest arises when the Mayor 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.

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

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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.

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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 Mayor, 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 Mayor 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 Mayor or General Manager are to be made.

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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, Walgalu, Southern Ngunnawal and Bidhawal 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.

Webcasting

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**ORDINARY COUNCIL MEETING
TO BE HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW
2630**

**ON THURSDAY 19 OCTOBER 2017
COMMENCING AT 5.00PM**

BUSINESS PAPER

- 1. APOLOGIES/REQUESTS OF LEAVE OF ABSENCE**
- 2. CITIZENSHIP CEREMONY**
- 3. PRESENTATIONS**
 - 3.1 CBRJO
- 4. PUBLIC FORUM**
- 5. DISCLOSURE OF INTEREST**

(Declarations also to be made prior to discussions on each item)
- 6. MATTERS DEALT WITH BY EXCEPTION**
- 7. ADOPTION OF MINUTES FROM PREVIOUS COUNCIL MEETING**
 - 7.1 Extraordinary Council Meeting held on 26 September 2017
 - 7.2 Ordinary Council Meeting held on 27 September 2017
 - 7.3 Closed Session of the Ordinary Council Meeting held on 27 September 2017
- 8. MAYORAL MINUTE/ANNOUNCEMENT (IF ANY)**
- 9. ADOPTION OF COMMITTEE MINUTES/RECOMMENDATIONS**

Nil
- 10. CORPORATE BUSINESS - KEY DIRECTION 1. SUSTAINING OUR ENVIRONMENT FOR LIFE**
 - 10.1 Snowy Monaro Regional Council Submission on the EPA Proposed Minimum Environmental Standards in the Scrap Metal Industry 4
- 11. CORPORATE BUSINESS - KEY DIRECTION 2. EXPANDING CONNECTIONS WITHIN THE REGION AND BEYOND**
 - 11.1 South East Australian Transport Strategy Inc 29
- 12. CORPORATE BUSINESS - KEY DIRECTION 3. STRENGTHENING OUR LOCAL ECONOMY**

Nil

13. CORPORATE BUSINESS - KEY DIRECTION 4. CREATING SAFER, HEALTHIER AND THRIVING COMMUNITY	
13.1 Formation of the regional youth council for the Snowy Monaro Regional Council.	48
13.2 Alcohol Free Zones and Alcohol Prohibited Areas Within the Snowy Monaro Region	52
14. CORPORATE BUSINESS - KEY DIRECTION 5. ENHANCING OUR HEALTHY, ACTIVE LIFESTYLE	
Nil	
15. CORPORATE BUSINESS - KEY DIRECTION 6. MANAGING DEVELOPMENT AND SERVICE DELIVERY TO RETAIN THE THINGS WE VALUE	
Nil	
16. CORPORATE BUSINESS - KEY DIRECTION 7. PROVIDING EFFECTIVE CIVIC LEADERSHIP AND CITIZEN PARTICIPATION	
16.1 Stronger Country Communities Fund 2017-18 - Confirmation of Grant Amounts Sought via Tranche B on 13th September 2017	57
16.2 Tabling of Disclosures of Pecuniary Interest Returns	60
16.3 Appointment of Delegates to External Organisations to September 2019	65
16.4 Monthly Funds Management Report - September 2017	108
16.5 Donation and Sponsorship Requests	113
16.6 Council Meeting Dates and Locations	129
17. REPORTS BY GENERAL MANAGER	
Nil	
18. NOTICE OF MOTION	
18.1 Notice of Motion for Rail Trail Feasibility Study	132
18.2 Notice of Motion to Rescind a Resolution	134
18.3 Council Support for Bombala Medical Services	138
19. MOTIONS OF URGENCY	
Nil	
20. QUESTIONS WITH NOTICE	
21. QUESTIONS TAKEN ON NOTICE	
22. CONFIDENTIAL MATTERS 141	
22.1 Adaminaby Landfill Consolidation Contract No. 005/2017	
<i>Item 22.1 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and (dii) of the Local Government Act because it contains and information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	
22.2 Purchase of Property in Maybe Street Bombala for Public Toilets	
<i>Item 22.2 is confidential in accordance with s10(A)(2)(c) of the Local Government Act</i>	

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.

22.3 Briefing to Council on Federal Court matter

Item 22.3 is confidential in accordance with s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

22.4 Appointment of Project Manager for Delivery of Building Projects for the Stronger Communities Fund Major Project Program

Item 22.4 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

22.5 Purchase of 55, 57 and 59 Vale Street Cooma

Item 22.5 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.

22.6 Award of Tender for the Options Study and Concept Design for the Sewage Treatment Plants in Adaminaby and Bombala

Item 22.6 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 (dii) of the Local Government Act because it contains and information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.1 SNOWY MONARO REGIONAL COUNCIL SUBMISSION ON THE EPA PROPOSED MINIMUM ENVIRONMENTAL STANDARDS IN THE SCRAP METAL INDUSTRY

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Group Manager Resource & Waste Management
Key Direction:	1. Sustaining Our Environment for Life
Delivery Plan Strategy:	DP1.8 Deliver cost effective and environmentally responsible Waste Management facilities.
Operational Plan Action:	OP1.33 Efficient and compliant operation of Councils Waste facilities.
Attachments:	1. 2017 09 09 NSW EPA Consultation Paper on the Proposed Minimum Environmental Standards in the Scrap Metal Industry ↓ 2. SMRC Response to the proposed Minimum Environmental Standards in the Scrap Metal Industry ↓
Cost Centre	N/A
Project	Snowy Monaro Regional Council Submission to the Proposed Minimum Environmental Standards in the Scrap Metal Industry.
Further Operational Plan Actions:	Not Applicable

EXECUTIVE SUMMARY

This report provides Council with a copy of the submission made by Snowy Monaro Regional Council to the EPA consultation paper for the proposed minimum environmental standards in the scrap metal industry. The submission considered the impact that the proposed standards could have on a number of Council operations and the potential costs to comply if the proposed standards were implemented

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

OFFICER'S RECOMMENDATION

That Council receive and note the information in the report on the Snowy Monaro Regional Council Submission on the EPA Proposed Minimum Environmental Standards in the Scrap Metal Industry.

BACKGROUND

During August 2017 the NSW EPA published a consultation paper on the Proposed Minimum Environmental Standards in the Scrap Metal Industry (Attachment 1). The proposed standards are being investigated to improve the overall environmental impact from scrap metal operations. The EPA is concerned that such operations can contain many potential contaminants that may be released into the environment. These contaminants could end up in waterways, groundwater or the air and have a negative impact on the environment and human health.

10.1 SNOWY MONARO REGIONAL COUNCIL SUBMISSION ON THE EPA PROPOSED MINIMUM ENVIRONMENTAL STANDARDS
IN THE SCRAP METAL INDUSTRY

The proposed changes could impact on a number of council departments including planning, environmental health and local laws and resource and waste management. There is a concern that should the proposed standards be introduced a significant financial investment will be required from Snowy Monaro Regional Council (SMRC) to upgrade facilities to comply with the proposed standards and also to undertake enforcement action against property owners who do not comply with the proposed standards as SMRC will be the responsible regulatory authority for non-scheduled activities (activities not licenced by the EPA).

The proposed standards will impact on all properties which stockpile scrap metal. This will include car wrecking yards, council waste facilities and even private property, such as farms, which have scrap metal on them.

Senior council staff in departments which could potentially be impacted by the proposed standards have provided details on the concerns they had with the proposed standards. These concerns were collated with a response document compiled (Attachment 2).

The SMRC submission was undertaken through the online portal provided by the EPA, with the submission being made prior to the due date of 15 September 2017. The Administrator and General Manager were provided with a copy of the draft submission for consideration prior to lodging.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The submission made to the EPA consultation paper has outlined the concerns which have been raised should the proposed standard be implemented. There are concerns that any changes made at council waste facilities for the acceptance of scrap metal will have a negative impact on local communities. These changes could include applying a charge for accepting scrap metal, increased waste management fees to cover the costs associated with the required infrastructure improvements at facilities, or the impact that enforcement action taken against property owners could have if they do not meet the required standards.

There are also concerns that any such changes could also see an increase in illegal dumping activities. Whilst there are many positive benefits which can be provided through the implementation of the standards it is believed that the definition of a scrap metal facility needs to be reviewed to ensure that properties which have a lower environmental impact are not required to meet the high standards required of a site which has a higher environmental impact.

2. Environmental

The proposed minimum environmental standards have been designed to reduce the overall environmental impact that the scrap metal industry has from the processing of end of life scrap metal. Whilst the intended outcomes of the proposed changes are providing an overall improved environmental benefit there are concerns that the proposed changes could require a significant investment from Council to bring waste facilities up to the new standards. If charges were implemented for the acceptance of scrap steel or waste management facilities no longer accepted scrap steel, there could be an increase in illegal dumping of scrap metal, thereby having a negative environmental impact.

Council officers have outlined these concerns as part of the submission.

3. Economic

The Proposed Minimum Environmental Standards for the Scrap Metal Industry have the potential to require significant financial resources in order to upgrade council facilities. Council officers have identified that each council facility will be required to have a bunded impervious storage area for the scrap metal to be stored on. Sites will also be required to have a covered area to enable scrap metal to be processed or loaded onto a vehicle for transportation.

Whilst detailed costings have not been sought to develop such infrastructure it is understood that the upgrading of sites is estimated to be in the order of \$30,000 to \$75,000 per site. There are nine sites which could be required to be upgraded. It is not possible to detail the exact cost for each site to be upgraded as the level of infrastructure required will be dependent on the volume of steel held at each site and the engineering required to design each facility, which will be based on each sites soil bearing capacity.

The proposed standards will allow for a two year time period in which scrap metal facilities will have to comply with the new standards. This time period will be hard to achieve due to the approvals which will be required before any new infrastructure can be established. Council could be placed in a position to allocate funds for the upgrading of waste facilities over a very short timeframe of 1 or 2 financial years.

Council will also be required to provide financial resources towards ensuring compliance with the standard. SMRC will be the responsible regulatory authority within the Snowy Monaro Region. Resources will be required from Council to ensure all sites which stockpile scrap metal are complying with the standard. There has been no indication from the NSW EPA or State Government if financial assistance will be provided to Councils should the standard be implemented. The exact cost to Council for compliance will be dependent on the level of acceptance of the new standard in the community. If legal action for non-compliance is required the costs could easily escalate into the tens of thousands of dollars.

4. Civic Leadership

If the Proposed Minimum Environmental Standards in the Scrap Metal Industry are implemented SMRC will be required to comply with the requirements through the *Protection of the Environment Operations Act 1997*.

There will be an expectation from the community that current waste management sites that accept scrap steel should continue to do so if the proposed standards were implemented. The community would also expect that the disposal of this material should remain free, which has been the case for many years now. If a charge was applied to the acceptance of scrap steel there could be a negative response from the community and potentially an increase in illegal dumping could occur.



Proposal for minimum environmental standards in the scrap metal industry

Consultation paper

www.epa.nsw.gov.au
Environment Protection Authority



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Contents

Proposal.....	1
Potential environmental and human health impacts	1
Existing legal controls	3
Why is a policy change proposed?	4
Minimum environmental standards.....	4
Non-compliance with minimum environmental standards	7
Appendix: Environmental and human health impacts from primary contaminants found at scrap metal sites	8
What contaminants might come from a scrap metal facility?	8
What are the environmental and human health impacts of these contaminants?.....	9
References	12

Note: This document contains important information. If you need the assistance of a translator, please call the EPA's Waste Strategy Unit on 131 555.

Proposal for minimum environmental standards in the scrap metal industry: Consultation paper

Proposal

The Environment Protection Authority (EPA) is seeking feedback on proposed minimum environmental standards for scrap metal facilities, which would be legislated and be applicable across the industry. This consultation paper outlines this proposal.

In New South Wales, the scrap metal industry is diverse, ranging from small car wrecking yards to larger processing facilities. The industry plays an important resource recovery and waste management role in New South Wales.

There are many businesses in the NSW scrap metal industry.¹ Most are regulated by local councils, while only a few require an environment protection licence issued by the EPA. Increasingly, some of these businesses have come to the attention of regulatory agencies, which have observed poor environmental controls at several facilities. Inadequate management practices can lead to soil and groundwater contamination, water, noise and air pollution, and a greatly increased risk of fires. A volatile economic market for scrap metal, including lower prices, may lead to further decreases in environmental standards.

The EPA is concerned about the impact the above practices could have on the health of our environment, communities and businesses (see the Appendix). This consultation paper seeks feedback on a proposed regulatory scheme that would introduce minimum environmental standards across the scrap metal industry.

Under this proposal, scrap metal facilities that do not currently require a licence from the EPA will not be required to obtain one, but would need to comply with the proposed standards.

Scrap metal facilities that are licensed by the EPA will need to comply with these standards in addition to their licence conditions. If licence conditions are different, the stricter standard or condition applies.

Potential environmental and human health impacts

While some operators in the industry have a good record of environmental performance, there are recurring site-management issues common to scrap metal facilities that are not managed responsibly. These environmental concerns are greatest where end-of-life vehicles and/or 'white goods'² are received, as opposed to sites that receive scrap metal that has already been processed, sorted and drained of any liquids. However, some common issues across the industry have been observed:

- poor management practices for storage and handling of oils, grease, fuel, solvent, batteries and degreasers, particularly at small auto dismantlers. This means the presence of hydrocarbons, metals, heavy metals and polychlorinated biphenyls (PCBs) could result in soil and groundwater contamination, as well as water pollution
- inadequate draining of fuel, oil and other liquids from end-of-life vehicles
- a lack of hardstands³, covered areas, and appropriate stormwater infrastructure to prevent fuel, oil and grease and other potentially contaminating materials from coming into contact with soil and waters
- the storage of too many waste tyres (which are a fire risk and are the perfect environment for mosquitoes to breed)

¹ NSW EPA, NSW Police and industry sources

² White goods: electrical appliances, such as fridges and washing machines.

³ Hardstand: often a concrete (or similar material) covering the ground of a facility or area.

Proposal for minimum environmental standards in the scrap metal industry: Consultation paper

- air pollution and odour issues, including dust, fumes and particulates from burning, as well as hydrocarbon odours from processing activities
- noise and vibration, including high-impact and high-intensity noise and vibration generating activities (with occasional explosions)
- fire risk due to the equipment being used (such as oxy cutters) and the presence of combustibles (such as fuel); this is especially relevant where the yard is poorly laid out, there is too much scrap on the site, or there are inadequate distances between scrap stockpiles
- inadequate capture of liquid pollutants and clean-up procedures for spillages
- the packing of general waste, chemical containers, gas bottles, and waste tyres into end-of-life vehicles and metal waste, such as white goods, which results in increased shredder floc.⁴

Noise and air pollution may be particularly relevant at larger facilities where hammermills/shredders are being used. While most smaller facilities have been found to be using hand held tools for dismantling end-of-life vehicles, some use other equipment, such as oxy cutters and balers, adding to noise and air pollution, and an increased risk of fire.

Poor practices for the management of liquids, such as fuel, oils and grease (including draining fluid from end-of-life vehicles at small auto dismantlers), and a lack of appropriate covered areas, hardstands, stormwater and drainage controls are generally the major environmental risks on site. This can lead to the contamination of soil and water both on and off site. Chemical and oil storage on site and hot works (the use of equipment, such as oxy cutters) can also increase the risk of fires starting at these facilities. These environmental concerns can, in turn, have possible human health impacts on site workers and residents in neighbouring communities.

The systematic introduction of minimum environmental standards would create a level playing field for lawful business, and ensure that any environmental and human health risks are minimised.

Table 1: Common pollutants at scrap metal sites

Pollutant	Possible sources	Potential environmental impacts	Potential human health impacts
Total petroleum hydrocarbons and benzene, toluene, ethylbenzene and xylene (BTEX)	Fuel and oily parts from end-of-life vehicles that may leak or drain into soils or waters during storage or processing	<ul style="list-style-type: none"> • Soil contamination • Groundwater contamination • Poisoning of aquatic life • Limited oxygen in waterways 	<ul style="list-style-type: none"> • Can affect the brain, central nervous system, immune system, liver, spleen, kidneys, developing foetuses and lungs • Benzene and other fuel components are classified as known human carcinogens (i.e. they increase the risk of developing cancer)
Particulate matter (PM)	Cutting and shredding activities	n/a ⁵	Can be breathed in and cause lung cancer, respiratory problems and cardiovascular problems
Heavy metals	Contained in used and unused oils and attached to PM	Some heavy metals are toxic to aquatic life	<ul style="list-style-type: none"> • Some metals are carcinogenic • Lead can affect brain development in children

⁴ Shredder floc: residual waste generated directly from the shredding of scrap metal.

⁵ n/a – not applicable – the main direct effects of PM are on human health rather than the environment. Some environmental impacts may be seen due to other chemicals attached to the PM (e.g. metals, PAHs) if the PM settles on the ground or in a waterway

Proposal for minimum environmental standards in the scrap metal industry: Consultation paper

Pollutant	Possible sources	Potential environmental impacts	Potential human health impacts
Polycyclic aromatic hydrocarbons (PAHs)	Contained in used and unused oils and attached to PM	Some PAHs are toxic to aquatic life	Some PAHs are carcinogenic
Polychlorinated biphenyls (PCBs)	May be contained in oils from older cars and equipment	<ul style="list-style-type: none"> Do not readily breakdown in the environment Can accumulate in the fatty tissues of animals May effect growth and reproduction Toxic to aquatic life 	<ul style="list-style-type: none"> Carcinogenic Can cause skin conditions, irritation of the nose/lungs, gastrointestinal discomfort, changes in the blood and liver, depression and fatigue May cause reduced immune system function and behavioural changes, and impair reproduction
Ozone depleting substances	White goods	<ul style="list-style-type: none"> Depletion of the ozone layer Increased effect on climate change Increased UV radiation 	Can increase the potential for skin and eye conditions
Ethylene glycol	Engine coolants	It is toxic to aquatic life	Can damage the kidney, nervous system and heart if large amounts are consumed

Existing legal controls

The EPA is the appropriate regulatory authority (ARA) for the activities specified in Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act). These are known as 'scheduled activities'. In most cases, local councils are the regulatory authorities for non-scheduled activities. The EPA currently licences scrap metal facilities that receive over 30,000 tonnes per annum of scrap metal for processing.

New South Wales environment protection legislation⁶ applies to the scrap metal industry. Therefore, facilities in the industry need to comply with a range of regulatory controls, or they could be considered in breach of the law. For example, there are general offences for pollution of land, water and air. Operators or persons undertaking activities at scrap metal facilities can be held in breach of these offences in certain circumstances.

The EPA can use several tools to achieve environmental compliance including:

- formal warnings
- official cautions
- penalty notices
- licence conditions
- clean-up and prevention notices and directions
- mandatory audits
- enforceable undertakings
- legally binding pollution reduction programs, and
- prosecutions.

Local councils also have regulatory tools under environment protection and planning legislation.

⁶ *Protection of the Environment Operations Act 1997*, Protection of the Environment Operations (Waste) Regulation 2014, Protection of the Environment Operations (General) Regulation 2009.

Proposal for minimum environmental standards in the scrap metal industry: Consultation paper

Appropriate on-site environmental management techniques set by legislated minimum standards can help avoid any potential harm to the environment and human health from the operation of scrap metal facilities.

There is a national and international move to focus on the prevention of environmental issues within the scrap metal industry. In the European Union, this has led to an End of Life Vehicle Directive⁷. This includes measures to 'de-pollute' vehicles prior to any processing and dismantling, which are now incorporated into legislation in the United Kingdom.⁸

Why is a policy change proposed?

There is growing evidence of risks to the environment and human health due to the current practices of some businesses in the scrap metal industry. We can make the existing regulatory framework stronger by providing more tools to effectively regulate this industry and reduce any environmental and human health risks. Therefore, the EPA is proposing to introduce minimum environmental standards for scrap metal facilities into environment protection legislation.

Minimum standards can reduce the need to react to breaches of regulations (e.g. by issuing fines, and clean-up notices), by placing more emphasis on preventing environmental harm in the first place. This approach should not cause an increase in regulatory duties for local councils.

Improved environmental management practices at scrap metal facilities will help create a level playing field within the industry. It will also help by removing any unfair advantage caused by illegal activities and poor environmental practices. Business owners will be given a clear direction and guidance on the expected minimum standards.

The EPA will provide support during the introduction of any policy change. A reasonable 'grace' period will be given to industry so it can make any regulatory changes.

The EPA is seeking comment on the following:

1. Are the standards proposed below appropriate? If not, why not?
2. What would be considered a reasonable implementation period for industry to adopt the proposed minimum environmental standards?

Minimum environmental standards

This proposal applies to any site that stores, stockpiles, collects, dismantles, or processes scrap metal from end-of-life vehicles, white goods or other sources.

The standards would be included in the NSW environment protection legislation, with local councils remaining as the ARA for unlicensed facilities.

The proposed minimum standards are outlined below.

1. Storage and dismantling of end-of-life vehicles, white goods and other scrap metal

All end-of-life vehicles, white goods, and other scrap metal must be stored and dismantled/processed on hardstands under-covered areas with appropriate drainage infrastructure.

⁷ European Union, Directive 2000/53/EC.

⁸ The End-of-Life Vehicles Regulations 2003; The End-of-Life Vehicles (Producer Responsibility) Regulations 2005; The End-of-Life Vehicles (Amendment) Regulations 2010; The End-of-Life Vehicles (Producer Responsibility) (Amendment) Regulations 2010.

Proposal for minimum environmental standards in the scrap metal industry: Consultation paper

Ensure that end-of-life vehicles and white goods are not stored on porous surfaces⁹ or near drains, as this could enable harmful liquids to reach soil and waters.

Ensure work areas drain inward to a collection system and not to stormwater and other areas of the site.

Ensure scrap metal is always placed on hardstands made of a resistant and waterproof material, such as concrete, during storage and processing. This will help retain any liquids and avoid spillages.

Ensure storage of scrap metal on site is orderly and in manageably sized stockpiles with adequate distances between stockpiles so that stockpiles are always accessible.

Are these proposed standards appropriate?

2. Clean and dirty water systems

Clean and dirty water systems and areas must be separated (including bunding to separate them), and all dirty water is to be contained and treated on site.

Appropriate drainage must be in place on site to collect surface water run-off, with separation of clean and dirty areas of the site with bunding.

Run-off from dirty areas (wastewater) can only be discharged to a sewer if a facility has a permit from the appropriate water authority (trade waste agreement). Otherwise, it must be collected and disposed of at a lawful facility.

Stormwater entry points must be clearly marked so they can be easily identified.

Businesses need to be aware of licence thresholds for liquid waste storage, including storage of hazardous waste to ensure they are compliant with environment protection legislation.

Are these proposed standards appropriate?

3. Liquid and chemical controls

Liquids, spills and chemicals must be handled, stored and disposed of appropriately.

Fuel and other liquids must be drained prior to any processing or storage of end-of-life vehicles. Liquids that are removed must be stored on covered and suitably banded hardstand areas.

Handling practices for fluids and chemicals must be sufficient to contain and safely store and dispose of all liquids. This must include an easily accessible spill kit always being available at the facility.

Facilities must have a documented procedure kept on site outlining how spills will be prevented and what to do in the event of a spill. This procedure must be reviewed annually.

All liquid waste collected must be sent to a facility that is lawfully able to receive liquid waste¹⁰, and records of disposal must be kept.

Are these proposed standards appropriate?

⁹ Surfaces that allow liquid to seep through.

¹⁰ Liquid waste is all waste not capable of being picked up by a spade or shovel. The full definition of liquid waste is provided in Schedule 1 of the *Protection of the Environment Operations Act 1997*.

Proposal for minimum environmental standards in the scrap metal industry: Consultation paper

4. Battery handling and storage areas

Battery handling and storage areas are to be bunded, covered and on a hardstand.

To prevent contamination of soil and waters, battery storage areas must be on a hardstand in a bunded, and covered area. Stored quantities should not exceed amounts authorised by the appropriate planning consent and/or environment protection licence, if applicable.

Batteries must be disposed of at a lawful facility – that is, a facility that has the appropriate development and environmental approvals to receive hazardous waste.

Are these proposed standards appropriate?

5. End-of-life vehicles, white goods, and other scrap metal to be free of other waste

End-of-life vehicles, white goods, and other scrap metal sent to a hammermill and/or shredder or for other processing either on site or off site must be free of other waste (including waste tyres).

To prevent unnecessary contamination and an increase in shredder floc, end-of-life vehicles, white goods, and other scrap metal sent to a hammermill and/or shredder or for other processing either on site or off site must be free of other waste, that is, those wastes that are not part of the original vehicle or appliance.

Ozone depleting substances in refrigerators and conditioners should be recovered and disposed of in accordance with Australia's international commitment to the [Montreal Protocol on Substances that Deplete the Ozone Layer](#).¹¹

Capacitors in fluorescent lights, which may contain PCBs, must be placed in a polyethylene bag which should then be put in a sealable metal container. Once contained, the capacitor must be transported by an appropriately licensed transporter for disposal at a facility lawfully able to receive this waste.¹²

Are these proposed standards appropriate?

6. No burning of waste

Mattresses or any other waste that contains metals must not be burnt to make metal more readily accessible. All other types of waste must not be burnt.

7. Noise vibration and controls

Transporting, tipping, handling, processing and storing scrap metal at facilities must be carried out in a controlled and competent manner so noise and vibrations are minimised.

Plant and equipment installed at the premises must be maintained and operated in a proper and efficient condition so that noise and vibrations are minimised.

Facilities must have a documented procedure outlining how noise and vibrations will be avoided or minimised. This procedure must be updated when facility operations change, such as when new plant and equipment is introduced. This procedure must be reviewed annually.

¹¹ Information on take-back programs for refrigerants is available in the Refrigerant Reclaim Australia (RRA) website at www.refrigerantreclaim.com.au

¹² Information on how to identify PCB-containing capacitors is available in the document *Identification of PCB-containing Capacitors – an information booklet for electricians and electrical contractors*, ANZECC 1997.

Proposal for minimum environmental standards in the scrap metal industry: Consultation paper

Facilities that process scrap metal must have a documented system of inspecting, and removing or rendering inert, gas cylinders, petrol tanks and other such potentially explosive items to minimise the likelihood of explosions in the facility. Also, they must record the date and time of any explosions and document the measures taken to reduce the likelihood of future explosions.

Are these proposed standards appropriate?

8. Construction of bunds

Before any work starts on the construction of bunds, facilities must consider whether the local authority needs to be consulted regarding necessary planning approvals.

Bunds must:

- have the following characteristics:
 - walls and floors constructed of impervious materials
 - sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed)
 - floors graded to a collection sump
 - **no** drain valve incorporated in the bund structure, or
- be constructed and operated in a way that achieves the same environmental outcome.

Are these proposed standards appropriate?

Non-compliance with minimum environmental standards

Non-compliance with these standards may result in regulatory action, such as penalty notices (fines) and prosecutions.

Proposal for minimum environmental standards in the scrap metal industry: Consultation paper

Appendix: Environmental and human health impacts from primary contaminants found at scrap metal sites

Scrap metal facilities recycle a wide range of scrap metal products that can contain many potential contaminants that may be released into the environment. Released contaminants can end up in waterways, groundwater or air, and may have negative impacts on the environment and human health. The types of contaminants will vary depending on the activities conducted at a facility, as well as the type/origin of metal and the year of production.

The following sections highlight some of the main contaminants that might be found at these facilities and a summary of their possible impacts on the environment and human health.

What contaminants might come from a scrap metal facility?

Contaminants that might pollute waterways and groundwater

The list of contaminants from a scrap metal facility that might pollute waterways and groundwater will vary depending on the facility, but in general, the greatest concerns are from facilities that receive and process end-of-life vehicles. This is because of the wide range of contaminants that end-of-life vehicles contain.

The main concern is the possible contamination from oil (for example, petrol, diesel, and transmission fluid) that may be left on the ground at these facilities. These oils contain mainly petroleum compounds, including benzene, toluene, ethylbenzene and xylene (BTEX), but also other additives (5-20%) (Ramadass et al. 2015).

Other fluids used in car engines also have the potential to contaminate waterways and groundwater. For example, engine coolants that can contain a range of chemicals, including ethylene glycol, may be released into the environment if fluids from end-of-life vehicles are not handled correctly.

Some of the other chemicals that are commonly found in motor oils include polycyclic aromatic hydrocarbons (PAHs)¹³ and metals, including, zinc, barium and lead (Ramadass et al. 2015). Used motor oils have a higher concentration of PAHs compared to unused oils as PAHs are formed through combustion processes.

The concentrations of metals in used oil also increases due to wear of the engine parts. Used motor oil is known to contain high concentrations of the metals zinc, barium and lead and lower concentrations of iron, copper, aluminium, chromium, manganese, nickel, tin, boron and molybdenum (ATSDR 1997).

Depending on the age of the end-of-life vehicle or other products being processed at a facility, the oils removed may also contain PCBs. Polychlorinated biphenyls were historically used in a range of equipment including transformers, generators and capacitors. They were phased out from the 1980s onwards because they are toxic and persistent in the environment, but may still be found in some older equipment and vehicles.

The dismantling of end-of-life vehicles can also result in acids being left on the ground. This is mainly from lead acid batteries, but can also be from various solvents and degreasers. These acids can change the chemistry of soil by lowering the pH (making it more acidic). This can affect the mobility of other chemicals and increase the likelihood that they might contaminate waterways or groundwater.

¹³ Polycyclic aromatic hydrocarbons are a large group of organic chemicals containing carbon and hydrogen (hydrocarbons) that are mainly formed through incomplete combustion. Therefore, they can be found in combustion engines.

Proposal for minimum environmental standards in the scrap metal industry: Consultation paper

If these contaminants are left on the ground at scrap metal facilities, they can be transported into waterways or leach into groundwater if suitable controls are not in place. There are several ways this can happen. For example, during and following a rainfall event contamination on the ground at a scrap metal facility can:

1. move with the rainwater that runs off the site directly into a nearby waterway
2. move with the water into street gutters and then into storm water drains which release the water into creeks, rivers and the ocean
3. leach through the soil and into the groundwater below.

The contamination of waterways is mainly a concern for the environment, but human health can also be affected if the water is used for recreational or domestic purposes. Groundwater contamination mainly affects human health if there are groundwater bores near the contamination. Groundwater contamination can also enter waterways, as groundwater and surface water are often connected.

