



SNOWY MONARO
REGIONAL COUNCIL

BUSINESS PAPER

PUBLIC EXHIBITION COPY

**Ordinary Council Meeting
15 February 2018**

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.

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

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

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

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

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

COUNCIL CODE OF CONDUCT

The Council Code of Conduct is a requirement of Section 440 of the Local Government Act 1993, which requires all councils to have a code of conduct to be observed by the 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.

COUNCIL CODE OF MEETING PRACTICE

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

Acknowledgement of Owners of Land

Council wishes to show our respect to the First Custodians of this land the Ngarigo, Walgalu, Southern Ngunnawal and Bidjahal 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

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 and streamed on Councils website www.snowymonaro.nsw.gov.au

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

**ON THURSDAY 15 FEBRUARY 2018
COMMENCING AT 5.00PM**

BUSINESS PAPER

1. APOLOGIES/REQUESTS OF LEAVE OF ABSENCE

2. CITIZENSHIP CEREMONY

- 2.1 Ms Bernadine Jackson, Mr Robert Jackson, Mr Robin Jackson, Mr Bradin Jackson
- 2.2 Mr Mark Saunders

3. PRESENTATIONS

4. PUBLIC FORUM

- 4.1 Jenny Downs – Werralong Road
- 4.2 Richard Hopkins – Name of Local Government Area
- 4.3 Ross McKinney, Park Watch – Loss of NSW National Parks and Wildlife Services Jobs
- 4.4 John Harrington – Proposed Site of Nimmity Bell
- 4.5 David Wicks, Nimmitable Advancement Group (NAG) – Speed Zone Thorough Nimmitabel
- 4.6 JERCs – DA0014/16 Subdivision Rushes Bay Avenue East Jindabyne

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 Ordinary Council Meeting held on 14 December 2017
- 7.2 Closed Session of the Ordinary Council Meeting held on 14 December 2017
- 7.3 Extraordinary Council Meeting held on 27 November 2018
- 7.4 Closed Session of the Extraordinary Council Meeting held on 27 November 2017

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9. ADOPTION OF COMMITTEE MINUTES/RECOMMENDATIONS

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Nil

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22. CONFIDENTIAL MATTERS 580

22.1 General Manager's Contract of Employment

Item 22.1 is confidential in accordance with s10(A)(2)&(3) and s10B of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and 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 prevent the relevant confidentiality, privilege or security of such information and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

22.2 Design and Construction of Playgrounds - Stronger Communities Fund Major Project Program

Item 22.2 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.

22.3 Rental Proposal for Tender of General Practitioner Services at Snowy River Health Centre Jindabyne

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

22.4 Replacement of Council's Street Sweeper Plant Number 9056

Item 22.4 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.

22.5 Extension of Contract 2014/002 for the Provision of Street, Shopping Centre & Toilet Cleaning Services in Jindabyne

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 Potential Joint Project with the Department of Education - Cooma

Item 22.6 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.

22.7 Potential Joint Project with the Department of Education - Jindabyne

Item 22.7 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.

22.8 Proposed Purchase of Lot 1 DP 1141425 in Hawkins Street Cooma

Item 22.8 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.

22.9 Highview Estate, Jindabyne Gravity Trunk Sewer Main

Item 22.9 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.

9.1 ADOPTION OF SNOWY MONARO LOCAL TRAFFIC COMMITTEE RECOMMENDATIONS FROM THE 25 JANUARY 2018 MEETING

Record No:

Responsible Officer: Director Operations & Infrastructure

Author: Development Engineer

Attachments: 1. LTC Minutes from 25 Jan 2018 meeting_25012018_MIN_988 [↓](#)

EXECUTIVE SUMMARY

The Local Traffic Committee met on 25 January 2018 in Cooma. The Committee's recommendations are presented for Council's consideration and adoption.

OFFICER'S RECOMMENDATION

That Council:

A. Receives and notes the minutes of the Snowy Monaro Local Traffic Committee meeting held on 22nd November 2017; and

Adopts the Snowy Monaro Local Traffic Committee recommendations LTC 1/18, 2/18, 3/18, 4/18, 5/18, 6/18, 7/18, 8/18 and 9/18 of 25th January 2018

RECOMMENDATION OF THE LOCAL TRAFFIC COMMITTEE – 25 JANUARY 2018

4.1 LOCAL TRAFFIC COMMITTEE MEETING 12 OCTOBER 2017

THAT the minutes of the Local Traffic Committee Meeting held on 22 November 2017 are confirmed as a true and accurate record of proceedings, pending the following amendments:

Minutes of 12 October 2017

Page 15 Item 8.2

Replace 28 November with 25 November as the date of the Adaminaby Races

7.1 DEBRIEF MEETING FOR THE "SNOW TUNES" MUSIC FESTIVAL HELD AT THE CLAY PITS IN JINDABYNE ON 1ST AND 2ND SEPTEMBER 2017.

That the information provided on how last year's event was run and received and information on proposed changes to the event proposed for this year be noted. The Local Traffic Committee will consider the traffic arrangements for the event at the first available Local Traffic Committee Meeting following submission of event details and supporting documentation.

7.2 REQUEST TO APPROVE THE TEMPORARY ROAD CLOSURE IN DENISON STREET, ADAMINABY ON 2ND TO 3RD FEBRUARY 2018 TO HOLD A COUNTRY MUSIC FESTIVAL

- A. That Council provides conditional approval of the road closures to hold the Adaminaby High Country Music Muster on 2 and 3 February 2018, subject to the following conditions:
-

9.1 ADOPTION OF SNOWY MONARO LOCAL TRAFFIC COMMITTEE RECOMMENDATIONS FROM THE 25 JANUARY 2018 MEETING

That the following streets be closed to vehicular traffic from 4:00pm on 2 February 2018 to 12:01am on 4 February 2018:

- (a) Entrance to Denison Street off the Snowy Mountains Highway, Adaminaby.
- (b) Denison Street, Adaminaby between the Snowy Mountains Highway and Druitt Street.
- (c) Baker Street, Adaminaby, 30 metres east and west of the intersection of Denison Street.
- (d) That temporary signage be placed on the Highway notifying traffic of closures.
- (e) VMS to be placed on each highway approach a week before the event.

7.3 REQUEST TO APPROVE THE TEMPORARY PARKING OF THE "BUSINESS BUS" IN JINDABYNE ON 3RD APRIL 2018 AND IN COOMA ON 4TH APRIL 2018.

That Council

- A. Provides its approval to permit the "Business Bus" to park in Jindabyne on 3 April 2018 and in Cooma on 4 April 2018 between 8:30am and 3:30pm.
- B. Covers the regulatory parking signs for the parking bays on 3 and 4 April 2018 between 7:30am and 3:30pm (to ensure vehicles are not parked beforehand).

7.4 2018 ANZAC DAY PARADE AND ROAD CLOSURES FOR BOMBALA AND DELEGATE

That Council approves the 25 April 2018 ANZAC Day temporary road closure for:

A. Delegate:

In Bombala Street between Victoria Parade and Church Street (including all Lanes) and in Campbell Street between Victoria Parade and William Street (including all Lanes) 10:30am until 12:00pm, subject to providing:

- a) Traffic Control Plan.

B. Bombala:

In Maybe Street between Burton and Caveat Streets and Forbes Street between Therry and Wellington Streets from 6am until 6:45 am and from 10:30am until 12:00pm subject to:

- a) Notification to emergency services.

7.5 BOMBALA SHOW ROAD CLOSURES ON 17 MARCH 2018.

That Council approves the temporary road closure of Forbes Street, Bombala, between Wellington and Mercy Streets and Caveat Street, Cooma, between Wellington and Mercy Streets on Saturday 17th March 2018 from 7:00am until 7:00pm subject to:

- A. Copy of letters sent to emergency services;
 - B. A copy of the Certificate of Currency of at least \$20M stating SMRC as an interested party; and
 - C. Traffic Control Plan, developed by a properly accredited person.
-

7.6 MT GLADSTONE HILLCLIMB MOTORSPORT EVENTS FOR 25 FEBRUARY 2018 , 27 MAY 2018, 24 AND 25 NOVEMBER 2018

That Council endorses the traffic arrangements at the Kosciuszko Road/ Mt Gladstone Road intersection and on Mt Gladstone Road (Private Road) for the Mt Gladstone Hill Climb Event for the duration of the event on 25 February 2018, 27 May 2018, 24 November 2018 and 25 November 2018 subject to:

A. That the Applicant be advised that applications for the 2019 events should be submitted six months prior to the first event.

7.7 2018 ANZAC DAY PARADE AND ROAD CLOSURES FOR COOMA AND NIMMITABEL

A. That Council approves the 25 April 2018 ANZAC Day temporary road closure in Sharp Street, Cooma, between Bombala and Vale Streets and in Vale Street, Cooma, between Sharp Street and the cenotaph from 10:15am to 12:00pm subject to:

a) Contact RMS to seek advice on Road Occupancy Licence requirement.

B. That Council approves the 25 April 2018 ANZAC Day temporary road closure in Bombala and Boyd Streets, Nimmitabel from 10:30 am to 11:00am subject to:

- a) Notification to emergency services,
- b) A Traffic Control Plan,
- c) A Risk Assessment,
- d) Schedule 1 Form and Special Event TMP check list,
- e) Certificate of Currency listing Snowy Monaro Regional Council as an interested party.
- f) Contact RMS to seek advice on Road Occupancy Licence requirement.

7.8 LAND ROVER 70TH ANNIVERSARY GRAND PARADE ROAD CLOSURE ON 1ST APRIL 2018

That Council approves the temporary road closure of Sharp Street, Cooma between Bradley Street and Boundary/Creek Streets to enable the Land Rover 70th Anniversary Parade to be held on Sunday 1 April 2018 from 9:45am until 11:30pm subject to:

- A. Copy of letters sent to emergency services,
 - B. A copy of the Certificate of Currency of at least \$20M stating SMRC as an interested party,
 - C. A risk assessment,
 - D. A Traffic Control Plan, detailing marshals and traffic controllers,
 - E. Traffic Management Plan, with details of management of cars from Racecourse to Bolaro Road intersection and aerial plan detailing parking arrangements for staging at intersection of Sharp and Bolaro Streets
 - F. Road Occupancy Licence
 - G. Copy of notification of business owners affected
 - H. Any reference to Cooma-Monaro Shire Council be replaced with Snowy Monaro Regional Council
 - I. Written consent form all business / property owners who are affected by the road closures.
-

9.1 ADOPTION OF SNOWY MONARO LOCAL TRAFFIC COMMITTEE RECOMMENDATIONS FROM THE 25 JANUARY 2018
MEETING



SNOWY MONARO
REGIONAL COUNCIL

Minutes

**Snowy Monaro
Local Traffic Committee Meeting**

25 January 2018

LOCAL TRAFFIC COMMITTEE MEETING
HELD IN COMMITTEE ROOM, 81 COMMISSIONER STREET, COOMA NSW 2630
ON THURSDAY 25 JANUARY 2018

MINUTES

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**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
HELD IN COMMITTEE ROOM, 81 COMMISSIONER STREET, COOMA NSW 2630**

**ON THURSDAY, 25 JANUARY 2018
COMMENCING AT 9.30AM**

PRESENT:	Mr Volker Georgi	Chair, SMRC Development Engineer
	Councillor Lynley Miners	Council Representative
	Snr Const Sam Morabito	NSW Police Force Representative (Queanbeyan)
	Mrs Judie Winter	Local MP Representative
	Mr Jesse Fogg	Roads & Maritime Services (RMS) Representative
	Ashleigh Pimm	Governance Officer

1. OPENING OF THE MEETING

The Chair opened the meeting at 9.47AM

2. APOLOGIES

Nil

3. DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST

Nil

4. ADOPTION OF MINUTES OF PREVIOUS MEETING

4.1 LOCAL TRAFFIC COMMITTEE MEETING 22 NOVEMBER 2017

COMMITTEE RECOMMENDATION

LTC1/18

THAT the minutes of the Local Traffic Committee Meeting held on 22 November 2017 are confirmed as a true and accurate record of proceedings, pending the following amendments:

Minutes of 12 October 2017

Page 15 Item 8.2

Replace 28 November with 25 November as the date of the Adaminaby Races

Moved Mr Fogg

Seconded Ms Winter

CARRIED

5. BUSINESS ARISING

6. ACTION SHEET

Snowy Monaro Local Traffic Committee Action Sheet as at 25 Jan 2018

Item	Reference	Date	Action	Comments	Target Completion Date	Responsibility
1	LTC06/2016	14/04/16	<p>Proposal to install 2 Mobility Impaired Parking bays in Bay Street, Jindabyne, near the shared pathway along the lake foreshore.</p> <p>A. That council approves two mobility impaired parking bays, at the North West end of Bay Street, Jindabyne, near the drink refill station, as per Australian Standards (where possible) including signage and pavement marking and in accordance with drawing number SK1 attached to the Business Paper.</p> <p>B. That a kerb crossing and 1.8m wide concrete footpath be constructed from the mobility impaired parking bays to the existing shared pathway.</p>	<p>Pavement marking completed</p> <p>1 sign installed</p> <p>Kerb crossing and footpath to be completed</p>	Jun 2016	SMRC
2	LTC30/17	22/11/17	<p>Adoption of Minutes of Previous Meeting - Local Traffic Committee Meeting 12 October 2017</p> <p>THAT the minutes of the Local Traffic Committee Meeting held on 12 October 2017 are confirmed as a true and accurate record of proceedings.</p>	No Action Required	Jan 2018	SMRC
3	LTC31/17	22/11/17	<p>Correction in Adaminaby Easter Fair Application</p> <p>That Council provides conditional approval of the road closures and the duck race at the Annual Adaminaby Easter Fair on Saturday 31st March 2018, subject to the following conditions:</p> <p>1. That the following streets be closed to vehicular traffic on Saturday 31st March 2018 between the hours of 8am and 5pm:</p> <p>(a) Intersection of York Street and Denison Street (located at the</p>	Letter sent	Jan 2018	SMRC