Contaminants that might pollute air

Depending on the activities conducted at a scrap metal facility, the potential for air contaminants to be released from the site will vary. A list of potential sources of air contaminants from scrap metal facilities include:

- shredders
- shearers
- crushers
- conveyors
- balers
- cutters (especially torch, such as gas and plasma arc)
- plant exhaust emissions (for example, diesel operating plant listed above).

These different activities may release different contaminants into the air. In addition to these activities, contaminated soil from unsealed areas can be blown off a site. The main concern is the small particles that can be released and are suspended in the air (also called particulate matter (PM)), which can travel long distances depending on their size and the wind speed and direction.

Particulate matter can be a concern on its own, but the different chemicals that make up the particles or are attached to the particles can also have an impact. These chemicals are most likely to be metals that are often used in alloys and surface coatings. In a recent study, air samples collected from outside of five scrap metal facilities found concentrations of iron, manganese, copper, chromium, nickel, lead, cobalt cadmium and mercury that were above normal (background) concentrations (Raun et al. 2013). The particles from scrap metal facilities may also contain high concentrations of other chemicals that are present at the site (e.g. PAHs).

Air contamination is primarily a concern for human health as the contaminants can be breathed in.

What are the environmental and human health impacts of these contaminants?

Oils and petroleum hydrocarbons

If motor oil reaches a waterway, some of the soluble components may dissolve in the water but, generally, the oil will float on the surface of the water. This is because oil does not mix with water and is less dense than water. This can affect the look of the waterway but also have a negative effect on the environment. The oil can have a smothering effect on aquatic plants and animals and it can coat the gills of fish and affect the ability of the fish to take in oxygen from the water (ANZECC & ARMCANZ 2000; Bhattacharyya et al. 2003). At high

Proposal for minimum environmental standards in the scrap metal industry: Consultation paper

enough concentrations, oil on the surface of water may also affect aquatic birds by coating vital body parts.

Oil that is present in a waterway can also affect aquatic organisms by limiting oxygen that they need for survival. Oil on the water surface can block the transfer of oxygen from air into the water. Furthermore, in the environment, oil can be degraded or broken down by bacteria, a process which uses oxygen. This can limit the availability of oxygen for aquatic organisms (ANZECC & ARMCANZ 2000).

Human exposure to petroleum hydrocarbons can have a range of effects depending on the length of exposure, the types of chemical compounds and the concentrations. In general, petroleum hydrocarbons can negatively affect the central nervous system, immune system, liver, spleen, kidney, developing fetuses and lungs (ATSDR 1999).

Particulate matter

Particulate matter can travel long distances in the air and can remain in the air for days or weeks where it can be breathed in by people (WHO 2013). Particulate matter is commonly described in terms of its size; for example, PM₁₀ refers to PM with a size less than 10 micrometres and PM_{2.5} refers to PM with a size less than 2.5 micrometres. The smaller particles are normally the biggest concern for human health because they can be inhaled or breathed into the lungs. The health effects of inhaled PM are well documented and include:

- respiratory and cardiovascular problems, such as aggravation of asthma, respiratory symptoms and an increase in hospital admissions
- mortality (death) from cardiovascular and respiratory diseases and from lung cancer (WHO 2013).

People with pre-existing lung or heart disease are particularly at risk, as well as elderly people and children. For example, childhood exposure to PM can affect lung development, lung growth rate and lung function (WHO 2013).

Metals

Metals released from scrap metal facilities may affect both the environment and human health. When metals enter waterways they can attach to the sediment and settle to the bottom, dissolve into the water or attach to sediment that floats in the water. Due to this, there are many ways that aquatic organisms might be exposed to metals that enter waterways. The metals can move into the organism through the skin or through the gills of fish, or when they swallow sediment or eat smaller organisms that have already ingested the metals. Aquatic plants can also take the metals in through the roots or through the leaves.

The possible effects of metals on aquatic animals and plants varies with different metals but, generally, at high concentrations, they may cause animals and plants to die, and at lower concentrations, they may affect normal growth and reproduction (ANZECC & ARMCANZ 2000). Metals can also accumulate and increase in concentration within aquatic organisms through a process known as bioaccumulation. This can affect that organism directly or the animals or humans that might eat these organisms.

There are a range of possible human health risks associated with metals. For example, long-term exposure of children to lead can affect brain development resulting in reduced intelligence and behavioural changes. Several of the metals are also considered to be carcinogens, meaning that they increase the risk of developing cancer. These include, nickel, cadmium, chromium and cobalt (Raun et al. 2013).

Polycyclic aromatic hydrocarbons

There are possible risks to the environment and human health from PAHs. Polycyclic aromatic hydrocarbons have low water solubility and, therefore, when they enter a waterway, they are usually found attached to the sediment rather than dissolved in the water. Due to this, aquatic animals that live in the sediment are likely to be the most exposed

Proposal for minimum environmental standards in the scrap metal industry: Consultation paper

to PAHs released into a waterway. These chemicals are also moderately persistent and, therefore, may remain in the environment for an extended time.

Polycyclic aromatic hydrocarbons can be directly toxic to aquatic organisms, causing death as well as affecting growth and reproduction at lower concentrations (ANZECC & ARMCANZ 2000). Some studies have also shown that mixtures of PAHs can cause tumours in fish (Hawkins et al. 1990).

The main human health risk associated with PAHs is that some of them are classified as known, possible or probable carcinogens by the International Agency for Research on Cancer (IARC) and/or the United States Environmental Protection Agency (US EPA). This means that exposure to these PAH chemicals can increase the risk of developing cancer.

Benzene, toluene, ethylbenzene and xylene

Benzene, toluene, ethylbenzene and xylene are found in a wide range of petroleum products. They can evaporate quickly but they can also dissolve in water. Benzene, toluene, ethylbenzene and xylene have been shown to negatively affect aquatic organisms if present at high enough concentrations, but the main risk from these chemicals is to human health. All BTEX chemicals are readily absorbed by humans and long-term exposure can have a range of effects, for example, on the brain, immune system and nervous system. Benzene is also classed as a known human carcinogen by the IARC and the US EPA.

Polychlorinated biphenyls

As outlined above, PCBs were historically used in a wide range of equipment. Polychlorinated biphenyls do not break down easily and, therefore, they are very persistent in the environment. They can accumulate in animals and fish and negatively affect their health. Larger animals, fish or people can also eat the smaller animals and fish that have accumulated these chemicals.

Human exposure to PCBs can cause skin conditions, irritation of the nose and lungs, gastrointestinal discomfort, changes in the blood and liver, depression and fatigue (ASTDR 2000). Based on animal studies, PCBs have also been shown to reduce immune system function, cause behavioural changes and impair reproduction (ATSDR 2000). In addition, both the IARC and the US EPA have classified PCBs as probable carcinogens.

Ethylene glycol

Ethylene glycol is often found as a component of engine coolants. It mixes easily with water and, therefore, can enter surface water or groundwater with runoff or leachate. In the environment, it is likely to degrade rapidly. However, some field studies of areas near airports that use ethylene glycol have reported toxic signs consistent with ethylene glycol poisoning, fish kills and reduced biodiversity (WHO 2000). It should be noted, however, that these effects cannot definitively be ascribed to ethylene glycol. In contrast, short-term (acute) toxicity data shows that ethylene glycol is 'practically non-toxic' to aquatic organisms, as defined by the US EPA acute toxicity evaluation criteria (Staples et al. 2001). In humans, if ethylene glycol is consumed in large amounts it can damage the kidney, nervous system and heart. However, health is unlikely to be affected by consuming very small amounts (ATSDR 2010).

Proposal for minimum environmental standards in the scrap metal industry: Consultation paper

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**Proposed Minimum Environmental Standards for Scrap Metal Facilities.
Submission Questions for the online response. Due 15 September 2017.**

Please read the **Consultation Paper** for more information on each standard.

<http://www.epa.nsw.gov.au/resources/wasteregulation/170250-scrap-metal.pdf>

(Also attached)

Proposed environmental standard NO.1 for Scrap Metal Facilities:

“All end-of-life vehicles, white goods, and other scrap metal must be stored and dismantled/processed on hardstands under-covered areas with appropriate drainage infrastructure.”

Do you think this standard is appropriate?

Yes

No

If no, why?

Apart from our own Council assets, the entire Snowy Monaro Region has a large number of facilities that would fall under the end-of-life scrap metal facilities definition. These facilities are both commercial scrapyards and also private parcels of land where hoarders have collected cars or other types of scrap metal over numerous years. It is these existing facilities that would be near impossible to be able to comply with these guidelines. The overall costs and resistance for small private business operators would place Council as the Appropriate Regulatory Authority (ARA) in an extremely difficult situation. Most, if not all of the facilities, would fall outside of the scheduled licensing parameters, thus becoming Council’s responsibility to regulate. This would place an additional, unfunded, cost burden on Council’s outside of the costs required to comply at Council managed facilities (Landfills and transfer stations). These costs would need to be borne by all ratepayers and would likely lead to other council services being scaled back or not delivered at all due to restrictions faced with the generation of rate revenue. It is also expected that it would be cheaper for businesses to not comply with the requirements of the regulations and instead face action for non-compliance than to comply. These costs are then borne by the community.

The expectation for regional Councils, who operate multiple landfill and transfer station sites, will see them placed in a position where the cost of building the required infrastructure would be too great to fund and either see fees and charges significantly increase (or applied to some scrap metal items in the first instance) to the public or see the wide spread refusal to accept items that need to be managed as suggested. Council would be in a position whereby it would have to impose a fee on the acceptance of all scrap metal. The community expects to be able to dispose of most low risk scrap metal items for free. It does not accept having to pay for the disposal of recyclable materials such as scrap metals. Council would most likely have to subsidise the cost to recycle any scrap metals in order to keep the cost as low as possible for the community to accept a fee. It would also be anticipated that there would be a significant reduction in the amount of scrap metal received at a council facility if charges were applied.

The management of smaller stockpiles as suggested again would see small rural councils put at a disadvantage due to the costs associated with transporting scrap metals a significant distance to a recycling processor. With smaller volumes and throughput to council facilities, transport companies would not collect as often as the smaller scale will not be economically viable. This would then result in stockpiles remaining on site for a longer period of time

There are concerns that items such as fridges, cars, oil heaters would be illegally dumped and still need to be stored by the council after they had been collected as illegally dumped material. Again there would be a cost imposed on Councils through enforcement, compliance and investigating illegal dumping as well as storage/disposal of illegally dumped metals.

The current draft standards are applying a blanket approach to all types of scrap steels and to any facility which stores these materials. Not all scrap steel contains fluids or gases. Most scrap steel consists of items such as corrugated sheeting, scrap fencing wire, flat steel and similar. These types of items have a lower level of environmental risk associated with them than items which contain fluids.

A more realistic approach would be to apply stronger control measures to high risk scrap metal items. Higher risk items could include fridges (non-degassed), oil heaters and vehicles. There should also be a distinction between facilities which accept materials for temporary storage as opposed to facilities which actively undertake dismantling activities. There are higher risks associated with facilities which actively dismantle scrap metal as opposed to facilities which store scrap metal and have this material collected on a regular basis to be sent to a facility for recycling.

Local government councils generally manage stockpiles of scrap steel at transfer station and landfill sites as a temporary storage opportunity to benefit the local community. These facilities allow residents to travel shorter distances to have the materials placed at a location for consolidation and recycling. It is common practice for councils to either receive fridges which are required to be degassed by a licenced person prior to being received or alternatively engage a suitably qualified person to undertake this activity before the fridge is sent off for recycling. Fridges which are degassed have a lower level of risk to the environment when compared to fridges which are not degassed prior to being crushed. If a facility has procedures in place to reduce the overall environmental risk associated with handling an item such as a degassed fridge, then there should be a lower level of control placed on the facility to store the scrap metal before being sent off for recycling.

Proposed environmental standard NO.2 for Scrap Metal Facilities:

“Clean and dirty water systems and areas must be separated (including bunding to separate them), and all dirty water is to be contained and treated on site”.

Do you think this standard is appropriate?

Yes

No

If no, why?

Site drainage and controls are necessary to prevent any environmental harm. Most sites would already partly or fully comply with full compliance achievable with a suitable transitional timeframe.

Proposed environmental standard NO.3 for Scrap Metal Facilities:

Liquids, spills and chemicals must be handled, stored and disposed of appropriately.

Do you think this standard is appropriate?

Yes

No

If no, why?

Whilst it is important to ensure that liquids, spills and chemicals are handled and stored appropriately there would be significant costs incurred to local government councils if each of their transfer station and landfill facilities had to be upgraded to allow for impounded motor vehicles to be stored to the required standard. Not all councils have the appropriate facilities and infrastructure required to store vehicles which are destined to be recycled to the level which the proposed standards requires, nor do they have the trained staff to ensure that all fluids and gases are removed from the vehicle prior to storage.

Again there would be a cost imposed on Council to deal with these situations which normally is not easily recoverable from the vehicle owner. It would be more appropriate that this standard is applied to sites or facilities where dismantling or processing activities occurred as these activities are more likely to have a higher risk associated with them than a facility which only stores vehicles.

Proposed environmental standard NO.4 for Scrap Metal Facilities:

“Battery handling and storage areas are to be bunded, covered and on a hardstand”.

Do you think this standard is appropriate?

Yes

No

If no, why?

With a suitable transitional timeframe and across the board education program for the existing facilities this may be achievable.

Proposed environmental standard NO.5 for Scrap Metal Facilities:

“End-of-life vehicles, white goods, and other scrap metal sent to a hammermill and/or shredder or for other processing either on site or off site must be free of other waste (including waste tyres)”.

Do you think this standard is appropriate?

Yes

No

If no, why?

It is not practical to expect that contaminants from motor vehicles and other end of life items can be easily removed prior to an item being sent off site for processing. Whilst we agree that it is appropriate

10.1 SNOWY MONARO REGIONAL COUNCIL SUBMISSION ON THE EPA PROPOSED MINIMUM ENVIRONMENTAL STANDARDS IN THE SCRAP METAL INDUSTRY

ATTACHMENT 2 SMRC RESPONSE TO THE PROPOSED MINIMUM ENVIRONMENTAL STANDARDS IN THE SCRAP METAL INDUSTRY

that waste materials, which are not part of the original manufacture of the vehicle or item, can be easily removed and should be, there are limitations in expecting council staff at transfer stations and landfills to be able to easily identify the other waste items listed in the proposed standards (PCB containing capacitors) which are also required to be removed before the item is transported to a processor.

The processing/removal of all waste materials from these end of life vehicles and white goods would be cost prohibitive and would require infrastructure to deal with removal of gases or other identified materials such as the PCB containing capacitors. Currently we do not have the physical/mechanical ability at any site to completely strip vehicles and whitegoods.

If Council facilities are unable to accept these items the area would see more illegal dumping. Alternatively revenue would need to be sourced to cover the cost of processing impounded vehicles.

Proposed environmental standard NO.6 for Scrap Metal Facilities:

“No burning of waste. Mattresses or any other waste that contains metals must not be burnt to make metal more readily accessible. All other types of waste must not be burnt”.

Do you think this standard is appropriate?

Yes

No

If no, why?

Snowy Monaro Regional Council agrees that waste of any nature should not be burnt at a facility. What we are unsure about is does this requirement mean items which may have been burnt at another location and are then presented at a facility which accepts scrap metal are not able to accept this material? If so there could be an increase in illegal dumping as a result. There are concerns about acceptance of burnt metal eg: Rural areas have fire events leading to damaged fences/sheds and other farm type machinery, would this proposed environmental standard NO. 6 see this burnt scrap metal being refused from recycling and ending up in landfill and in doing so see councils diversion rates would decrease against the EPA waste strategy.

The proposed standards need to clarify this statement.

Proposed environmental standard NO.7 for Scrap Metal Facilities:

“Transporting, tipping, handling, processing and storing scrap metal at facilities must be carried out in a controlled and competent manner so noise and vibrations are minimised”.

Do you think this standard is appropriate?

Yes

No

If no, why?

This is not unreasonable and marries within existing Noise Regulations

Proposed environmental standard NO.8 for Scrap Metal Facilities:

“All bunds must be constructed as per the consultation paper guidelines”.

Do you think this standard is appropriate?

Yes

No

If no, why?

This is not unreasonable and marries within existing Regulations and Australian Standards though will be expensive to construct.

Is two years a reasonable time frame for industry to adopt the proposed minimum environmental standards?

Yes

No

If no, why?

5 or more years would be more appropriate.

Public consultation would need to be undertaken to inform the affected business or organisations of what was expected of them. Once this process had been conducted and an understanding was obtained organisations would then need to undergo an evaluation of the proposed requirements to identify if it remained viable to continue operations and what costs would be involved. Some organisations, such as local government entities, will have multiple sites which will need significant infrastructure upgrades in order to comply with the proposed standards. This will require organisations to make a decision about the cost to upgrade facilities. Once a decision had been made funds will need to be allocated.

This process alone could take 12 – 18 months, depending on when the standards are introduced and how this aligns to the organisations budget process. Whilst there is an ability for commercial operations to act in a timely manner, local government councils have a more defined process for the approval of council budgets and these timelines cannot be easily adjusted.

Once an organisation had provided the required funds to undertake the infrastructure upgrade, the project will require the development of details drawings and plans, planning approval, building permits and possible licence approvals. It would also be unrealistic to expect a council to provide sufficient financial resources to be able to upgrade all facilities within the relatively short time frame which is proposed to be two years.

Thank you for your feedback. Do you have any other feedback about the proposal?

Did you find this survey easier than providing your feedback in an email?

Yes

No

Other (please specify)

11.1 SOUTH EAST AUSTRALIAN TRANSPORT STRATEGY INC

Record No:

Responsible Officer:	General Manager
Author:	Executive Assistant to the Mayor & Councillors
Key Direction:	2. Expanding Connections Within the Region and Beyond
Delivery Plan Strategy:	DP2.1.1.1 Support and promote sustainable integrated transport services into the region.
Operational Plan Action:	OP2.2 Investigate strategic development of State and Federal transportation study to determine impacts of future freight movement into the Region
Attachments:	<ol style="list-style-type: none">1. Letter to Mayor and Councillors - Introduction of SEATS ↓2. SEATS Notice of Meeting - 9 & 10 November 2017 ↓3. SEATS Draft Program 9 & 10 November 2017 ↓4. SEATS Newsletter September 2017 ↓5. SEATS Executive Summary August 2017 ↓6. SEATS Invoice 2017-2018 ↓
Cost Centre	Memberships to Associations
Project	South East Australian Transport Strategy Inc
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Membership in SEATS provides a united and co-operative front with diverse inputs to the main issues of transport infrastructure affecting the wider regional perspective encompassing the transport network of VIC, NSW and ACT.

While SEATS provides excellent transport infrastructure, the ongoing membership of SEATS and its relevance to our shire is questionable. Notable improvements in NSW have been on major highways between capital cities or links to the coast and railways for freight carriers. There have not been many major upgrades in the region for a number of years and there have been little to no benefits for the community.

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

OFFICER'S RECOMMENDATION

That Council does not renew its membership with SEATS for the 2017/2018 financial year.

BACKGROUND

The South East Australian Transport Strategy (SEATS) was established in 1995 as a lobby group and professional advisor on transport issues to:

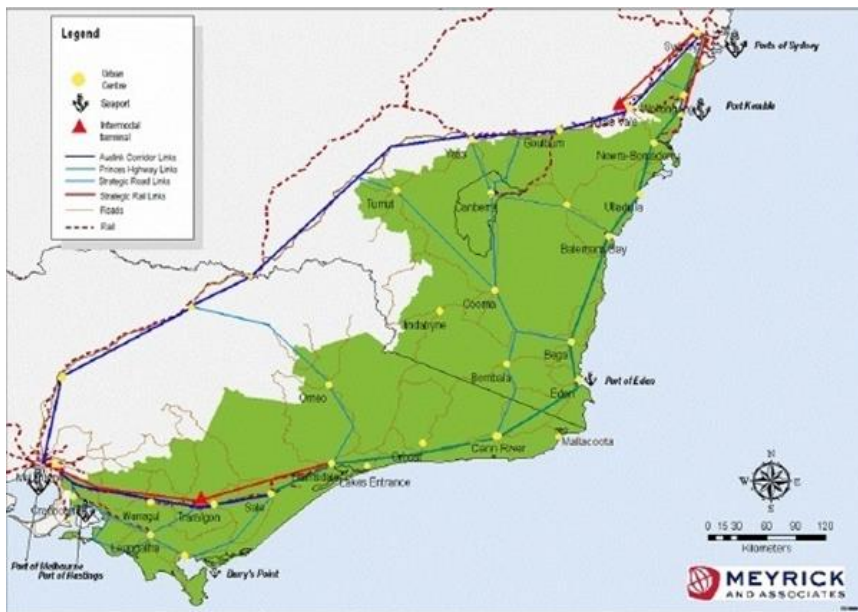
- Stimulate and facilitate investment in transport infrastructure in South Eastern New South Wales (NSW), Eastern Victoria (VIC) and the Australian Capital Territory (ACT) region; and
- Provide a highly coordinated and influential advocacy for the development of transport infrastructure in the South East Australian region that supports sustainable economic and growth development to its constituents.

Membership in SEATS provides a united and co-operative front with diverse inputs to the main issues of transport infrastructure affecting the wider regional perspective encompassing the transport network of VIC, NSW and ACT. This framework gives members confidence in espousing issues of local, regional and cross border interest and strategies to Government by focusing on such issues as:

- Improving passenger and freight access to ports (sea, air, road and rail) and key locations of economic activity, cutting the cost of doing business in the region;
- Ensuring transport networks are maintainable and viable, meeting existing and future needs while minimising environmental impact;
- Improving people's access to jobs, education, recreation and health services with a safer and user friendly network;
- Ensuring investment decisions about regional transport infrastructure are well informed and fully integrated with overall government transport planning, evaluations and assessment programs;
- Assisting members in preparing submissions for transport infrastructure funding;
- Providing political parties, politicians and government agencies with a strategy for future investment in transport infrastructure in the region;
- Providing professional advice on regulatory changes involving 'weight of loads' issues, use of highways and byways by B Doubles, and other matters of transport interest; and
- Providing a forum for the transport industry to address issues of concern with practitioners of transport services.

Currently the Executive of SEATS has been advanced to reflect a more dynamic and integrated strategic approach to transport infrastructure. The organisation prides itself on providing a non-party political and non-parochial forum across all levels of Government to promote transport improvements and solutions within our region. These underpin economic development and social outcomes. Recent discussions with the new executive members' highlights the need for a more efficient level of transport infrastructure in the region and are focused on stimulating further investment in transport infrastructure to provide for employment growth and the economic sustainability across the region.

SEATS REGION



While SEATS provides excellent transport infrastructure, the ongoing membership of SEATS and its relevance to our shire is questionable. Notable improvements in NSW have been on major highways between capital cities or links to the coast and railways for freight carriers. There have not been many major upgrades in the region for a number of years and there have been little to no benefits for the Snowy Monaro community.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

SEATS works closely with its well-established partners (such as State Road and Rail Authorities, Private Companies, Industry leaders, NRMA, private consultants, Tertiary Education Institutions and Economic Development Agencies) to identify where appropriate infrastructure is needed and these then become priority projects underpinning economic development and stimulating vital investment from Government and the private sector. Advocacy for infrastructure benefits every faction of the community.

2. Environmental

There are no identifiable environmental impacts.

3. Economic

The cost of attending SEATS comprises of the following:

- Membership fee - \$3,330
- Attendance costs - \$800 (for two delegates)

Estimated Expenditure	Amount	Financial year	Ledger		Account string															
			G	L	1	0	3	0	2	0	1	0	0	0	1	6	3	4	0	1
Memberships to Associations	\$4130	2017/2018	G	L	1	0	3	0	2	0	1	0	0	0	1	6	3	4	0	1

4. Civic Leadership

SEATS provides an advocacy role for the region, is an avenue for joint lobbying to government agencies, including State Government of both New South Wales and Victoria and Federal Government.

Presentations at meetings are also provided by VicRoads, RMS and Transport for Victoria which will allow delegates from Snowy Monaro Regional Council to forge important relationships with key transport infrastructure bodies.

Lobbying of government agencies and the demonstrated partnership between Councils ultimately confirms Snowy Monaro Regional Councils leadership to the Community and promotes regional collaboration. This partnership provides an opportunity for all levels of Government to work together to achieve real advances in transport infrastructure.

SOUTH EAST AUSTRALIAN TRANSPORT STRATEGY INC.



Executive Officer
John Duscher
36 Turner Street
WONTHAGGI Victoria 3995
Phone: 03 56721072
Mobile 0488026435
Email johnr.duscher@gmail.com

Mayor Cr John Rooney
Snowy Monaro Regional Council
81 Commissioner Street
Cooma, NSW 2630

RE: SEATS Membership

2nd October 2017

Dear Mayor & Councillors,
Congratulations on your election as the first Councillors of the Snowy Monaro Regional Council.

My name is John Duscher, Executive Officer, of the South East Australian Transport Strategy Group (SEATS) and I write to request your consideration of becoming a member of SEATS. Previously the former Councils of Bombala, Snowy River and Cooma-Monaro were valued members but following the merger that formed the new Council your membership was set aside for the 2016/17 year. It is now time for you to consider again becoming a part of the SEATS network.

SEATS as a strategy based, independent but collective voice in lobbying for transport infrastructure improvements and a more effective transport network that stimulates sustainable economic growth and enhances communities. It has a Regional focus and has been extremely active across the Region for over 23 years. It is keen to continue our association and work that began with the former Councils and we believe will be even more important in the future.

As someone who may not be very familiar with our organisation I would like to take a moment to acquaint you with the work of SEATS and provide you with some information that may assist you with our request, including our aims and objectives, who our members are, the work it does within and beyond our important Region. It is a large Region of around two million people and one of the fastest growth areas in Australia. It is rich in resources, has a skilled workforce, wonderful natural assets and has huge potential for opportunities that improvements to transport infrastructure would provide. The SEATS Region embraces south-east NSW, eastern Victoria and the Australian Capital Territory and is bounded by the Hume Highway corridor between Sydney and Melbourne and the coastal strip between Wollongong and Westernport Bay. SEATS acts as a strong advocate for its members in a well-established partnership which includes Councils, State Road and Rail Authorities, Private Companies,

Industry leaders, NRMA, private consultants, Tertiary Education Institutions, Economic Development Agencies and State, Territory and Federal Government. Its advocacy covers vital improvements in the network of roads, rail, ports and airports and intermodal facilities to be able to move people, freight and commodities efficiently both within the Region and connect with the transport networks beyond and link with markets.

SEATS works closely with its partners and communities to identify where appropriate infrastructure is needed and these then become priority projects underpinning economic development and stimulating vital investment from Government and the private sector. These priority projects are detailed in the “SEATS Strategic Transport Network” document which is available on the SEATS Website. This partnership provides an opportunity for all levels of Government to work together to achieve real advances in transport infrastructure. SEATS meets four times annually, with two meetings held in Victoria and two in NSW/ Canberra. Meetings are hosted by Councils and other SEATS members, are well attended over two days. The meeting comprises a Business session with a number of presentations from invited guests on matters of interest and information about various projects, industry developments and Government policies and strategies. Reports are also provided by VicRoads, RMS and Transport for Victoria and the delegates also have an opportunity to raise issues and discuss how projects are progressing in their areas and how SEATS may support them.

The next meeting of SEATS will be held in Canberra on the 9th and 10th November 2017 hosted by Canberra Airport. I have attached a copy of the Notice of Meeting and the proposed program. This promises to be an excellent meeting with a number of important presentations and the attendance of Senator Fiona Nash as the keynote Dinner speaker. We would be delighted to have your Council represented, even as observers at this stage.

SEATS continues to have a vital and very relevant role to play across the Region, is committed to work hard and is keen to build and strengthen the relationship between all levels of Government. Your Council is an important part of this Regional connection and partnership and I encourage you to again become an active member of SEATS. I am hopeful that you may look upon our request favourably and look forward to hearing from you soon.

Yours faithfully,



John Duscher SEATS Executive Officer

SEATS



SOUTH EAST AUSTRALIAN TRANSPORT STRATEGY

NOTICE OF MEETING

The next SEATS Executive Meeting and Ordinary General Meeting will held on the 9th & 10th of November 2017 at Canberra, ACT.
hosted by Canberra Airport

Theme: "Transport Demand in the South East NSW Region to Progress Economic Development"

John Duscher SEATS Executive Office

Accommodation- "Vibe" at Canberra Airport- use the code TH9435332 when booking on line to receive the discount.

To assist the catering and organization by our

hosts please advise of your attendance

intentions by e-mail by no later than Friday

20th October, 2017

Please use the form below.

My e-mail address is:

johnr.duscher@gmail.com

DATE

Thursday 9th &

Friday 10th November 2017

DINNER

Drinks from 6.30pm and

Dinner from 7.00pm at the **Brindabella Conference Centre,**

33 & 35 Brindabella Circuit

Brindabella Business Park.

Canberra Airport.

MEETING VENUE

Brindabella Conference Centre

SEATS Meeting

9th & 10th November 2017 at Canberra Airport, ACT

Name:

Organisation:.....

Phone: ().....

E-mail:.....

I will

I will not attend the meeting on Thursday 9th November 2017 at Canberra Airport

I will

I will not attend the Dinner on Thursday 9th November 2017

Special Dietary requirements:

I will

I will not attend the meeting on Friday 10th November 2017 at Canberra Airport

I will

I will not be attending the Walking Tour of the Canberra Airport Terminal.