Item	Reference	Date	Action	Comments	Target Completion Date	Responsibility
			<p>northern end of the town centre),</p> <p>(b) Entrance to Denison Street off the Snowy Mountains Highway, Adaminaby,</p> <p>(c) Baker Street, Adaminaby, 30 metres east and west of the intersection of Denison Street.</p> <p>(d) Druitt Street, Adaminaby, 30 metres east and west of the intersection of Denison Street.</p> <p>2. That only four (4) officials from the Adaminaby Easter Fair Committee will be at the exit point to observe the winning duck exiting the drain. Spectators will be excluded from entering this point. A “para webbing” barrier must be erected to prevent pedestrian access to the finishing point.</p> <p>3. That a copy of the updated Certificate of Currency for the event with a minimum of \$20 Million public liability insurance listing Snowy Monaro Regional Council as an interested party be provided.</p> <p>4. That copies of road closure advertisement medium be provided.</p>			
4	LTC32/17	22/11/17	<p>Request from Cooma Coaches to consider the extension of a School Bus route from 1804 to 2118 Jerangle Road</p> <p>That Council approve the request to extend the school bus route from 1804 to 2118 Jerangle Road.</p>	Letter to be sent next week	Jan 2018	SMRC
5	LTC33/17	22/11/17	<p>Request to approve the temporary road closure in Bombala Street, Delegate on 31st December 2017 to hold New Years Eve celebrations</p> <p>That Council provides its approval to temporarily close Bombala Street between Church Street and Victoria Parade, Delegate from 6pm on 31 December 2017 to 2:00am on 1 January 2018; subject to providing Council with a current Traffic Control Plan (TCP) from an accredited person.</p>	Letter sent	Jan 2018	SMRC
6	LTC34/17	22/11/17	<p>Parking arrangement for Jindabyne Breast Screen Van Visit 5 to 16</p>	Letter to be sent next	Jan 2018	SMRC

Item	Reference	Date	Action	Comments	Target Completion Date	Responsibility
			February 2018 That Council: <ul style="list-style-type: none"> A. Approves the parking arrangement of the Breast Screening Clinic Mobile Van from 5 to 16 February 2018; and B. Covers any regulatory signs, contrary to this, from 5 to 16 February 2018. 	week		
7	LTC35/17	22/11/17	2018 Anzac Day Parade and Road Closures for Berridale and Jindabyne That Council approves the 25 April 2018 ANZAC Day temporary road closures: <ul style="list-style-type: none"> A. For Berridale in Kosciuszko Road between 11:00am and 12:00pm for southbound traffic between Park Street and Myack Street and detour all traffic along Park Street and Myack Street and for northbound traffic between Highdale Street and Mackay Street and detour all traffic along Highdale Street, Gungarlin Street and Mackay Street; and B. For Jindabyne in Kosciuszko Road between 9:30am and 9:40am at the Banjo Patterson Park and detour all traffic along Thredbo Terrace. 	Letter to be sent next week	Jan 2018	SMRC
8	LTC36/17	22/11/17	Proposal to hold a triathlon "Australian Alpine Ascent Challenge" on 10 March 2018 That Council approve the Traffic Management Plan (TMP) for the Australian Alpine Ascent on 10th March 2018 subject to; <ul style="list-style-type: none"> A. Providing a copy of the NSW NPWS letter of consent; B. Providing a copy of the Road Occupancy Licence (ROL) from the RMS; C. Providing a suitable risk assessment which addresses athletes being on or near the road for the bike and run leg, and what mitigation to risk is proposed. 	Letter to be sent next week	Jan 2018	SMRC

7. CORRESPONDENCE

7.1 DEBRIEF MEETING FOR THE "SNOW TUNES" MUSIC FESTIVAL HELD AT THE CLAY PITS IN JINDABYNE ON 1ST AND 2ND SEPTEMBER 2017.

Record No:

Responsible Officer: Development Engineer
Key Direction: 2. Expanding Connections Within the Shire and Beyond
Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.
Operational Plan Action: OP2.8 Investigate and implement Traffic Management measures as an aid to increase road safety throughout the Region.
Attachments: Nil
Cost Centre 1505 Service Delivery
Project Snowy Monaro Local Traffic Committee
Further Operational Plan Actions:

EXECUTIVE SUMMARY

Josh Green, event organiser of the Snow Tunes music festival will provide a summary of last year's 2 day event and be available to answer questions of the Committee.

Last year, the SRLTC considered this event at its meeting of 26 July 2017 at which it recommended to Council as follows:

COMMITTEE RECOMMENDATION

LTC1/17

That Council approves the traffic control measures for the snow tunes event on public roads subjects to updating the relevant TCP to include 'No Parking' along Barry Way.

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

COMMITTEE RECOMMENDATION

LTC2/18

That the information provided on how last year's event was run and received and information on proposed changes to the event proposed for this year be noted. The Local Traffic Committee will consider the traffic arrangements for the event at the first available Local Traffic Committee Meeting following submission of event details and supporting documentation.

S Morabito

J Fogg

Representative of the NSW Police

Representative of the NSW RMS

Representative of the State MP

Representative of the Council

Mr Josh Green, event organiser of the Snow Tunes music festival provided a summary of last year's 2 day event. Mrs Shana Lim has joined the Snow Tunes team to assist with planning and Mr Josh Anderson has also joined the Snow Tunes team to assist with the event on the ground.

The event will be held this year with some improvements on last year's event, including onsite accommodation as part of a ticket package, including "glamping" in tents and "Flex Hotels". Car parking for camping will be as last year. Awaiting permission to use Tinworth Drive Airstrip for general public parking with a shuttle bus service. The proposed site plan was handed to the committee and the changes discussed.

Problems from last year included litter and security matters. To prevent these from occurring at this year's event, a cleaning team will be provided to clean the streets around Jindabyne from any litter, and a security team will be provided to attend to any complaints in Jindabyne caused by the event.

The Development Application for the event was submitted to Council on the 21 January 2018. Mr Green will forward a copy of the application to the Development Engineer. The Liquor plan and licence will be forwarded once available. Details for the use of the airstrip is still outstanding, pending approval for use.

7.2 REQUEST TO APPROVE THE TEMPORARY ROAD CLOSURE IN DENISON STREET, ADAMINABY ON 2ND TO 3RD FEBRUARY 2018 TO HOLD A COUNTRY MUSIC FESTIVAL

Record No:

Responsible Officer:	Development Engineer
Key Direction:	2. Expanding Connections Within the Shire and Beyond
Delivery Plan Strategy:	DP2.3 Continually monitor and improve traffic management throughout the Shire.
Operational Plan Action:	OP2.8 Investigate and implement Traffic Management measures as an aid to increase road safety throughout the Region.
Attachments:	<ol style="list-style-type: none">1. Adaminaby High Country Music Muster cert of currency (<i>Under Separate Cover</i>)2. Adaminaby High Country Music Muster Police Traffic Management Plan (<i>Under Separate Cover</i>)3. Adaminaby High Country Music Muster Schedule 1 and risk assessment (<i>Under Separate Cover</i>)4. Adaminaby High Country Music Muster TCP (<i>Under Separate Cover</i>)
Cost Centre	1505 Assets and Engineering services
Project	Snowy Monaro Local Traffic Committee
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The event organiser is seeking Council approval to close local roads in Adaminaby to enable the Snow Goose Hotel to hold a High Country Music Muster safely on 2nd and 3rd February 2018. The event organiser has provided a copy of \$20M public liability insurance, a traffic control plan, schedule 1 form and special events TMP. Letter to emergency services and agreement of all businesses effected are still required.

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

COMMITTEE RECOMMENDATION

LTC3/18

- A. That Council provides conditional approval of the road closures to hold the Adaminaby High Country Music Muster on 2 and 3 February 2018, subject to the following conditions:

That the following streets be closed to vehicular traffic from 4:00pm on 2 February 2018 to 12:01am on 4 February 2018:

- (a) Entrance to Denison Street off the Snowy Mountains Highway, Adaminaby.
- (b) Denison Street, Adaminaby between the Snowy Mountains Highway and Druitt Street.
- (c) Baker Street, Adaminaby, 30 metres east and west of the intersection of Denison Street.
- (d) That temporary signage be placed on the Highway notifying traffic of closures.
- (e) VMS to be placed on each highway approach a week before the event.

S Morabito

J Fogg

Representative of the NSW Police

Representative of the NSW RMS

Representative of the State MP

Representative of the Council

**7.3 REQUEST TO APPROVE THE TEMPORARY PARKING OF THE "BUSINESS BUS" IN JINDABYNE ON
3RD APRIL 2018 AND IN COOMA ON 4TH APRIL 2018**

Record No:

Responsible Officer:	Development Engineer
Key Direction:	2. Expanding Connections Within the Shire and Beyond
Delivery Plan Strategy:	DP2.3 Continually monitor and improve traffic management throughout the Shire.
Operational Plan Action:	OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.
Attachments:	<ul style="list-style-type: none">1. Business Bus 03.04.18 Jindabyne Location (<i>Under Separate Cover</i>)2. Business Bus Cooma Location (<i>Under Separate Cover</i>)3. Business Bus Certificate of Currency - TMF 094 161 (<i>Under Separate Cover</i>)4. Business Bus request (<i>Under Separate Cover</i>)5. Business Bus Specifications & Pictures (<i>Under Separate Cover</i>)
Cost Centre	1505 Engineering and Operations

Project Snowy Monaro Local Traffic Committee

Further Operational Plan Actions:

EXECUTIVE SUMMARY

A request has been received seeking Council approval to park a "Business Bus" van in Jindabyne on 3rd April 2018 and in Cooma on 4th April 2018 between the hours of 8:30am and 3:30pm as has occurred in previous years. The specific location for each town has been provided.

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

COMMITTEE RECOMMENDATION

LTC4/18

That Council

- A. Provides its approval to permit the "Business Bus" to park in Jindabyne on 3 April 2018 and in Cooma on 4 April 2018 between 8:30am and 3:30pm.
- B. Covers the regulatory parking signs for the parking bays on 3 and 4 April 2018 between 7:30am and 3:30pm (to ensure vehicles are not parked beforehand).

S Morabito

J Fogg

Representative of the NSW Police

Representative of the NSW RMS

Representative of the State MP

Representative of the Council

7.4 2018 ANZAC DAY PARADE AND ROAD CLOSURES FOR BOMBALA AND DELEGATE

Record No:

Responsible Officer:	Development Engineer
Key Direction:	2. Expanding Connections Within the Shire and Beyond
Delivery Plan Strategy:	DP2.3 Continually monitor and improve traffic management throughout the Shire.
Operational Plan Action:	OP2.8 Investigate and implement Traffic Management measures as an aid to increase road safety throughout the Region.
Attachments:	<ol style="list-style-type: none">1. Bombala Anzac application 2018 (<i>Under Separate Cover</i>)2. Delegate ANZAC DAY SCHEDULE 1 Notice of Intent & Check list (<i>Under Separate Cover</i>)3. Delegate Anzac POLICE TRAFFIC MANAGEMENT PLAN - ON-ROAD EVENTS_2018 (<i>Under Separate Cover</i>)4. Delegate Anzac RISK ASSESSMENT & CONTROL PLAN_Delegate 2018 (<i>Under Separate Cover</i>)

5. Delegate Anzac Traffic Plan - Rough drawing (*Under Separate Cover*)

Cost Centre 1505 Assets and Engineering Services

Project Snowy Monaro Local Traffic Committee

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Delegate and Bombala RSL Sub Branches have requested that Council consider temporary road closures to hold the annual ANZAC Day parades on 25th April 2018 in Bombala and Delegate.

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

COMMITTEE RECOMMENDATION

LTC5/18

That Council approves the 25 April 2018 ANZAC Day temporary road closure for:

A. Delegate:

In Bombala Street between Victoria Parade and Church Street (including all Lanes) and in Campbell Street between Victoria Parade and William Street (including all Lanes) 10:30am until 12:00pm, subject to providing:

a) Traffic Control Plan.

B. Bombala:

In Maybe Street between Burton and Caveat Streets and Forbes Street between Therry and Wellington Streets from 6am until 6:45 am and from 10:30am until 12:00pm subject to:

a) Notification to emergency services.

S Morabito

J Fogg

Representative of the NSW Police

Representative of the NSW RMS

Representative of the State MP

Representative of the Council

7.5 BOMBALA SHOW ROAD CLOSURES ON 17 MARCH 2018

Record No:

Responsible Officer: Development Engineer

Key Direction: 2. Expanding Connections Within the Shire and Beyond

Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.

Operational Plan Action: OP2.8 Investigate and implement Traffic Management measures as an

aid to increase road safety throughout the Region.

Attachments:

1. Bombala Show Fire Brigade letter (*Under Separate Cover*)
2. Bombala Show Letter to council 2018 (*Under Separate Cover*)
3. Bombala Show Traffic Management Plan 2018 (*Under Separate Cover*)

Cost Centre 1505 Assets and Engineering Services

Project Snowy Monaro Local Traffic Committee

Further Operational Plan Actions:

EXECUTIVE SUMMARY

A request has been received from the Bombala Exhibition Society Incorporated for Council to consider the temporary road closures of Forbes and Caveat Streets in Bombala from 7am until 7pm on 17th March 2018 to enable the Bombala Show to be held.

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

COMMITTEE RECOMMENDATION

LTC6/18

That Council approves the temporary road closure of Forbes Street, Bombala, between Wellington and Mercy Streets and Caveat Street, Cooma, between Wellington and Mercy Streets on Saturday 17th March 2018 from 7:00am until 7:00pm subject to:

- A. Copy of letters sent to emergency services;
- B. A copy of the Certificate of Currency of at least \$20M stating SMRC as an interested party; and
- C. Traffic Control Plan, developed by a properly accredited person.