Remember that if you intend to participate in the walking tour you will need to complete the attached application form (Security Pass)

SOUTH EAST AUSTRALIAN TRANSPORT STRATEGY INC

Executive Meeting and Ordinary General Meeting

9 - 10 November 2017

**Brindabella Conference Centre, 33 & 35 Brindabella Circuit,
 Brindabella Business Park, Canberra Airport**

THEME: "Transport Demand in the South East NSW Region to Progress Economic Development"

THURSDAY 9 NOVEMBER		
10.30am – 12.00pm	SEATS Executive Meeting 12 – 18 persons	
12.00pm – 12.30pm	Light Lunch	
12.30pm-2.30pm	SEATS Ordinary General Meeting Business to include: Gippsland Regional Roads Group Presentation – (Baw Baw Shire) & Regional Roads Strategy – Harvey Dinelli (Transport For Victoria) SEATS Strategic Statement SEATS Petition	
2.30pm	Afternoon Tea	
2.30-3pm	RMS, VicRoads & Transport for Victoria Reports	
3.00 pm	Dr Mike Kelly MP	
3.30pm	Walking Tour of Terminal	Canberra Airport
6.30pm – 10.00pm	Pre-dinner Drinks & Dinner Vibe Airport Hotel 40 persons	Dinner Speaker The Hon Fiona Nash MP Minister for Regional Development
FRIDAY 10 NOVEMBER		

9.00am – 9.30am	<i>Setting the Scene</i> Stephen Byron / Noel McCann Canberra Airport	Overview of What’s happening at Canberra Airport Role of transport links with freight and tourism Focus on tourism
9.30am-10.00am	Dr Andrew Higgins CSIRO	“Unlocking options for efficient logistics infrastructure in Australian agriculture”

10.00am – 10.30am	Ian Hill Visit Canberra	Increasing the economic return from domestic and international visitation to Canberra and the South East
10.30am-11.00am	Richard Beere Destination Southern NSW	Driving the growth of the visit economy in southern NSW and linkages with Canberra
11.00 am – 11.30am	Morning Tea	
11.30am – 12.00pm	Panel Discussion Panel members: Noel McCann, Ian Hill and Richard Beere	What are the key tourist transport connections that need to be improved to connect the South East?
12.00-12.30pm	Member reports / other business / reminders / meeting close	
12.30pm – 1.00pm	Light Lunch	

South East Australian Transport Strategy Inc.



SEATS NEWSLETTER

September 2017



Making roads safer for all



Four-wire flexible barriers are being installed along many high risk roads over the next four years as part of Victoria's plans to reduce the road toll on regional and rural roads Towards Zero by 2020. Photo courtesy Towards Zero web page.

Victoria is taking a holistic approach to build a safer road system by treating whole lengths of roads, said VicRoads Regional Director Scott Lawrence. 'Our aim is to keep people within the road corridor and save lives,' he said.

He told SEATS delegates in August this was the aim of the State's 'Towards Zero Road Safety Strategy 2016-2020', a collaborative community effort involving VicRoads, Transport Accident Commission, Victoria Police, other government departments and the community. 'It's our belief that zero deaths and serious injuries on our roads are possible.'

He highlighted some facts:

- Four times as many people die on country roads than on metropolitan roads
- Crossing the centre line is the largest cause of road fatalities
- Speeds above 80 km/h are likely to result in serious injury or death in head-on collisions.

Twenty of Victoria's highest risk sections of regional and rural roads have been identified using the Australian Road Assessment Program (AusRAP), including several sections of the Princes Hwy. They will be improved to address

run-off-road and head-on casualties, investing \$340m over more than 2500 km of roads.

Mr Lawrence said one improvement is installing a range of flexible barrier safety systems along each section to optimise safety performance, in addition to the more traditional guard rail in difficult terrain. These barrier systems will be installed on both the roadside and the centre-line where the road can be widened.

A similar rollout will be installed on 330kms of high risk, high volume 100km/hour roads. He said the use of flexible barriers has been shown to reduce run-off road and head-on crashes by 85%.

Most hits on the barrier, he said, result in cars driving away which is a good outcome when there are no injuries. Victoria is now moving to the new standard of four-wire rope safety barriers from the previous best practice three-wire barrier because four-wires have greater capacity to contain vehicles.

The use of barriers prompted discussion. Does AMCO deflect vehicles better than cable? 'It depended on the design of the barrier, such as post spacing,' he said. 'While there would be

Continued on page 2

Distressed roads need fixing

The Victorian Government needs to double its road maintenance budget to fix 1,500 km of distressed country roads across the state, according to RACV Manager Roads and Traffic Advocacy Dave Jones.

The RACV estimates 1,500 km of 'distressed' roads across Victoria need strengthening and resurfacing, costing \$1.2b (\$304m per year). This would make road infrastructure safer and therefore save lives.

His presentation to SEATS delegates outlined the Australian Road Assessment Program (AusRAP) run by the Australian Automobile Association (AAA) and state motoring clubs.

It uses an international methodology to address infrastructure using a star rating to measure safety features built into roads to prevent crashes and reduce the severity of crashes.

The RACV wants the Victorian Government to adopt the star rating system across its highway network with a commitment to achieving a three star minimum.

Make Princes Hwy a national highway

SEATS will soon launch a petition calling for the Federal Government to include the Princes Highway from Sale to Wollongong in the National Highway Network.

It will be sent to all councils in SEATS region and be available on SEATS webpage and in all Visitor Information Centres.

SEATS hopes to present the first lot of petitions to the Australian Government in conjunction with its November meeting, but wants the petitions to continue over the summer holiday season to get feedback from tourists.

The petition calls for urgent and ongoing funding for the Highway and for it to be recognised as a major freight and tourist route.

Continued from page 1

some impact on the lane in the opposite direction, the cable barrier would still reduce speeds in a collision.' He thought cable safer than AMCO but said discussion was ongoing about barrier width and deflection.

Another delegate asked if these barriers restricted animal movement. 'It's not clear,' he said. 'Kangaroos can jump it while smaller animals can go under, and there are also breaks in the barrier at least every 400m for maintenance.'

Flexible barriers have been contentious with motorcyclists. The Towards Zero strategy for popular riding routes is to install barriers with extra safety features for motorcyclists, such as padded posts and under-run protection.

Scott Lawrence's presentation on Towards Zero is on SEATS website.

SEATS September 2017 Newsletter page 2

SEATS Chairman speaks...



SEATS Chair Cr Patricia White, VicRoads Scott Lawrence, RACV's Dave Jones and SEATS Deputy Chair Cr Marianne Pelz at the August meeting at Sale.

Wellington Shire Council Mayor Cr Carolyn Crossley warmly welcomed us to our August meeting at Sale at their impressive Gippsland Regional Sports Complex.

We were delighted to be joined by Member for Gippsland South Danny O'Brien MLA for the fascinating tour of Gippsland Water Soil and Organic Recycling Facility and then for dinner.

Wellington's General Manager for Development John Websdale gave an impressive presentation about the significant changes taking place in Wellington Shire – a drop in investment with more investment to follow (details next page).

Other presentations featured different aspects of road safety (see page 1). VicRoads Scott Lawrence spoke of the need to take a holistic approach to road safety along whole lengths of roads and of the value of barriers, while RACV's Dave Jones focused on the Australian Road Assessment Program

We held our AGM at this meeting. From now on, the AGM will be held in February to avoid any clashes with local, state or Federal elections. The election of SEATS Executive committee was held over until February.

SEATS has recently made a submission on the National Freight & Supply Chain Inquiry and also provided letters of support to several councils applying for funding of priority projects and projects under the 'Fixing Country Roads' and 'Fixing Country Bridges' programs.

Finalising SEATS Strategic Statement is proving more complicated than most of us initially thought, but the final outcome will benefit from the rigorous scrutiny we are giving it.

Planning for SEATS' November meeting at Canberra Airport is well advanced and is based around the general theme of 'Demand in the South East NSW Region to Progress Economic Development'. Should be fascinating.

Please note, those who want to go on the walking tour of Canberra Airport at the November meeting need to complete a security clearance in advance.

I hope to see you there.

*Cr Patricia White
Chairman*

Construction jobs boost local economy

Construction jobs associated with major projects have provided a significant boost to the economy of Wellington Shire, the host of last month's SEATS meeting. But as Wellington's General Manager for Development John Websdale told delegates, unfortunately those jobs end once the project finishes.

After 2018 he said more construction jobs would leave the area and Council was working with business and tourism associations to prepare them for it.

First though, he produced some interesting statistics to put the Shire's economy in context, noting tourism is not among the Shire's main economic drivers:

- its largest employment sector is agriculture, followed by health care and social assistance
- public administration (largely through the RAAF's training base at East Sale) and health care and social assistance sectors paid most wages
- the manufacturing and construction sectors spent more in the local economy than agriculture
- the greatest economic output was from mining (gas and oil come from Bass Strait into Longford) and manufacturing.

Significant job losses occurred in May when Esso Australia completed construction of the Gas Conditioning Plant at its existing Longford facilities near Sale. Longford supplies most of Victoria's gas requirements as well as supplying New South Wales, Tasma-



The Pilatus PC-21, the world's most advanced pilot training aircraft, will be used in the AIR 5428 Pilot Training based at East Sale. Photo courtesy Wellington Shire Council.

nia and other areas.

The Plant processes gas from the Kipper Tuna Turrum development in Bass Strait. Its construction had generated more than 800 direct jobs with 90% of the workforce being from the Gippsland Region.

Further job losses followed when ESSO outsourced its catering to Western Australia.

More construction jobs were created when the Defence Department deciding to re-locate its Basic Flying Training School (AIR 5428) for Airforce, Navy and Army pilots from Tamworth to East Sale in late 2019 for the next 25 years.

Construction is now well underway with 230-300 workers on site through 2017. The project includes live-in accommodation for 105 students, classrooms and training facilities, new hangars and maintenance workshops, and flight simulators.

Once completed, due to open late 2019, the School will bring 150 extra Defence jobs to East Sale (on top of the already 700 at the RAAF base), 165 students a year, and boost economic output by \$168m a year.

As part of their support for the AIR 5428 Project, the Victorian Government committed \$5m for infrastructure upgrades to the existing West Sale Airport which will be used for circuit flying training.

More construction jobs will come with further work to upgrade the Princes Highway and with planned improvements to the Gippsland Rail Line.

Mr Websdale said a strong local advocacy campaign resulted in a \$435m Government commitment to upgrade the Gippsland Rail Line which will create another 400 construction jobs.

Project investment map a hit

SEATS delegates were very impressed with the map shown by Transport for Victoria's Laurie Jeremiah at the Sale meeting entitled 'New Transport Investments 2016/2017'. This illustrated his comprehensive presentation on Government investment in transport infrastructure in 2016/2017.

Delegates liked how it clearly showed where projects were happening and their cost. Some suggested a similar map for the whole SEATS region would be extremely valuable to show where SEATS priority projects are located and what funding was needed.

SORF treats and adds value to waste



SEATS delegates were impressed with the Soil and Organic Recycling Facility near Sale.

SEATS delegates at the August meeting were impressed with their tour of the Soil and Organic Recycling Facility (SORF) at Dutson Downs, 20km south-east of Sale.

This is an impressive facility, the first of its kind in Victoria. It treats prescribed and non-prescribed organic wastes and hydrocarbon contaminated soils which can then be reused, thereby reducing waste to landfill.

Since SORF opened in 2009, there has been a significant increase in the volume of material from across Gippsland and south east Melbourne moving on to the site and material moving off the site, now more than 40 trucks daily. The road network is therefore a critical part of this important business.

SORF manufactures high-

quality compost for use in pasture improvement, land rehabilitation or beautification. The compost is used on the 1,000 ha farm adjoining the site.

Wastes treated include contaminated soils from disused petrol stations or gas works, animal fats and petrol-based pollutants which are converted (using microbes) into their component parts – carbon, water and beneficial soil organics.

The plant also recycles liquids such as waste oils and washdown water from factories, food processors and machinery plants, and treats contaminated water which can then be reused for agricultural purposes.

It also accepts waste which is not part of the composting process, such as asbestos and synthetic mineral fibres.

Possible Koo Wee Rup Airport flies closer

A recent announcement about a possible second international airport for Melbourne between Koo Wee Rup and Lang Lang prompted some excitement at SEATS August meeting.

Baw Baw Councillor Keith Cook spoke about the project's huge potential to create jobs.

Although the idea is not new, Paragon Premier Investments' announcement in July that it now has investors to bankroll its \$7b construction brought it closer to reality. Paragon has

said it would be funded by a Europe and Middle East consortium, provided the Victorian Government deems the airport necessary infrastructure.

The airport would initially be about the size of Canberra Airport.

Its initial focus would be on cargo flights, possibly by 2020, particularly exporting fresh fruit and vegetables to China and other Asian markets. The next stage would be domestic flights followed by international flights.

What is SEATS?

South East Australian Transport Strategy (SEATS) identifies and advocates for vital projects to improve transport infrastructure and connectivity and stimulate economic development in southeastern Australia. It is a strong independent partnership of councils, industry, government authorities and other organisations Wollongong to Dandenong.

Dredge starts in Eden

Dredging for the \$44m Eden Breakwater Wharf Extension project has begun. The dredge will remove 230,000 sq m of material to create a deep berthing pocket for cruise ships to tie up at the wharf.

Electric charge points

Who should install charge points for electric cars – councils or industry – and where they should be located were raised at the August meeting. SEATS will investigate further.

Bigger than Darling Hbr

Shellharbour's Shell Cove Marina, which will be bigger than Sydney's Darling Harbour, is two years from having boats. It is one of Australia's largest local government projects.

SEATS meetings

9-10 November: Hosted by Canberra Airport at Canberra Airport.

2018

14-15 February: Hosted Victoria. TBA

17-18 May: Hosted NSW. TBA

16-17 August: Hosted Victoria. TBA

8-9 November: Hosted by RMS Southern, Wollongong

SEATS Executive

Chairman Cr Patricia White (Shoalhaven), **Deputy Chair** Cr Marianne Pelz (East Gippsland), **Secretary** Cr Graeme Middlemiss (Latrobe), **Treasurer:** Mark Burnett (East Gippsland).

Victorian representatives: Cr Keith Cook (Baw Baw) Cr Jeremy Rich (South Gippsland), Cr Clare Le Serve (Bass Coast).

NSW representatives: Greg Pullen (Shoalhaven), Cr Marianne Saliba (Shellharbour), Cr Sue Whelan OAM

SOUTH EAST AUSTRALIAN TRANSPORT STRATEGY INC.

SEATS

SEATS provides highly co-ordinated and influential advocacy for the development of transport infrastructure in the South Eastern Australia region that supports economic development and the prosperity of its constituents.

Executive Summary – August 2017

The quarterly meeting of SEATS was held on 17th and 18th August 2017 at Sale, Victoria at the impressive Gippsland Regional Sports Complex.

The meeting was hosted by the Wellington Shire Council and delegates and members were warmly welcomed by Cr Carolyn Crossley, Wellington Shire Mayor. Cr Patricia White, SEATS Chair, thanked the Mayor and Wellington Shire for hosting the meeting.

SEATS was delighted with the attendance of the **Mr Danny O'Brien MLA, Member for Gippsland South**, who attended the tour of the Gippsland Water Soil and Organic Recycling Facility and spoke at the Dinner.

Reports

Delegates heard reports from VicRoads, RMS Southern NSW and Transport for Victoria outlining the planning and the progress of priority transport projects across the region. This included proposals in development in NSW with the Berry to Bomaderry Upgrade, Princes Highway Albion Park Rail Bypass, Nowra Bridge, the new bridges at Batemans Bay and Nelligen, Ellerton Drive Extension at Queanbeyan, Batemans Bay Link Road, Lansdowne Bridge and further upgrades to improve safety and provide overtaking lanes on the Monaro Highway. Projects under construction include Dignams Creek, Burrill Lake Bridge, Foxground and Berry Bypass and safety works on the Kings Highway. Projects completed included Bemboka Bridge, and works on the Princes Highway at Termeil Creek and intersection works at Little Forest Road. In Victoria, the Princes Highway East works between Traralgon and Sale continue in staged sections, the South Gippsland Highway will be upgraded through the realignment of the Blackspur and safety works between Meeniyan and Yarram, overtaking lanes between Orbost and the NSW Border, the Continuous Safety Barrier Program under the Safe System Road Infrastructure Program is well underway across the Gippsland Region, under the Heavy Vehicle Productivity Program a number of truck stops, rest areas, traffic signals, and roundabout improvements are being rolled out, a number of bridges are being upgraded and money has been received for important future planning for potential upgrades and bypasses that will improve traffic flow and safety. There has been significant funding announcements in State and Federal Budgets in support of project planning and implementation of priority projects, including the upgrade of the Gippsland Rail Line and Avon Bridge and the development of the Gippsland Logistics Precinct. These reports will be available on the SEATS website shortly.

Presentations

Mr John Websdale, Wellington Shire General Manager for Development, spoke about what was driving the economy in the Shire, how the Shire and community was managing this significant change, what strategies were being applied and in this

exciting time how the Wellington and Victorian economy will benefit. **Mr Scott Lawrence**, VicRoads Regional Director provided an engaging presentation on “Making Our Roads Safer”, outlining the Victorian Road Safety Strategy and Action Plan of “Towards Zero”. There has been a huge investment to address the issue of run-off-road and head-on casualties. There have been a number of High Risk Rural Roads identified and Scott talked about the treatment options, including roadside barrier or centreline wire rope barriers, recommended on these roads including the Princes Highway. **Mr Dave Jones**, RACV Manager Roads and Traffic Advocacy provided a very interesting presentation on “Better Roads For Victoria”. The RACV plays a lead role in advocating for vital improvements to the road network across the state and has called upon the Government to double the road maintenance budget to fix distressed country roads. He spoke about the Australian Road Assessment Program using an international methodology to address infrastructure, using a star rating to measure the built in safety features that prevent crashes and reduce the severity of these crashes. The RACV wants the State Government to adopt the star rating system for its complete highway network, rural and urban with a commitment to achieving a 3 star minimum. Across the State the RACV has estimated that there is 1500km of distressed roads which would cost \$1.2 billion to strengthen and resurface (\$304m per year). The Tour of the Gippsland Water Soil and Organics Recycling Facility outlined the extensive process of recycling various waste products to produce compost. With the increase of material from across Gippsland and south east Melbourne coming on and off the site (currently more than 40 trucks daily) the roads network becomes a critical part of this important business. These presentations will be available on the website shortly.

SEATS Website- The upgrade of the website continues with a lot of work done already to improve its appearance and effectiveness. This will allow reports, presentations and information of interest to delegates and members to be loaded onto the website quickly and easily accessed. There is a link to all member Councils and other SEATS members on the website already and further work will be done in the future.

SEATS Strategic Statement

Cr Anthony Mayne facilitated further discussion and delegates contributed their thoughts on the mission statement and why they are SEATS members. A working party made up of Cr Mayne, Cr Pelz and Mr Greg Pullen will continue with the fine tuning of the SEATS Vision and Mission Statements and bring the document back for adoption at the November meeting.

NHVR Forum- unfortunately the Regional Forum did not go ahead in conjunction with this SEATS meeting however SEATS and NHVR are still keen to hold this event in the future and will use the successful Shoalhaven Forum model as a benchmark for the planning of the event. The location and timing of this event will essential if it is to be successful in attracting industry and operators.

SEATS Petition

SEATS has prepared a petition to go to the Federal Government drawing attention to the poor condition of some sections of the Princes Highway east of Sale to Wollongong and the need for urgent and on-going funding. It will seek to have the highway recognised as a major freight and tourist route and requests official

recognition under the “National Land Transport Network Act of 2014” to help secure much needed funding. The Petition will be launched in the next few weeks and will continue over the Christmas period to capture tourist support. All Mayors and Councillors will be asked to endorse the Petition and Councils will be asked to distribute the petition through their Information and Community Centres.

SEATS Submissions and Letters of Support for Project Funding

A submission was made to the Department of Infrastructure & Regional Development on the National Freight & Supply Chain Inquiry and letters of support have been provided to Councils applying for funding of priority projects and projects under the “Fixing Country Roads’ Program. This is an important part of the work SEATS does in advocating for vital improvements to the Transport network across the Region.

Rail Freight Alliance Conference- “ Rail Futures”

SEATS has been invited to attend this Conference in Melbourne on the 15th September. The Executive Officer will attend.

Vale: Mr Mick Morland

The meeting noted the sad passing of Mr Mick Morland who made a significant contribution to SEATS as a former Chair and to the Casey Shire and wider community. Condolences have been sent to his family.

Gippsland Regional Roads Group

These projects have been ratified by the GLGN Mayors and endorsed by the six Gippsland Councils. SEATS will look at the opportunity of supporting them at the Regional level by also endorsing the projects and their funding applications (\$160m). The Group will have the opportunity of presenting their extensive list of road and bridges projects at the November meeting.

Announcements

The NSW Budget had some significant gains for projects in the Region in funding for planning and implementation of several SEATS priority projects which is very pleasing. A detailed list of projects was included in the Business papers.

Hosting of Future Meetings

Thank you Wellington Shire for hosting this past meeting.

The next SEATS meeting will be held in Canberra, hosted by Canberra Airport on the 9th & 10th November. Hon Fiona Nash MP, Minister for Regional Development will be the keynote speaker at the Dinner. This promises to be a great meeting with a number of very interesting presentations and engaging sessions. The Notice of the Meeting will be sent out shortly and you will be required to complete a security clearance to participate in the walking tour of the Airport. The other meeting dates are as follows- please put these in your diaries.

February 14th & 15th 2018 Victorian Council/Member to host

May 17th & 18th 2018 NSW Council/Member to host

August 16th & 17th 2018 Victorian Council/Member to host

November 8th & 9th 2018 to be hosted by RMS Southern at Wollongong, NSW.

Delegates/members are asked to please consider the hosting of the future meetings that have yet to be allocated to the end of 2018 and discuss this with your Council or organisation. It is important to plan well ahead and to share the responsibility of hosting a meeting. Please contact the Executive Officer as soon as possible if you are able to host one of these meetings.

NSW Roads Congress

Mayors, Councillors and senior staff were encouraged to attend the NSW Local Roads Conference earlier this year at Parliament House in Sydney. SEATS has endorsed the Conference Communique and will seek the delivery of these outcomes from the NSW and Federal Government. Amongst many important things SEATS supports the call to increase the Local Government funding for the management and upgrade of transport infrastructure and especially the declining condition of bridges, work with Councils to develop improved integrated regional transport plans, build on the Fixing Country Rail Program to target the reduction of freight loads on local roads and regional roads, increase funding in the Roads to Recovery program and review the distribution of Federal assistance Grants having regard to social equity for regional communities. A copy of the Communique has been distributed to all SEATS members.

SEATS AGM

The AGM was held under the Victorian Incorporation Rules but in future the AGM will be held in February to avoid any clashes with Local, State or Federal elections. The election of the Executive Committee was held over until the February meeting and the existing Executive members all agreed to continue until that time.

Delegates Reports

These continue to be an important part of the meetings as they highlight the progress of priority projects, significant developments and issues and challenges faced across the region and identify where SEATS may be able to assist. The provision of these reports has been appreciated even if the delegates have not been able to attend the meeting. These detailed reports will appear in the full minutes of the last meeting at Sale.

Financial Report

The detailed Financial Report for 2016/2017 provided by the SEATS Treasurer was received and Proposed Budget for 2017/2018 adopted. The fees for the 2017/2018 will remain the same as the previous year.

John Duscher

SEATS Executive Officer

SOUTH EAST AUSTRALIAN TRANSPORT STRATEGY INC.



SEATS provides highly co-ordinated and influential advocacy for the development of transport infrastructure in the South Eastern Australia region that supports economic development and the prosperity of its constituents

ABN 91 495 277 812



273 Main St (PO Box 1618)
 Bairnsdale Victoria 3875
 Telephone (03) 5153 9500
 Facsimile (03) 5153 9576

Tax Invoice To
Mr Dean Lynch Snowy Monaro Regional Council PO Box 714 COOMA NSW 2630

Date	Tax Invoice #
30/08/2017	204

Terms
Net 30

Description	Amount	GST
2017/18 SEATS Membership	3,330.00	302.73
PAYMENT OPTIONS - please quote invoice number with payment		Subtotal \$3,027.27
(A) Payment By Mail		GST \$302.73
Make cheque payable to: South East Australian Transport Strategy Inc. and post to East Gippsland Shire Council PO Box 1618, Bairnsdale VIC 3875		Total incl GST \$3,330.00
(B) Direct Deposit		Payments/Credits \$0.00
National Australia Bank, BSB 083 519, Account 94 790 0140, Account Name South East Australian Transport Strategy Inc.		Balance Due \$3,330.00

13.1 FORMATION OF THE REGIONAL YOUTH COUNCIL FOR THE SNOWY MONARO REGIONAL COUNCIL.

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Youth Development Officer
Key Direction:	4. Creating a Safer, Healthier and Thriving Community
Delivery Plan Strategy:	DP4.9 Provide and support appropriate services and facilities for children and young people within the Region.
Operational Plan Action:	OP4.30 Deliver and facilitate youth programs and services throughout the Region including Youth Council, Youth Week, and the participation of young people in decision-making processes.
Attachments:	Nil
Cost Centre	2910
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The Snowy Monaro Regional Council recognises that young people need to have input into decision-making that affects their lives and be encouraged and supported to take an active role in their community. Young people have unique insight and perspective into topics and issues relevant to them and these opinions and contributions can be sought from establishing a Regional Youth Council. With support from council staff such as the Youth Development officers, a Regional Youth Council will enable young people to participate in decision-making processes that affect their lives.

An important long term strategic objective of the Youth Council is to mentor future Councillors and community leaders.

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

OFFICER'S RECOMMENDATION

That Council;

- A. Establish the Snowy Monaro Regional Youth Council
 - B. Endorse the appointment of up to 2 representatives nominated by each secondary school across the region.
 - C. Recognise the Youth Council as a formal committee within Snowy Monaro Regional Council.
 - D. Endorse bi-monthly meetings of the regional Youth Council at the council chambers in Cooma, with minutes to be noted in the subsequent regular Council meeting.
 - E. Appoint a Councillor to be the chair of each Youth Council meeting.
 - F. Endorse allocation of a budget of \$10,000 per year for running the Youth Council from within the Economic Development and Tourism budget.
-

BACKGROUND

A Youth Council was established in the former Snowy River Shire Council in 2009 and has been actively involved in projects relevant to young people and served as a reference group to the former Council. In 2015 the group attended the NSW Youth Council Conference and grew in their passion to create positive change for youth in the region. They also established their social network page on Facebook to provide an outlet for their activities and information.

The former Cooma-Monaro Shire Council had an active Youth Council the 1980s, and has had a youth reference group in various forms since. No formal Youth Council or reference group has been established in Bombala. Given the size of the community, consultation with young people has traditionally been carried out by the Youth Development Officer.

The Council has also applied for a Youth Opportunities Grant for \$28,000 from the NSW Department of Family and Community Services to provide an additional one off amount of seed funding to help establish the Youth Council. Council is still waiting to hear if it has been successful in obtaining the grant. If successful, it is intended this money would be used to buy technology based equipment, help young people attend youth conferences and to provide training. If the Council is not successful in obtaining this funding, the proposed grant funded items will either not be pursued or will be covered from within the ongoing \$10,000 Council allocation.

Youth representatives sitting on the Youth Council have been nominated by each school following their own internal selection process. Representatives have already been nominated from Monaro High, St Pats High School, Jindabyne Central School and the Home Schooling group. Nominations from Bombala High, Snowy Mountains Grammar and Snowy Mountains Christian School have not yet been received but will be followed up in coming weeks. It is intended that the Youth Development Officers will provide transport in a Council vehicle for representatives from Bombala and Jindabyne to attend the meeting in Cooma.

The Youth Council will meet every second month at 10:30am till 2pm in the Cooma Council Chambers. It is likely to be on the Wednesday prior to the monthly Council meeting however this will be confirmed once the Council has been established. It is intended that the first meeting will occur in November 2017, probably on Wednesday the 15th.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The establishment of a Snowy Monaro Youth Council will assist in:

- developing a greater understanding of the needs and issues of young people
- recognising the value, contribution and positive potential of young people
- developing confidence in the future leadership of the community
- building a stronger community that people can feel comfortable and take pride in
- reducing unwarranted concern about the 'problems' of young people
- potentially retaining young people in the local area.

These are all positive social benefits that will help build the next generation of leaders in the community.

2. Environmental

The establishment of a Youth Council does not directly impact the environment. However indirectly with the stronger and active participation of young people in local government comes a stronger community connection and a greater sense of ownership and participation of young people in the wider community. This may have positive repercussions for the built environment through less negative environmental impacts from possible youth involvement in graffiti, littering and vandalism.

3. Economic

The Youth Council is fundamentally an investment in the future and so will not have direct economic benefit in the present, nor is that its primary objective. However, indirect economic benefits may involve:

- investigating future youth events and activities which will create economic growth such as music festivals.
- providing ordinary council meetings with youth focused solutions to possible economic problems in the area
- injecting council with youth ideas and inventions that could create an economic benefit to the whole community
- responding to youth related problems which may be costing council in regards to clean up or maintenance costs
- developing stronger networks of council, service providers and young people
- developing clearer priorities for resource allocation

4. Civic Leadership

Young people represent a vast and untapped resource for immediate and long term community development efforts in the Snowy Monaro Shire. They possess fresh perspectives, new ideas and out-of-the-box solutions to reoccurring problems and gaps in the community and stand to be an invaluable tool for program planning and effective evaluation. To successfully harness this potential in young people, we must provide opportunities for engagement in the decision making process. By investing and building in the leaders of tomorrow, the Council will be helping young people in:

- developing a sense of belonging to their local community
 - achieving greater access to resources for young people
 - understanding the systems that drive and support their community
 - seeing real needs and issues that are important to them addressed
 - gaining increased confidence and self esteem
 - feeling that young people are taken seriously
 - increasing enthusiasm and willingness to contribute
 - developing enterprising skills that improve employment opportunities
 - developing friendships, networks and support systems
-

13.1 FORMATION OF THE REGIONAL YOUTH COUNCIL FOR THE SNOWY MONARO REGIONAL COUNCIL.

- receiving recognition and acknowledgement
 - developing leadership and other personal and social skills
 - gaining credibility, respect and trust in the community
-

13.2 ALCOHOL FREE ZONES AND ALCOHOL PROHIBITED AREAS WITHIN THE SNOWY MONARO REGION

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Community Development Officer
Key Direction:	4. Creating a Safer, Healthier and Thriving Community
Delivery Plan Strategy:	DP4.19 Provide adequate infrastructure that meets the current and future needs of our emergency services as legally required by legislation and service agreement.
Operational Plan Action:	OP4.61 Implement actions highlighted in Council's Crime Prevention Plan
Attachments:	Nil
Cost Centre	2420 – Community Development
Project	Alcohol Free Zones and Alcohol Prohibited Areas
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

In July 2017, the Snowy Monaro Regional Council Administrator endorsed further exploration of and public consultation around implementation of Alcohol Free Zones (AFZ) and Alcohol Prohibited Areas (APA) in Jindabyne; as well as the renewal of these areas in Cooma. Further investigations, in partnership with the NSW Police Monaro Local Area Command's Crime Prevention Officer, indicated benefits to establishing AFZ and APA areas in Berridale, Bombala, and Jindabyne, and renewing and expanding those areas in Cooma.

The Crime Prevention Officer is in the process of finalising a report about each proposed area within the four towns mentioned above. Council's Community Development Planner is seeking quotes in relation to the cost of AFZ and APA signage for our region. A full report inclusive of this information will be put to Council in December. This present report is intended to provide Council with basic information about the purpose, scope, and impact of AFZ and APA areas.

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

OFFICER'S RECOMMENDATION

That Council receive and note the information in the report about Alcohol Free Zones and Alcohol Prohibited Areas within the Snowy Monaro Region.

BACKGROUND

In July 2017, the Snowy Monaro Regional Council Administrator endorsed further exploration of and public consultation around implementation of Alcohol Free Zones (AFZ) and Alcohol Prohibited Areas (APA) in Jindabyne; and the renewal of these areas in Cooma. Further

investigations indicated benefits to establishing AFZ and APA areas in Berridale, Bombala, and Jindabyne, with modifications to the proposed areas in Jindabyne; and renewing and expanding these areas in Cooma.

Alcohol Free Zones and Alcohol Prohibited Areas are designated under Sections 644 through 646, and Section 632A, respectively, of the *Local Government Act 1993*. Alcohol Free Zones apply to public roads, carparks, and footpaths within the road reserve; alcohol Prohibited Areas can be declared in any other “public place” under Council’s jurisdiction. Only local government authorities can establish AFZ and APA areas. In the Snowy Monaro Region, enforcement will be undertaken by the NSW Police Monaro Local Area Command in each town and village.

Establishing AFZ / APA areas enables police to confiscate and dispose of alcohol being consumed in those areas during the periods that the zones are active. For our region, it is proposed that AFZs be active from 7:00pm to 9:00am, and APAs active from 9:00pm to 9:00am. These times are proposed with a mind to minimise street drinking, antisocial behaviour, and “pre-loading” behaviours without punishing residents having evening picnics in the region’s parks.

Event exemptions are also permissible under the Act. Organisers merely need to request the exemption and cover up the AFZ/ APA signs for the period of the event. For example, Lake Light Sculpture has a small outdoor bar in Banjo Paterson Park during the Easter event. During this period, the APA signs will simply be covered over and police informed that the event is exempt from the APA.

The process for establishing AFZ/APA areas includes:

- A 30-day public exhibition period;
- Notification of the public via local media; and
- Direct consultation with relevant stakeholders, including schools, churches, police, licensees under the Liquor Act, and organisations such as Community Drug Action Teams.

Following the exhibition period and review of representations and/or objections, Council must resolve to establish the AFZ / APA areas.

Appropriate signage that complies with the *Local Government Act 1993* is an essential component of successful AFZ/APA implementation. Signs must:

- List the times that the AFZ/ APA is enforceable;
- List the dates that the AFZ/ APA is enforceable;
- Be positioned at regular intervals and decision-making points, such that any reasonable individual would be aware that alcohol is prohibited in a given area.

Areas must be renewed every four years. This includes re-engaging the public and relevant stakeholders through a consultation process, as above; and printing new date and time stickers for the signs.

AFZ/ APA are well-established crime prevention measures, most effective in conjunction with other measures. The proposed areas in Snowy Monaro Regional Council are locations that experience elevated levels of antisocial behaviour, per police reporting and/or community observations. Often they are heavily polluted with litter. These areas are listed here, for your information.

Berridale:

- Berridale Skate Park

Bombala:

- Bombala Skate Park
- Ginger Lee Memorial Park
- The footpath between Ginger Lee Memorial Park and Bicentennial Park
- Riverside Park

Cooma:

- Centennial Park (surrounding streets inclusive)
- Norris Park
- Cooma Skate Park
- Sharp Street from Vale to Bombala Streets
- Bombala Street from Massie to Commissioner Streets
- Commissioner Street from Bombala to Vale Streets
- Vale Street from Commissioner to Sharp Streets

Jindabyne:

- Snowy River Avenue
 - Gippsland Street from Snowy River Avenue to Munyang Street
 - Munyang Street
 - Ingebyra Street
 - Bogong Street
 - Park Road to Kurrajong Street
 - Kurrajong Street to Bent Street
 - Bent Street
 - Clyde Street
 - Kalkite Street
 - The Jindabyne Lions Park
 - Kosciuszko Road from Kalkite Street to Thredbo Terrace
 - Thredbo Terrace
-

- Banjo Paterson Crescent from Kosciuszko Road to Townsend Street
- Townsend Street from Banjo Paterson Crescent to Cobbon Crescent
- Bay Street
- The Lake Jindabyne Shared Path from Banjo Paterson Park to the Claypits inclusive of Banjo Paterson Park, the Jindabyne Skate Park, adjacent roads and parking areas, and the Claypits Recreational Area

The benefits of AFZ/APA zones are outlined in the quadruple bottom line section of this report.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Alcohol Free Zones/ Alcohol Prohibited Areas are a useful tool in the prevention of crime and antisocial behaviour particularly. Irresponsible consumption of alcohol can interfere with other users ability to enjoy a space and, further, can compromise the safety of users. This is particularly true of roads, carparks, and footpaths.

Street drinking, as well as the resultant litter, also negatively impact residents' sense of community and sense of civic pride. Visitors to our region are also impacted: the presence of litter, graffiti, damaged property etc all negatively impact the visitor experience. Where residents and visitors do not feel a place is cared for, they are more likely to participate in careless behaviours such as littering, antisocial behaviour etc. However, when a place is cared for – clean, tidy, well-maintained – both residents and visitors are more likely to act in ways that reinforce these behaviours. There is a large body of literature related to sense of community/ sense of place. The Community Development Planner is happy to supply additional information to Council as requested.

AFZ/APA areas are intended to work in conjunction with other measures to minimise crime, anti-social behaviour, and excessive consumption of alcohol. Complimentary measures in place include Liquor Accords and Community Drug Action Teams. In this way, the areas can be part of a long-term strategy to change drinking culture in Australia – with an emphasis on dismantling binge drinking culture. This is particularly relevant and important in Jindabyne, where a “party vibe” continues to permeate throughout the winter tourist season, leading to increased instances of drug and alcohol related harm.

2. Environmental

The NSW Police Crime Prevention Officer and Council's Community Development Planner undertook a walking tour of the proposed AFZ/ APA areas in early September. Litter, particularly bottle and can litter, was present in most areas. Enormous amounts of litter were observed in Cooma Creek, as well as areas of Jindabyne including Banjo Paterson Crescent and Bogong Street.

Implementation and enforcement of Alcohol Free Zones and Alcohol Prohibited Zones will help to decrease litter, particularly glass bottle and aluminium can litter; this will reduce pollution in common land areas and our waterways, including the Bombala River, Cooma Creek, and Lake Jindabyne.

3. Economic

Implementation and enforcement of Alcohol Free Zones and Alcohol Prohibited Areas can decrease antisocial behaviours, including destruction of property and littering, that have a negative economic impact on our region.

The costs associated with the implementation of these zones are to be determined; however, the main costs of the project are the design, manufacture, and installation of signage. It is anticipated that 184 signs will be needed. Quotes for this work are being sought.

Once that work is complete, ongoing costs include only the design and printing on new date stickers, and printing / public exhibition costs associated with the AFZ/ APA renewal process. These costs will impact Council once every four years, and are anticipated to be minimal (a few hundred dollars).

Costs associated with the enforcement of AFZ / APA areas fall to the Police. Police can fine violators, recouping some of the additional patrol costs.

Effective implementation and enforcement of AFZ and APA areas will have positive economic flow-on for the towns and villages involved, improving community and visitor perception of the area and visual appeal, possibly leading to increased patronage of local businesses.

4. Civic Leadership

Establishment of Alcohol Free Zones and Alcohol Prohibited Areas reinforces Council's commitment to:

- the safety and well-being of residents;
- the ongoing success of our local businesses, who are impacted by the physical appearance and social perceptions of our towns and villages; and
- preservation of our natural environment, which is itself a key economic driver.

This process also reinforces that Council is a good community partner, working together with regional police and local businesses to address social challenges such as street drinking and anti-social behaviour. It shows the community that we are proactive and solutions-focused, with an understanding of the complex relationship between the social, environmental, and economic well-being of our region.

**16.1 STRONGER COUNTRY COMMUNITIES FUND 2017-18 - CONFIRMATION OF GRANT
AMOUNTS SOUGHT VIA TRANCHE B ON 13TH SEPTEMBER 2017**

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Grants Officer
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.2.1.1 Increase and improve Council's financial sustainability.
Operational Plan Action:	OP7.16 Effective management of Council funds to ensure financial sustainability.
Attachments:	Nil
Cost Centre	4010 – Finance (Grants Management)
Project	To Be Confirmed – Various Projects
Further Operational Plan Actions:	OP7.7 Provide timely, accurate and relevant information to Council to enable informed decision making.

EXECUTIVE SUMMARY

The NSW Government's 'Stronger Country Communities Fund' (SCCF) is investing in infrastructure projects in regional NSW communities to improve the lives of residents and enhance the attractiveness of these areas as vibrant places to live and work.

- Council gained approval to lodge under SCCF 2017/18 via Tranche B.
- Projects submitted should be able to commence within a 12-month time period and ideally be completed within two years of funding approval.
- Snowy Monaro Regional Council's funding allocation - SCCF 2017/18 \$2,363,067 (Ex GST); SCCF 2018/19 \$2,363,067 (Ex GST).
- Balance of funds for SCCF 2017/18 can be rolled into the 2018/19 allocation, if not fully assigned &/or expended.
- SCCF application process is via online portal, with a variety of evidentiary information and supporting details required.
- SCCF funding confirmed as not having any requirement to be equally distributed based on former LGA areas.
- SCCF parameters are likely to continue evolving as the NSW Government absorbs stakeholder and community feedback.

In accordance with Council Resolution 164/17, seven (7) funding applications were lodged for eight (8) project elements on 13th September 2017. This report seeks to update Council on the final grant request amounts sought under SCCF 2017/18. All funds are referenced Exclusive GST.

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

16.1 STRONGER COUNTRY COMMUNITIES FUND 2017-18 - CONFIRMATION OF GRANT AMOUNTS SOUGHT VIA TRANCHE B
ON 13TH SEPTEMBER 2017

OFFICER'S RECOMMENDATION

That Council

- A. Receive and note the information in the report on Stronger Country Communities Fund 2017/18 applications; in particular the variation advice relating to the grant request amounts lodged; and
- B. Receive a report on projects proposed for round 2 of the Stronger Country Communities Fund 2018/19 within the next 3 months.

BACKGROUND

Adjustments to the final grant request amounts applicable to each project were anticipated, with Section C of Resolution 164/17 reflecting this aspect.

Resolution from the Ordinary Council Meeting held on 30th August 2017:

COUNCIL RESOLUTION

164/17

That Council

- A. Approve lodgement under the Stronger Country Communities Fund 2017/18 applications totalling \$2,363,067 for the following eight (8) projects by the due date 13 September 2017:
 - 1) Cooma Truck Wash Upgrade - \$361,093
 - 2) West Lynne Road - New Causeway Infrastructure at Grosses Creek Crossing - \$418,000
 - 3) Dry Plains Road - New Causeway Infrastructure at Bridle Creek Crossing - \$403 000
 - 4) Bombala Racecourse Amenity Improvement Works - \$367,987
 - 5) Jindabyne Boat Ramp Facility & Beautification Upgrades - \$250.000
 - 6) Bombala Platypus Reserve Upgrades - \$367,987
 - 7) Upgrade to foyer and change rooms at Cooma Basketball & Gymnastics Facility - \$160,000
 - 8) Cooma North Shops Playground Upgrade - \$35,000
- B. Confirm the priority order as detailed in Item A above for the online lodgement of these projects
- C. Note the project amounts are indicative and may change as plans and detailed budgeting is completed with any variations being reported to Council.

Note that Council will need to consider and confirm a program of projects for 2018/19 to enable well scoped applications to be lodged by the due date in 2018.

Approved by Administrator Lynch

Whilst the total funding sought for the two (2) Bombala sited projects was unchanged (\$735,974), there was a shift* in anticipated budget amounts between the projects as a result of plan development in consultation with community stakeholders.

Council's submissions sought funding for eight (8) project elements to the value of \$2,363,067:

Cooma Truck Wash Upgrade \$361,093

West Lynne Road – New Causeway Infrastructure at Grosses Creek Crossing \$418,000

16.1 STRONGER COUNTRY COMMUNITIES FUND 2017-18 - CONFIRMATION OF GRANT AMOUNTS SOUGHT VIA TRANCHE B
ON 13TH SEPTEMBER 2017

Dry Plains Road – New Causeway Infrastructure at Bridle Creek Crossing \$403,000

Bombala Racecourse Amenity Improvement Works \$517,472*

Jindabyne Boat Ramp Facility & Beautification Upgrades \$250,000

Bombala Platypus Reserve Upgrades \$218,502*

Upgrade to foyer and change rooms at Cooma Basketball & Gymnastics Facility \$160,000

Playground Upgrade at Cooma North Business Precinct \$35,000

Note: Dates for SCCF 2018/19 (Round 2) are yet to be advised.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

All 7 Community Strategic Plan (CSP) key directions benefit from collaboration, advocacy and seeking additional funding streams. The nominated projects are diverse in nature, with Council striving to better reflect modern infrastructure requirements and community expectations.

2. Environmental

The content and recommendations of this report are not considered to have any detrimental environmental impacts.

3. Economic

A concerted approach to advocating and identifying appropriate grant funding opportunities for Council initiatives, on behalf of the community, improves the financial sustainability of Council. Some of the projects referenced in this report seek funding for elements that will integrate with other funding streams &/or sources to deliver enhanced value for the community.

4. Civic Leadership

A proactive grant sourcing approach, when combined with project prioritisation (and the subsequent matching to a suitable funding stream), aligns strongly with the role and responsibilities of Council as set out in the Local Government Act. Specifically, Council's Charter as defined in Section 8 of the Act references:

- To raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants.
-

16.2 TABLING OF DISCLOSURES OF PECUNIARY INTEREST RETURNS

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Manager Corporate/Governance
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1.1.1 Ensure that legislative obligations are met throughout all Council departments.
Operational Plan Action:	OP7.4 Ensure statutory registers are maintained and publicly available.
Attachments:	1. List of Designated Persons Positions ↓
Cost Centre	Corporate Services/Governance
Project	Tabling of Disclosures by Councillors and Designated Persons Section 499 Returns
Further Operational Plan Actions:	OP7.4 Completion of reporting requirements in accordance with legislation OP7.8 Ensure that governance structures are open, transparent and fully accountable and these are supported by relevant instruments.

EXECUTIVE SUMMARY

Pursuant to Section 449(3) of the Local Government Act 1993, Councillors and staff holding a designated position as at 30 June in any year must complete a Disclosures by Councillors and Designated Persons return and lodge it with the General Manager within three months of that date.

Section 449(1) of the Local Government Act 1993 states that “A councillor or designated person must complete and lodge with the General Manager, within 3 months after becoming a councillor or designated person, a return in the form prescribed by the regulations.” Therefore, incoming Councillors will be required to complete a return by 15 December 2017.

Two staff members, Group Manager Governance and Group Manager Resource and Waste Management have submitted returns under the act within the first three months of employment.

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

OFFICER’S RECOMMENDATION

That Council

- A. Note the tabling of the Disclosure of Pecuniary Interest Returns for designated staff for the period 1 July 2016 to 30 June 2017.
- B. Note the tabling of the Disclosures by Councillors and Designated Persons Returns for Group Manager Governance and Group Manager Resource and Waste Management as required by the act within the first three months of employment.

- C. Ensure that the returns are available for inspection at the Berridale, Cooma, Bombala and Jindabyne Branch Offices.
- D. Note that Councillors will be required to submit a return by 15 December 2017.

BACKGROUND

Section 441 of the LGA, specifies those who are required to make disclosures of interest. Those required include Councillors, General Managers, other Senior Staff of Council or other members or delegates of the Council designated by the Council because of the type of Council functions they perform.

Following approval of the organisation structure on 30 June 2017, a review of staff positions was carried out. A list of those staff positions identified as falling within the definition of designated persons was compiled. A total of 96 positions were identified – a list of those positions is attached. This list will be further refined in the next 12 months. The list was approved by the General Manager and staff members in those positions were requested to complete a return.

Council is required to keep a Pecuniary Interest Register containing the returns of Councillors and designated persons. Copies of these returns may be viewed at the Berridale, Cooma and Bombala Branch Offices.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Returns disclosing the interests of councillors and designated persons are required to be made publicly available for viewing under the Government Information (Public Access) Act and the GIPA Regulation 2009.

The Privacy and Information Commissioner has made guidelines to assist councils to determine how to disclose this information in a way that promotes the public interest but also protects the privacy and safety of the individuals making the return.

These guidelines provide that the requirement in Schedule 1 (2)(2)(a) of the GIPA Regulation that the returns of councillors and designated persons be released as part of local councils' open access information should be interpreted as follows:-

- The returns should be made publicly available for inspection free of charge.
- Copies may be made in accordance with the GIPA Regulation Part 2(4)(b).
- Local councils should note clearly on their website that the returns are available for inspection at council offices during ordinary business hours.
- Information contained in the returns should not be placed on the website of a local council.

2. Environmental

The recommendation contained in this report will not have any impacts on environmental sustainability.

3. Economic

The collection and reporting of Pecuniary Interest Returns is funded from the salaries and wages of the Corporate Governance Cost Centre in the 2018 budget.

4. Civic Leadership

Completion of these returns enables the public to see that Council's activities are conducted in an open and transparent manner.

LIST OF POSITIONS OCCUPIED BY DESIGNATED PERSONS @ 30 JUNE 2017

Executive Office
General Manager
Executive Manager Innovation & Business Development
Organisational Risk Officer
Internal Auditor
Operations and Infrastructure
Director Operations & Infrastructure
Group Manager Transport Infrastructure
Manager Maintenance
Team Leader- Maintenance
Team Leader (Reactive Maintenance)
Manager Construction
Team Leader – Construction
Team Leader – Contracts and Major Projects
Operations Technical Officer
Environmental Technical Officer
Assets Inspection Officer
Quarry Operations Officer
Group Manager Water and Waste Water Services
Manager – Water and Wastewater
Supervisor – Water Operations
Supervisor – Waste Water Operations
Team Leader – Water and Waste Water Network Operations
Water and Wastewater Engineer
Team Leader – Planning and Compliance
Capital Projects Engineer
Backflow and Liquid Trade Waste Officer
Group Manager Asset Management and Engineering Services
Team Leader Assets and Engineering Services
Design Engineer
Development Engineer
Manager – Fleet and Plant
Group Manager Facilities Management
Manager Land and Property
Land and Property Officer
Manager Open Space and Recreation
Environment and Sustainability
Director of Environment and Sustainability
Group Manager – Resource and Waste Management
Manager Resource and Waste Facilities
Manager Resource and Waste Services
Group Manager Environmental Management
Manager Public Health and Environment
Environmental Officer – On Site Sewage Management
Environmental Health Officer

Rangers x 4
Manager Vegetation Management
Vegetation Management Officers x 5
Group Manager Development and Building Certification
Manager Development
Duty Town Planner
Town Planner x 2
Secretary Council and Committees
Supervisor Records Management
Team Leader ICT
Team Leader Customer Service
Group Manager Chief Financial Officer
Team Leader Finance
Financial Accountant
Management Accountant
Revenue Officer
Grants Officer
Supervisor Organisational Procurement
Purchasing Officer Cooma Depot
Storeman – Berridale Depot
Storeman – Bombala Depot
Group Manager People and Culture
Group Manager Community Support Services & Aged Care
On Site Manager Yallambee
On Site Manager Snowy River Hostel
Manager Community Support Services
Manager Library Services

16.3 APPOINTMENT OF DELEGATES TO EXTERNAL ORGANISATIONS TO SEPTEMBER 2019

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Manager Corporate/Governance
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1.1.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.
Operational Plan Action:	OP7.8 Ensure that appropriate governance structures are in place enabling open, transparent government.
Attachments:	1. Amended SMRC 72 Code of Meeting Practice ↓
Cost Centre	Mayor and Council
Project	Operational Activity
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

A list of external organisations that Council has previously nominated a representative to was tabled at the 27 September meeting of Council where Council resolved to:-

- A) Note the External Committees that Snowy Monaro Regional Council has representation on.
- B) Defer consideration of nominations to the External Committees until the October Ordinary Meeting of Council.

Council now needs to decide what external organisations it wishes to nominate a representative to and what that representation is. To align with the terms of the Mayor and Deputy Mayor it is suggested that the term of nomination to these committees also be for two years. This will require a minor amendment to Part 9, Section 76 of SMRC 72 Code of Meeting Practice as follows to:-

76 – Election of Deputy Mayor and Delegates to Committees

The Deputy Mayor shall, by resolution, be elected in accordance with Section 231 of the Local Government Act 1993.

Delegates to community committees and affiliated bodies, including Chairpersons where necessary, shall by resolution, be elected for the same term to that of the Deputy Mayor.

The method of election for all positions shall be determined by Council.

From

76 – Election of Deputy Mayor and Delegates to Committees

The election of the Deputy Mayor shall, by resolution, be elected in accordance with Section 231 of the Local Government Act 1993.

At a meeting in September each year, Council shall by resolution, elect persons to all positions, including Chairpersons and delegates to all community committees and affiliated bodies.

The method of election for all positions shall be determined by Council.

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

OFFICER'S RECOMMENDATION

That Council

- A. Adopt the amendment to SMRC 72 Code of Meeting Practice so that Part 9, Section 76, reads
76 – Election of Deputy Mayor and Delegates to Committees

The Deputy Mayor shall, by resolution, be elected in accordance with Section 231 of the Local Government Act 1993.

Delegates to community committees and affiliated bodies, including Chairpersons where necessary, shall by resolution, be elected for the same term to that of the Deputy Mayor.

The method of election for all positions shall be determined by Council.

- B. Nominate representative/s to those external committees that it wishes to continue representation on until September 2019.

BACKGROUND

Council maintains links with a range of community based and other organisations via representation on relevant committees. Such representation is usually by appointment of either elected members or members of staff as delegates.

Delegates generally have voting rights as representatives of Council on such committees, although the extent of this does vary between committees. Delegates have a responsibility to Council, as its representative, to vote in accord with Council policy and to keep Council informed of the activities of the committee in question.

By appointing delegates, Council is delegating authority to those persons to act on its behalf in accordance with the provisions of s355 (e) of the Local Government Act 1993. The delegation of power by Council is exercised under s377 of the Act. It is further noted Council is precluded under s377 from delegation of its powers to employees other than to the General Manager.

Only the General Manager (s378) may delegate those of his powers to an employee of Council, which have been formally delegated to him by Council. Thus, where a staff appointment is to be made, the delegation from Council will show the General Manager's name as the delegate and where delegated by the General Manager, the name of the employee of Council. It is proposed that formal instruments of delegation be drawn up in terms of the delegation as noted in the recommendation. This will enable consistency to be maintained with s380 of the Act, which requires review of delegation.

Following is a list of External Committees that Snowy Monaro Regional Council has nominated representatives to in the past. A brief explanation of the purpose of these committees is also provided.

Name of Committee	Council Representation	Purpose
Aboriginal Liaison Committee	Councillor & Staff from the community development area	Provides a forum to liaise with traditional custodians on a number of issues.
ANU Medical School - Community Advisory Committee Board	Councillor	This committee was formed as a communication link between the ANU Medical School and the community. Meetings of the Board are held once a year at the ANU in Canberra.
Cooma Correctional Centre Community Consultative Committee	Mayor	<ul style="list-style-type: none"> • assist in the development and maintenance of a positive relationship with the local community; • provide a forum for local community consultation and comment on correctional programs and procedures; • facilitate the involvement of the local community in correctional centres programs; • provide a mechanism to identify appropriate programs in which the correctional centre can participate and assist in the local community; and • assist in the establishment of worthwhile community partnerships.
Community Safety Precinct Committee	Councillor	This is a group formed by the Regional Police Command to gain input from the local community. It provides feedback on the activities of the police and their crime statistics and allows the Council to bring up matters of concern.
Local Traffic Committee	Councillor and staff from Operations and Infrastructure	This is an advisory body only, having no decision making powers. It is, primarily, a technical review committee that is required to advise the Council on traffic related matters referred to it by Council. It is chaired by a council staff member, presently the Development Engineer.
District Bush Fire	Councillor	Plans for bush fire prevention in the region and

16.3 APPOINTMENT OF DELEGATES TO EXTERNAL ORGANISATIONS TO SEPTEMBER 2019

Management Committee		is comprised of various stakeholders.
Monaro Regional Interagency	Councillor & Staff from community development area	This is a forum of government agencies that deliver both health and community/social services across the region, including those services delivered by Council.
Jindabyne Liquor Accord	Councillor & Staff from community development area	This is an industry based organisation working to introduce practical solutions to <i>liquor</i> -related problems with an aim to reduce alcohol-related issues, anti-social behaviour and violence centring on the Jindabyne area
Southern Monaro Local Emergency Management Committee (LEMC)	GM and staff from Operations and Infrastructure	Co-ordination of emergency services. Membership is set by legislation and this is a statutory Committee that Council is required to participate in. The Committee is chaired by the GM who is a voting member. The Local Emergency Management Officer (LEMO) is Group Manager Asset Management and Engineering Services with the alternate being the Storeman – Berridale Depot.
Southern Monaro Local Emergency Rescue Committee (LERC)	GM	To discuss incidents attended by emergency services organisations. Both the LEMC and LERC meet 4 times per year, the LERC immediately following the LEMC.
South East Arts	Councillor or Staff from community development area	Promotion of arts/cultural activities within the South East region. Member Councils are Eurobodalla Shire, Bega Valley Shire and Snowy Monaro Regional Council.
Boco Rock Community Fund Committee	Mayor & GM	Oversees the distribution of funds from the Boco Rock Wind Farm to community groups. Funding comes from contributions required under the development consent conditioned by the State Government. Council staff act as the secretariat.
Bundian Way Advisory Committee	Staff – Economic Development Officer	This committee is set up under the auspice of the Eden Local Aboriginal Land Council to assist with the roll out of the Bundian Way project and to provide technical expertise. Council staff sit on a number of the skills based work groups which report back to the Committee within identified timelines.
Cooma Universities Centre (CUC)	Councillor	This facility provides a place for students to carry out tertiary education by distance learning and is about to be rebranded as the Snowy Monaro Universities Centre. The CUC has

		developed an overarching Board called the Country Universities Centre which is rolling out similar centres across the state.
Delegate Progress Association	Councillor	This is a community group comprised of members of the Delegate community. It has shown itself to be a very effective body for achieving funding and outcomes.
Southern Joint Regional Planning Panel	GM & Mayor	This panel assesses designated developments within the area. Currently Council's nominated reps are the GM and Administrator. Report to follow re nominations and guidelines.
Monaro Housing Taskforce	Council and Staff from community development area	Explores options for affordable housing within the region and liaises with relevant government departments.
Snowy Mountains Neighbourhood Centre	Councillor and staff from community development area	Situated in Jindabyne, this organisation helped to connect the community and provided a focus for a range of community activities.
Upper Murrumbidgee Catchment Co-ordinating Committee	Staff from planning area	The Upper Murrumbidgee Catchment Coordinating Committee (UMCCC) is a community based organisation made up of agencies and groups that are responsible for natural resource management in the upper Murrumbidgee catchment. The UMCCC operates as a regional cross border network to enhance communication between agencies and groups in NSW and the Australian Capital Territory which lie wholly within the upper catchment of the Murrumbidgee River.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Appointment of Council delegates to these Community based Committees recognises and promotes people's rights and improve the accountability of decision makers as well as giving people better opportunities for genuine participation and consultation about decisions affecting their lives.

Representation on these committees shows our community that Council is interested and willing to engage with its community on a number of issues through various forums.

2. Environmental

Appointment of Council delegates to community based Committees will assist Council in meeting the objectives of sustainability at the local level by meaningful participation in forums with organisations that contribute to our future.

Following receipt of minutes of external and internal advisory committees, Council will ensure that any resulting recommendations requiring a decision from Council considers quadruple bottom line reporting, including environmental sustainability.

Council's consideration and appointment of delegates to committees itself will not have a negative impact on environmental sustainability.

3. Economic

Provision has been made in the 2018 budget for the Mayor and Council to undertake civic duties as required. This budget includes representing Council on a number of external and internal advisory committees.

Executive support to Mayor and Council is provided within the salary and wages account of cost centres of Senior Management Services and Corporate Governance.

In addition, there are a number of committees that also include staff representatives as members. The cost for these staff to attend meetings etc. is allocated in the salaries and wages account of the respective budgets.

4. Civic Leadership

Delegates generally have voting rights as representatives of Council on such committees, although the extent of this does vary between committees. Delegates have a responsibility to Council, as its representative, to vote in accord with Council policy and to keep Council informed of the activities of the committee in question.



Title of Policy	SMRC 72 – Code of Meeting Practice		
Responsible Department	Governance	Document Register ID	250.2016.72.2
Policy Owner	Group Manager Governance	Review Date	September 2018
Date of Council Meeting	27 September 2017	Resolution Number	200/17
Legislation, Australian Standards, Code of Practice	Local Government Act 1993 Local Government (General) Regulation 2005 Meeting Practice Note 16 dated August 2009 and November 2005 Model Code of Conduct for Local Government Councils in NSW		
Aim	To adopt a Code of Meeting Practice which determines the conduct of Ordinary and Extraordinary meetings of Council, Committees of Council, Sub-Committees, Working Parties and Workshops of Council.		

Variation

Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.