S Morabito

J Fogg

Representative of the NSW Police

Representative of the NSW RMS

Representative of the State MP

Representative of the Council

7.6 MT GLADSTONE HILLCLIMB MOTORSPORT EVENTS FOR 25 FEBRUARY 2018 , 27 MAY 2018, 24 AND 25 NOVEMBER 2018

Record No:

Responsible Officer: Development Engineer

Key Direction: 2. Expanding Connections Within the Shire and Beyond

Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.

Operational Plan Action: OP2.8 Investigate and implement Traffic Management measures as an aid to increase road safety throughout the Region.

Attachments:

1. Hill Climb 2018 TMP-V 1 5 (*Under Separate Cover*)
2. Hill Climb Certificate of currency 2018_cams (*Under Separate Cover*)
3. Hill Climb Heidis Teahouse-Signed 2018 (*Under Separate Cover*)
4. Hill Climb SCHEDULE 1 SPECIAL EVENT TMP 2018 (*Under Separate Cover*)
5. Hill Climb-241118-REGS Approved (*Under Separate Cover*)
6. Hill Climb-250218-REGS Approved (*Under Separate Cover*)
7. Hill Climb-251118-REGS Approved (*Under Separate Cover*)
8. Hill Climb-270518-REGS Approved (*Under Separate Cover*)
9. Hill Climb 2018 Track Inspection Mt Gladstone Hillclimb Track (*Under Separate Cover*)

Cost Centre 1505 Assets and Engineering Services
Project Snowy Monaro Local Traffic Committee

EXECUTIVE SUMMARY

The Cooma – Monaro Historic Automobile Club is proposing to hold four hill climb events during 2018 on the Mt Gladstone Road similarly to the four events held previously. The first event is proposed to be held on 25th February 2018, with the others on 27th May 2018, 24th November 2018 and the last on 25th November 2018. The event organiser has again advised that this motor sport event will be sanctioned by the Confederation of Australian Motor Sport (CAMS). The event organiser is seeking Council endorsement of the traffic arrangements at the Kosciuszko Road/ Mt Gladstone Road intersection and on Mt Gladstone Road for the duration of each of the four events. The certificate of currency provided does not reference the Mt Gladstone Road event nor includes council as an interested party. The event organiser will still need to submit to Council insurance that will adequately cover the event.

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

COMMITTEE RECOMMENDATION

LTC7/18

That Council endorses the traffic arrangements at the Kosciuszko Road/ Mt Gladstone Road intersection and on Mt Gladstone Road (Private Road) for the Mt Gladstone Hill Climb Event for the duration of the event on 25 February 2018, 27 May 2018, 24 November 2018 and 25 November 2018 subject to:

- A. That the Applicant be advised that applications for the 2019 events should be submitted six months prior to the first event.

S Morabito

J Fogg

Representative of the NSW Police

Representative of the NSW RMS

Representative of the State MP

Representative of the Council

7.7 2018 ANZAC DAY PARADE AND ROAD CLOSURES FOR COOMA AND NIMMITABEL

Record No:

Responsible Officer:	Development Engineer
Key Direction:	2. Expanding Connections Within the Shire and Beyond
Delivery Plan Strategy:	DP2.3 Continually monitor and improve traffic management throughout the Shire.
Operational Plan Action:	OP2.8 Investigate and implement Traffic Management measures as an aid to increase road safety throughout the Region.
Attachments:	1. Nimmitabel and Cooma Anzac Day details (<i>Under Separate Cover</i>)
Cost Centre	1505 Assets and Engineering Services
Project	Snowy Monaro Local Traffic Committee
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The Cooma Monaro Sub Branch RSL and Gary Nichols from Nimmitabel have requested that Council consider temporary road closures to hold the annual ANZAC Day parade on 25th April 2018 in Cooma and Nimmitabel. Supporting information has not yet been received.

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

COMMITTEE RECOMMENDATION

LTC8/18

- A. That Council approves the 25 April 2018 ANZAC Day temporary road closure in Sharp Street, Cooma, between Bombala and Vale Streets and in Vale Street, Cooma, between Sharp Street and the cenotaph from 10:15am to 12:00pm subject to:
- a) Contact RMS to seek advice on Road Occupancy Licence requirement.
- B. That Council approves the 25 April 2018 ANZAC Day temporary road closure in Bombala and Boyd Streets, Nimmitabel from 10:30 am to 11:00am subject to:
- a) Notification to emergency services,
 - b) A Traffic Control Plan,
 - c) A Risk Assessment,
 - d) Schedule 1 Form and Special Event TMP check list,
 - e) Certificate of Currency listing Snowy Monaro Regional Council as an interested party.
 - f) Contact RMS to seek advice on Road Occupancy Licence requirement

Representative of the NSW Police

Representative of the NSW RMS

Representative of the State MP

Representative of the Council

7.8 LAND ROVER 70TH ANNIVERSARY GRAND PARADE ROAD CLOSURE ON 1ST APRIL 2018

Record No:

Responsible Officer: Development Engineer

Key Direction: 2. Expanding Connections Within the Shire and Beyond

Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.

Operational Plan Action: OP2.8 Investigate and implement Traffic Management measures as an aid to increase road safety throughout the Region.

Attachments: 1. Land Rover Grand parade map 2017
2. Land Rover Schedule 1 Form
3. Land Rover traffic management plan application

Cost Centre 1505 Assets and Engineering Services

Project Snowy Monaro Local Traffic Committee

Further Operational Plan Actions:

EXECUTIVE SUMMARY

A request has been received from Council's Manager Tourism and the Event organiser Councillor Rogan Corbett for Council to consider the temporary road closure in Sharp Street, Cooma between Bradley Street and Boundary/Creek Streets to enable the Land Rover 70th Anniversary Parade to be held. The event organiser advises as follows:

Vehicles will assemble at the Cooma race Course and the parade will be staged from Yareen Road entry onto Sharp St. The parade will proceed down Sharp Street from Yareen road entry and through to Boundary Street. There will be little to no foot pedestrians involved in the parade. The parade vehicles will disperse left into Boundary St and into the Cooma Showground for the Grand Display.

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

COMMITTEE RECOMMENDATION

LTC9/18

That Council approves the temporary road closure of Sharp Street, Cooma between Bradley Street and Boundary/Creek Streets to enable the Land Rover 70th Anniversary Parade to be held on Sunday 1 April 2018 from 9:45am until 11:30pm subject to:

- A. Copy of letters sent to emergency services,
- B. A copy of the Certificate of Currency of at least \$20M stating SMRC as an interested party,
- C. A risk assessment,
- D. A Traffic Control Plan, detailing marshals and traffic controllers,

- E. Traffic Management Plan, with details of management of cars from Racecourse to Bolaro Road intersection and aerial plan detailing parking arrangements for staging at intersection of Sharp and Bolaro Streets
- F. Road Occupancy Licence
- G. Copy of notification of business owners affected
- H. Any reference to Cooma-Monaro Shire Council be replaced with Snowy Monaro Regional Council
- I. Written consent form all business / property owners who are affected by the road closures.

S Morabito

J Fogg

Representative of the NSW Police

Representative of the NSW RMS

Representative of the State MP

Representative of the Council

The Committee was joined by members of the Land Rover 70th Anniversary Committee, Council's Manager Tourism, the Event organisers Councillor Rogan Corbett and Chris Reeks to discuss the proposed arrangements for the Parade and road closures. To reduce the amount of cars on the road it was agreed that cars in the parade are to leave the staging area in groups of 30, in 1 minute intervals. Unregistered cars will be trailered to Bolaro Street and unloaded before the parade.

8. GENERAL BUSINESS

8.1 INTERSECTION ON POLO FLAT ROAD - SALE YARDS

Councillor Lynley Miners inquired about the reduction in speed that was discussed at the previous meeting. The matter was discussed and it was advised that the Group Manager Transport Infrastructure (Operations) would need to be involved in the placement of warning signs.

8.2 DEBRIEF FROM HARTLEY ABILITY CYCLE CHALLENGE

Snr Const Morabito provided a debriefing of the Hartley Ability Cycle Challenge event held in November. The main concerns from the event were listed by the Jindabyne Police. It was noted that the escort drivers were blocking traffic and not giving way.

The Police will require following amendments to be implemented for next year's event.

- (a) Continuing education with escort drivers and assistants.
- (b) TMP amended to ensure that no lead (front) escort vehicle be provided for each individual riding group.
- (c) TMP amended to include one single lead (front) escort vehicle to be positioned 300m ahead (of the first group).
- (d) TMP amended to require the rear group escort vehicle to move completely off the road when

5 or more vehicles (normal traffic) accumulate behind the rear escort.
--

9. MATTERS OF URGENCY

NIL

10. NEXT MEETING

Thursday, 29 March 2018 in Jindabyne

There being no further business the Chair declared the meeting closed at 1.04pm

CHAIRPERSON

The above minutes of the Local Traffic Committee Meeting of Snowy Monaro Regional Council held on 25 January 2018 were confirmed by Committee at a duly convened meeting on 29 March 2018 at which meeting the signature hereon was subscribed.

10.1 REQUEST FROM LIFEGATE CHRISTIAN CHURCH TO USE PART LOT 8 DP 263606

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Property Officer
Key Direction:	1. Sustaining Our Environment for Life
Delivery Plan Strategy:	DP1.3.1.1 Ensure Council services, facilities and land holdings promote best practice for sustainability.
Operational Plan Action:	OP1.14 Council have safe, reliable, sustainable and cost effective assets through the management of Facilities.
Attachments:	1. Letter from Lifegate Christian Church 13 11 17 ↓ 2. Letter from Lifegate Christian Church 15 3 17 ↓ 3. Survey plan ↓ 4. Draft Deed of Licence - Lifegate Christian Church ↓
Cost Centre	1590 – Real Estate Development
Project	There is no identified project
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

On 15 March 2017 Lifegate Christian Church wrote to Council to lease part lot 8 DP 263606 in Mittagang Road, Cooma at a nominal fee.

The proposal was for the Lifegate Christian Church to fence a portion of lot 8 DP 263606 and to carry out regular maintenance of the fenced portion of the land at their own cost. Fencing the land would take into account a water easement and it is proposed that gates would be installed in the fence to permit vehicle access to the area.

It is proposed that Council enter into a Legal Agreement with Lifegate Christian Church for the use of the land (based on the fact that it is a “not for profit” organisation). At present the property is not rateable because it is “for public access” but if Council leases the property then the property will be rateable and either Council or the lessee will become liable for the rates. If Council resolves to enter into a Legal Agreement for the Lifegate Christian Church to use the land in exchange for the maintenance then the land would remain unrated.

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

OFFICER’S RECOMMENDATION

That Council :

- A. Approve the proposal to enter into a Legal Agreement with the Lifegate Christian Church for a period of 5 years with an optional further period of 5 years.
 - B. That the terms outlined in the draft Legal Agreement attached to this report be adopted
 - C. That Lifegate Christian Church be responsible for the costs of preparation of the Agreement.
 - D. Authorise the General Manager to execute the Agreement on behalf of Council.
-

BACKGROUND

On 15 March 2017 Lifegate Christian Church wrote to Council to lease part lot 8 DP 263606 in Mittagang Road, Cooma at a nominal fee. Access is via a right of carriageway off Yulin Avenue.

The proposal was for the Lifegate Christian Church to fence a portion of lot 8 DP 263606 and to carry out regular maintenance of the fenced portion of the land at their own cost. Fencing the land would take into account a water easement and it is proposed that gates would be installed in the fence to permit vehicle access to the area. The land is classified as “operational land”.

At present volunteers at Lifegate Christian Church regularly mow a section of lot 8 to allow their youth and children an outside area to play and for games they run as part of their not for profit programs. There is concern for the safety of the children in view of the fact that the land is adjacent to a local traffic road and located near to some derelict buildings. The Lifegate Church believes that the answer to the problem could be solved if they fenced and maintained the area.

In the long term Lifegate Christian Church would like to enter into discussions with Council to develop the land as a family friendly park which could be accessible to the public.

Lot 8 comprises approximately 1812m² of vacant land which has a right of access to Yulin Avenue.

At present only minimal maintenance is carried out on lot 8 by Council’s Parks and Recreation Department.

Lot 8 is not rateable as it is “for public access”. If Council leases the land then it will become rateable under the legislation and either the Lifegate Christian Church or Council will be liable for the cost of the rates.

However, if Council resolves to permit the Lifegate Christian Church to fence a portion of the land and to use it under the terms of a Legal Agreement in exchange for maintenance of the land, then the land would not become rateable.

The land would only become rateable if it ceased to allow public access. The Church has agreed that it would install gates in the fence to permit access by Council and the public.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Lot 8 is vacant land which, on the deposited plan, is noted as “Public Reserve”. The land is classified as operational land and as such, Council is able to consider permitting part of lot 8 to be used by the Lifegate Christian Church.

The social benefits of permitting part of lot 8 to be used by the Church are obvious and include the benefits of increasing safety of children and youth and maintenance of a parcel of land which is presently not used by Council or another group.

2. Environmental

The environmental impact is considered to be generally positive.

3. Economic

Should Council resolve to enter into a Legal Agreement with the Lifegate Christian Church to use part lot 8 DP 263606 in return for maintaining the part subject to a Legal Agreement, then the land will remain unrated.

Council will save by handing over the maintenance of the area, and the public attending the Church will benefit from a well maintained and fenced area for their youth and children to play.

Under the terms of an Agreement the Church would be liable for the legal fees (approx. \$700 incl. GST) involved in the preparation of the Agreement by Council's solicitors.

4. Civic Leadership

The Lifegate Christian Church has expressed the desire to enter into an Agreement with Council to use part of lot 8 DP 263606 for a peppercorn rent. However, leasing the area would then mean that the land would become rateable.

Council has the option to choose to enter into a Memorandum of Understanding with the Church (this would not be legally enforceable) or else to enter into a Legal Agreement which would be legally enforceable should any problems arise.