<u>Part 1 – Preliminary</u>	3
1 <u>Definitions</u>	3
2 <u>Act and Regulation and Associated Documents</u>	4
3 <u>Notes to Text</u>	4
<u>Part 2 – Convening of and attendance at Council meetings</u>	5
4 <u>Ordinary meetings of Council</u>	5
5 <u>Extraordinary Meetings</u>	5
6 <u>Notice of Meetings</u>	5
7 <u>Quorum</u>	6
8 <u>Absence of a quorum</u>	6
9 <u>Presence at Council meetings</u>	6
10 <u>Leave of absence from a Council meeting</u>	7
11 <u>Authority to cancel a scheduled Council meeting</u>	7
<u>Part 3 – Procedure for the Conduct of Council Meetings</u>	7
12 <u>Chairperson of Council Meetings</u>	7
13 <u>Chairperson to have precedence</u>	8
14 <u>Agenda and business papers for Council meetings</u>	8
15 <u>Giving notice of business</u>	9
16 <u>Agenda for extraordinary meeting</u>	10
17 <u>Official (Mayoral) Minutes</u>	10
18 <u>Report of a representative of the Division of Local Government to be tabled at a Council Meeting</u>	11
19 <u>Order of Business</u>	11
20 <u>Minutes</u>	12
21 <u>Chairperson’s duty with respect to motions</u>	13

22	Notice of motion – absence of mover	13
23	Motions to be seconded	14
24	How subsequent motions may be moved	14
25	Motions of dissent	14
26	Petitions to be presented to Council	14
27	Public Forum	15
28	Items of correspondence	16
29	Questions may be put to Councillors	16
30	Questions may be put to Council employees	17
31	Limitations as to questions put to Council employees	18
32	Addressing Councillors	18
33	Limitation as to number of speeches	18
34	Motions put without debate	19
35	Adopting reports by exception	19
36	Voting at Council meetings	19
37	Decision of the Council	20
38	Rescinding or Altering Resolutions	20
39	Motions of adjournment	21
40	Presentations by Councillors	22
Part 4 – Keeping order at meetings		22
41	Questions of order	22
42	Acts of Disorder	23
43	How disorder at a meeting may be dealt with	23
44	Power to remove persons from a meeting after an expulsion resolution	24
Part 5 – Council Committees		24
45	Council Committees	24
46	Council may establish committees	25
47	Functions of committees	25
48	Notice of committee meetings to be given	25
49	Non-members entitled to attend committee meetings	25
50	Procedure in committees	25
51	Chairperson and Deputy Chairperson of committees	26
52	Absence from committee meetings	26
53	Reports of committees	27
54	Disorder in committee meetings	27
55	Certain persons may be expelled from Council committee meetings	27
56	Sub Committees / Working Party	27
57	Workshops	27
58	Committee of the Whole	28
Part 6 – Closure of meetings to the press and public		28
59	Closing a meeting to the press and public	28
60	Which parts of a meeting can be closed to the public?	28
61	Further limitation relating to closure of parts of meetings to the public	29
62	Notice of likelihood of closure not required in urgent cases	30
63	Grounds for closing part of a meeting to be specified	31
Part 7 – Pecuniary Interests		31
64	Pecuniary interests	31
65	Interests that need not be declared	31
66	Disclosure and participation in meetings	33
67	Powers of Minister in relation to meetings	33
68	Disclosures to be recorded	33
Part 8 – Press and Public		33
69	Public notice of meetings	34
70	Who is entitled to attend meetings?	34
71	Public access to correspondence and reports	35

Part 9 – Miscellaneous

35

<u>72</u>	<u>Disclosure and misuse of information – prescribed circumstances</u>	35
<u>73</u>	<u>Inspection of the minutes of the Council or a committee of Council</u>	35
<u>74</u>	<u>Tape recording of a meeting of Council or a committee of Council prohibited without permission</u>	36
<u>75</u>	<u>Certain circumstances do not invalidate Council decisions</u>	36
<u>76</u>	<u>Election of Deputy Mayor and delegates to committees</u>	36
<u>77</u>	<u>Mobile phones</u>	36
<u>78</u>	<u>Amendment of Code</u>	37
<u>79</u>	<u>Council Seal</u>	37
<u>80</u>	<u>Constitutional referendum</u>	37

Part 1 – Preliminary

1 Definitions

In this Code:

Amendment in relation to an original motion means a motion moving an amendment to that motion.

Authorised representative means a person who has sought and gained approval from the Chairperson to make a presentation to Council.

Chairperson

In relation to a meeting of Council, means the person presiding at the meeting as provided by clause 12 of this Code and;

In relation to a meeting of a committee, means the person presiding at the meeting as provided by clause 50 of this Code.

General Manager refers to the General Manager appointed under the Local Government Act 1993.

Committee means a committee established under clause 45, or the Council, when it has resolved itself into a Committee of a Whole.

Minister Means the Minister for Local Government

Record means a document (including any written or printed material) or object (including a sound recording, coded storage device, magnetic tape or disk, microfilm, photograph, film, map, plan or model or a painting or other pictorial or graphic work) that is or has been made or received in the course of official duties by a Councillor or an employee of Council, and in particular, includes the minutes of meetings of Council or of a committee of Council.

The Act means the Local Government Act 1993.

The Code means this Code of Meeting Practice.

The Regulation means the Local Government (general) Regulation 2005.

The Guidelines refer to the Meeting Practice Note 16 dated August 2009 issued by the Division of Local Government, Department of the Premier and Cabinet.

2 Act and Regulation and Associated Documents

- (1) This Code and its associated Codes are made as required by section 360(2) of the Act. This Code incorporates relevant provisions of the Regulation and the Act. Where there is any inconsistency between the Code and the Act or the Regulation, the provisions of the Act or the Regulation prevail.
- (2) These procedures shall be applicable to the conduct of meetings of Council, Committees, Working Parties and Workshops of Council. They shall be read in conjunction with the provisions of the Local Government Act 1993, Local Government (General) Regulation 2005, Model Code of Conduct for Local Government Councils in NSW and Meetings Practice Note No 16 November 2005.
- (3) This Code of Meeting Practice deals specifically with the procedural matters governing the conduct of Council Meetings. It does not deal with other matters which affect the rights and obligations of Councillors and staff of Council. It should therefore be read in conjunction with the following Codes, policies and guidelines:
 - Department of Local Government: Pecuniary Interest Guidelines 2006
 - Department of Local Government in association with the Local Government Association of NSW: Councillor Handbook 2012
 - Division of Local Government: Meeting Practice Note 16 2009
 - Division of Local Government: Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2013
 - Division of Local Government: The Model Code of Conduct for Councils in NSW 2013
 - Snowy Monaro Regional Council: Code of Conduct
 - Snowy Monaro Regional Council: Management of Information for Council Meetings
 - NSW Ombudsman: Good Conduct and Administrative Practice: Guidelines for state and local government 2006

3 Notes to Text

- (1) Any notes in the text of this Code are explanatory notes and do not form part of this Code. They are provided to assist with interpretation and understanding.
 - (2) Where a clause or subclause contains a reference such as (s 365) at the end of the clause or subclause, this is a reference to the relevant section of the Local Government Act 1993.
 - (3) Where a clause or subclause contains a reference such as (cl 231)) at the end of the clause or subclause, this is a reference to the relevant clause in the Local Government (General) Regulation 2005.
 - (4) Where a clause or subclause contains a reference such as (Guidelines 1.1.1) at the end of the clause or subclause, this is a reference to the Meeting Practice Note 16 dated August 2009.
 - (5) Where a clause or subclause contains no reference at the end of the clause or subclause, this indicates that this provision has been inserted by Council and is not a provision contained in the Act or Regulation.
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Part 2 – Convening of and attendance at Council meetings

4 Ordinary meetings of Council

- (1) Council is required to meet at least ten (10) times each year, each time in a different month (s 365 of the Act).
- (2) Ordinary meetings of Council shall be held according to a schedule approved by the Council. Meetings will commence at 5.30pm and conclude approximately 4 hours later, except where there is a motion from the floor for an extension of time. An extension of time can be up to half an hour. A short break in general Council Meetings is to be held at 8.00 pm to allow those in attendance to obtain light refreshments. The time allowed is to be at the discretion of the Chairperson.
- (3) Council meetings will be held at Council Chambers located at 81 Commissioner Street, Cooma due to the webcasting facilities available at this site. Council may resolve to hold its meetings at other appropriate venues from time to time. Should meetings be held outside of the Cooma Council Chambers then webcasting facilities will be unavailable.
- (4) Council meetings are recorded and live streamed to the internet for public viewing. By entering the Chambers during an open session of Council, you consent to your attendance and participation being recorded. The recording will be archived and made available on Council's website www.snowymonaro.nsw.gov.au. All care is taken to maintain your privacy; however as a visitor of the public gallery, your presence may be recorded.

5 Extraordinary Meetings

- (1) The Mayor may call an extraordinary meeting of Council if the Mayor receives a request in writing signed by at least two (2) Councillors, one of whom may be the Mayor. The Mayor must call an extraordinary meeting of Council to be held as soon as is practicable, but in any event within 14 working days after the receipt of the request (s 366 of the Act).
- (2) If the Mayor fails, within four (4) working days of receipt of a request under subclause (1), to give a direction to the General Manager for the sending of notices to Councillors for an extraordinary meeting to be held within the period specified in subsection (1), the General Manager must send a notice to each Councillor specifying that the meeting be held on the eight (8) working day following the date of the receipt of the request.
- (3) For the purpose of subclauses (1) and (2), a Saturday, Sunday or public holiday is not a working day.

6 Notice of Meetings

- (1) The General Manager must send to each Councillor, at least three (3) business days before each meeting of the Council, a notice specifying the time, place and the date on which the meeting is to be held and the business proposed to be transacted at the meeting. (s 367(1) of the Act; cl 262 of the Regulation).
 - (2) Notice of less than three (3) days may be given if an extraordinary meeting is called in an emergency, (s 367 (2) of the Act), but in no case shall notice of less than one day be given.
 - (3) A notice under this clause and the agenda for, and the business papers relating to, the meeting may be given to a Councillor in electronic form but only if all Councillors have facilities to access the notice, agenda and business papers in that form (s 367 (3) of the Act).
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- (4) Council Committees, Working Parties and Workshops can be held as required.

7 Quorum

- (1) The quorum for a meeting of Council is a majority of the Councillors present who hold office for the time being and are not suspended from office and are present at the meeting (s 368 of the Act).
- (2) Councillors with a Pecuniary Interest in a matter are not counted for the purpose of a quorum.
- (3) In determining the number of Councillors for the purpose of calculating quorum, any casual vacancies in Councillor offices and any suspended Councillors are not to be counted (Guidelines 4.2.2)

8 Absence of a quorum

- (1) A Council meeting must be adjourned if a quorum is not present:
 - (a) within half an hour after the meeting is due to start; or
 - (b) At any time during the meeting when a quorum is not present (Cl 233 (1) of the Regulation).
- (2) In either case, the meeting must be adjourned to a time, date and place fixed:
 - (b) By the Chairperson;
 - (c) In his or her absence, by the majority of the Councillors present; or
 - (d) Failing that, by the General Manager (cl 233(2) of the Regulation).
- (3) If so many Councillors disclose a pecuniary interest in a matter that the Council is unable to form a quorum to deal with the business before it, the Councillors concerned may apply to the Minister to allow them to participate in the discussion and vote on that matter (s 458 of the Act).
- (4) The General Manager must record in Councils minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of Council, together with the names of the Councillors present (cl 233 (3) of the Regulation).

9 Presence at Council meetings

- (1) A Councillor cannot participate in a meeting of Council unless personally present at the meeting (cl 235 of the Regulation).
 - (2) A Councillor shall not be deemed to be present at any meeting of the Council unless he or she is within the Council chamber. In accordance with the Meeting Practice Note, if a Councillor is anywhere in the room where the Council meeting is being held, they are considered to be 'present' for the purposes of voting. (cl 251 (1) of the Regulation).
 - (3) The General Manager is entitled to attend, but not to vote at a meeting of Council or a meeting of a committee of Council of which all the members are Councillors (s 376(1) of the Act).
 - (4) The General Manager is entitled to attend a meeting of any other committee of the Council and may, if a member of the committee, exercise a vote (s 376(2) of the Act).
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- (5) However, the General Manager may be excluded from a meeting of Council or a committee while Council or the committee deals with a matter relating to the standard of performance of the General Manager or the terms of the employment of the General Manager (s 376(3) of the Act).

10 Leave of absence from a Council meeting

- (1) A Councillor must apply for leave of absence to the Mayor, the General Manager or the Secretary Council and Committees prior to commencement of the meeting of Council, and should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent. (s 235A(1) of the Regulation).
- (2) A councillor applying for a leave of absence from a meeting of Council does not need to make the application in person and the Council may grant such leave in the absence of that Councillor (s 234(2) of the Act).
- (3) Council may resolve that an annual fee will not be paid to a Councillor or that a Councillor will be paid a reduced annual fee determined by the Council:
 - (a) For any period of not more than three (3) months for which the Councillor is absent, with or without prior leave, from an ordinary meeting or ordinary meetings of the Council; or
 - (b) In any other circumstances prescribed by the Regulation (s 254A(1) of the Act).
- (4) If a Councillor is absent, with or without the leave of the Council, from ordinary meetings of the Council for any period of more than three (3) months, the Council must not pay any annual fee, or part of an annual fee, to that Councillor that relates to the period of absence that is in excess of three (3) months (s 254A (2) of the Act).
- (5) If a Councillor is absent from three (3) consecutive ordinary meetings of the Council (unless the holder is absent because he or she has been suspended from office under section 482) without prior leave of the Council or leave granted by the Council at any of the meetings concerned, their position on Council becomes vacant (s 234(1)(d) of the Act).

11 Authority to cancel a scheduled Council meeting

There is no provision in the Act or the Regulation for a Council meeting to be abandoned or cancelled. If a notice of a meeting has been given, it must be held or at least opened. (cl 4.2.8 or Practice Note 16).

Part 3 – Procedure for the Conduct of Council Meetings

12 Chairperson of Council Meetings

- (1) The Mayor or, at the request of/or in the absence of the Mayor, the Deputy Mayor presides at meetings of Council (s 369(2) of the Act).
 - (2) If the Mayor and the Deputy Mayor are absent, a Councillor, elected to chair the meeting by the Councillors present, presides at a meeting of Council (s 369(2) of the Act).
 - (3) If no chairperson is present at a meeting of Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting. The election must be conducted by the General Manager or, in their absence, an employee of Council designated by the General Manager to conduct the election.
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- (4) If, at an election of a chairperson, two or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- (5) For the purposes of subclause (4), the person conducting the election must:
 - (a) Arrange for the names of the candidates who have equal numbers of votes to be written on similar slips; and
 - (b) Then fold the slips as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- (6) The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson (cl 236 or the Regulation).

13 Chairperson to have precedence

When the Chairperson rises or speaks during a meeting of Council:

- (a) Any Councillor then speaking or seeking to speak must, if standing, immediately resume their seat; and
- (b) Every Councillor present must be silent to enable the Chairperson to be heard without interruption (cl 237 of the Regulation).

14 Agenda and business papers for Council meetings

- (1) The General Manager must ensure that the agenda for a meeting of the Council states:
 - (a) All matters to be dealt with arising out of the proceedings of former meetings of the Council;
 - (b) If the Mayor (or the Deputy Mayor if acting for the Mayor) is the chairperson, any matter or topic that the chairperson proposes, at the time when the business paper is prepared, to put to the meeting; and
 - (c) Any business of which due notice has been given (cl 240 of the Regulation).
 - (2) The General Manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the General Manager, the business is (or the implementation of the business would be) unlawful. The General Manager must report (without giving details of the item of business) any such exclusion to the next meeting of the Council (cl 240 of the Regulation).
 - (3) The General Manager must cause the agenda for a meeting of the Council or a committee of the Council to be prepared as soon as practicable before the meeting (cl 240 of the Regulation).
 - (4) The general manager must ensure that the details of any item of business to which section 9 (2A) of the Act applies are included in a business paper for the meeting concerned. (cl 240 of the Regulation).
 - (5) Nothing in this clause limits the powers of the chairperson under clause 243.
 - (6) Business papers shall take into consideration privacy matters and avoid, where possible, personal information and personal identifiers such as names and addresses unless such information is required by legislation (Guidelines 1.4.2).
-

- (7) Business papers shall not include cheque warrants (payments made by Council) or development plans for privacy and copyright reasons. However, development plans should be made available to interested members of the public to view at the Council main office. The plans must also be brought to Council meetings by Council staff. (Guidelines 1.4.4).
- (8) Business papers shall include provision for 'questions with notice' from Councillors. Such questions must be provided in writing to the Director Corporate Services, to be asked at the meeting in accordance with notice provisions of the Regulation (cl 241 of the Regulation).
- (9) Business papers shall not include provision for 'questions without notice' from Councillors. Such questions are inconsistent with notice provisions of the Regulation which require notice to be given of matter to be discussed at Council meeting.
- (10) Business papers that have been included in the agenda of the meeting that has been sent to Councillors cannot be removed prior to the meeting. If it is proposed that the item of business not be dealt with at the meeting, Council must resolve to:
 - (a) Defer the business at the meeting, or
 - (b) not consider the matter (Guidelines 1.4.12).

15 Giving notice of business

- (1) The Council must not transact business at a meeting of the Council:
 - (a) Unless a Councillor has given notice of the business in writing by 9.30am fourteen (14) days prior to the meeting; and
 - (b) Unless notice of business has been sent to the Councillors at least three (3) days prior to the meeting, or, in the event of an extraordinary meeting called in an emergency, at least one (1) business day prior (cl 241 of the Regulation).
 - (2) A Councillor may withdraw a notice of motion submitted if advised in writing by 9.30am nine (9) days prior to the meeting. Withdrawal of a notice of motion after this date must be dealt with in accordance with Clause 14 (10) above.
 - (3) Notices of motion submitted by Councillors shall generally be limited to matters of policy, direction and resource allocation.
 - (4) Subclause (1) does not apply to the consideration of business at a meeting if the business is:
 - (a) Already before, or directly relates to a matter that is already before the Council; or
 - (b) The election of a Chairperson to preside at the meeting is provided by clause 12; or
 - (c) A matter or topic put to the meeting by the Chairperson in accordance with clause 17; or
 - (d) A motion for the adoption of recommendations of a committee of Council (cl 241 of the Regulation); or
 - (e) Contained in a report of an urgent or extraordinary nature submitted by the General Manager after the notice of the meeting has been issued but prior to the commencement of the meeting.
 - (5) Despite subclause (1), business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. However, this can only happen if:
-

- (a) A motion is passed to have the business transacted at the meeting; and
- (b) The business proposed to be brought forward is ruled by the Chairperson to be of great urgency (cl 241 of the Regulation).

Such a motion can be moved without notice.

- (6) Despite clause 250 of the Regulation, only the mover of a motion referred to in subclause (3) can speak to the motion before it is put (cl 241 of the Regulation).

16 Agenda for extraordinary meeting

- (1) The General Manager must ensure that the agenda for an extraordinary meeting of Council deals only with the matters stated in the notice of the meeting (cl 242 of the Regulation).
- (2) Despite subclause (1), business may be transacted at an extraordinary meeting of Council even though due notice of the business has not been given to the Councillors; however, this can happen only if:
 - (a) A motion is passed to have the business transacted at the meeting; and
 - (b) The business proposed to be brought forward is ruled by the Chairperson to be of great urgency
- (3) Such a motion can be moved without notice but only after the business notified in the agenda for the meeting has been disposed of (cl 242 of the Regulation).
- (4) Despite clause 250 of the Regulation, only the mover of a motion referred to in subclause (2) can speak to the motion before it is put (cl 242 of the Regulation).

17 Official (Mayoral) Minutes

- (1) If the Mayor (or deputy Mayor, if acting for the Mayor) is the chairperson at a meeting of Council, the chairperson is, by minutes signed by the chairperson, entitled to put to the meeting without notice, any matter or topic that is within the jurisdiction of Council or of which Council has official knowledge (cl 243 (1) of the Regulation).
- (2) Such a minute, when put to the meeting, takes precedence over all business on Councils agenda for the meeting. The Chairperson (but only if the Chairperson is the Mayor) may move the adoption of the minute without the motion being seconded (cl 243 (2) of the Regulation).
- (3) Mayoral minutes may be amended by the Mayor.
- (4) A recommendation made in a minute of the Chairperson (being the Mayor, or Deputy Mayor, if acting for the Mayor) or in a report made by a Council employee is, if adopted by Council, a resolution of the Council (cl 243 of the Regulation).

18 Report of a representative of the Division of Local Government to be tabled at a Council Meeting

When a report of a representative of the Division of Local Government has been presented to a meeting of Council in accordance with section 433 of the Act, Council must ensure that the report is:

- (a) Laid on the table at the meeting; and
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- (b) Subsequently available for the information of Councillors and members of the public at all reasonable times (cl 244 of the Regulation).

19 Order of Business

- (1) At any meeting of Council (other than an extraordinary meeting), the general order of business shall be as follows: (cl 239 of the Regulation).

1. Apologies
 2. Citizenship Ceremonies
 3. Presentations
 4. Public Forum
 5. Disclosure of Interest (pecuniary or non-pecuniary conflicts of interest)
 6. Matters Dealt with by Exception
 7. Adoption of Minutes from Previous Council Meeting
 8. Mayoral Minute/Announcements
 9. Adoption of Committee Minutes/Recommendations
 10. Corporate Business – Key Direction 1. Sustaining our Environment for Life
 11. Corporate Business – Key Direction 2. Expanding Connections within the Region and Beyond
 12. Corporate Business – Key Direction 3. Strengthening our Local Economy
 13. Corporate Business – Key Direction 4. Creating a Safer, Healthier and Thriving Community
 14. Corporate Business – Key Direction 5. Enhancing our Healthy, Active Lifestyle
 15. Corporate Business – Key Direction 6. Managing Development and Service Delivery
 16. Corporate Business – Key Direction 7. Providing Effective Civic Leadership and Citizen Participation
 17. Reports by General Manager
 18. Notice of Motion
 19. Motions of Urgency
 20. Questions with notice
 21. Questions taken on notice
 22. Confidential Matters
- (2) The order of business fixed under subclause (1) may be altered if a motion to that effect is passed. Such a motion can be moved without notice (cl 239 of the Regulation).
- (3) Despite clause 250 of the Regulation only the mover of a motion referred to in subclause (2) may speak to the motion before it is put (cl 239 of the Regulation).
- (4) Public notice of the time and place of ordinary Council meetings must be given and published in a local newspaper, at least two (2) weeks prior to the meeting.
Notice of less than three (3) business days may be given for an extraordinary meeting called in an emergency.
- (5) Condolences may be given at Council meetings under the following set of circumstances:
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- The passing of a current or retired local State or Federal Member of Parliament
 - The passing of a current or retired Councillor of Snowy Monaro Regional Council
 - The passing of a community representative who, in the opinion of the Chairperson, has contributed significantly to the local community of the Snowy Monaro Regional Council.
 - The passing of a community volunteer who, in the opinion of the Chairperson, has worked tirelessly within or for the local community of Snowy Monaro Regional Council.
- (6) A minutes silence will be observed following the condolences being given.
- (7) The Chairperson, however, can still use their discretionary powers to give condolences for the passing of a person or persons outside the circumstances above.

20 Minutes

- (1) Council must ensure that full and accurate minutes are kept of the proceedings of a meeting of Council (s 375 (1)). The following matters must be included in the minutes of Council meetings:
- Details of each motion moved and of any amendments (cl 254 (a) of the Regulation);
 - The names of the mover and seconder of each motion and amendment (cl 254 (b) of the Regulation);
 - Whether each motion and amendment is passed or lost (cl 254 (c) of the Regulation);
 - The circumstances and reasons relating to the absence of a quorum together with the names of the Councillors present (cl 233 (3) of the Regulation);
 - The names of the Councillors who voted for a motion in a division and those who voted against it (cl 251 (4)). Note that a division is always required when a motion for a planning decision is put at a meeting of the Council (s 375A of the Act).
 - A report of the proceedings of the Committee of the Whole, including any recommendations of the Committee (cl 259 (3) of the Regulation).
 - The dissenting vote of a Councillor, if requested (cl 251 (2) of the Regulation).
- (2) The Local Government Act 1993 provides that the following matters must be included in the minutes of Council meetings (cl 259 (3) of the Regulation):
- The grounds for closing part of a meeting to the public (s 10D);
 - The report of a Council Committee leading to a rescission or alteration motion (s 372 (6) of the Act);
 - The disclosure to a meeting by a Councillor of a pecuniary interest (s 453 of the Act).
- (3) The confirmation of the minutes of a meeting, including extraordinary meetings, not previously confirmed must be dealt with at the next ordinary meeting of Council.
- (4) A motion or discussion with respect to such minutes shall not be in order except with regard to their accuracy as a true record of the proceedings.
- (5) Minutes may be confirmed at an extraordinary meeting of Council.
- (6) The minutes must, when they have been confirmed at a subsequent meeting of Council, be signed by the person presiding at that subsequent meeting (s 375 (2) of the Act).
- (7) For the purposes of compiling the minutes of meetings, each meeting shall be recorded, with the recordings kept, other than by resolution of Council, only until the minutes of that meeting are
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confirmed by Council and the recordings can be disposed of in accordance with the *General Records Disposal Schedule for Local Government*.

- (8) When Council makes a decision against the recommendation of officers or Council engaged experts, it should minute the reasons for this. Minuting the reasons for Council's decision is particularly important when determining development applications against the recommendation of Council officers. This process can reduce the cost to Council, of Land and Environment Court litigation, as well as achieving transparency and accountability in decision-making.
- (9) Minutes of closed parts of Council meetings must include the details of all motions and amendments; the names of their movers and seconders; and whether the motions are passed or lost.
- (10) Council should, where possible, display the meeting business paper and minutes on a screen during the meeting for the information of Councillors and the public.

21 Chairperson's duty with respect to motions

- (1) It is the duty of the Chairperson at a meeting of Council to receive and put to the meeting any lawful motion that is brought before the meeting.
- (2) The Chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.
- (3) Any motion, amendment or other matter that the Chairperson has ruled out of order is taken to have been rejected (cl 238 of the Regulation).

22 Notice of motion – absence of mover

In the absence of a Councillor who has placed a notice of motion on the business paper for a meeting of Council:

- a) Any other Councillor may move the motion at the meeting; or
- b) The Chairperson may defer the motion until the next meeting of Council at which the motion can be considered (cl 245 of the Regulation).

23 Motions to be seconded

- (1) A motion or an amendment cannot be debated unless or until it has been seconded. This clause is subject to clauses 18 (2) and 34 (5) (cl 246 of the Regulation).
 - (2) Notwithstanding subclause (1), the mover of a motion may be allowed by the Chairperson to speak to the motion to enable other Councillors to determine whether or not to second the motion.
 - (3) The seconder of a motion or of an amendment may reserve the right to speak later in the debate.
 - (4) To ensure the accuracy of decision, Councillors should hand a copy of any lengthy motions in writing to the Chairperson.
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24 How subsequent motions may be moved

- (1) If an amendment has been accepted or rejected, a further amendment can be moved to the motion in its original or amended form (as the case may be), and so on, but not more than one motion and one proposed amendment can be made before Council at any one time (cl 247 of the Regulation)
- (2) It is permissible to debate the motion and an amendment concurrently.
- (3) It is permissible during the debate on an amendment for a further amendment to be foreshadowed. However, any such foreshadowed amendment shall not be moved and debated until the amendment is dealt with.
- (4) An amendment shall be ruled out of order by the Chairperson if, in the opinion of the Chairperson, it directly contradicts the motion being debated.

25 Motions of dissent

- (1) A Councillor can, without notice, move dissent from the ruling of the Chairperson on a point of order. If that happens, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent (cl 248 of the Regulation).
- (2) If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the Chairperson must restore the motion or business to the business paper and proceed with it in due course (cl 248 of the Regulation).
- (3) Despite clause 250 only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply (cl 248 of the Regulation).
- (4) After the mover and Chairperson have spoken, the motion of dissent shall be immediately put to Council.

26 Petitions to be presented to Council

- (1) A Councillor may present a petition to Council.
 - (2) The Chairperson must not permit discussion on the petition.
 - (3) All petitions received by Council shall be made available to Councillors for their information and consideration
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27 Public Forum

Council meetings are recorded and live streamed to the internet for public viewing. By entering the Chambers during an open session of Council, you consent to your attendance and participation being recorded. The recording will be archived and made available on Council's website www.snowymonaro.nsw.gov.au. All care is taken to maintain your privacy; however as a visitor of the public gallery, your presence may be recorded.

Notes: Items relating to complaints against individuals must be in writing and addressed to the General Manager and will be processed in accordance with Council's complaints handling system. These items will not be heard in Public Forum.

(1) Public Forum

- (a) Any resident or ratepayer of Snowy Monaro Regional Council or any authorised representative may request to make a presentation or representation to Councillors on any matter.
- (b) Thirty (30) minutes of Council meetings are available for members of the public to address the Council or submit questions, either verbally or in writing.
- (c) These Public Forum sessions form part of Council meetings and will be recorded in those meetings minutes.
- (d) Members of the public are permitted a maximum of five (5) minutes to address the Council. A three (3) minutes extension of time may be granted if deemed necessary by the Council.
- (e) If the matter relates to a development application or rezoning request, the applicant shall be granted a right of reply, if requested following the presentation of objections on the specific agenda item.
- (f) A maximum of three (3) representations for, and three (3) representations against, may be made on any matter.
- (g) Presentations or representations must be limited to matters which, in the opinion of the Chairperson, are under the jurisdiction or influence of Council.

(2) Representations and Presentations

- (a) People wishing to use Powerpoint presentations, or require maps or photos to be displayed on screen must provide their electronic files to the Secretary Council and Committees by 4.00pm the business day prior to the meeting.
 - (b) So as to improve transparency and accountability to the public, each speaker must provide the following details:
 - His or her name;
 - The organisation or group that he or she is representing (if applicable);
 - Details of the issue addressed and the item number of the report in the Business Paper;
 - Where he or she is opposing or supporting the matter (if applicable); and
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- The interest of the speaker (for example, affected person, neighbour, applicant, interested citizen, etc).
- (c) Speakers shall observe proper meeting procedure and be subject to the same rules of decorum and order as the Councillors. In this regard, personal allegations against Councillors, the Mayor, Council staff or any other persons shall not be made. It should be noted that speakers at Council meetings do not enjoy absolute legal protection (parliamentary-style privilege) and that any offensive or defamatory remarks about any other person may render him or her liable to legal action. Items relating to complaints against individuals must be in writing and addressed to the General Manager and will be processed in accordance with Council's complaints handling system. These items will not be heard in Public Forum.
- (d) The Chairperson may, at any time and at the Chairpersons absolute discretion, withdraw the permission to speak of any member of public if the Chairperson considers that the conduct of that member of the public disrupts the meeting or is inconsistent with the good order of the meeting or is in breach of Councils Code of Meeting Practice.
- (e) Upon withdrawal by the Chairperson of the permission to speak of a member of the public, the Chairperson may direct the member of the public to cease speaking and resume his or her position in the public gallery.
- (f) The failure of a member of the public to comply with the Chairperson's direction shall constitute disorderly conduct.
- (g) Council will not make a decision on a presentation/deputation at the meeting unless the Council resolves that it is a matter of urgency that needs a decision prior to the next Council meeting.