The use and maintenance of part Lot 8 by the Church would ensure that the Council asset is maintained to an appropriate standard suitable for use by the public.

Lifegate Christian Church
5-7 Yulin Ave
Cooma NSW 2630

13 November 2017

Ross Lawley
Snowy Monaro Regional Council
PO Box 714
Cooma NSW 2630

Dear Ross,

Proposal regarding Lot 8 DP 263606

Thank you for meeting with me on 6 November, regarding our letter of 15 March 2017.

As discussed, we would like to formalise an arrangement to utilise a portion of Lot 8, adjacent to our property, as shown on the marked up copy of the survey plan attached.

As part of our proposal, we would undertake the following:

- Fencing along the lines squared off the end of the building and the back fence
- 3 m wide gate for access to the sewer easement
- Modify the existing (colorbond) gate, to allow access for right of footway

This would create a safe play area outside the building, whilst maintaining right of footway and access to the sewer easement.

To assist the process, we would appreciate an indication of the cost of leasing the proposed fenced area, outside our boundary, from Council.

Regarding the long term option mentioned in our letter of 15 March, we see this as beyond our resources at this stage; however we would like to keep the door open for possibilities at some time in the future.

Yours faithfully,



Garry Barnes

for

Pastor David Reading

Lifegate Christian Church
5-7 Yulin Ave.
Cooma NSW 2630
March 15, 2017

Snowy Monaro Regional Council
PO Box 714
Cooma NSW 2630

Subject: Proposal regarding Lot 8, DP 263606

Dear Snowy Monaro Regional Council:

In a bid to increase the safety of youth and children attending our NRG Ministries programs and Sunday school events, we would request Council to consider leasing Lot 8, DP 263606 at a nominal fee, so we are able to fence the land to create a safe play area.

The land, Lot 8, DP 263606 backs onto the Lifegate Christian Church facility and specifically, the back door of our youth and children's ministry room. We understand that it was previously allocated under Council's parks and gardens, but it is only kept with minimal maintenance by Council staff.

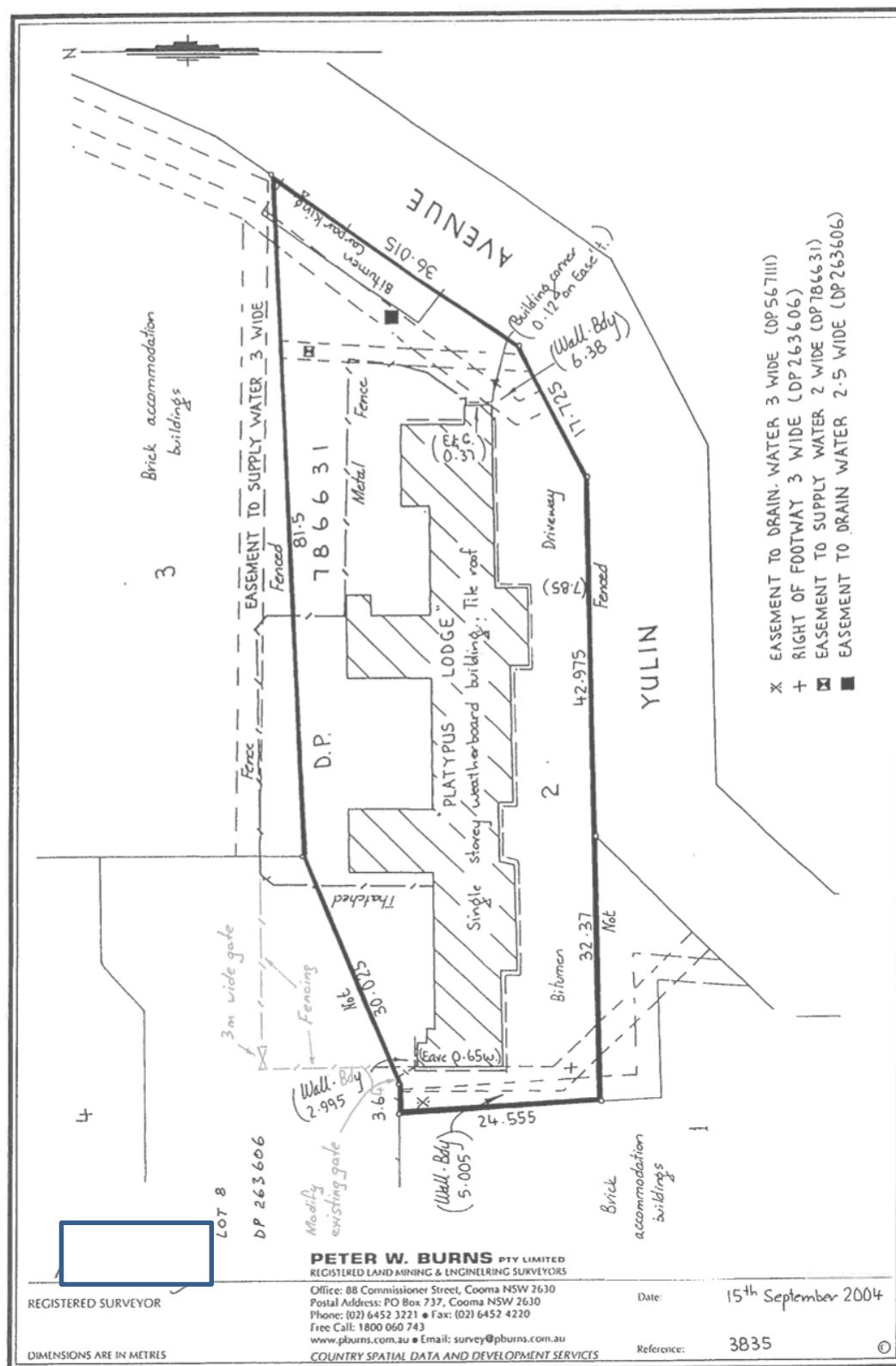
Volunteers at Lifegate Christian Church regularly lawn mow a section of the land to allow our youth and children an outside area to play and for games we run as part of our not for profit programs. Despite constant adult supervision during our programs, we are concerned for the safety of these children whilst this area is not fenced, since it is adjacent to a local traffic road and located nearby some derelict buildings.

If Council was to lease this land to our church we would fence it (at our cost), preferably with a school/ pool style safety fence and take full responsibility for its maintenance. We understand there is a water easement which runs through the area, due to this we would ensure there were appropriate access gates and clearway to allow vehicle access to this area for Council and other utility providers.

In the long term, we would be interested in further developing the land as a family friendly park which could be accessible by the public. We are happy to meet with Councillors and staff to further discuss this matter and look forward to your reply.

Thank you

Pastor David Reading
Lifegate Christian Church



Date

DRAFT 2 2018

SNOWY MONARO REGIONAL COUNCIL

**SNOWY MONARO ASSEMBLY OF GOD t/as LIFEGATE CHRISTIAN
CHURCH**

LICENCE

Walker Gibbs & King Pty Ltd
7 Dawson Street
Cooma NSW 2630
DX 5521 Cooma
Email: administration@coomalaw.com.au
Ref: CW:jb:2018/020

THIS AGREEMENT dated day of 2018 is made

BETWEEN **Snowy Monaro Regional Council** of 81 Commissioner Street as the first party,
and

Snowy Monaro Assembly of God t/as Lifegate Christian Church ABN 73 576 716 265 of 5-7 Yulin Avenue Cooma NSW 2630 as the second party.

1. Definitions and Interpretation

- 1.1 "Council" means the first party Snowy Monaro Regional Council.
- 1.2 "Lifegate" means the second party Snowy Monaro Assembly of God t/as Lifegate Christian Church ABN 73 576 716 265.
- 1.3 "Lot 8" means Lot 8 Deposited Plan 263606.
- 1.4 "The licence area" means the area the subject of the licence from Council to Lifegate, being that part of Lot 8 shaded on the plan attached to and forming part of this document.
- 1.5 "Platypus Lodge" means Lot 2 Deposited Plan 786631.

2. Background Information

- 2.1 Lifegate leases Platypus Lodge. It conducts church and community activities in and on Platypus Lodge.
- 2.2 Lot 8 adjoins Platypus Lodge.
- 2.3 Council is registered proprietor and beneficial owner of Lot 8.
- 2.4 Lot 8 is vacant land. It is used for access to Platypus Lodge and other Lots in the area for water pipes, electricity services, and a dirt access track. The only public access to Lot 8 is over a right of carriageway from Yulin Avenue to Lot 8. Lot 8 is classified by Council as "public access".
- 2.5 Lifegate want to use the outside area at the rear western end of Platypus Lodge and use the licenced area of Lot 8 in conjunction with that outside area, for church and community activities. That use would involve a nonexclusive licence and would not interfere with public access over Lot 8 for the purposes referred to above, and is to be nonexclusive as to the licence area.
- 2.6 Council want to be relieved of the burden of maintaining Lot 8, and the cost of contributing to a fence in respect of the boundary between Platypus Lodge and Lot 8, and to be indemnified in respect of any risks arising from nonexclusive licence of the licence area.
- 2.7 Lifegate is concerned about the safety in particular of children during its activities in the area of Platypus Lodge adjoining the licence area.

3. Operative Part

- 3.1 For a period of 5 years commencing 2018, Council grants a non-exclusive licence to Lifegate, subject to the following terms of this agreement.
- 3.2 In addition to termination of this licence by expiration of the 5 year period, this licence may be terminated:
- 3.2.1 By either party on giving 3 months written notice to the other without cause, and then a notice at the end of that period terminating the licence;
- 3.2.2 By either party for breach of a term in this agreement after giving 2 weeks notice to rectify that breach and then a written notice terminating the licence if the breach remains unrectified.
- 3.3 Lifegate will pay the Council the sum of \$100.00 on the grant of this licence. There will be no fee payable to Council for the grant of the licence.
- 3.4 Lifegate will fence the licence area as shown on the attached plan and erect a 3 metre wide gate. Lifegate will not lock that gate. The fencing and gate will be erected within 2 months of the date of this licence. The fencing will be school or pool style fencing or otherwise as agreed between Council and Lifegate.
- 3.5 It is a terms of this agreement that Lifegate remain a not-for profit organisation.
- 3.6 This licence cannot be assigned. No sub-licencing is permitted.
- 3.7 Lifegate will insure the licence area for public liability in the sum of \$20 million and each year provide a copy of a document evidencing such insurance to Council in the 2 weeks prior to the anniversary of the granting of this licence. Lifegate indemnifies Council in respect of any liability whatsoever arising from its use of the licence area, or use by persons pursuant to the licence held by Lifegate.
- 3.8 Lifegate will pay Council's reasonable legal costs of this agreement.
- 3.9 For the avoidance of doubt, the licence is a non-exclusive licence. The gate must remain unlocked. The licence area must remain accessible to Council and members of the public.
- 3.10 Lifegate will maintain the fence, the gate, mow the area, control weeds and do other such things comprising reasonable maintenance of the licence area.

4. Execution

EXECUTED AS A DEED

**EXECUTED BY SNOWY MONARO)
REGIONAL COUNCIL:)**

.....
General Manager

Name: ...

.....
Witness

Name: ...

EXECUTED BY SNOWY MONARO)
ASSEMBLY OF GOD t/as LIFEGATE)
CHRISTIAN CHURCH :

.....
Secretary

.....
Director

Name: ...

Name: ...

DRAFT

10.2 AITCHISON COTTAGE BERRIDALE STRATEGIC MANAGEMENT PLAN

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Asset Manager
Key Direction:	1. Sustaining Our Environment for Life
Delivery Plan Strategy:	DP1.3.1.1 Ensure Council services, facilities and land holdings promote best practice for sustainability.
Operational Plan Action:	OP1.14 Council have safe, reliable, sustainable and cost effective assets through the management of Facilities.
Attachments:	<ol style="list-style-type: none">1. Aitchison Cottage Strategic Management Plan Conservation Policies, CMP 2014 ↓2. Aitchison Cottage Berridale Conservation Management Plan and Interpretation Plan March 2014 ↓3. Aitchison Cottage Strategic Heritage Management Plan NSW Environment & Heritage Database ↓4. Powerpoint Presentation, Aitchison Cottage ↓5. Strategic Management Plan, Aitchison Cottage ↓
Cost Centre	1510 Property Management Services
Project	PJ100076 SR PP-073 Aitchison Cottage Planning
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

A submission for the Restoration of Council's Aitchison Cottage Berridale (under the allocation of the Stronger Communities Funding - \$14 million) was received by the Section 355 Committee for Aitchison Cottage. The committee responsible for the allocation of funding approved the funding for a Strategic Management Plan to be developed. The Plan includes suggestions for an end use of the building which will enable Council and the Section 355 Committee to apply for grant funding to assist with the refurbishment of the cottage.

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

OFFICER'S RECOMMENDATION

That Council

- A. Adopt the Aitchison Cottage Berridale Strategic Management Plan ;
 - B. Place the Draft Aitchison Cottage Berridale Strategic Management Plan on public exhibition for a period of 28 days; and
 - C. Should any submissions to the Draft Aitchison Cottage Berridale Strategic Management Plan be received, a further report be presented to Council at the end of the exhibition period to enable Council to consider any submissions received; or
 - D. Should no submissions to the Draft Aitchison Cottage Berridale Strategic Management Plan be received, Council adopt the Aitchison Cottage Berridale Strategic Management Plan for Local Government.
-

BACKGROUND

A submission for the Refurbishment of Council's Aitchison Cottage Berridale (under the allocation of the Stronger Communities Funding \$14 million) was received from the Section 355 Committee for Aitchison Cottage. The committee responsible for the allocation of funding approved the funding for a Strategic Management Plan to be developed.

The Section 355 Committee for Aitchison Cottage has already completed a number of works on the cottage, through fund raising and grant applications, e.g. design and construction plans, approved development application and construction certificate, replace roof and verandah, internal repairs and heritage style garden design. The Strategic Management Plan also includes suggestions for an end use of the building and will enable Council and the Section 355 Committee to apply for grant funding to assist with the refurbishment of the cottage.