28 Items of correspondence

Any Councillor or the General Manager may request to have any item of Council correspondence placed on the agenda paper, providing such a request is made to the Secretary Council and Committees by 9.30am nine (9) days prior to the meeting

29 Questions may be put to Councillors

- (1) A Councillor may, through the Chairperson, put a question to another Councillor (cl 249 of the Regulation).
 - (2) Questions directed to Councillors must be submitted in writing to the Secretary Council and Committees by the close of business nine (9) days prior to the meeting, to enable the question to be circulated to the Councillor to whom the question is directed, and if necessary, to enable that Councillor to make reference to other persons or to documents (cl 249 of the Regulation).
 - (3) The Councillor must put every such question directly, succinctly and without argument (cl 249 of the Regulation).
 - (4) The Councillor, of whom the question has been asked, shall have the right to determine whether to answer the question.
 - (5) The Chairperson must not permit discussion on any reply or refusal to reply to a question put to a Councillor under this clause (cl 249 of the Regulation).
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- (6) Nothing in this clause affects questions being asked, with the leave of the Chairperson, relevant to any matter under discussion at a meeting.

30 Questions may be put to Council employees

- (1) A Councillor may, through the General Manager, put a question to a Council employee (cl 249 of the Regulation).
- (2) Questions may be put to a Council employee either verbally or in writing, but any question which is put verbally must also be submitted in writing through the Secretary Council and Committees at the conclusion of the meeting at which it is asked.
- (3) Questions put to a Council employee may be answered immediately or taken on notice for reply in writing within a period of three (3) days prior to the next scheduled Council meeting where:
- a) the subject question is classified as normal business;
 - b) the answering of the question will utilise no more than two (2) hours of staff time;
 - c) the answering of the question will not incur more than \$500 in external costs.

In the event that the relevant information needed to answer the question properly is not available, the response is to be provided within a timeframe agreed between the questioning Councillor and the Council employee (cl 249 of the Regulation).

- (4) Where the question is determined to be classified as non-council business or will utilise more than two (2) hours of staff time or incur in excess of \$500 in external costs, the Councillor will be invited to submit the matter to Council for determination, in the form of a notice of motion.
- (5) Questions taken on notice by a Council employee shall be answered directly to the questioning Councillor.
- (6) The Chairperson must not permit discussion on any reply or refusal to reply to a question put to a Council employee under this clause (cl 249 of the Regulation).
- (7) Nothing in this clause affects questions being asked, with the leave of the Chairperson, relevant to any matter under discussion at a meeting.
- (8) Questions asked in accordance with this clause shall generally be limited to matters of policy, direction, resource allocation or broad public interest. Operational and maintenance questions should ideally be referred directly to Council's relevant Director.
- (9) Where the question proposes or may result in a change in current policy or procedure, or contravenes a previous Council resolution, a notice of motion must be submitted if the Councillor wishes the matter to be pursued.
- (10) Senior Staff of Council are available to meet with Councillors in Chambers between 3.30 pm and 4.30 pm, the day of the scheduled Council meeting, should they have any questions or seek clarification on any points, relating to the items listed on the current business paper. No appointments are necessary.

31 Limitations as to questions put to Council employees

- (1) Wherever possible, Councillors shall endeavour to ask questions relating to business paper items prior to the Council meeting at which the item is to be considered by either contacting the
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relevant Director directly, or by attending the open senior staff Councillor briefing session held in Chambers between 3.30pm and 4.30pm the day of the scheduled Council meeting. This enables the Director to appropriately research and respond to the question.

- (2) Where it is necessary to ask questions during a Council meeting, such questions should be limited to those necessary to assist a Councillor in determining whether to move, support or oppose a motion or amendment relating to a matter currently being debated by Council.
- (3) If a Councillor asks a question during a Council meeting which, in the opinion of the Chairperson, is not relevant to the matter which is before Council or could not reasonably be expected to assist the Councillor in determining whether to move, support or oppose a motion or amendment relating to the matter before Council, the Chairperson may rule the question out of order.
- (4) If during the debate on a matter before Council a Councillor asks two questions which are ruled to be out of order by the Chairperson in accordance with subclause (3), the Councillor shall not be permitted to ask any further questions in relation to that matter.
- (5) Nothing in this clause precludes a Councillor from exercising their right to debate a motion or amendment.
- (6) Nothing in this clause prevents a Councillor from submitting questions in writing to be answered after the meeting.

32 Addressing Councillors

Councillors shall at all times be addressed by their official designation. Eg Mayor or *Councillor X*, if the Chairperson is the Mayor he/she is to be addressed as *Mr Mayor* or *Madam Mayor*. When the Chairperson is not the Mayor he/she is to be addressed as *Mr/Madam Chair* or *Mr/Madam Chairperson*.

If a Councillor is prevented by physical infirmity, shall seek the call to speak by raising their hand.

33 Limitation as to number of speeches

- (1) A Councillor who, during a debate at a meeting of the Council, moves an original motion, has the right of general reply to all observations that are made by another Councillor during the debate in relation to the motion and to any amendment to it, as well as the right to speak on any such amendment (cl 250 of the Regulation).
- (2) A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it (cl 250 of the Regulation).
- (3) A Councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time. However, the Chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding (cl 250 of the Regulation).
- (4) Despite subclauses (1) and (2), a Councillor may move that a motion or an amendment be now put:
 - a) If the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it or;

- b) If at least two Councillors have spoken in favour of the motion or amendment and at least two Councillors have spoken against it (cl 250 of the Regulation).
- (5) The Chairperson must immediately put to the vote, without debate, a motion moved under subclause (4). A seconder is not required for such a motion (cl 250 of the Regulation).
- (6) If a motion that the original motion or an amendment be now put is passed, the Chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised his or her right of reply under subclause (1) (cl 250 of the Regulation).
- (7) If a motion that the original motion or an amendment be now put is rejected, the Chairperson must allow the debate on the original motion or the amendment to be resumed (cl 250 of the Regulation).

34 Motions put without debate

Provided there is no objection from any Councillor present, any motion or recommendation before the Council may be put to the vote without discussion or debate.

35 Adopting reports by exception

- (1) Staff reports under the heading of *Committee Report (b) or Information Only (c)* may be adopted by a single motion.
- (2) The Chairperson shall invite each Councillor to nominate any reports that they wish dealt with separately.
- (3) The Chairperson shall call for a mover and seconder to the following resolution: *'That the reports and recommendations as listed in Staff Reports under Committee Reports and Information Only with the exception of [insert item number/s] be adopted.'*
- (4) On adoption of the motion the Chairperson will deal with each excluded report in their original order and call for a mover and seconder for each item.

36 Voting at Council meetings

- (1) Each Councillor is entitled to one vote (s 370 (1) of the Act).
 - (2) However, the Chairperson has, in the event of an equality of votes, a second or casting vote (s 370 (2) of the Act).
 - (3) A councillor who is present at a meeting of Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion. This subclause does not apply to a Councillor who does not vote because he or she has a pecuniary interest or a non-pecuniary conflict of interest in the subject matter of the motion (cl 251 of the Regulation).
 - (4) If a Councillor who has voted against a motion put at a Council meeting so requests, the General Manager must ensure that the Councillors dissenting vote is recorded in the Council minutes (cl 251 of the Regulation).
 - (5) The decision of the Chairperson as to the result of a vote is final, unless:
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- a) In the case where a vote has been declared on the voices, a Councillor immediately requests a show of hands; or
 - b) The decision is immediately challenged and not fewer than two Councillors rise and demand a division (cl 251 of the Regulation).
- (6) When a division on a motion is demanded, the Chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are respectively recorded in the Councils minutes (cl 251 of the Regulation).
 - (7) In conducting a division, the Chairperson will declare that a division is called and then ask for a show of hands of those voting in favour of the motion and those who vote against it are respectively recorded in the councils minutes (cl 251 of the Regulation).
 - (8) Voting at a Council meeting, including voting in an election at such a meeting is to be by open means (such as on the voices or by show of hands). However, the Council may resolve that the voting in any election by Councillors for Mayor or Deputy Mayor is to be by secret ballot (cl 251 of the Regulation).
 - (9) Voting on all matters relating to planning decisions (development application, an environmental planning instrument, a development control plan or a development contribution plan) s 375 (a) of the Act).
 - (10) Voting on all matters relating to Council tenders shall be recorded in the minutes.
 - (11) Councillors cannot participate in a meeting by video conferencing or tele-conference. There are no 'proxy' votes at Council or Committee meetings.
 - (12) Councillors who have a pecuniary interest in a matter cannot be present at or in sight of the meeting that is considering the matter or voting on it.

37 Decision of the Council

A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council (s 371 of the Act).

38 Rescinding or Altering Resolutions

- (1) A rescission motion means a proposal under section 372 of the Act to either rescind or alter a previous resolution of Council. The rescission motion includes the proposal to rescind or alter and the proposed replacement motion.
 - (2) A resolution which has been passed by the Council shall not be altered or rescinded, except by a motion to that effect (a rescission motion) of which notice has been given. A rescission motion must be signed by at least three (3) councillors.
 - (3) A rescission motion may be given or initiated during the meeting at which the resolution to which it relates is made. Where the notice is given (30 minutes) and duly signed by three (3) councillors the motion to rescind the resolution may be put to that meeting in order to expedite the business of Council.
 - (4) Where a rescission motion is not handed in at a Council meeting, the written notice, signed by three (3) councillors, must be received by the General Manager no later than 9.30am nine (9) days
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prior to the next Council meeting and must be dealt with at the next Council meeting after it is lodged.

- (5) If a notice of rescission is lodged, no decision of Council may be acted upon until the rescission motion has been determined. Where action on a rescission motion is required before the motion can come before an ordinary Council meeting, a special or extraordinary meeting of Council may be called to deal with that one issue in accordance with clause 16 of this Code.
- (6) Only one rescission motion relating to an original motion may be put forward by any Councillor.
- (7) A rescission motion on any matter can only be lost once before a three month ban is placed on any Councillor moving a motion to the same effect.
- (8) Any rescission motion which is withdrawn by the movers shall be deemed to have been withdrawn by the consent of Council. A similar or identical rescission motion shall not be resubmitted for three (3) months.
- (9) Procedural motions in respect of the conduct of meetings and motions for adjournment may not be subject of a rescission motion.
- (10) A motion to which this clause applies may be moved on the report of a committee of Council and any such report must be recorded in the minutes (s 372 (6) of the Act).
- (11) Rescission motions at Council meetings are to be dealt with as follows:
 - i. A rescission motion is to be moved and seconded prior to any debate.
 - ii. An amendment may be moved after any motion is moved and seconded, provided that only one amendment is before the Council at any one time.
 - iii. Further amendments may be foreshadowed provided such amendments are foreshadowed before the first amendment is dealt with by the Council.
 - iv. No amendment may be moved after the first amendment is considered unless it has been foreshadowed.

39 Motions of adjournment

- (1) Council may resolve at any time to adjourn its meeting. Debate shall not be permitted on any motion for adjournment of a meeting of Council.
 - (2) If a motion for adjournment is negatived, the business of the meeting shall proceed, and it shall not be in order for any Councillor to again move a motion for adjournment within half an hour of the previous motion for adjournment being negatived.
 - (3) A motion for adjournment may specify the time, date and place of the adjourned meeting, however, if a motion for adjournment is carried but does not specify the time, date and place of the adjourned meeting, the Chairperson shall make a determination with respect to whichever of these has not been specified.
 - (4) Despite subclause (1), the Chairperson may call an adjournment of up to 15 minutes without a resolution of Council if the Chairperson considers that such an adjournment is necessary to ensure the proper conduct of the meeting.
 - (5) As an adjourned meeting is a continuation of the same meeting (not a new meeting), Council does not need to issue a new agenda and business paper for an adjourned meeting. The agenda and business paper already issued are the proper documents for the business of an adjourned
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meeting. Business not already on the agenda may only be dealt with if the urgency procedure in clause 241 (3) of the Regulation is followed.

40 Presentations by Councillors

- (1) Councillors may make a brief presentation to Council regarding a significant civic event or activity which they attended as an official representative of Council or to which all Councillors were invited (e.g. advising Councillors of the success or failure of an event held recently, reminding Councillors of a significant upcoming event, recognising the significant achievements of a staff member, advising of the receipt by Council of an award).
- (2) The total time allowed at any one meeting for presentations by any one Councillor shall be two (2) minutes.
- (3) No debate shall be entered into in regard to a matter presented in accordance with this clause.
- (4) No motions may be moved in relation to an item presented in accordance with this clause, unless the provision of clause 15 of this Code has been complied with.
- (5) Presentations that do not strictly comply with the provisions of this clause shall be ruled out of order by the Chairperson.

Part 4 – Keeping order at meetings

41 Questions of order

Councillors must act honestly and reasonably in carrying out Council functions in accordance with the Local Government Act.

In addition, Councillors must comply with Council's adopted Code of Conduct and Code of Meeting Practice.

- (1) The Chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so (cl 255 of the Regulation).
- (2) A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter (cl 255 of the Regulation).
- (3) The Chairperson must rule on a question of order immediately after it is raised, but before doing so, may invite the opinion of Council (cl 255 of the Regulation).
- (4) The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed (cl 255 of the Regulation).

42 Acts of Disorder

- (1) A Councillor commits an act of disorder if the Councillor, at a meeting of Council or a committee of Council:
 - a) Contravenes the Act or any regulation in force under the Act or contravenes this Code; or
 - b) Assaults or threatens to assault another Councillor or person present at the meeting; or
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- c) Moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of Council or a committee, or addresses or attempts to address Council or the committee on such a motion, amendment or matter; or
 - d) Insults or makes personal reflection on or imputes improper motives to any other Councillor; or
 - e) Says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring Council or the committee into contempt (cl 256 of the Regulation).
- (2) The Chairperson may require a Councillor to:
- a) Apologise without reservation for an act of disorder referred to in subclause 1(a) or (b); or
 - b) withdraw a motion or an amendment referred to in subclause (1)(c) and, where appropriate, to apologise without reservation; or
 - c) Retract and apologise without reservation for an act of disorder referred to in subclause (1)(d) or (e) (cl 256 of the Regulation).
- (3) A Councillor may, as provided by section 10 (4) or (b) of the Act, be expelled from a meeting of Council for having failed to comply with a requirement under subclause (2). The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned (cl 256 of the Regulation).
- (4) Councillors, in the course of debate, shall not introduce material which is irrelevant to the item under discussion. If a Councillor is called to order for a second time in a single speech for introducing irrelevant material, he or she shall immediately cease speaking. Failure to do so constitutes an act of disorder.

43 How disorder at a meeting may be dealt with

- (1) If disorder occurs at a meeting of Council or a committee of Council, the Chairperson may adjourn the meeting for a period of no more than 15 minutes and leave the Chair. Council, on reassembling, must, on a question put from the chair, decide without debate whether the business is to be proceeded with or not. This subclause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors (cl 257 of the Regulation).
 - (2) A member of the public may, as provided by section 10 (2)(a) or (b) of the Act, be expelled from a meeting of a Council for engaging in or having engaged in disorderly conduct at the meeting (cl 257 of the Regulation).
 - (3) Council's Code of Conduct details sanctions available for Councillor mis-behaviour in meetings. These include censure, apology, counselling, making a public finding of inappropriate conduct, and prosecution for any breach of the law (cl 12.25 and cl 12.27 of the Regulation).
 - (4) Council may seek suspension of a Councillor from civic office under section 440H of the Act, which results in that person being excluded from civic office during the period of suspension. It also means being excluded from the rights and privileges of that office during the period of suspension. If the Councillor is also the Mayor, he/she is excluded from exercising the function, rights and privileges of both Councillor and Mayor during the period of suspension.
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44 Power to remove persons from a meeting after an expulsion resolution

If a Councillor or a member of the public fails to leave the place where a meeting of Council is being held:

- a) Immediately after Council has passed a resolution expelling the Councillor or member from the meeting; or
- b) Immediately after being directed by the person presiding to leave the meeting.

A police officer, or any person authorised for the purpose by Council or person presiding, may, by using only such force as is necessary, to remove the Councillor or member from that place and, if necessary, restrain the Councillor or member from re-entering that place (cl 258 of the Regulation).

Part 5 – Council Committees

45 Council Committees

- (1) Council may, by resolution, establish such committees as it considers necessary, and is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council (s 260 of the Regulation).
- (2) As a body corporate, Council can form committees and determine their functions, powers, membership and voting rights. Membership of a Council Committee is not restricted to Councillors.
- (3) In regards to committees consisting entirely of Councillors, Council can establish such a committee only by resolution. A committee can be advisory or it can have decision-making powers as delegated by Council. A committee can only exercise Council's regulatory functions under the Act, if all of its members are either Councillors or Council employees. Advisory committees have the power to make recommendations to Council, but not to make decisions.
- (4) The Mayor is automatically the Chairperson of each Council committee consisting only of Councillors, unless he/she does not wish to be the Chairperson. Each Councillor, whether a member of a committee or not, is entitled to attend and speak at a meeting of a Council committee. However only Councillors who are members of the committee are entitled to put business on the Committee's agenda, move or second a motion at the Committee meeting or vote at the meeting.
- (5) Committee members must comply with the relevant meeting provision of the Local Government Act 1993, the Local Government (General) Regulation 2005, Council's Code of Conduct and Code of Meeting Practice.

46 Council may establish committees

- (1) Council may, by resolution, establish such committees as it considers necessary.
- (2) A committee is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by the Council (cl 260 of the Regulation).
- (3) The quorum for a meeting of a committee is to be:-
 - a) Such number of members as the Council decides; or

- b) If the Council has not decided a number, a majority of the members of the committee (cl 260 of the Regulation).

47 Functions of committees

Council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions (cl 261 of the Regulation).

48 Notice of committee meetings to be given

- (1) The General Manager of Council must send to each Councillor, at least three (3) days before each meeting of the committee, a notice specifying:
 - a) The time and place at which the date on which the meeting is to be held; and
 - b) The business proposed to be transacted at the meeting.
- (2) However, notice of less than three (3) days may be given of a committee meeting called in an emergency (cl 262 of the Regulation).
- (3) The provisions of clause 14 (2) - (4) apply to the business papers of committee meetings in the same manner as they apply to the business papers of Council meetings.

49 Non-members entitled to attend committee meetings

- (1) A Councillor who is not a member of a committee of Council is entitled to attend, and to speak at a meeting of the committee (cl 263 of the Regulation).
- (2) However, the Councillor is not entitled:
 - a) To give notice of business for inclusion in the business paper for the meeting; or
 - b) To move or second a motion at the meeting; or
 - c) To vote at the meeting (cl 263 of the Regulation).

50 Procedure in committees

- (1) Subject to subclause (3), each committee of Council may regulate its own procedure. (cl 265 of the Regulation).
 - (2) Without limiting subclause (1), a committee of Council may decide that, whenever the voting on a motion put to a meeting of the committee is equal, the Chairperson of the committee is to have a casting vote as well as an original vote (cl 265 of the Regulation).
 - (3) Voting at a committee meeting is to be by open means (such as on voices or by show of hands).
 - (4) Community representatives who are members of Working Parties and Committees are allowed to vote.
 - (5) A staff member who is a member of a Working Party or Committee, which has community representation, is allowed a vote.
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51 Chairperson and Deputy Chairperson of committees

- (1) The chairperson of each committee of Council must be:
 - a) the Mayor; or
 - b) If the Mayor does not wish to be the Chairperson of a committee – a member of the committee elected by Council; or
 - c) If Council does not elect such a member, a member of the committee elected by the committee (cl 267 of the Regulation).
- (2) Council may elect a member of a committee of Council as Deputy Chairperson of the committee. If Council does not elect a Deputy Chairperson of such a committee, the committee may elect a Deputy Chairperson (cl 267 of the Regulation)
- (3) If neither the Chairperson nor the Deputy Chairperson of a committee of Council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting Chairperson of the committee (cl 267 of the Regulation).
- (4) The Chairperson is to preside at a meeting of a committee of Council. If the Chairperson is unable or unwilling to preside, the Deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson or Deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting (cl 267 of the Regulation).

52 Absence from committee meetings

- (1) A member ceases to be a member of a committee if the member (other than the Mayor):
 - (a) Has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the members absences; or
 - (b) Has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the members absences (cl 268 of the Regulation).
- (2) Subclause (1) does not apply if all of the members of Council are members of the committee (cl 268 of the Regulation).

*Note: The expression 'year' means the period beginning 1 July and ending the following 30 June. See the Dictionary to the Act.

53 Reports of committees

- (1) If, in a report of a committee of Council, distinct recommendations are made, the decision of the Council may be made separately on each recommendation (cl 269 of the Regulation).
- (2) The recommendations of a committee of Council are, so far as adopted by the Council, resolutions of Council (cl 269 of the Regulation).
- (3) If a committee of Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must:

- (a) Make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended; and
- (b) Report the resolution or recommendation to the next meeting of Council (cl 269 of the Regulation).

54 Disorder in committee meetings

The provisions of the Act, the Regulation and this Code relating to the maintenance of order in Council meetings apply to meetings of committees of Council in the same way as they apply to meetings of Council (cl 270 of the Regulation).

55 Certain persons may be expelled from Council committee meetings

- (1) If a meeting or part of a meeting of a committee of Council is closed to the public in accordance with section 10A (2) of the Act, any person who is not a Councillor may be expelled from the meeting as provided by section 10 (2) (a) or (b) of the Act (cl 271 of the Regulation).
- (2) If any such person, after being notified of such a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer or person authorised for the purpose by Council, the committee or the person presiding, may, by using only such force as is necessary, remove the first mentioned person from that place and, if necessary, restrain the person from re-entering that place (cl 271 of the Regulation).

56 Sub Committees / Working Party

- (1) Council may from time to time create new principal committees or working groups to provide advice and guidance to Councillors and/or staff.
- (3) Council may also from time to time create management committees to manage/assist in managing council facilities. These committees cannot exercise regulatory functions. (s 355 of the Act)

57 Workshops

- (1) For equity in access to information, Council may hold workshops from time to time. Such workshops are informal gatherings to provide useful information to Councillors and/ or the public.
 - (2) Council workshops may involve Councillors, staff and may involve invited participants where necessary. There is no obligation on Councillors to attend workshops, but they are invited to every workshop.
 - (3) Council may invite the public and/ or media to attend workshops.
 - (4) Workshop briefing papers contain information but no recommendations.
 - (5) No recommendations are to be put to, and no agreement sought from, the Councillors or other participants in the course of the workshop.
 - (6) No decision-making process can form part of any particular workshop.
 - (7) Workshops are not formal meetings of Council and are therefore not constrained to the provisions of this Code for the conduct of such. Misconduct rules apply.
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58 Committee of the Whole

- (1) Council may resolve itself into a Committee of the Whole to consider any matter before the Council (s 372 of the Act).
- (2) All the provisions of this Code relating to meetings of Council, so far as they are applicable, extend to and govern the proceedings of a Committee of the Whole, except the provisions limiting the number and duration of speeches (cl 259 of the Regulation).
- (3) The General Manager, or in their absence, an employee of Council designated by the General Manager, is responsible for reporting to Council, proceedings in a Committee of the Whole. It is not necessary to report the proceedings in full, but any recommendations of the Committee must be reported. (cl 259 of the Regulation).
- (4) Council must ensure that a report of the proceedings (including any recommendations of the Committee) is recorded in the Council's minutes, however, the Council is not taken to have adopted the report until a motion for adoption has been made and passed. (cl 259 of the Regulation).

Part 6 – Closure of meetings to the press and public

59 Closing a meeting to the press and public

- (1) All meetings of Council will be held in public session, unless Council resolves that certain business should be conducted in closed session, with the press and public excluded.
- (2) Council may only conduct its business in closed session where the matter to be discussed is consistent with the provisions of clause 58; and
 - (i) where disclosure would result in unfair damage or distress to a third party; or
 - (ii) where serious damage would be caused to the interests of residents and ratepayers

60 Which parts of a meeting can be closed to the public?

- (1) Council must give prior public notice in the agenda of the intention to debate a matter in closed session. Public presentations before the proposed closed session will not be permitted unless there is a motion carried to suspend Standing Orders.
 - (2) Council, or a committee of Council, may allow members of the public to make representation to or at a meeting, before any part of that meeting is closed to the public, as to whether that part of the meeting should be closed (s 10A (4) of the Act).
 - (3) Council, or a committee of Council of which all the members are Councillors, may close to the public so much of its meetings as comprises:
 - (a) The discussion of any of the matters listed in subclause (4); or
 - (b) The receipt or discussion of any of the information so listed (s 10A (10) of the Act).
 - (4) The matter and information are the following:
 - (a) personnel matters concerning particular individuals (other than Councillors);
 - (b) the personal hardship of any resident or ratepayer;
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;
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- (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;
 - (f) matters affecting the security of the Council, Councillors, Council staff or Council property;
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
 - (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.
 - (i) Alleged contraventions of any Code of Conduct requirements applicable under section 440 of the Act;
- (5) Council, or a committee of Council of which all the members are Councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public (s 10A (3) of the Act.
- (6) The grounds on which a meeting is closed to the public must be specified in the decision to close the meeting and recorded in the minutes of the meeting.
- (7) A person (whether a Councillor or another person) is not entitled to be present at a meeting if expelled from the meeting by a resolution of the meeting.

61 Further limitation relating to closure of parts of meetings to the public

- (1) A meeting is not to remain closed during the discussion of anything referred to in clause 57 (2) of the Regulation:
- a) Except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
 - b) If the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret, unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest (s 10B (1) of the Act).
- (2) A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 60(4)(g) unless the advice concerns legal matters that:
- a) Are substantial issues relating to a matter in which the Council or committee is involved, and
 - b) Are clearly identified in the advice, and
 - c) Are fully discussed in that advice (s 10B (2) of the Act).
- (3) If a meeting is closed during the discussion of a motion to close another part of the meeting to the public, the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting.
- (4) For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
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- a) A person may misinterpret or misunderstand the discussion, or
 - b) The discussion of the matter may:
 - i. Cause embarrassment to the council or committee concerned, or to Councillors or to employees of the Council; or
 - ii. Cause a loss of confidence in the Council or committee (s 10B (4) of the Act).
- (5) In deciding whether part of a meeting is to be closed to the public, Council or the committee of Council concerned must have regard to any relevant guidelines issued by the Division of Local Government.

62 Notice of likelihood of closure not required in urgent cases

- (1) Part of a meeting of Council, or of a committee of Council of which all the members are Councillors, may be closed to the public while the Council or committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:
- a) It becomes apparent during the discussion of a particular matter that the matter is one referred to in clause 60(4)
 - b) Council or the committee, after considering any representations made under clause 60(2), resolves that further discussion of the matter:
 - i. Should not be deferred (because of the urgency of the matter); and
 - ii. Should not place in a part of the meeting that is closed to the public (s 10C of the Act).

63 Grounds for closing part of a meeting to be specified

- (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting (s 10D (1) of the Act).
- (2) The grounds must specify the following:
- a) The relevant provision of section 10A (2) of the Act;
 - b) The matter that is to be discussed during the closed part of the meeting,
 - c) The reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) and explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest (s 10D (2) of the Act).

Part 7 – Pecuniary Interests

64 Pecuniary interests

- (1) A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated as provided in section 443 of the Act (s 442 (1) of the Act).
- (2) A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in clause 61 (s 442 (2) of the Act).

65 Interests that need not be declared

The following interests do not need to be disclosed for the purposes of this part (s 448 of the Act):

- a) An interest as an elector; or
 - b) An interest as a ratepayer or person liable to pay a charge; or
 - c) An interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this Part; or
 - d) An interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to a relative of the person by the Council in the same manner and subject to the same conditions as apply to persons who are not subject to this Part; or
 - e) An interest as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not); or
 - f) An interest of a member of a Council committee as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group if the committee member has been appointed to represent the organisation or group on the committee; or
 - g) An interest in a proposal relating to the making, amending, altering or repeal of an environmental planning instrument other than an instrument that effects a change of the permissible uses of:
 - i. Which the person or another person with whom the person is associated as provided in section 443 of the Act has a proprietary interest (which, for the purpose of this paragraph, includes any entitlement to the land at law or in equity and any other interest or potential interest in the land arising out of any mortgage, lease, trust, option or contract, or otherwise); or
 - ii. Land adjoining, adjacent to or in proximity to land referred to in subparagraph (i), if the person or the other person with whom the person is associated would by reason of the proprietary interest have a pecuniary interest in the proposal; or
 - h) An interest relating to a contract, proposed contract or other matter if the interest arises only because of a beneficial interest in shares in a company that does not exceed to per cent of the voting rights of the company; or
 - i) An interest of a person arising from the proposed making by the Council of an agreement between the Council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because a relative of the person
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is a shareholder (but not a director) of the corporation or is a member (but not a member of the committee) of the association or is a partner of the partnership; or

- j) An interest of a person arising from the making by the Council of a contract or agreement with a relative of the person for or in relation to any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the Council in respect of similar matters with other residents of the area:
 - i. The performance by the Council at the expense of the relative of any work or service in connection with roads or sanitation; or
 - ii. Security for damage to footpaths or roads;
 - iii. Any other service to be rendered, or act to be done, by the Council by or under any Act conferring functions on the Council or by or under any contract;
- k) An interest relating to the payment of fees to Councillors (including the Mayor and Deputy Mayor) or;
- l) An interest relating to the payment of expenses and the provision of facilities to Councillors (including the Mayor and Deputy Mayor) in accordance with a policy under section 252 of the Act;
- m) An interest relating to an election to the office of Mayor arising from the fact that a fee for the following 12 months has been determined for the office of Mayor; or
- n) An interest of a person arising from the passing for payment of a regular account for wages or salary of an employee who is a relative of the person; or
- o) An interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a Councillor or member of a Council committee; or
- p) An interest arising from appointment of a Councillor to a body as representative or delegate of the Council, whether or not a fee or other recompense is payable to the representative or delegate.

66 Disclosure and participation in meetings

- (1) A Councillor or a member of a Council committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable (s 451 (1) of the Act).
- (2) The Councillor or member must not be present at, or in sight of, the meeting of the Council or committee:
 - a) At any time during which the matter is being considered or discussed by the Council or committee; or
 - b) At any time during which the Council or committee is voting on any question in relation to the matter.
- (3) A person who, at the request or with the consent of Council or a Council committee, gives advice on any matter at any meeting of Council or the committee must disclose the nature of any

pecuniary interest the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given (s 456 (1) of the Act).

- (4) A person does not breach this clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest (s 457 of the Act).

67 Powers of Minister in relation to meetings

The Minister may, in certain circumstances, allow a Councillor or a member of a Council committee who has a pecuniary interest in a matter with which the Council is concerned and to be present at a meeting of the Council or committee to take part in the consideration or discussion of the matter and to vote on the matter if the minister is of the opinion:

- a) That the number of Councillors prevented from voting would be so great a proportion of the Whole as to impede the transaction of business, or
- b) That it is in the interests of the electors for the area to do so (s 458 of the Act).

68 Disclosures to be recorded

A disclosure made at a meeting of Council or a Council committee must be recorded in the minutes of the meeting (s 453 of the Act).

Part 8 – Press and Public

69 Public notice of meetings

- (1) Council must give notice to the press and public of the times, dates and places of its meetings and meetings of those of its committees of which all the members are Councillors (s 9 (1) of the Act).
- (2) A notice of a meeting of Council or of a committee must be published in a newspaper circulating in the area before the meeting takes place (cl 232 of the Regulation).
- (3) The notice must specify the time and place of the meeting (cl 232 of the Regulation).
- (4) Notice of more than one meeting may be given in the same notice (cl 232 of the Regulation)
- (5) This clause does not apply to an extraordinary meeting of a Council or committee (cl 232 of the Regulation).
- (6) Council and each such committee must have available for the press and public at its offices and at each meeting copies (for inspection and taking away by any persons) of the agenda and associated business paper (such as correspondence and reports) for the meeting. (s 9 (2) of the Act).
- (7) In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public:
 - a) The agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item); and
 - b) The requirements of subsection (2) with respect to the availability of business papers do not apply to the business papers for that item of business. (s 9 (2A) of the Act).

- (8) The copies are to be available to the press and public as nearly as possible to the time they are available to Councillors. (s 9 (3) of the Act).
- (9) The copies are to be available free of charge. (s 9 (4) of the Act).
- (10) A notice given under this clause or a copy of an agenda or of a business paper made available under this clause, may in addition, be given or made available in electronic form. (s 9 (5)).

70 Who is entitled to attend meetings?

- (1) Except as provided by this Part:
 - a) Everyone is entitled to attend a meeting of the Council and those of its committees of which all the members are Councillors; and
 - b) A Council must ensure that all meetings of the Council and of such committees are open to the public. (s 10 (1) of the Act).
- (2) However, a person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or of such a committee if expelled from the meeting:
 - a) By a resolution of the meeting; or
 - b) By the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion (s 10 (2) of the Act).
- (3) A person may be expelled from a meeting only on the grounds specified in, or in the circumstances prescribed by the Regulation (s 10 (3) of the Act).

71 Public access to correspondence and reports

- (1) Council and Council committees of which all the members are Councillors must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting (s 11 (1) of the Act).
- (2) This clause does not apply if the correspondence or reports:
 - a) Relate to a matter that was received or discussed; or
 - b) Were laid on the table at, or submitted to the meeting, when the meeting was closed to the press and public (s 11 (2) of the Act).
- (3) This clause does not apply if Council or a Council committee resolves at the meeting, when open to the public, that the correspondence or reports, because they relate to a matter specified in clause 57(2) of the Regulation, are to be treated as confidential (s 11 (3) of the Act).

Part 9 – Miscellaneous

72 Disclosure and misuse of information – prescribed circumstances

- (1) If a part of a meeting of Council or a committee of Council is closed to the public in accordance with clause 60 of this policy, a person must not, without the authority of Council or the committee,
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disclose (otherwise than to the Council or Councillor of Council) information with respect to the discussion at, or the business of the meeting unless authorised to do so by section 664 of the Act (s 664 (1A) of the Act).

- (2) A breach of clause 69 (1) of the Regulation shall be treated as a breach of both the Act and Council's Code of Conduct and will be investigated in accordance with the provision of the Code of Conduct.
- (3) For the purposes of section 664 (1)(B)(c) of the Act, any disclosure made with the intention of enabling the Minister or the Chief Executive of the Division of Local Government to properly exercise the functions conferred or imposed on them by or under the Act is a prescribed circumstance (cl 412 of the Regulation).

73 Inspection of the minutes of the Council or a committee of Council

- (1) An inspection of the minutes of Council or a committee of Council is to be carried out under the supervision of the General Manager (cl 272 of the Regulation).
- (2) The general manager must ensure that the minutes of the council and any minutes of a committee of the council are kept secure and in safe custody and that no unauthorised person is allowed to interfere with them.

Note: The Government Information (Public Access) Act 2009 confers a right to inspect the minutes of a Council or committee of a Council.

74 Tape recording of a meeting of Council or a committee of Council prohibited without permission

- (1) A person may use a tape recorder to record the proceedings of a meeting of Council or a committee of Council, only with the authority of Council or the committee (Cl 273 of the Regulation).
- (2) A person may, as provided by section 10 (2)(a) or (b) of the Act, be expelled from a meeting of Council or a committee of Council for using or having used a tape recorder in contravention of this clause (cl 273 of the Regulation).
- (3) If any such person, after being notified of such a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first mentioned person from that place, and if necessary, restrain that person from re-entering that place (cl 273 of the Regulation).
- (4) In this clause, tape recorder includes a video camera, mobile phone, Ipad and any electronic device capable of recording speech, whether a magnetic tape is used to record or not (cl 273 of the Regulation).

75 Certain circumstances do not invalidate Council decisions

Proceedings at a meeting of Council or a Council committee are not invalidated because of:

- a) A vacancy in a civic office; or
 - b) A failure to give notice of the meeting to any Councillor or a committee member; or
-

- c) Any defect in the election or appointment of a Councillor or a committee member; or
- d) A failure of a Councillor or a committee member to disclose a pecuniary interest at a Council or a committee meeting; or
- e) A failure to comply with this Code (s 374 of the Act).

76 Election of Deputy Mayor and delegates to committees

The Deputy Mayor shall, by resolution, be elected in accordance with Section 231 of the Local Government Act 1993.

Delegates to community committees and affiliated bodies, including Chairpersons where necessary, shall by resolution, be elected for the same term to that of the Deputy Mayor.

The method of election for all positions shall be determined by Council.

77 Mobile phones

All mobile phones in the chamber and public gallery are to be turned off or switched to silent/vibrate.

78 Amendment of Code

This Code may be amended only in accordance with the provision of Division 1 of Part 2 of Chapter 12 of the Act, provided that the Council authorises the General Manager to reissue this Code without public exhibition in order to incorporate any relevant amendments to NSW Acts and Regulations, or relevant Practice Notes or Guidelines issued by the Division of Local Government.

79 Council Seal

- (1) Council's seal is like the signature of Council and can only be used in relation to Council business. It approves the content of the document and shows what Council has done or agreed to.
- (2) Clause 400 (4) of the Regulation requires a Council resolution before each use of the seal. The resolution must specifically refer to the document to be sealed. Council uses its seal sparingly (usually when there is a legal requirement to do so or when specifically requested to do so, e.g. by another government agency). The General Manager has been delegated to function of fixing the Council Seal to documents.
- (3) Council can resolve to approve a specific activity that requires the use of the seal on several occasions.
- (4) In deciding whether the Council seal should be used on a particular document, Council needs to consider any legislative requirements and the Regulation which states that the seal of Council must not be placed on a document unless the document relates to the business of Council.
- (5) Council Seal is kept secure by the General Manager.

80 Constitutional referendum

- (1) A constitutional referendum is a poll initiated by a council in order to give effect to a matter referred to in section 16 of the Act. (s 16 of the Act)
-

- (2) A council may not do any of the following unless approval to do so has been given at a constitutional referendum:
- (a) divide its area into wards or abolish all wards in its area;
 - (b) change the basis on which the mayor attains office (that is, by election by the councillors or by election by the electors);
 - (c) increase or decrease the number of councillors in accordance with the limits under section 224;
 - (d) change the method of ordinary election of councillors for an area divided into wards.
- (3) The decision made at a constitutional referendum binds the council until changed by a subsequent constitutional referendum.
- (4) However, such a decision does not apply to a by-election held after the constitutional referendum and before the next ordinary election.

DOCUMENTATION

Code of Meeting Practice Notification of Declaration of Interest Form

Variation

Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.

16.4 MONTHLY FUNDS MANAGEMENT REPORT - SEPTEMBER 2017

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Finance Assistant
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:	OP7.18 Effective management of Council funds to ensure financial sustainability.
Attachments:	Nil
Cost Centre	4010 Financial Services
Project	Funds Management
Further Operational Plan Actions:	OP7.2 Completion of reporting requirements in accordance with legislation.

EXECUTIVE SUMMARY

The following report details the funds management position for the reporting period ending 30 September 2017.

Cash and Investments are \$80,548,898.

Certification

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

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

OFFICER'S RECOMMENDATION

That Council

- A. Receive and note the report indicating Council's Funds Management position as at 30 September 2017.
- B. Receive and note the Certificate of the Responsible Accounting Officer.

BACKGROUND

Council's Cash and Investments 30 September 2017:

30/09/2017	Cash at Bank	Investments	Total
SMRC	11,870,506	51,908,631	63,779,137
Merger Grants		16,769,761	16,769,761
Total	11,870,506	68,678,392	80,548,898

The Cash at Bank as at 30 September was higher than usual due to an investment maturing at month end.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Total Cash and Investments are available to provide services and Infrastructure to the community in accordance with the 2018 budget, Council resolutions and other external restrictions.

2. Environmental

It is considered that the recommendations contained herein will not have any environmental impacts.

3. Economic

Total investments for Snowy Monaro Regional Council were \$68,678,392 on 30 September 2017.

Interest Income on Investments:

Adopted Budget	\$1,387,408
Annual Budget	\$1,387,408
Budget YTD	\$346,852
Interest YTD	\$501,316

The Annual Budget is subject to adjustment through the Quarterly Budget Review Statement (QBR)

Investment Portfolio Returns:

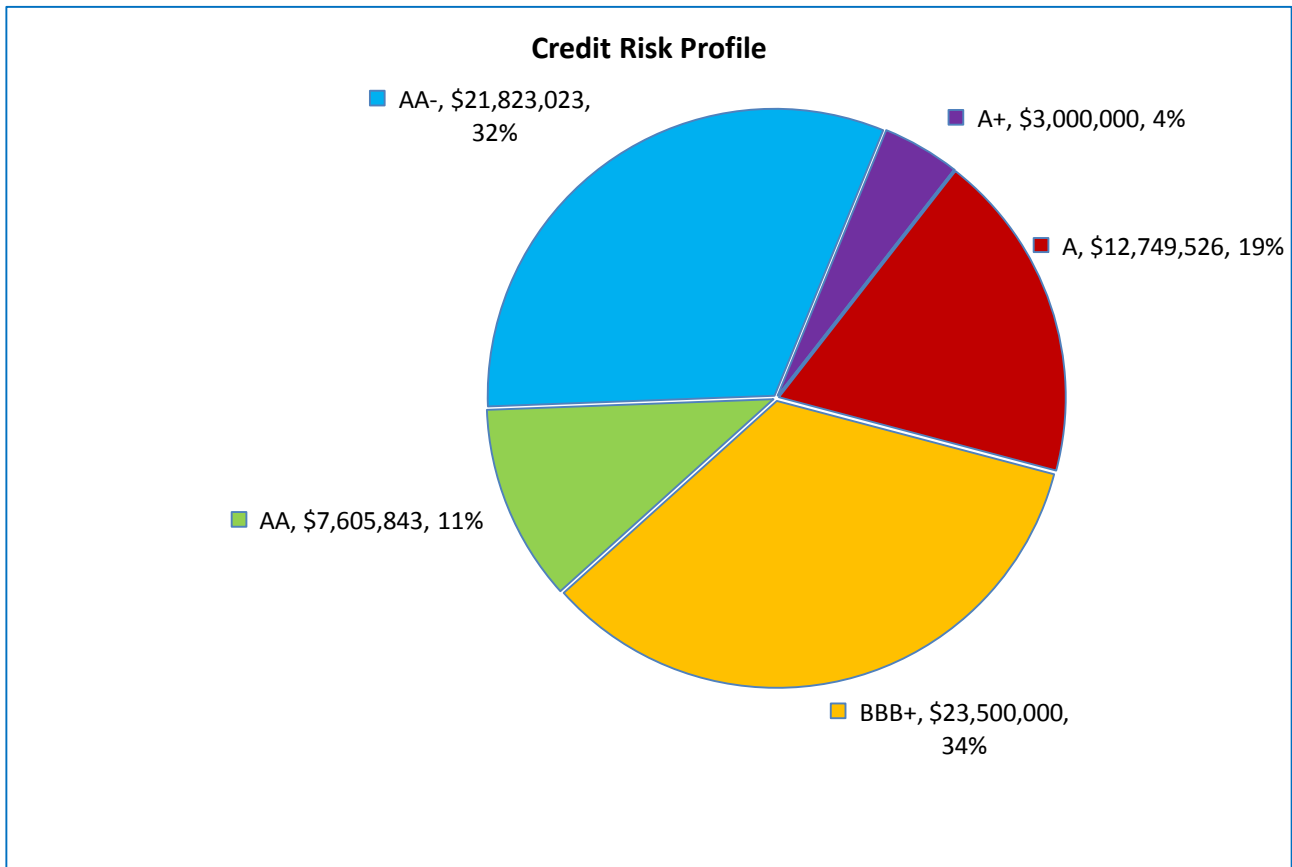
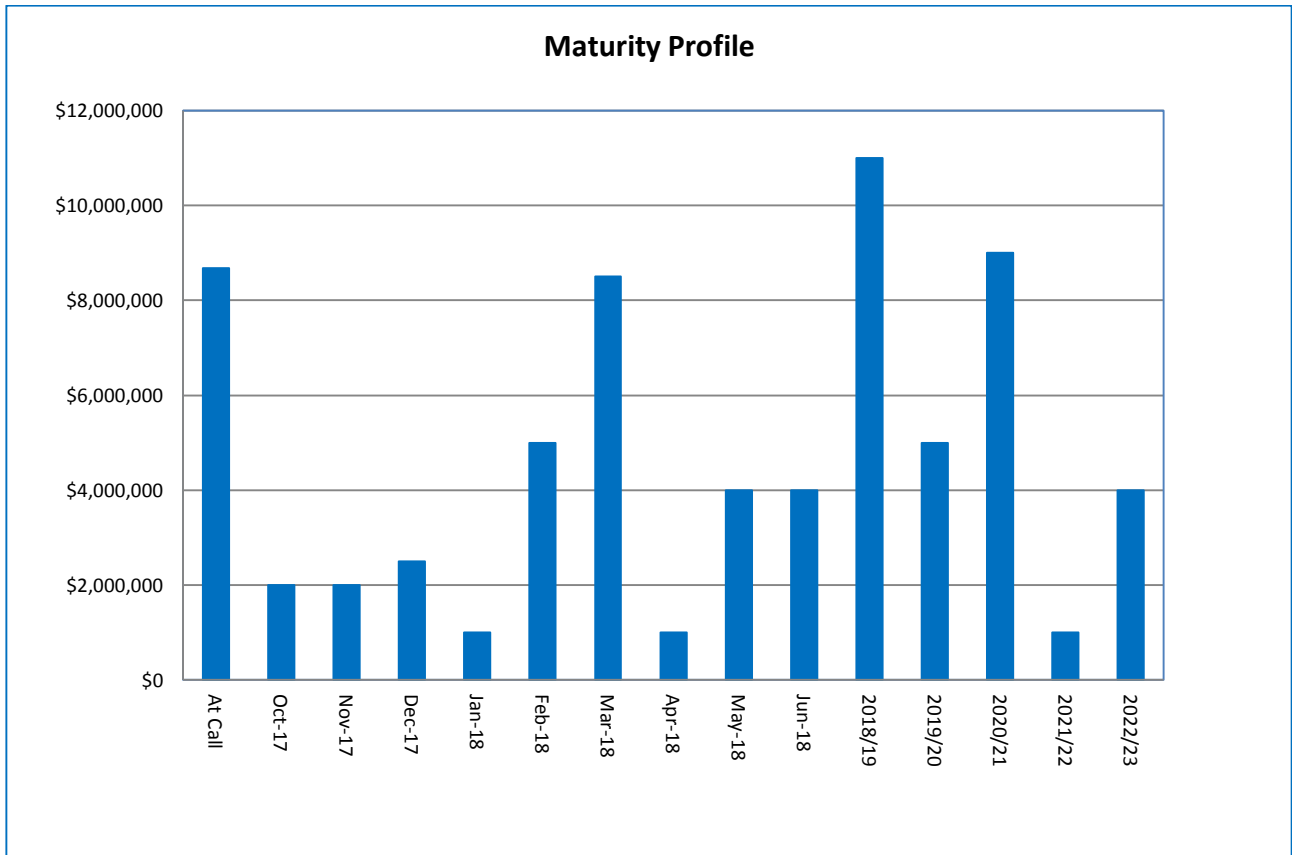
Month	YTD Annualised Return	Monthly Average Interest Return	90 Day Bank Bill*	Monthly Margin
September	2.70%	2.85%	1.71%	1.14%
August	2.57%	2.60%	1.74%	0.87%
July (2017)	2.58%	2.58%	1.69%	0.89%

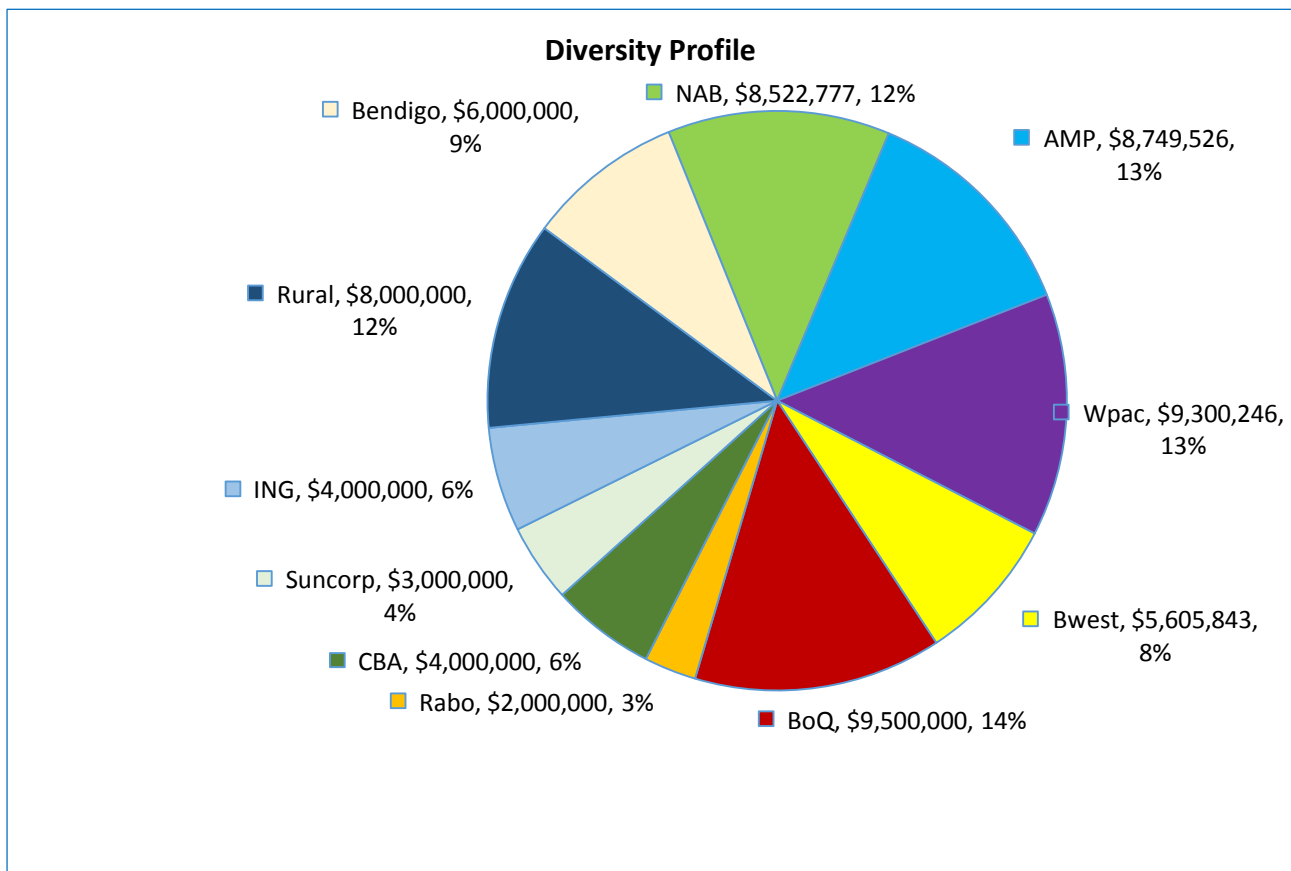
* The ASX BBSW at month end

Investment Register – 30 September 2017:

DATE INVESTED	FINANCIAL INSTITUTION	Short-Term Rating	Long-Term Rating	TYPE	CURRENT INVESTMENT	INTEREST RATE	MATURITY
16-Sep-15	Bank of Queensland	A2	BBB+	TD	1,000,000	3.20%	17-Sep-19
23-Mar-16	ING Bank	A1	A	TD	1,000,000	3.66%	22-Mar-21
23-Jun-16	Commonwealth Bank	A1+	AA-	TD	4,000,000	2.81%	23-Jun-21
22-Feb-17	Westpac Bank	A1+	AA-	TD	2,000,000	2.80%	22-Feb-19
09-Mar-17	National Australia Bank	A1+	AA-	TD	1,000,000	2.74%	10-Sep-18
10-Mar-17	National Australia Bank	A1+	AA-	TD	2,000,000	2.61%	10-Nov-17
21-Mar-17	Bank of Queensland	A2	BBB+	TD	1,000,000	3.15%	20-Mar-20
10-Apr-17	Bankwest	A1+	AA	TD	1,000,000	2.60%	10-Apr-18
24-Apr-17	Bank of Queensland	A2	BBB+	TD	1,000,000	2.60%	23-Oct-17
08-May-17	National Australia Bank	A1+	AA-	TD	1,000,000	2.53%	08-May-18
23-May-17	AMP Bank	A1	A	TD	1,000,000	2.60%	23-Feb-18
09-Jun-17	Rural Bank Limited	A2	BBB+	TD	4,000,000	2.75%	07-Jun-19
19-Jun-17	Bendigo and Adelaide Bank	A2	BBB+	TD	2,000,000	2.75%	19-Dec-18
20-Jun-17	Bank of Queensland	A2	BBB+	TD	1,500,000	2.60%	18-Dec-17
26-Jun-17	Bank of Queensland	A2	BBB+	TD	4,000,000	3.30%	25-Jun-21
26-Jun-17	Bendigo and Adelaide Bank	A2	BBB+	TD	4,000,000	2.72%	26-Jun-18
05-Jul-17	Suncorp Bank	A1	A+	TD	1,000,000	2.36%	03-Oct-17
11-Jul-17	Bank of Queensland	A2	BBB+	TD	1,000,000	2.65%	08-Jan-18
24-Jul-17	Bankwest	A1+	AA	TD	1,000,000	2.40%	21-Dec-17
08-Aug-17	AMP Bank	A1	A	TD	1,000,000	2.60%	08-May-18
14-Aug-17	Suncorp Bank	A1	A+	TD	2,000,000	2.40%	12-Feb-18
24-Aug-17	ING Bank	A1	A	TD	3,000,000	2.75%	27-Aug-19
29-Aug-17	Westpac Bank	A1+	AA-	TD	2,000,000	2.59%	28-Feb-18
29-Aug-17	Westpac Bank	A1+	AA-	TD	4,000,000	2.89%	29-Aug-22
31-Aug-17	AMP Bank	A1	A	TD	2,000,000	2.60%	28-May-18
11-Sep-17	Rural Bank Limited	A2	BBB+	TD	4,000,000	2.45%	13-Mar-18
15-Sep-17	AMP Bank	A1	A	TD	2,000,000	2.55%	15-Mar-18
15-Sep-17	Westpac Bank	A1+	AA-	TD	1,000,000	2.91%	14-Sep-21
20-Sep-17	National Australia Bank	A1+	AA-	TD	2,500,000	2.60%	20-Mar-18
					68,678,392		

Investment Charts:





4. Civic Leadership

In accordance with Regulation 212 of the Local Government (General) Regulation 2005, a report setting out details of money invested must be presented to Council in the following month.

Council's Fund Management Reporting exceeds minimum regulatory requirements and demonstrates a commitment to accountability and transparent leadership. It provides the Council, Executive and Community with timely, accurate and relevant reports on which to base decisions.

16.5 DONATION AND SPONSORSHIP REQUESTS

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Group Manager Governance
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1.1.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.
Operational Plan Action:	OP7.7 Provide timely, accurate and relevant information to Council to enable informed decision making.
Attachments:	1. Requests for Donations and Sponsorship for submission to Council October 2017 ↓ 2. Applications for Donations and Sponsorship ↓
Cost Centre	3020
Project	Donation and Sponsorships

EXECUTIVE SUMMARY

Submissions received by Council requesting consideration for funding are attached to this report in two documents:

- 1. Requests for Donations and Sponsorship for submission to Council October 2017.**
 - This document contains a summary of requests for October Council with a recommended value for endorsement by Council for each submission. Total value \$
- 2. Applications for Donations and Sponsorship**
 - This document contains the original submission detail received from each submission.

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

OFFICER'S RECOMMENDATION

That Council endorse the recommendation value for each of the submissions #1 – #6 in the attachment 1. Requests for donations and Sponsorship for submission to Council October 2017, to a value of \$4912.22.

BACKGROUND

Currently a review of the policy and procedures for Donation and Sponsorship requests is being undertaken and a recommendation of this review will be put to Council in December 2017.

The Budget allocation for the 2018 FY for Sponsorship and Donation Requests is \$62,500.

Current YTD expenditure for the 2018FY is \$28,624.45, this includes the \$7328 endorsed by the Council in September 2017 Council meeting.

In addition there has been is an ongoing commitment by Council to provide \$100 to all schools to support their presentation Day activities, approved by the Administrator. The outstanding allocation for the School donations for 2018 FY is \$2,400.

The balance of the 2018FY Budget for Donation and Sponsorship requests available prior to the October submission is \$ 31,475.55.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Council recognises its role in supporting community and cultural development. Our adopted Vision and Values aim to inform our decision making process in that we are a trusted community partner. This process has been developed to ensure that the LGA invests in events that have the potential to raise economic, social or cultural benefits to our community. All requests made will be considered by formal resolution of Council

2. Environmental

Most organised events are covered by a development consent therefore any environmental impacts are dealt with through that process.

3. Economic

The total recommended cost for endorsement of these submissions by Council is \$6578. The Community will recognise additional economic benefit as a result of the support to initiatives outlined through these submissions.

4. Civic Leadership

Council's Vision and Values philosophy aims to remain a trusted community partner and as such, it will provide support to activities that demonstrate to have a positive impact and/or social development for the Community.

Decisions to provide sponsorship to community groups, individuals and events must be considered in a transparent process. The granting of financial assistance must be by formal specific resolution of Council.

Summary of requests for Donation and Sponsorship for submission to Council October 2017

#	Organisation	Request Summary	Requested Value	Recommendation	Comment
1	Cooma & District Kennel & Obedience Club	Monetary support for hire cost of ground for annual 3 day Championship Show	\$330	\$330	Equivalent to prior year submission request
2	Michelago Region Community Association	Sponsorship for Michelago Spring Fair - assistance with waste management, fee waiver, promotion	\$500 – sponsorship \$142.50 – DA modification Total : \$642.50	\$642.50	Council has previously supported Michelago May fairs and also the refurbishment of the tennis courts.
3	Michelago Public School	Provision of safety equipment to enable children to clean up rubbish around the town	PPE - \$378 Signage - \$350 Total: \$728	\$728 + \$800 for traffic control @\$400 / 2 Hours Total \$1528	The school has requested high vis gear and safety gear for children be provided. Suggestion has also been made by SMRC that some form of traffic control be provided in order to ensure the safety of the children. Cost for traffic control for 2 hours, which includes travel from Cooma to Michelago, 2 x staff, 1 x vehicle plus stop/go signage and a few bollards would be approximately \$400.
4	Bombala Jockey Club	Provision of waste services for Bombala Race Meeting 21 st October	\$689.40	\$689.40	Former local waste contractors have performed this service in past years. Council provided community bins. The value has been determined by the SMRC Waste department to provide the waste services required in kind.
5	Dalgely Chamber of Commerce	Monetary support to promote the Delegate region in relation to the L'Tape Race	\$800	\$800	\$392.81 remaining from 2016 L'Tape race grant.
6	Bombala Platypus Men's Shed	The Bombala Platypus Men's Shed have requested Council provide a donation to the equivalent of rates owing to 30 June 2018.	\$922.32	\$922.32	This request was previously presented to the Administrator who asked that the item be deferred subject to receiving a further report indicating what payments have been made to the Bombala Platypus Men's shed in accordance with resolution 16/12 from the former Bombala Council. Refer to #6 in attachment 2 for further context.
Total Donation Value for October 2017 Council Endorsement				\$4912.22 Excluding traffic control	

Submission #1: COOMA & DISTRICT KENNEL & OBEDIENCE CLUB



RECEIVED
25 SEP 2017

BY:

PO Box 1062, Cooma NSW 2630

The General Manager
Snowy Monaro Regional Council
PO Box 714
Cooma NSW 2630

20th September 2017

Dear Mr Vescio,

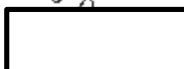
The Cooma & District Kennel & Obedience Club is again holding its annual 3 day Championship Show and we are expecting to attract the large number of visitors to town as usual. A majority of the competitors camp at the ground.