Dr Caroline Cosgrove, Heritage Consultant, was contracted to complete the Aitchison Cottage Strategic Management Plan last year. The consultation process with the Section 355 Committee, Council's Heritage Advisor Dr Peter Kabaila and local community groups conducted by Dr Cosgrove has been completed and a Strategic Management Plan and Powerpoint Presentation is attached.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Council meets its social obligations by attaining the objectives of Key Direction Four of the Community Strategic Plan Delivery Program by supporting Community Groups and Initiatives such as Section 355 Committees.

2. Environmental

The works to be completed at Aitchison Cottage restoration project will enhance the visual impact of the Berridale Town Centre for the community and visitors and helps save the heritage of Berridale. Aitchison Cottage is also part of Council's Berridale Landscape Master Plan.

3. Economic

The funds provided by the Stronger Communities Funding of \$ 11,200.00 for the cost of a consultant to complete the Strategic Management Plan will now allow the Section 355 Committee to apply for grant funding to complete the restoration of Aitchison Cottage based on the Strategic Management Plan .

4. Civic Leadership

This Section 355 Committee is a Management Committee :

Management Committees manage the facility themselves for example repairs, purchasing and financial accounts.

Council is demonstrating leadership by assisting in the improvement and enhancement of our Region's Community Facilities with the assistance of Section 355 Committees and Community Volunteers.

AITCHISON COTTAGE, BERRIDALE CMP & Interpretation Plan

3 GENERAL CONSERVATION POLICIES

Subject	Policy and explanation
Priority	<p>Conservation is a term used in the Burra Charter to embrace several approaches. Conservation is a term that includes processes of maintenance, preservative restoration, reconstruction, adaptation and compatible reuse. For their definitions, refer to the Burra Charter.</p> <p>Policy 3.1 <i>The order of priorities in works relating to the site shall be:</i></p> <ul style="list-style-type: none"> ▪ <i>Protect building and site integrity.</i> ▪ <i>Enhance public safety.</i> ▪ <i>Enhance community uses by providing facilities which will promote public appreciation and visitation.</i>
Repairs	<p>Follow any schedules of work as guidelines. They cannot be exhaustive, and as the work progresses, other items of conservation work may become apparent.</p> <p>Scope of works for any building work should emphasise principles of conservation, not restoration.</p> <p>Any scope of works must be approached with an appreciation of the authenticity of the original methods used in construction. All participants on site should closely examine the building before any dismantling of fabric takes place.</p> <p>Imagine doing the work with only the skills, tools and materials available to the original builder. This means, for example, that oiled timber board floors should not be replaced with polyurethane sealed floors.</p> <p>Do not assume or decide anything without a close look at the building. The answer to a question may be visible in the building and help avoid work and unnecessary mistakes.</p> <p>Dismantling parts of the building is preferred to demolition.</p> <p>New or second-hand material is termed as introduced.</p> <p>Policy 3.2 <i>Works to stabilise or reinstate structures should closely follow the original building fabric.</i></p> <p>A section of timber that is mostly sound must be retained. If it has a rotten end then a short, matching section can be spliced on, or an extra length butt jointed in the required location. For example, a floor board or cover batten can be trimmed, and extended with a matching piece nailed adjacent to the original piece. It does not have to be joined together before fixing.</p> <p>Policy 3.3 <i>Any conservation building work should be completed with the least possible removal of original material.</i></p> <p>Policy 3.4</p>

AITCHISON COTTAGE, BERRIDALE CMP & Interpretation Plan

	<p><i>Repair fixings to match original when carrying out maintenance or repairs.</i></p> <p>Keep a drawing to record locations of all introduced material so the difference between original and new ("introduced") material can be understood.</p> <p>Complete a close photographic record of the work with before and after photographs of each aspect of the work. A hard copy of the captioned photographs would be kept in storage as well as an electronic copy backed up on CD. The CD should be stored at another secure place.</p> <p>Policy 3.5 <i>Keep a graphic and photographic record of extent of the work.</i></p>
Maintenance	<p>Policy 3.6 <i>Inspect annually and carry out maintenance.</i> To avoid further demolitions, buildings and structures over 50 years old on the site to be annually inspected and maintained.</p> <p>Council Heritage Adviser could visually inspect and report on clearly visible repair items.</p> <p>A roofer should inspect the whole roof to check especially for blocked box gutters and downpipes, loose flashing and loose roof sheets.</p> <p>Building leasees to provide a defects list annually and promptly report any maintenance items that they encounter, especially problems with drainage or electrical fittings.</p>
Adaptive Reuse	<p>Policy 3.7 <i>Adaptive reuse is necessary for future survival of the item.</i></p>
Access to this plan & updates	<p>A common fate of commissioned plans is that of becoming unknown, inaccessible or lost. This plan should be available for staff and the public and be updated at least every 5 years, preferably annually.</p> <p>Policy 3.8 <i>This plan should go on public display e.g. at a library.</i></p> <p>Policy 3.9 <i>This plan, or an extract of it, should be posted on the Council web-site.</i></p> <p>Policy 3.10 <i>This plan should be updated annually in consultation with local Council Heritage Adviser and local interest group for Aitchison Cottage.</i></p>



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Aitchison Cottage

Item details

Name of item:	Aitchison Cottage
Type of item:	Built
Group/Collection :	Residential buildings (private)
Category:	Cottage
Primary address:	2 Myack Street, Berridale, NSW 2628
Parish:	MYACK
County:	WALLACE
Local govt. area:	Snowy River

All addresses

Street Address	Suburb/town	LGA	Parish	County	Type
2 Myack Street	Berridale	Snowy River	MYACK	WALLACE	Primary Address
1 Bolton Street	Berridale	Snowy River	MYACK	WALLACE	Alternate Address

Statement of significance:

The cottage demonstrates Berridale’s development in the late 19th century and dwelling requirements of that era. Its building materials are particularly significant demonstrating the evolution of material use from early settlement till the 1950s. It has associational significance owing to is links with the Aitchison family and with Arthur Mawson, prominent 19th century builder in the district. The rat trap bond brick walls are a distinctive feature and it is thought that there is only one other example in Berridale, some 20 plus in Cooma and no others known in NSW. Opinions expressed by heritage landscape authorities are that the Victorian layed hawthorn hedge is a very rare example of its type in Australia owing to its age.

Date significance updated: 17 Feb 12

Note: There are incomplete details for a number of items listed in NSW. The Heritage Division intends to develop or upgrade statements of significance and other information for these items as resources become available.

Description

Construction years:	1885-
---------------------	-------

Physical description:	Single storey brick cottage with stone section at the rear and rendered quoins and architraves. Front verandah and corrugated iron roof. The bricks are laid in an unusual manner, that is rat trap bond, an early form of cavity. Mature plantings include relics of a 19th century layed hawthorn hedge.
Physical condition and/or Archaeological potential:	Poor. Serious vandalism has occurred in the last few years. Date condition updated: 23 Feb 11
Modifications and dates:	A sunroom and kitchen were added in the 1930s. The concrete block wing was built by a local contractor in the 1950s. Some additions were demolished in 2000.
Current use:	Snowy River Shire council storage
Former use:	Dwelling

History

Historical notes:	Built in the mid 1880s by Cooma builder Arthur Mawson, the cottage was purchased by Daniel Aitchison some time later and he and his family lived there for until his death in 1933. In 1983 Council bought the cottage from Mrs Robinson and mostly used it for archive storage. In June 2000 the sunroom and kitchen were demolished.
--------------------------	--

Historic themes

Australian theme (abbrev)	New South Wales theme	Local theme
4. Settlement-Building settlements, towns and cities	Accommodation-Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities.	Building in stone-
4. Settlement-Building settlements, towns and cities	Accommodation-Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities.	Building in brick-

Assessment of significance

SHR Criteria a) [Historical significance]	Aitchison Cottage is one of a small number of 19th century brick cottages surviving in Berridale and is tangible evidence of the development of the village
SHR Criteria b) [Associative significance]	<p>The Aitchison family was living in Berridale at least from 1863 when Daniel Aitchison was born and many of his descendants are still in the district.</p> <p>Aitchison cottage was built with bricks made by Arthur Mawson. Mawson, a stonemason and plasterer, who built numerous buildings in Cooma and the surrounding district and his sons continued the tradition.</p>
SHR Criteria c) [Aesthetic significance]	<p>The cottage is a modest example of mid to late Victorian building design and the extensions demonstrate the evolution of local building material use.</p> <p>The layed hawthorn hedge, though now allowed to grow wild, is still able to demonstrate</p>

the traditional technique of hedge laying.

SHR Criteria e)
[Research potential]

The cottage is constructed of three main types of building materials. The earliest rubble stone, a significant building material on Monaro, the second bricks locally made and laid in rat-trap bond and the third locally made concrete block c1955.

The layed hawthorn hedge is tangible evidence of this traditional technique.

SHR Criteria f)
[Rarity]

The rat trap bond method was popular n England and Scotland during the 19th century but rare in Australia. Some 20 buildings are found in Cooma and one other in Berridale, otherwise no other known examples have been found in NSW. The hawthorn hedge has also been noted for its rarity as an example of a layed hedge, a popular method of hedging throughout England and Scotland to keep stock enclosed during the 19th century.

SHR Criteria g)
[Representativeness]

Representative of Monaro buildings through the early use of rubble stone, followed by brick and then cement block.

Integrity/Intactness:

Reasonable degree of integrity, low degree of intactness.

Assessment criteria:

Items are assessed against the 🏛️ **State Heritage Register (SHR) Criteria** to determine the level of significance. Refer to the Listings below for the level of statutory protection.

Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Amend No 1	57	12 May 00		4053
Local Environmental Plan		I73	13 Dec 13		

Study details

Title	Year	Number	Author	Inspected by	Guidelines used
Snowy River Heritage Study	1998	3.58	Tropman & Tropman		Y e s

References, internet links & images

None

Note: internet links may be to web pages, documents or images.





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Some history

- Aitchison Cottage, located at Berridale, NSW, is a locally heritage listed building by the Snowy Monaro Regional Council. A blacksmith's shop is believed to have operated near the present cottage from the 1840s, during the earliest days of settlement in Berridale.
- In 1886, James Jackson (known as Arthur) Mawson, a leading builder from Cooma, bought the property. He made extensive renovations and extensions to the dwelling, including its red brick façade.
- In 1887 Mawson leased the nearby blacksmith's shop to Daniel Aitchison. Aitchison continued to work as a blacksmith and lived with his family in the cottage during the 1890s and early 20th century, until his death in 1933.



Aitchison Cottage, Berridale, c. 1904; Daniel Aitchison and family on
photograph: Aitchison family

Developments

The then Snowy River Shire Council purchased the cottage in about 1945 and ren until 1983, after which Council used the cottage for archives storage.

The cottage became surplus to Council's requirements and the condition of the t deteriorated in the 1990s.

In 2000 Council arranged the demolition of the 1930s sunroom and kitchen additi were in poor condition. There were a number of instances of vandalism in the ear



Aitchison Cottage, September, 2013
photograph: Snowy Monaro Regional Council

Section 355 Steering Committee for Aitchison Cottage

A Section 355 Steering Committee for Aitchison Cottage was formed in 2005 to assist the cottage's management. The Committee commenced restoration/reconstruction of the cottage, using Council grants and fundraising.

In 2014, with Council approval, the Committee demolished a 1950s concrete block extension to the cottage. The works exposed early fabric from the original cottage, including packed adzed posts, split timber boards and packing case timbers used as some interior wall floor boards.

Since then, the Committee has commissioned a Conservation Management Plan for Aitchison Cottage (2014), and carried out works to assist in the restoration/reconstruction of the building to lock up stage.

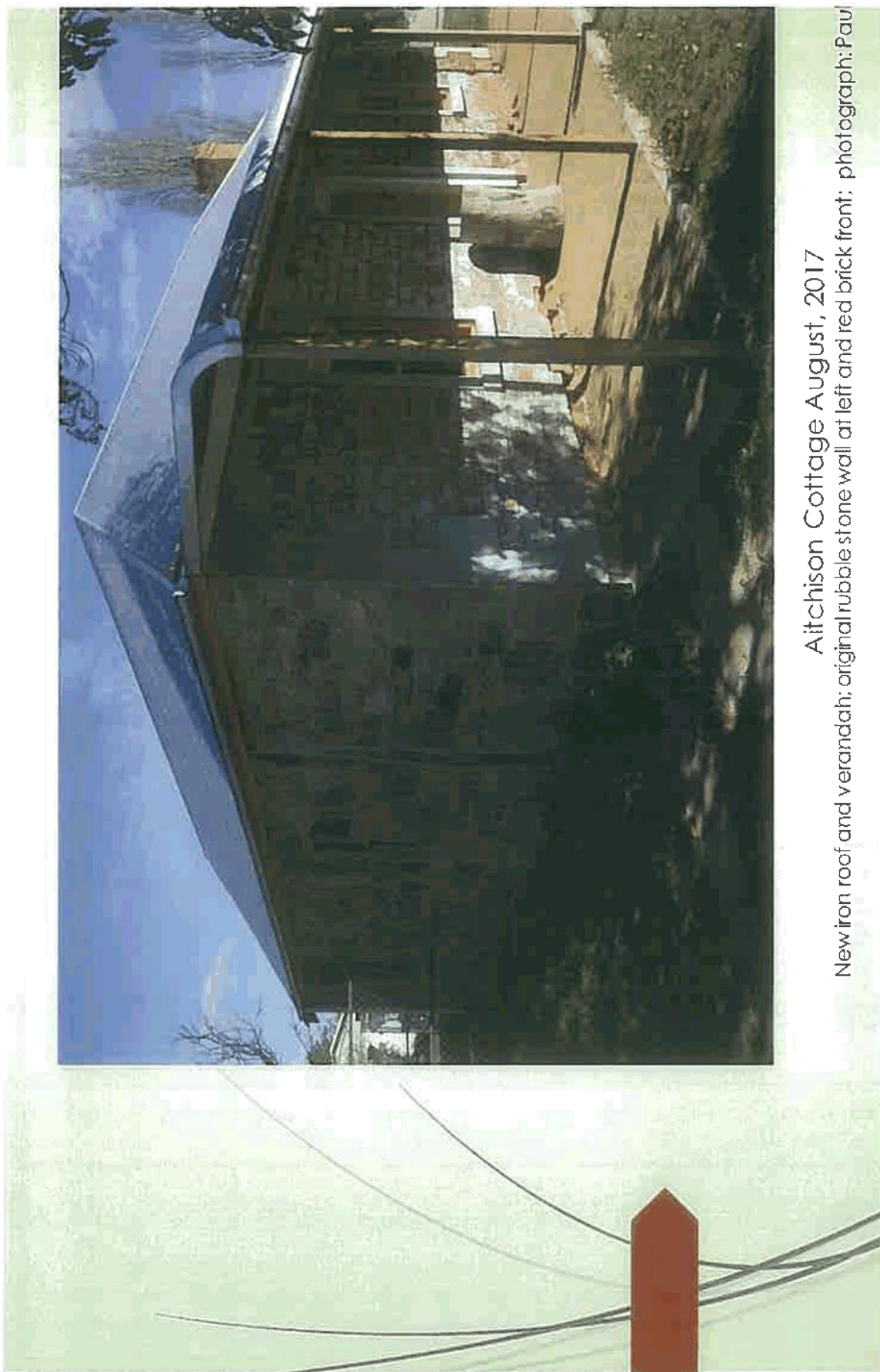


Packing case floor timbers, Aitchison Cottage, August 2017
photograph: C. Cosgrove

Aitchison Cottage restoration/reconstruction

The Section 355 Committee for Aitchison Cottage has completed the following

- Replaced rusted corrugated iron roof with new galvanised iron roof;
- Replaced verandah at front, north-western side, of building;
- Repaired window surrounds at front of cottage with cement mix;
- Replaced missing lintels above front windows;
- Repointed some brickwork at front of cottage with cement mix;
- Repaired chimney on south-western side of building.



Aitchison Cottage August, 2017

New iron roof and verandah; original rubble stone wall at left and red brick front; photograph: Paul

Aitchison Cottage - further works

The following works are planned:

- Replace timber floorboards;
- Reinstate chimney at south-eastern side of cottage; finish repairs to chimney on southern side of building.
- Repairs to internal walls and ceilings throughout cottage;
- Repairs to kitchen: fitting plumbing and insulation and repairs to chimney;
- Connect electricity, water supply and stormwater outlet;
- Paint exterior timber, interior walls and ceilings;
- Install toilet at rear of cottage;
- Establish fencing;
- Establish landscaping;
- Establish a community garden.



Aitchison Cottage, August, 2017
Interior showing chimney, floor and walls needing work; photograph: Paul Wallace

Aitchison Cottage Management Guidelines

Works should be carried out in accordance with the NSW Heritage Office's publication 'Guidelines for the Management of Heritage Buildings and Sites'.

This publication sets out guidelines which give practical advice on how to implement the NSW Heritage Office's Charter philosophy. It can be accessed on-line via the Snowy Monaro Regional Council website.

<http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infocarryout.htm>

The guidelines note that while changes may be necessary to adapt heritage buildings to modern uses, it is important to ensure that these changes do not compromise the heritage significance of the item.

Interpretation

Another means of management is to develop **interpretation** measures; these can include an information booklet, a walking trail brochure and a phone app.



Aitchison Cottage, August, 2017
Hallway, exposed section of lathe-and-plaster wall on left; photograph: Paul Wallace



Aitchison Cottage: setting

- Aitchison Cottage's setting should be considered as a vital part of the place's heritage value. Management and interpretation measures should take Aitchison Cottage's setting into account.
- Landscaping, interpretative signage, views to and from the cottage and its relationship to other early and contemporary structures and sites are all relevant aspects of its place in Berridale's civic precinct.
- The recommended landscape plan includes a screen of vegetation on the eastern and western sides of the cottage, as well as retention of the nineteenth century layered hawthorn hedge, located behind the skate park.



The nineteenth century layered hawthorn hedge near Aitchison Cottage is
the only known example of its kind in NSW

photograph: Snowy Monaro Regional Council

Stages and costs for the proposed works

A table of feasibility cost estimates is included in section 7.4 of the Strategic Heritage Management Plan for Aitchison Cottage. The following are the stages for the proposed works and cost estimate totals:

- Stage 1 – finish to lock up: includes floors, doors, architraves, initial electrical work and plumbing; \$125,178
- Stage 2 – fit out the interior: complete all internal requirements; \$49,700
- Stage 3 – exterior and landscaping: complete all exterior items including toilet, storm water, landscaping and exterior painting; \$24,300
- Stage 4 – Interpretation: signage; walking trail brochures; phone app; \$4,000
- Stage 5 - further studies/research and produce revised booklet; \$12,000

Use of Aitchison Cottage

Possible uses of Aitchison Cottage include:

- offering occasional access to a locally heritage-listed building for the local community and the general public at community events;
- providing office/meeting space for Snowy Monaro Regional Council management;
- providing an exhibition display area within a locally heritage-listed building for the community and the general public;
- hosting meetings of a range of local community groups;
- establishing Aitchison Cottage as a Community Cultural Centre/Visitor Centre;
- providing a combined use, i.e., occasional access to, and exhibition display of a locally heritage-listed building for the local community and the general public including events, AND to host meetings of local community groups.

This last use is considered the most suitable.



Aitchison Cottage, August, 2017
Restored front and chimney; reconstructed roof and veranda; photograph: Paul Wallace

Aitchison Cottage management

The Strategic Heritage Management Plan for Aitchison Cottage makes 15 recommendations. The major recommendations are that:

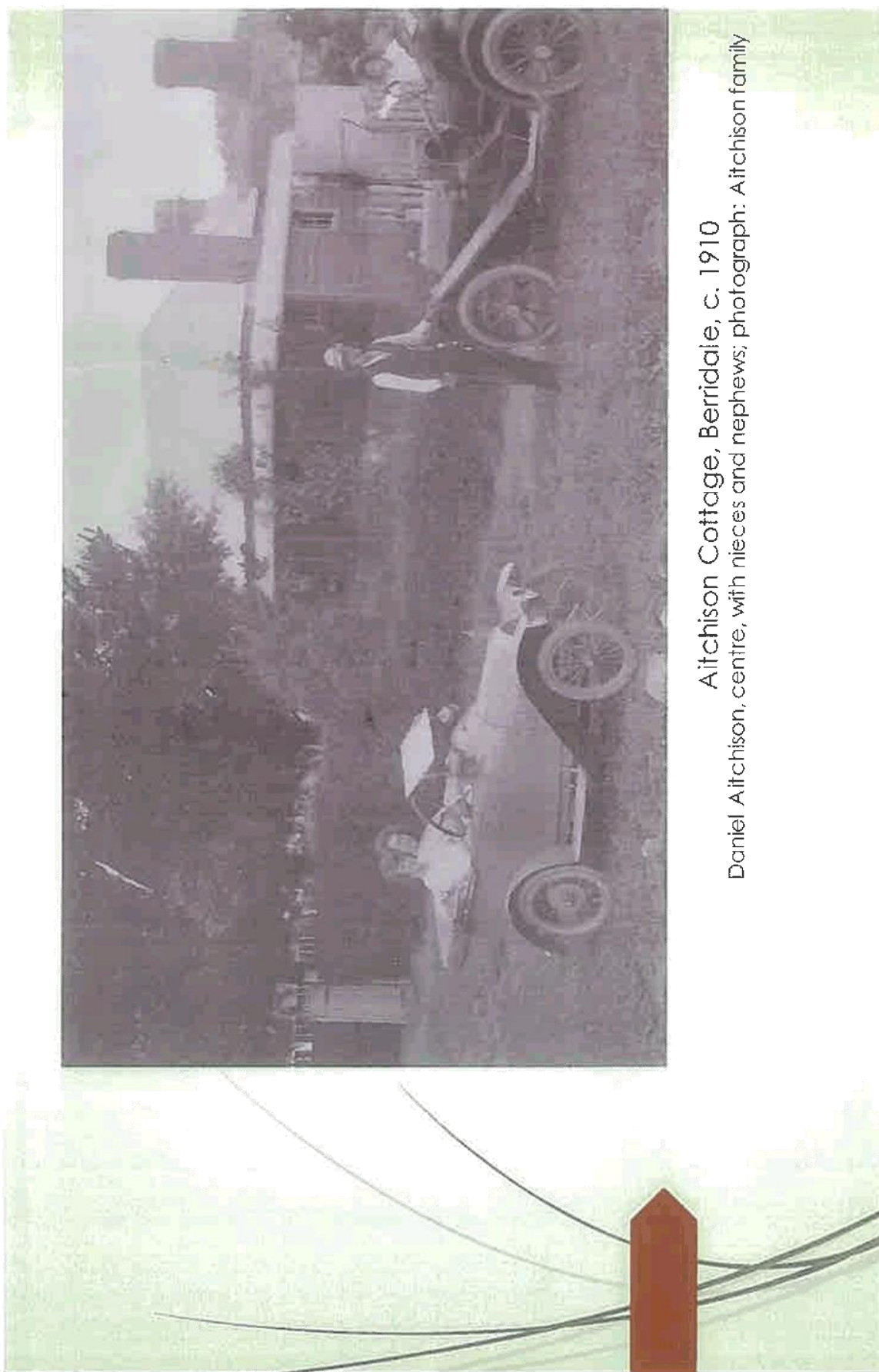
- the Section 355 Committee for Aitchison Cottage continue to be responsible for restoration/reconstruction works for the cottage;
- The Committee, with Council's support, seeks grant funds for Aitchison Cottage restoration/reconstruction works and arranges for any funds to be spent appropriately once the works are completed, expressions of interest be sought to form a committee group to manage the cottage.

Interested members of the Section 355 Committee and other groups that use the cottage should be encouraged to submit an expression of interest to Council to join the new management group.

This new group should take responsibility for maintenance of the cottage, and any further requirements, in conjunction with Council's Heritage Adviser.

Review and evaluation

- The Section 355 Management Committee for Aitchison Cottage should provide an annual progress report to Council, raising any concerns. Once the works are complete, the new management group should take over this responsibility.
- Council's Heritage Adviser should inspect the site, at least annually, and advise the management group and Council on heritage issues, including maintenance.
- This process should continue over the next 10 years, with Council to undertake a review after five years.



Aitchison Cottage, Berridale, c. 1910
Daniel Aitchison, centre, with nieces and nephews; photograph: Aitchison family

AITCHISON COTTAGE, BERRIDALE

STRATEGIC HERITAGE MANAGEMENT PLAN



Dr Caroline M Cosgrove
Heritage Consultant
28 November 2017

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Executive Summary

Aims

This Strategic Heritage Management Plan examines the cultural and heritage significance of Aitchison Cottage, the changes that have been made to it over time, and its current status. A key intention of this Plan is to consider the cottage's future use and to provide goals and objectives to achieve its potential. It identifies a range of possible uses, as well as the tasks required to complete the cottage's restoration and renovation, thereby enabling its future prospects to be fulfilled.

Background

Aitchison Cottage is one of Berridale's earliest buildings and it is included on the Snowy Monaro Regional Council's Local Environment Plan (LEP) 2013 as a place of local heritage significance. As the owner of the cottage, Council used it for storage, after it was vacated in 1983. After some time, it became surplus to requirements; it then fell into disrepair and was vandalized. Council commissioned a Conservation Management Plan for the cottage in 1999, and in June 2000 the sunroom and kitchen, which had been added in the 1930s, were demolished.

A Section 355 Committee for Aitchison Cottage was formed in 2005 to manage the cottage's restoration and reconstruction. In 2006 the Committee used a \$10,000 Council grant to commence restoration and reconstruction work on the cottage. In 2014 it commissioned Council's Heritage Adviser to prepare a Conservation Management Plan to guide further works. Since that time, the Committee has completed the following works:

- Replaced the rusted corrugated iron roof with a new roof of galvanised iron
- Replaced the verandah at the front, north-western side, of the building
- Repaired the window surrounds at the front of the cottage with cement mix
- Replaced missing lintels above the front windows
- Repointed some brickwork at the front of the cottage with cement mix
- Repaired the chimney on the south-western side of building

Further work is required to complete the cottage's restoration and reconstruction in order to protect and promote its heritage value and to render it suitable for use as a community facility.

Conservation Management Policy

Aitchison Cottage's restoration and reconstruction and its continuing management must be carried out in accordance with the Burra Charter (Australia ICOMOS Charter for Places of Cultural Significance). The Charter is the principal document relating to the use and management of heritage places in Australia. This Strategic Heritage Management Plan sets out some articles of the Charter that relate specifically to the cottage in section 5.2 (Conservation Management Policy), 6.2 (Aims and Objectives), 7.2 (Conservation works to be carried out) and section 8 (Review and evaluation: maintenance).

In addition, the 2014 CMP for Aitchison Cottage sets out several Conservation Policies to guide restoration/reconstruction of the cottage and its future preservation. A copy of these policies is attached at Appendix A (i). Any consideration of future uses for the site should observe these policies.

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Any work should comply with the NSW Heritage Office's publication, 'How to carry out work on heritage buildings and sites', part of its Heritage Information Series. This document is available on-line via the NSW Heritage Office and also via the Snowy Monaro Regional Council's website (see References Section).

Strategy formulation

This Management Plan explores options for using the Aitchison Cottage site. It examines the recommendations of earlier reports, and considers key constraints and issues relating to the most suitable use of the site, which are: security, deterioration, management, the need for community involvement, and funding. Funding options are canvassed in section 6.6, including Federal Government Heritage Grants, State Heritage Grants, Council Grants, Southern Phone Grants and other grants.