The dates are Fri 1st, Sat 2nd and Sun 3rd December 2017 at the Cooma Show Ground.

Last year the Council donated \$330.00 which helped with the hire cost of the ground. For this, we are very grateful.

I ask therefore if, this year, the Council can please oblige as your support helps to offset the running costs of our annual show.

Regards



Mary-Ann Mould
(Treasurer)

Submission #2: Michelago Region Community Association



Application for Financial Assistance (Donation) from Snowy Monaro Regional Council

In accordance with Donations Policy GOV 011 / Section 356 of the Local Government Act 1993

<p>1. Applicant (include address and ABN if applicable)</p> <p>Michelago Region Community Association</p> <p>ABN: 69 045 806 574 INC: 9884198</p>
<p>2. Location/address:</p> <p>Ryrie St Michelago NSW 2620</p>
<p>3. Date of establishment or inauguration:</p> <p>15 August 2005</p>
<p>4. Is your organisation registered for GST?</p> <p>No</p>
<p>5. Amount of funding requested:</p> <p>\$642.50</p> <p>Comprising \$500 in sponsorship and \$142.50 for the DA modification fee (already paid).</p>
<p>6. Brief description of the nature and objectives of applicant/recipient organisation:</p> <p>Community Association which raises funds for local community projects. This year we are holding a joint community fundraiser (Michelago Spring Fair 12 November 10am to 4pm) in conjunction with the Michelago RFS, Michelago Public School, Michelago Memorial Hall Committee and Michelago Landcare Group.</p>

7. Purpose for which assistance is sought:

- In kind support
- Waste management eg, provision of bins/rubbish and recycling removal etc
(amounts include staff time for drop off and collection)
- Mowing / gardening
- Road closures (amounts include staff time)
- Fee waiver eg, DA / hall hire fees
- Promotion via print media, Council website etc

8. Which category does the event fit within Council's Delivery & Operations Program?

The event is the Michelago Spring Fair 12 November 2017.

9. Financial details of project or program for which assistance is sought:

Profit and Loss Statement for Mayfair 2016 is attached

10. Total cost of project or program:

In 2016, Mayfair's expenses totalled \$3,600.

11. Details of other funding received from SMRC if any:

MRCA has received financial support from the Cooma Monaro Council for past Michelago Mayfairs, and for the refurbishment of the tennis courts.

12. Details of other financial assistance sought or obtained:

We have commitments for sponsorship for the Spring Fair totalling \$2,350 from OOKI, All States Towing and ActewAGL.

13. How will Council funding be acknowledged eg logo or signage

Logos, Signage at the Fair and advertisements on Social Media. We would be happy to erect a marquee with Council signage at the Fair if you have one available. Advertisements will be placed on the MRCA website and via social media and our local community email list. On the day, there will be spruiking via our MC and all sponsors will be named.

14. Details of Office Bearers or other involved parties:

Romney Kelly (President) 0428 297 514 romney.kelly@outlook.com

Bronwyn Gattringer (Vice President)

Kerry Rooney (Treasurer) 0417 208 076 kerryar Rooney@gmail.com

Libby Melton (Secretary)

15. What services or activities will the recipient provide to SMRC residents?

Through our organisation of the Spring Fair, we will provide music, children's entertainment, food, market stalls and rural displays.

16. **Attach** financial position of applicant. Preference is audited financial statements and balance sheets for the past financial year. If yours is a new organisation supply a copy of your budget for the ensuing year together with a statement from the organisation's bank as to arrangements made for the opening and operation of banking accounts. If you are unable to attach the above documentation please attach available documentation that you feel will help SRSC assess your financial position (eg bank statements).

Are these attached? Yes

17. Signed for and on the behalf of the applicant/recipient organisation:

Signature:	
Name:	Kerry Rooney
Office held / Position	Treasurer
Postal Address:	2094 Burra Road, Michelago NSW 2620
Telephone Number/s	0417 208 076
Date:	27/09/2017

Please return by post to PO Box 714, Cooma NSW 2630, or email to council@snowymonaro.nsw.gov.au

OFFICE USE ONLY:

Date application received:

Which function of Council is exercised by this donation?

Tick	Department / Area for Costing	Amounts charged
	Waste & Recycling	
	Community & Environmental Services	
	Parks & Gardens	
	Human Resources (staff time)	
	Other (hall /oval fee waivers etc)	

Is public notice required?

Date and method of public notice:

Treasurer's Report Year Ending 23 February 2017

This time last year, the MRCA's balance sheet indicated we had net assets of negative \$11,192. That was mainly because of a large unpaid invoice of \$43,000 for the tennis court surface. This invoice sat with the Cooma-Monaro Council, seemingly forgotten until we approached them around mid-2016. The bad news was that we could not afford to pay that invoice in full. The good news is that the Council agreed to pay \$22,000. We paid the other \$21,000 and the invoice is now settled. Our balance sheet this year indicates net assets of positive \$4,116. **We are back in the black.**

The Clubhouse was largely completed by 2015 and the grant for that was successfully acquitted in April 2016. We have also submitted a final acquittal for the grant for the Railway Station refurbishment, which totalled over \$7,000. Most of that expenditure took place in 2014-15.

The Tennis Courts are now all but complete too, and paid off with the help of the Council. Our expenditure in 2016 on the courts has exceeded \$30,000. We had a grant of \$16,500 for the fence and we are waiting approval of acquittal for that. In total the courts have cost \$90,000.

Another major item of capital expenditure in 2016 was the Playground Equipment which cost around \$13,600, partly funded by a donation from Jemena of \$9,000. We are now looking for funding to instal this – another \$5,500 plus softfall (around \$1,500).

So as a result of these major items of expenditure, we closed our two term deposits (approx \$50,000). We currently have a healthy bank account of about \$15,000. Of this, around \$6,700 is set aside for tennis participation (a grant) and another \$4,000 for the purchase of esbies and a megaphone (a grant from the Dept of Social Security). So we have around \$4,000 to cover recurrent expenditure for the coming year.


On the fundraising side, we managed to generate a profit of \$3,600 from Mayfair 2016 in spite of the appalling weather. The most profitable items were sponsorships and the chocolate wheel. A separate report on Mayfair is among the financial documents tabled today. A Bunnings BBQ raised a neat \$2138 in profit.

We submitted an application to the Snowy Monaro Regional Council for a Community Grant in December seeking \$20,000 to beautify the entrance to Michelago.

Major Fundraising (profit) for year ending Feb 2017

Mayfair	\$3,600
Election Day BBQ	\$ 321
Father's Day Raffle and Cake Stall	\$ 662
Disco	\$ 224
Bunnings BBQ	\$ 2,138
Music Event	\$ 453
BBQ at Michelago School Fete	\$ 357
Total	\$ 7,755

17. Signed for and on the behalf of the applicant/recipient organisation:

Signature	
Name:	Kerry Rooney
Office held / Position	Treasurer
Postal Address:	2094 Burra Road, Michelago NSW 2620
Telephone Number/s	0417 208 076
Date:	27/09/2017

Please return by post to PO Box 714, Cooma NSW 2630, or email to council@snowymonaro.nsw.gov.au

OFFICE USE ONLY:

Date application received:

Which function of Council is exercised by this donation?

Tick	Department / Area for Costing	Amounts charged
	Waste & Recycling	
	Community & Environmental Services	
	Parks & Gardens	
	Human Resources (staff time)	
	Other (hall /oval fee waivers etc)	

Is public notice required?

Date and method of public notice:

Submission #3: Michelago Public School

From: Green, Emily MRS [<mailto:emily.green@defence.gov.au>]

Sent: Thursday, 7 September 2017 4:04 PM

To: Linda Nicholson <linda.nicholson@snowymonaro.nsw.gov.au>

Cc: 'emilygreen39@yahoo.com.au' <emilygreen39@yahoo.com.au>

Subject: Michelago Public School - request for assistance [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good afternoon Linda,

Students from Michelago Public School has expressed the initiative to clean up our small village of the excessive amount of rubbish that currently filters our streets, we are a thoroughfare for the snow traffic and it appears to be worse than normal this time of year.

As the president of the P&C I respect and am proud of the students initiative although have concerns about the safety aspects of this task.

Does the council have any resources that we could utilise to make the task safe for our children?

We would like to provide High Vis vests for the children to wear as we are located on the Monaro Highway and they need to be visible. Also require tongs and potentially some road signs to notify traffic to slow down?

We currently have a total of 39 students wanting to participate in this exercise.

Please let me know if you are available to assist or can direct me to an alternative contact.

Kind Regards

Emily Green

Sentinel Business Support Team

Directorate Policy and Reporting

Work Health and Safety Branch

Department of Defence

BP35-05-011 | Brindabella Park | PO Box 7927 |

Canberra BC | ACT 2610

0400054338

(Please note: I work part time, Mon, Thurs & Fri)

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Submission #4: Bombala Jockey Club

20 September 2017

Mr Vescio and Waste Department Team,

We are writing to you with regards to the upcoming race meeting on 21 October 2017 to ask for help with the following:-

In the past the former Bombala Council helped with supplying bins to the community. There were a number of bins available to community groups that were stored at the Bombala show ground. The Jockey club is hopeful that 20-30 bins can be made available by our race meeting on the 21st of October.

As Council would be aware the sorting of rubbish at public events is near impossible. As there is now a tip charge the committee was hopeful of an exemption on tip fees for this event. Also the former local waste contractors were able to come and to pick up the rubbish on Sunday when the committee was packing up. The jockey committee are hoping to have this same service with the new waste contractor however we realise that the service for pick up might have to happen on Monday morning rather than Sunday.

This will be another wonderful community day in Bombala. Partnership between Council and the Bombala and District Jockey Club help to keep the day a success and reward the hard work of volunteers to make it a great day. Thanks for your understanding of this matter if you require further information feel free to contact me on 64585201.

We invite you to attend our wonderful day.

Yours sincerely

Brad Yelds

President

Bombala Jockey Club

Submission #5: Dalgety Chamber of Commerce



Application for Financial Assistance (Donation) from Snowy Monaro Regional Council
In accordance with Donations Policy GOV 011 / Section 356 of the Local Government Act 1993

1. Applicant (Include address and ABN if applicable) Dalgety Chamber of Commerce
2. Location/address: Campbell St Dalgety
3. Date of establishment or inauguration: 2001
4. Is your organisation registered for GST? No
5. Amount of funding requested: \$000
6. Brief description of the nature and objectives of applicant/recipient organisation: Promotion of Dalgety to the riders, support team, general public and visitors. To support the L'Tape Race in the region.
7. Purpose for which assistance is sought: <input checked="" type="checkbox"/> In kind support <input type="checkbox"/> Waste management eg, provision of bins/rubbish and recycling removal etc (amounts include staff time for drop off and collection) <input type="checkbox"/> Mowing / gardening <input type="checkbox"/> Road closures (amounts include staff time) <input type="checkbox"/> Fee waiver eg, DA / hall hire fees <input type="checkbox"/> Promotion via print media, Council website etc
8. Which category does the event fit within Council's Delivery & Operations Program? Expanding Connections within the Region and Beyond

Submission #6: Bombala Men's Shed

The Bombala Platypus Men's Shed have requested that Council provide a donation to the value of their rates owing to 30 June 2018 being \$922.32. It is felt that the Men's Shed is an invaluable asset to the community, and that a donation towards the rates levied will ensure the longevity and viability of the facility.

This request was previously presented to the Administrator who asked that the item be deferred subject to receiving a further report indicating what payments have been made to the Bombala Platypus Men's shed in accordance with resolution 16/12 from the former Bombala Council. Resolution 16/12 related to the sale of Old Lions Park in Bombala to the Men's Shed committee for \$1.00, with Council resolving to fund all legal costs of both parties associated with the transfer of the land and also that council would waive all non-statutory development and construction fees related to the development of the men's shed. Included in the resolution was that Council donate the value of the rates to the Men's Shed Committee for a period of 24 months and review again at the end of that time.

Subsequent to this resolution the transfer of Old Lions Park did not proceed. Instead, premises situated on land at the Water Treatment Plant site in Bombala (vacated by the Rural Fire Service) was subdivided and transferred to the Bombala Platypus Men's Shed. Unfortunately the resolution approving this transfer (former Bombala Council's meeting of 15 May 2013 - Minute 88/13) did not include the donation of an amount equivalent to the rates as in the original resolution. This request to Council requesting that the donation of \$922.32 be approved is in response to this omission.

The total amount paid in relation to the legal and associated expenses connected with the subdivision and land transfer was \$7,124.18. This expenditure was not made directly to the Bombala Platypus Men's Shed but to those providing services in relation to the subdivision and land transfer. There has been no other expenditure by Council on the Men's Shed by Council.

16.6 COUNCIL MEETING DATES AND LOCATIONS

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Group Manager Governance
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1.1.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.
Operational Plan Action:	OP7.11 Ensure community members are afforded the opportunity to review, comment and participate in Council decision making.
Attachments:	Nil
Cost Centre	Governance

EXECUTIVE SUMMARY

The Council meeting schedule has been developed following Resolution 185/17 from Council on Tuesday 26 September 2017.

Month	Date	Time	Location
October 2017	Thursday 19 Oct	5pm	Cooma Chambers
November 2017	Thursday 16 Nov	5pm	Bombala Community Centre
December 2017	Thursday 14 Dec <ul style="list-style-type: none"> Based on the discussion to bring Dec meeting forward a week 	5pm	Cooma Chambers
February 2018	Thursday 15 Feb	5pm	Cooma Chambers
March 2018	Thursday 15 Mar	5pm	Berridale Community Hall
April 2018	Thursday 19 Apr	5pm	Cooma Chambers
May 2018	Thursday 17 May	5pm	Bombala Community Centre
June 2018	Thursday 21 Jun	5pm	Cooma Chambers
July 2018	Thursday 19 Jul	5pm	Berridale Community Hall
August 2018	Thursday 16 Aug	5pm	Cooma Chambers
September 2018	Thursday 20 Sep	5pm	Bombala Community Centre

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

OFFICER'S RECOMMENDATION

That Council receive and note the schedule of Council meeting dates and locations through to August 2018

BACKGROUND

Following the Council meeting on Tuesday 26 September 2017 a schedule of Council meeting dates and locations has been developed to reflect the Council meeting moving to the third Thursday of each month commencing at 5.00pm.

COUNCIL RESOLUTION

1/17

That Council

- (a) Subject to the right to amend the schedule for any reason from time to time, schedule Council Meetings for the period September 2017 to September 2018 be held on the third (3rd) Thursday of each month commencing at 5.00pm at the Cooma Council Chambers and be rotated on the basis of even months in Cooma Council Chambers and odd months to rotate between Berridale and Bombala;
- (b) Bring the December ordinary meeting of Council forward by one week and this be held on Thursday 14 December 2017; and
- (c) Determine that no Council meetings be held during the month of January 2018.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

In addition the locations have been included to show every second meeting to be held at the Cooma Council Chambers and then one in four at Bombala and Berridale, to be held at the local Community Centres.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Establishment of meeting cycles and times for Council and its committees recognises and promotes people's rights and improves the accountability of decision makers as well as giving the community better opportunities for genuine participation and consultation about decisions affecting their lives.

Snowy Monaro Regional Council is committed to engaging with its communities across the region and to facilitate this utilises a number of communication platforms, including Council's website and facebook page. In an innovative move, Council has also recently introduced webcasting of Council meetings. The use of this technology provides Council with an effective means of communicating information and showcasing its decision making process to a wider geographical

audience and negates the need for residents to travel long distances to hear matters pertinent to them.

2. Environmental

Council's consideration and setting of meeting times itself will not have a negative impact on environmental sustainability.

3. Economic

Council meetings to be held at the Bombala and Berridale Community centres will ensure the new Council can be accommodated at these locations and allow access for public participation. Projected costs for the meetings will be provided to Council to note closer to the meetings.

4. Civic Leadership

Council is required by the Local Government Act 1993, Chapter 12 Part 2 Section 365, to meet at least 10 times in each year, in different months.

Council should consider meeting times that best promote and encourage public participation. The introduction of webcasting of Council meetings allows the community to become better informed about the issues that Council deals with.

18.1 NOTICE OF MOTION FOR RAIL TRAIL FEASIBILITY STUDY

Record No:

Responsible Officer: General Manager
Author: Councillor Bob Stewart
Attachments: Nil

Councillor Bob Stewart has given notice that at the Ordinary Meeting of Council on 19 October 2017, he will move the following motion.

MOTION

That Council fund a feasibility study for the opening of a Monaro Rail Trail from Queanbeyan to Bombala during the 2019 Financial year

- A. Either by obtaining Grant Funding from the NSW Government; and
- B. Allocating funding in the 2019 FY Council Budget in the event grant funding is unavailable.

BACKGROUND

Extract from the "Proposal to Develop the Monaro Rail Trail" from the Monaro Rail Train Inc.

What is it? Rail trails are multi-purpose recreational trails constructed along corridors of disused railway lines. The steel track and sleepers are removed and replaced with a graded surface of mostly compacted gravel. Bridges and embankments are modified to allow safe movement of foot and bike traffic. Fencing is provided along the corridor. There are several reasons that rail trails are attractive to bicycle riders and walkers. The gradients are gentle. Along the route, interest is provided by bridges, perhaps a tunnel, embankments and sweeping bends. The route takes users to places and views that are not generally seen from the road. Rider safety is greatly improved when cyclists no longer have to use highways and can ride on vehicle free trails.

Where is it? The disused rail line runs from Queanbeyan to Cooma and then further south, across The Great Dividing Range, to Bombala. This is all part of the Monaro region of south-eastern New South Wales. In 1988 the line was closed to general rail traffic but several rail history/tourism groups retain interest in small sections, one near Queanbeyan, another near Cooma and the other at Bombala. Like most rail lines the gradient is no greater than 3 percent, ideal for easy riding and walking. Stop-over points of Michelago, Bredbo, Cooma and Nimmitabel are spaced about 35km apart, a distance easily ridden in a day. The section from Nimmitabel to Bombala is 55km but downhill and can comfortably be ridden in a single day.

The benefits? The rail line was built over 100 years ago to help in the economic development of the region. Although the trains have stopped, the rail trail is a suggested way of continuing the development of the Monaro. Discovering the rail trail. It will be a safe environment for users of all ages and a healthy way for people to discover the rural landscape. Heritage and the rail trail. The Monaro rail trail will help generate funds for the preservation work on NSW heritage listed sites such as the stations at Michelago and Cooma, rail bridges at Ingelara Creek and Bredbo River.

Other rail infrastructure important to the history of the Monaro trail will be included. Local communities and the rail trail. Tourism activity will be boosted by this bike trail and there will be opportunities for job creation. Businesses that will benefit include accommodation and food providers. Other opportunities will be for bike hire and service, package tours and shuttle bus operators.

Clause 9. 1 of Council's Code of Meeting Practice provides as follows:

9.1 Notices of Motion

- (1) *The deadline for lodging notices of motion in writing for inclusion on the business paper for consideration at any meeting of the Council, shall be eleven (11) days prior to the meeting.*
 - (2) *A councillor must give notice of business in writing no later than 4.00pm on the Tuesday that follows the ordinary meeting of council.*
 - (3) *At an Ordinary meeting Councillors may give notice of motions in writing to be listed as matters on the business paper for the next Ordinary meeting of Council.*
 - (4) *The rules applying to the content of Questions also apply to the content of Notices of Motion.*
 - (5) *Councillors are to ensure, where it is intended that staff be asked to carry out some specific defined action, that a Notice of Motion is written in such a way that, if carried, the motion carries such clear and unambiguous direction.*
-

18.2 NOTICE OF MOTION TO RESCIND A RESOLUTION

Record No:

Responsible Officer: General Manager
Author: Councillor Sue Haslingden
Attachments: 1. Notice of a motion to rescind a resolution - signed [↓](#)

Councillor Sue Haslingden, Councillor Anne Maslin and Councillor Bob Stewart have given notice that at the Ordinary Meeting of Council on 19 October 2017 they will move the following motion.

MOTION

Motion to Rescind Resolution

We hereby give notice of the following motion of rescission:

“That the Council resolution relating to

Minutes No. OC_27092017_MIN_939

Item No. 23 : Report From Confidential Session

22.1 PROPOSED PURCHASE OF LOT 10 SEC 13 DP 758346 - 13 CRAIGIE STREET DELEGATE

COUNCIL RESOLUTION

1/1

That Council

- A. Purchase lot 10 Section 13 DP 758346 at 13 Craigie Street Delegate for the sum of \$30,000;
- B. That Council agree to bear all additional costs including the vendor’s legal costs associated with the acquisition;
- C. That the land be classified as operational land upon acquisition;
- D. Authorise the expenditure and allocate an amount of \$35,000 in the 2018 Financial Year Budget with funding to be provided from The Stronger Councils Major Projects Fund and/or the Property Reserves; and
- E. Authorise the General Manager to execute all documents associated with the acquisition.

Moved Councillor Stewart

Seconded Councillor Old

CARRIED

PASSED AT THE COUNCIL MEETING HELD ON : 27 September 2017

be and is hereby RESCINDED”.

BACKGROUND

The signed copy of the Notice of Motion to Rescind a Resolution is attached to this report with the required signatures of three Councillors.

Clause 9. 1 of Council’s Code of Meeting Practice provides as follows:

18.2 NOTICE OF MOTION TO RESCIND A RESOLUTION

9.1 Notices of Motion

- (1) *The deadline for lodging notices of motion in writing for inclusion on the business paper for consideration at any meeting of the Council, shall be eleven (11) days prior to the meeting.*
 - (2) *A councillor must give notice of business in writing no later than 4.00pm on the Tuesday that follows the ordinary meeting of council.*
 - (3) *At an Ordinary meeting Councillors may give notice of motions in writing to be listed as matters on the business paper for the next Ordinary meeting of Council.*
 - (4) *The rules applying to the content of Questions also apply to the content of Notices of Motion.*
 - (5) *Councillors are to ensure, where it is intended that staff be asked to carry out some specific defined action, that a Notice of Motion is written in such a way that, if carried, the motion carries such clear and unambiguous direction.*
-



Notice of Motion to Rescind a Resolution

To: The General Manager
Snowy Monaro Regional Council

Motion to Rescind Resolution

We hereby give notice of the following motion of rescission:

"That the Council resolution relating to

Minutes No. OC_27092017_MIN_939

Item No. 23 : Report From Confidential Session

22.1 PROPOSED PURCHASE OF LOT 10 SEC 13 DP 758346 - 13 CRAIGIE STREET DELEGATE

COUNCIL RESOLUTION	1/17	
That Council		
A. Purchase lot 10 Section 13 DP 758346 at 13 Craigie Street Delegate for the sum of \$30,000;		
B. That Council agree to bear all additional costs including the vendor's legal costs associated with the acquisition;		
C. That the land be classified as operational land upon acquisition;		
D. Authorise the expenditure and allocate an amount of \$35,000 in the 2018 Financial Year Budget with funding to be provided from The Stronger Councils Major Projects Fund and/or the Property Reserves; and		
E. Authorise the General Manager to execute all documents associated with the acquisition.		
Moved Councillor Stewart	Seconded Councillor Old	CARRIED

PASSED AT THE COUNCIL MEETING HELD ON : 27 September 2017

be and is hereby RESCINDED".


Notice of Motion:

Should the rescission motion be adopted we give notice that it is our intention to move the following motion in lieu of which due notice is hereby given.


Not Required

Dated this 10th day of October (year) 2017


ANNE MASLIN
Name of Councillor


Signature of Councillor

SUE HASLINGDEN
Name of Councillor


Signature of Councillor

BOB STEWART
Name of Councillor


Signature of Councillor

PO Box 714 COOMA NSW 2630 | 1300 345 345 | council@snowymonaro.nsw.gov.au | www.snowymonaro.nsw.gov.au

18.3 COUNCIL SUPPORT FOR BOMBALA MEDICAL SERVICES

Record No:

Responsible Officer: General Manager
Author: Councillor Bob Stewart
Attachments: 1. Briefing Paper - Bombala Medical Services [↓](#)

Councillor Bob Stewart has given notice that at the Ordinary Meeting of Council on 19 October 2017, he will move the following motion.

MOTION

That Council resolves to

- A. Maintain the obligation of the provision of housing for a Medical Doctor in Bombala associated with the Federal Funding Grant of Dec 2009, and the provision of the first 2 years rent fully subsidised; and
- B. Provide a financial contribution towards the recruitment of a GP/VMO to expedite resourcing and mitigate the risk to the community of the imminent critical shortage commencing in January 2018.

BACKGROUND

The former Bombala Council had entered into an arrangement to purchase a property for the provision of a residence to attract GP services to the area. That purchase was supported by a Federal Grant in 2009.

Council have a remaining obligation under the provision of the Federal funding arrangement to provide accommodation for a Doctor in Bombala. *Refer Bombala Ordinary Council Meeting 16 September 2015.*

During the development of the CSP following the amalgamation the provision of adequate ongoing medical services was considered one of the highest priorities for the community in this area.

Discussions had been undertaken between Dr Pate and the Administrator regarding the need for recruitment support, which had been acknowledged. To support this need a Briefing Paper – Bombala Medical Services, attached, has been developed by the South Eastern NSW Primary Health Network to outline key concerns for the medical services in this region. They have emphasised that given the rural and regional location of the southern end of the SMRC housing support in addition to recruitment support is critical to successful recruitment and retention of doctors to this region.

The report identifies an imminent shortage in the region commencing in January 2018, and with the current rural medical vacancies for GP's currently sitting at 55 in NSW, support is sought to mitigate this risk.

Clause 9. 1 of Council's Code of Meeting Practice provides as follows:

9.1 Notices of Motion

- (1) *The deadline for lodging notices of motion in writing for inclusion on the business paper for consideration at any meeting of the Council, shall be eleven (11) days prior to the meeting.*
 - (2) *A councillor must give notice of business in writing no later than 4.00pm on the Tuesday that follows the ordinary meeting of council.*
 - (3) *At an Ordinary meeting Councillors may give notice of motions in writing to be listed as matters on the business paper for the next Ordinary meeting of Council.*
 - (4) *The rules applying to the content of Questions also apply to the content of Notices of Motion.*
 - (5) *Councillors are to ensure, where it is intended that staff be asked to carry out some specific defined action, that a Notice of Motion is written in such a way that, if carried, the motion carries such clear and unambiguous direction.*
-



BRIEFING PAPER

Topic: Bombala Medical Services
From: COORDINARE South Eastern NSW Primary Health Network
Date: 25 September 2017

BACKGROUND

The South Eastern NSW Primary Health Network (PHN) is working with the Southern NSW Local Health District (SNSWLHD) the Rural Doctors Network (RDN) and the Bombala Medical Practice's practice principal to address an impending medical shortage in Bombala. The solo long term general practitioner has been operating his own practice and providing service to Bombala and surrounds for 37 years and is nearing retirement. Supported by three part time GP/VMOs based out of area and locums engaged through the SNSWLHD this model has relied on the long term GP remaining in practice but has adequately met the needs of the community.

The PHN and SNSWLHD are concerned about the effects on Bombala's medical service of anticipated mid to short term workforce changes. Of immediate concern is the loss of a long standing part-time GP/VMO in January 2018 and the significant pressure this will place on the existing system.

The Bombala Multi-Purpose Service is an eighteen bed facility comprising 10 residential, 8 acute and 2 emergency department beds. The acute beds in this facility can only be utilised when there is a Visiting Medical Officer (VMO) on duty. The Delegate Multi-Purpose Service has ten residential beds and is also serviced by the Bombala GP/VMO. Patients with more complex conditions are transferred to the nearest hospital services in Cooma, Bega and Canberra the closest of which is at least an hour from Bombala.

HEALTH POPULATION OF BOMBALA

The area of Bombala located within the Snowy Monaro Regional local government areas (LGA) is identified to have some very high health and social service needs. 2010-14 based mortality figures reveal Bombala to have the highest age standardized death rates amongst all LGAs (2011 boundaries) within the South Eastern NSW PHN catchment. Mortality rates in Bombala were also higher than NSW state and Australian national averages. Bombala is also estimated to have the highest within SENSWPHN catchment (or significantly high) prevalence of several key health risk factors amongst the adult population including inadequate exercise, obesity and overweight. Higher than NSW state and Australian national average estimates are also reported for Bombala residents with respect to the prevalence of long-term chronic conditions such as circulatory system disorders; respiratory diseases including both asthma and Chronic Obstructive Pulmonary Disorder and for musculoskeletal conditions, especially arthritis. The health and social needs of the residents of Bombala are further impacted by the fact that almost 24% of the resident population of the statistical area of Bombala is estimated to be aged 65 years or above. 2015 primary care workforce estimates identify a very low number of general practitioners to be working within the Bombala area.

The Bombala Shire Council has historically had a strong interest in supporting ongoing access to health services for the people of the region. Bombala Shire Council has provided housing to accommodate the GP/VMO. Given the rural and regional location of this position, housing support is critical to successful recruitment and the retention of a new doctor for the town and surrounds.

PROPOSAL

The PHN and SNSWLHD are working in partnership and invite the Snowy Monaro Regional Council to participate in this initiative and would welcome the opportunity to discuss:

1. Importance of Council's ongoing commitment to health service particularly the provision of housing for a GP/VMO and family
2. Potential for Council to contribute towards the recruitment of a GP/VMO both through existing networks and financially.

22. 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:

22.1 Adaminaby Landfill Consolidation Contract No. 005/2017

Item 22.1 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and (dii) of the Local Government Act because it contains and information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

22.2 Purchase of Property in Maybe Street Bombala for Public Toilets

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.

22.3 Briefing to Council on Federal Court matter

Item 22.3 is confidential in accordance with s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

22.4 Appointment of Project Manager for Delivery of Building Projects for the

Stronger Communities Fund Major Project Program

Item 22.4 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

22.5 Purchase of 55, 57 and 59 Vale Street Cooma

Item 22.5 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.

22.6 Award of Tender for the Options Study and Concept Design for the Sewage Treatment Plants in Adaminaby and Bombala

Item 22.6 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 (dii) of the Local Government Act because it contains and information that would, if disclosed, confer a commercial advantage on a competitor of the council 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.