This Management Plan outlines opportunities in the management of Aitchison Cottage and goals to work towards (sections 6.7 and 6.8). These include community involvement, community pride, tourist potential, education potential, agreement on use and digital opportunities. Possible digital opportunities are discussed.

In this context, a number of possible uses for Aitchison Cottage are canvassed (section 6.9). These are:

1. To offer occasional access to a locally heritage listed building for the local community and the general public at local community events.
2. To provide office/meeting space for Snowy Monaro Regional Council management.
3. To provide an exhibition display area within a locally heritage-listed building for the local community and the general public.
4. To host meetings of a range of local community groups.
5. To establish Aitchison Cottage as a Community Cultural Centre/Visitor Centre.
6. To provide a combined use, i.e., both occasional access to and an exhibition display area within a locally heritage listed building for the local community and the general public, including events, AND to host meetings of local community groups, as suggested in No. 4.

Risks and opportunities associated with the proposed uses are addressed, with the outcome that No. 6 is deemed to offer the most suitable use of the cottage (section 6.10).

Strategy implementation

Strategies for the management of Aitchison Cottage are discussed. It is recommended that the Section 355 Committee for Aitchison Cottage continue to be responsible for the works for restoration/reconstruction of the cottage. Once the works are completed, it is suggested that expressions of interest be sought to form a community group, such as 'The Friends of Aitchison Cottage', to manage the cottage. (See Management section (7.1) and Recommendation 1).

Section 7.2 summarises conservation works to date, as well as conservation works to be carried out, with suggested management guidelines, including for the setting (section 7.3). The recommended landscape plan includes a screen of vegetation on the eastern and

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western sides of the cottage, as well as retention of the nineteenth century layered hawthorn hedge, located behind the skate park.

Feasibility cost estimates

A table of feasibility cost estimates for Aitchison Cottage is included in section 7.4. The stages for the proposed works and cost estimate totals are:

Stage 1	finish to lock up: includes floors, doors, architraves, initial electrical work and plumbing	\$125,178
Stage 2	fit out the interior: complete all internal requirements	\$49,785
Stage 3	exterior and landscaping: complete all exterior items including toilet, storm water, landscaping and exterior painting	24,300
Stage 4	Interpretation: signage; walking trail brochures; phone app	\$4,000
Stage 5	further studies/research and produce revised booklet	\$12,000

Review and evaluation; recommendations

A review and evaluation strategy is recommended to ensure that the guidelines and recommendations in this Strategic Heritage Management Plan are observed and reassessed on a regular basis (section 8 and Recommendation 6). It suggests that Council's Heritage Adviser review the progress of the restoration/reconstruction works, organised by the Section 355 Committee for Aitchison Cottage, at three-monthly intervals and report to Council.

On completion of the works, the cottage's new management committee (see Recommendation 1) should take responsibility for a regular program of maintenance for the cottage. Council's Heritage Adviser should also regularly inspect the cottage and advise on maintenance issues in the future, at least annually. This process is to continue for the next 10 years, with the cottage's current, and then new, management committees to provide a brief annual progress report to Council, raising any concerns. Council should review this process after five years.

The recommendations at the end of this Plan cover:

- management, funding and works (Recommendations 1–5);
- review and evaluation (Recommendation 6);
- communication and interpretation (Recommendations 7–12); and
- promotional material, further research and copies (Recommendations 13–15).

It is strongly recommended that the Section 355 Committee for Aitchison Cottage, with the support and assistance of Council, pursue funding opportunities for the Schedule of Works for Aitchison Cottage in this Strategic Heritage Management Plan, as a matter of priority (section 7.4, Recommendation 2). The Committee should also, with Council's support, investigate funding for heritage activities in relation to the cottage, including signage, a booklet about the cottage, a walking tour brochure and events (section 6.4, Recommendation 3). Further research should be undertaken into the history of the cottage and the district (Recommendation 14). The Schedule of Works for Aitchison Cottage should commence as soon as possible, so that on completion, the existing security fence can be removed and landscaping can begin (Recommendation 4).

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1. INTRODUCTION

Aitchison Cottage is one of Berridale's earliest buildings, with parts of the building believed to have been constructed c. 1840, during the earliest days of white settlement in the area. The Snowy Monaro Regional Council owns the building and it is included on Council's Local Environment Plan (LEP) 2013 as a place of local heritage significance. A blacksmith's shop located adjacent to the cottage is believed to have operated from the late 1830s. The cottage was gradually extended throughout the nineteenth and twentieth centuries, first by owner Arthur Mawson from 1886, and later Daniel Aitchison, who leased the blacksmith's shop from 1887 and lived with his family in the cottage from the 1890s. Aitchison remained there until his death in 1933. The property was sold to the the Snowy River Shire Council in 1945 and the cottage was rented out until 1983. Council then used it for many years for archival storage. Eventually, Council no longer required the space and it was left vacant. From the 1990s the condition of the building markedly deteriorated and Council considered demolishing it. The blacksmith's shop was demolished in 1970 to make way for public toilets.

In 2005 Council established a Section 355 Steering Committee to guide the restoration, rehabilitation and continuing management of Aitchison Cottage. The Committee arranged for Dr Peter Kabaila, Council's Heritage Adviser, to prepare a Conservation Management Plan and Interpretation Plan for the cottage. The Committee also organised for a range of renovations and repairs to the cottage to prevent its further deterioration, and to bring it to a stage that makes it an integral part of Berridale's heritage character.

This Strategic Heritage Management Plan considers the cultural and heritage significance of Aitchison Cottage, the changes that have been made to it over time, its current status and its future potential. A key intention of the Plan is to provide identified uses, goals and objectives, as well as an outline of tasks and milestones to achieve the restoration and renovation of the cottage.

The Management Plan provides a framework to guide the preservation and continuing management of this historical community asset into the future both for Council, as the asset owner, and the broader community. The project was funded and managed by the Snowy Monaro Regional Council through the Stronger Communities Fund. I would like to thank members of the Section 355 Steering Committee for Aitchison Cottage, as well as Council's Heritage Adviser, Dr Peter Kabaila, and Council's Property Officer, Lorraine Thomas, for their assistance with this Plan.

Dr Caroline M. Cosgrove

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2. Vision Statement

The Section 355 Steering Committee for Aitchison Cottage has prepared a Mission Statement for the cottage. The following is an amended version of this statement, setting out a vision for the future of the cottage.

Aitchison Cottage was built in the nineteenth century and is one of Berridale's earliest buildings. As such, it has historic value and is included on the Snowy River Local Environment Plan (LEP) 2013 as a place of local heritage significance.

The cottage's owners and the appointed managers should restore, preserve and manage this community heritage asset. Restoration and renovation of the cottage and its immediate surrounds to represent an earlier period of its existence will highlight its heritage character and make it a place of community pride.

Any proposed works to restore and renovate the cottage should improve the site, so that its value to the community is enriched, and enable the fulfilment of its educational and tourism potential. Future use of the site should allow for its continuing management to ensure the preservation of the cottage's heritage significance. Therefore, parameters should be established to ensure that any works undertaken, or use of the cottage, retains its heritage value.

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3. BACKGROUND

The Snowy Monaro Regional Council was formed on 12 May 2016 through a merger of the Bombala, Cooma-Monaro and Snowy River shires. It covers an area of 15,162 square kilometres (5,854 square miles) comprising the higher slopes of the eastern side of the Great Dividing Range between the Australian Capital Territory to the north and the state boundary with Victoria to the south. At the time of its establishment the Council had an estimated population of 20,707. Its population recorded at the 2016 census was 20,218.

3.1 Context – historic

The following is a compilation of general and historical information about Berridale and Aitchison Cottage.

Berridale

Berridale is situated around 35 kilometres west of Cooma and 436 kilometres south-west of Sydney. The town was the Council seat and the administrative centre of the former Snowy River Shire, which also covered Jindabyne (the main commercial centre), Adaminaby, the village of Dalgety, Anglers Reach, Lake Eucumbene, and the ski resorts of Thredbo, Perisher, Smiggin Holes, Guthega and Blue Cow. The Shire, established in 1906, was originally known as Dalgety Shire Council and was renamed the Snowy River Shire in 1936.

European settlement of Berridale commenced in the early 1860s, when Scotsman William Oliver became the first settler. Oliver named the place Berridale, after his birthplace, Berriedale, in Caithness, Scotland. His house, built in 1863, was converted for use as a wayside inn in 1870 and he built a store of local granite. The place still exists today as the Berridale Inn.¹

However, the town was not officially named Berridale until May 1886, when it was designated a private town. Berridale was originally called Gegedzerick and was located on land owned by Richard Brooks, a pioneer pastoralist, who in 1827 first selected land a short distance to the east of the present Berridale. Gegedzerick Cemetery, also known as Berridale Cemetery, is situated on land adjoining St Mary's Church, Gegedzerick. The church was commenced in 1849 on land belonging to Brooks, which also included a portion designated as a cemetery. The first burial was in 1856 and by 1979 350 were people buried there. The cemetery, located at 222 Gegedzerick Road, Berridale, is still open for burials and is the only cemetery for Berridale. Many pioneers and their families are buried there.²

Berridale was nicknamed the 'Crossroads of the Snowy' during the gold mining era (1860s) when miners passed through on their way to the Adaminaby and Kiandra goldfields. Gegedzerick Post Office was established in the town in 1869, but was renamed Berridale Post Office on 1 May 1886. The telegraph office commenced operations in 1890.

The area's dry climate proved ideal for growing fine merino wool and, with the pastoral industry as the main contributor to the local economy, the town began to grow in the early

¹ Burke, I F, 'Aitchison Cottage', unpublished booklet prepared for the Aitchison Cottage Section 355 Steering Committee, Berridale, for Aitchison Cottage's Open Day, Saturday 4th April, 2015.

² Historical Notes, DEH Inventory sheet, 'Gegedzerick Cemetery, Berridale', database no. 2410072, viewed online September 2017: <http://www.environment.nsw.gov.au>

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1900s. It is believed that Berridale hosted a work camp for the Snowy Mountains Authority during the construction of the Snowy Mountains Scheme (1950s–60s). However, it was only a small short-term camp, unlike the main bases at Cooma and Jindabyne, and some other outlying areas.

A row of poplars was planted along the main street of the town early in the twentieth century. The plantings thrived and by the 1990s Berridale had become known as the 'Town of Poplars'. Berridale has also developed a tourism industry, mainly based on the provision of accommodation, to service visitors en route to the NSW snowfields.

3.2 Aitchison Cottage, cultural significance

Heritage listing of Aitchison Cottage and other related heritage listings in the area; historic maps: parish; and current use map

Snowy River Local Environment Plan (LEP) 2013:

Aitchison Cottage, 2 Myack Street, Berridale

Property description: Lot 1, DP1167771; Lot 11, section 5, DP 1242

Local significance, Item 73

Alternate address: 1 Bolton Street, Berridale, NSW

Parish map: parish of Myack, County of Wallace, Part of Portion 3



Figure 1: Aitchison Cottage, Berridale, location map; arrow shows cottage

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Historical background

Aitchison Cottage is a heritage listed building owned by the Snowy Monaro Regional Council. A blacksmith's shop is believed to have operated near the present cottage in the 1840s, during the earliest days of white settlement in Berridale. Michael O'Donnell, known as Mick the Blacksmith, was a former convict from Limerick in Ireland. In 1847 the eastern boundary of Coolamatong Station, which was at the edge of the site of the present cottage, was described as 'to and including the spring at Mick the Blacksmiths'.³

From 1856 William Oliver, a Scotsman, ran a business from 'Coolermatong', thought to have been based in the hut that O'Donnell had occupied, while he worked there as a blacksmith. In 1862 Oliver purchased a property of 160 acres on the western side of Myack Creek, which incorporated part of the resumed Coolamatong Station, and included the site of the blacksmiths and the old cottage. He also bought most of the land on which Berridale is now located. Oliver opened a two-storey granite store to the north-west of the blacksmiths, above the flood level. He opened the Gegedzerick Post Office in September 1869 and in 1878 built the Berridale Hotel beside his store.

In 1885 Oliver sold the 160 acre property to Charles Roberts from Goulburn and John Newton from Sydney, who appear to have been property speculators. Roberts and Newton divided the property into lots and sold them to various purchasers.

In 1886 Roberts and Newton sold the site of the blacksmiths and the old cottage to James Jackson (known as Arthur) Mawson, a leading joiner and house builder from Cooma. Mawson made extensive renovations and extensions to the dwelling, including the red brick façade. In February 1887 Mawson leased the blacksmith's shop to Daniel Aitchison. Aitchison continued as a blacksmith and lived with his family in the cottage during the 1890s and early 20th century, until his death in 1933.

However, in 1890 it appears that Mawson sold the property to Edmond Joseph O'Brien, an innkeeper living in Berridale. After Edmond O'Brien died in 1931, the property passed to Thomas Joseph O'Brien, a gentleman, of Manly, NSW, and Cecil Rupert O'Brien, a storekeeper living in Berridale, as joint tenants, in 1938 (presumably Edmond O'Brien's sons). In 1945 the O'Briens sold the property to the Snowy River Shire Council. The cottage was rented from this time, the last lessee being a Mrs Robinson who continued there until 1983. From then, the Snowy River Shire Council used the cottage for storage of its archives. For some years, it was surplus to Council's requirements and the condition of the building markedly deteriorated. In June 2000, the sunroom and kitchen which had been added in the 1930s, were demolished.⁴

³ Burke, 'Aitchison Cottage', 2015.

⁴ Snowy River Shire Council, 'Development Assessment Report, Historical Outline, Snowy River Shire Conservation Strategy', 30 August 2013. Certificates of Title: CT 31/125 (Lot 1, DP1167771, 24 June 1862); CT 820/4; CT 887/225; CT 958/149. Historical Notes, DEH Inventory sheet, Aitchison Cottage, database no. 2410114, viewed on-line September 2017: <http://www.environment.nsw.gov.au>

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Figure 2: Aitchison Cottage, c. 1904; photograph: Aitchison family

Other heritage listed properties in Berridale

There are a number of other heritage listed properties in and around Berridale, including:

Berridale Inn (1863); Berridale Public school (1885); former post office, later police station (12 Myack Street – 1881); St Mary The Virgin Anglican Church (1849–1860); All Saints Anglican Church (1910); St Josephs Catholic church (1914–15); St Stephens Uniting Church (1889–1892); former bakery (1908); and a number of houses and other buildings from different eras, including 19th century, early 20th century and interwar.

3.3 Background to Section 355 Committee involvement

Section 355 of the Local Government Act 1993 sets out how Council can delegate some of its functions to a Committee of Council. Council has Section 355 Committees in almost every town or village in the Snowy Monaro Region to assist Council in the management of community facilities or make recommendations about these assets to Council. A Section 355 Steering Committee for Aitchison Cottage was formed in 2005 to comply with Council's requirements. In addition to this Committee, there are two other Section 355 Committees for Berridale as at October 2017:

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Berridale Beautification Committee, and

Berridale Pool, Community Centre & Sportsground Committee

The Snowy Monaro Regional Council meeting of 27 September 2017 decided that, following the merger of the Cooma-Monaro, Bombala and Snowy River Councils, all existing Section 355 Committees would be reappointed until November 2017. In the meantime, Council is undertaking a comprehensive review of its committee structure.

3.4 Aitchison Cottage restoration

In the 1990s, Aitchison Cottage was subject to a number of instances of vandalism. In December 1999 Council commissioned a Conservation Management Plan, completed by Victoria Design & Management Pty Ltd. In 2000 a sunroom and kitchen that had been added in the 1930s were demolished.

The Section 355 Committee for the Cottage expressed the view that vandalism to the cottage was the result of a lack of respect within the Shire for the property. In 2006 the then Snowy River Shire Council was 100 years old and to mark this occasion, Council offered four grants of \$10,000 for each of the communities within the Shire. A public consultation process was held and the money was allocated to each of the towns: Aaminaby, Berridale, Dalgety and Jindabyne. Berridale's grant was used for the restoration of Aitchison Cottage.



Figure 3: Aitchison cottage prior to commencement of restoration works, September 2013; photograph: Snowy Monaro Regional Council

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The Section 355 Committee, through Council, commissioned a new Conservation Management Plan (CMP) for Aitchison Cottage, completed by Council's Heritage Adviser, Dr Peter Kabaila, in 2014. The development of the CMP is in line with Council's policy 128 – Conservation of Council-owned or Managed Heritage Items – and aids in applying for grant funding. An architect, David Epstein of D/E Architects, Cooma, assisted in a voluntary capacity by preparing plans for the building and identifying its age. The Section 355 Committee arranged working bees to clean up the building and its surrounds to make it secure for visitors and to discourage vandalism.

In February 2014, the Section 355 Committee applied to Council to demolish a concrete block wing under a skillion roof, added to the cottage in the 1950s. This was approved and the removal of the concrete wing and other restoration work at the time exposed early fabric from the original cottage. This included pole framing, adzed posts, split timber boards and packing case timbers lining some interior walls. Since then, with Council approval, the Committee has carried out works to assist in the restoration and renovation of the building to lock up stage.

Over the past few years, a former Committee member based in Berridale has conducted further historical research on a voluntary basis. The information obtained is of assistance both with placing the cottage in its historical context, and also with identifying its fabric and materials.

It is the intention of the Section 355 Committee to restore the cottage to its then existing layout of about 1890 to 1910, in the heyday of Daniel Aitchison and his family's residence there, and to create a garden appropriate to the period. The Committee is concerned to ensure that restoration works can move forward in compliance with heritage principles, so that the property does not deteriorate further, but can become an integral part of Berridale's heritage precinct. After the renovations have been completed, the Committee's plan is for the cottage and garden to be used as a meeting venue for a variety of community organisations.

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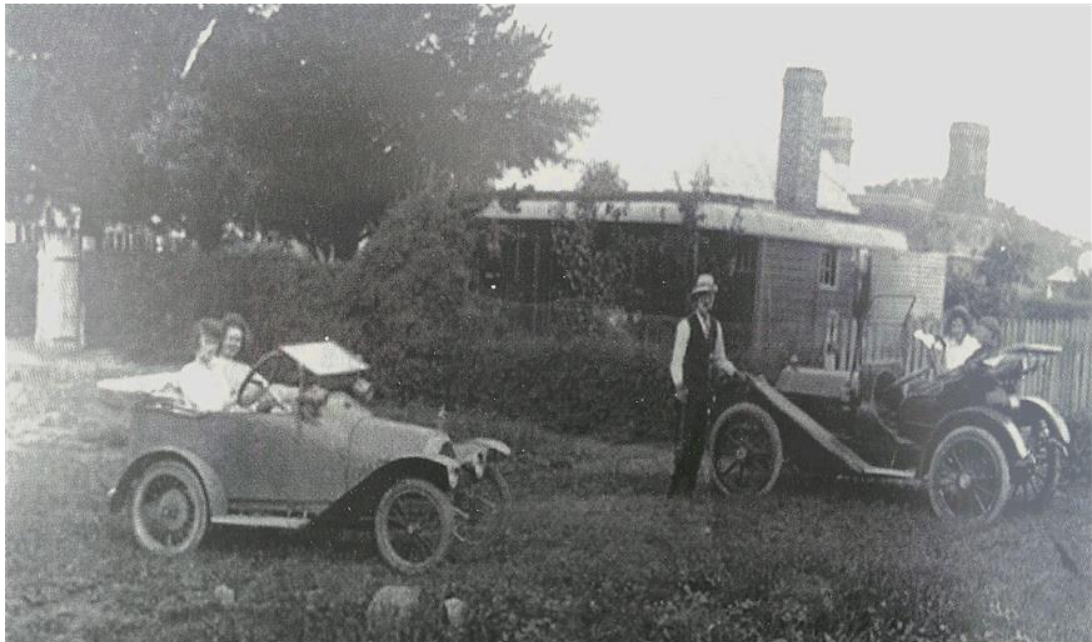


Figure 4: Aitchison Cottage, 1910; photograph: Aitchison family

3.5 Physical description and condition

The following description is included in the 2014 CMP for Aitchison Cottage. It is considered to be still accurate.

This is a single storey stone cottage with brick extension to the front. The frontage has rendered quoins and architraves, verandah and corrugated, galvanised iron roof. The bricks were laid in an unusual manner, that is rat trap bond, an early form of cavity. Mature plantings include relics of a nineteenth century layered hawthorn hedge.

Physical condition has deteriorated due to past vandalism.

This quaint and interesting colonial period cottage is a remnant building accessed from the public park in Berridale. It is on greatly reduced curtilage, as the original grounds were much larger. It is also highly visible from the main road.

The CMP also includes additional information about the restoration of the cottage, which had commenced in 2014, as follows.

In March 2014, volunteers stripped various layers of recent fabric from the original cottage. Fascinating relics were revealed, such as pole framing, adzed posts, split timber boards and date stamped 1865 packing case timbers.

In addition, the CMP highlighted the challenges presented in landscaping the site. General guidelines relating to the conduct of a landscape plan for Aitchison Cottage are included in section 6.4 below.

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4. ANALYSIS/ASSESSMENT

4.1 Heritage Assessment

The following heritage assessment is adapted from the 2014 Conservation Management and Interpretation Plan for Aitchison Cottage.

Criterion (a) Historical significance

Aitchison Cottage has historical significance as one of a small number of colonial period cottages surviving in Berridale. It provides tangible evidence of early village development and vernacular building techniques.

Criterion (b) Associative significance

Aitchison Cottage has value for its association with the Aitchison family, as an example of the many local Scottish families who settled in Berridale in the nineteenth century. The Aitchison family lived in the district from at least 1863 when Daniel Aitchison was born. Many of his descendants remain there. Aitchison Cottage is also associated with prominent local builder James Jackson (Arthur) Mawson, who bought the cottage in 1886 and extended and improved it, using his own bricks. A stonemason and plasterer, he built numerous buildings in Cooma and the surrounding district. His sons continued this tradition.

Criterion (c) Aesthetic significance

Aitchison Cottage is a quaint and fine example of a vernacular early colonial cottage with a Victorian period frontage. It documents clearly the evolution of the use of local building materials.

Criterion (d) Social significance

Aitchison Cottage is significant to the Berridale community and Scottish settler descendants as an example of the type of cottage that was part of the early village development in the local area.

Criterion (e) Research potential

Aitchison Cottage has outstanding research potential in demonstrating a range of local building technologies and techniques. The earliest part of the building is rubble stone, a significant building material on the Monaro plains. Early cottage fabric includes examples of pole framing, adzed posts, lathe-and-plaster wall construction, split board cladding, packing case cladding and timber roof shingles. The brick extension demonstrates the rat-trap or Silverlock bond method of brick-laying and the hedge shows evidence of a traditional layering technique.

Criterion (e) Rarity

Aitchison Cottage has high rarity value. The rat-trap or Silverlock bond method of laying bricks, although popular in Scotland and England in the 19th century, was rarely used in Australia. There are 20 buildings in Cooma and two other buildings in Berridale that exhibit this method, but no further examples have been found in NSW. The layered hawthorn hedge was a popular nineteenth century means of hedging in Scotland and England to enclose stock. Although it has grown wild, it still demonstrates this traditional method of hedge laying and is the only known example of a layered hawthorn hedge in NSW. It is believed to be a rare example of its type in Australia.

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Criterion (g) Representativeness

Aitchison Cottage is highly representative of early Monaro region vernacular buildings in its use of traditional pole and split timber framing, rubble stone walling, and layers of brick construction.

4.2 Statement of Significance

Aitchison Cottage has historical significance as one of a small number of colonial period cottages surviving in Berridale. It is tangible evidence of early village development and vernacular building techniques. It is also significant for its association with the Aitchison family, an example of the many local Scottish families who settled in Berridale in the nineteenth century. The Aitchison family lived in the Berridale district from at least 1863 when Daniel Aitchison was born, and many of his descendants remain in the district. The cottage is also associated with prominent local builder James Jackson (Arthur) Mawson, who bought the cottage in 1886 and extended and improved it.

The cottage has outstanding research potential in demonstrating a range of local building technologies and techniques, from the early use of traditional pole and split timber framing and rubble stone walling, to later layers of brick construction. Early fabric includes pole framing, adzed posts, split board cladding, packing case cladding and timber roof shingles. Aspects of the construction and landscaping, including the rat-trap bond method of brick-laying and the layered hawthorn hedge, are rare in NSW and in Australia. The cottage is important as a representative of early vernacular buildings in the Monaro region and it has social significance for the Berridale community and Scottish settler descendants.

5. CONSERVATION/MANAGEMENT POLICY

5.1 Conservation Management and Interpretation Plan (CMP) for Aitchison Cottage, 2014

The 2014 CMP for Aitchison Cottage sets out several Conservation Policies to guide restoration/reconstruction of the cottage and its future preservation. A copy of these policies is attached at Appendix A (i). Any consideration of future uses for the site should observe these policies.

5.2 The Burra Charter

The Burra Charter (Australia ICOMOS Charter for Places of Cultural Significance) is the principal document relating to the use and management of a heritage place. Article 1.2 of the Burra Charter is pertinent to consideration of Aitchison Cottage's heritage values.

Article 1.2. Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects.

Places may have a range of values for different individuals or groups.

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Article 1.3 of the Burra Charter indicates that '*fabric* means all the physical material of the place, including elements, fixtures, contents and objects'.

It is also useful to understand the difference between *restoration* and *reconstruction* in relation to the cottage. The Burra Charter explains:

Article 1.7 *Restoration* means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

Article 1.8 *Reconstruction* means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric

The Explanatory Notes for these Articles state that new material may include recycled material salvaged from other places. However, this should not be to the detriment of any place of cultural significance.

Articles 3 and 4 of the Burra Charter are of particular relevance in understanding how to restore and protect a heritage property so that its heritage value can be retained while a place is being used. They are self-explanatory.

Article 3 Cautious approach

3.1. Conservation is based on a respect for the existing *fabric*, *use*, *associations* and *meanings*. It requires a cautious approach of changing as much as is necessary but as little as possible.

Article 4 Knowledge, skills and techniques

4.1 *Conservation* should make use of all the knowledge, skills and disciplines which contribute to the study and care of the *place*.

Article 4.2 Traditional techniques and materials are preferred for the *conservation* of significant *fabric*. In some circumstances, modern techniques and materials which offer substantial conservation benefits may be appropriate.

Preservation

The Burra Charter defines *preservation* as 'maintaining a place in its existing state and retarding deterioration' (Article 1.6). The issue of the preservation of Aitchison Cottage therefore relates to its use and management and is addressed in the next section.

The Burra Charter Process

Article 6 of the Burra Charter discusses the Burra Charter Process. This process involves understanding the cultural significance of a place, followed by the development of policy, and finally management of the place in accordance with the policy. Policy development and management of a place should include other factors affecting its future, such as the owner's needs, resources, external constraints and its physical condition. Different ways to retain the cultural significance of a place and address other factors may be explored. This Strategic Management Plan for Aitchison Cottage addresses these issues in the following section.

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6. STRATEGY FORMULATION

6.1 Aims and objectives

In addition to the cultural and heritage significance of Aitchison Cottage, the changes that have been made to it over time, and its current status, this Strategic Heritage Management Plan aims to consider its future potential. A key intention of this Plan is to provide identified uses, goals and objectives, as well as an outline of tasks and milestones to achieve the following:

1. Restoration/reconstruction of the building to reflect its historic nature and to bring it to a sound and serviceable condition.
2. Preservation of the building now and into the future to ensure its heritage value to the Berridale and Snowy Monaro community is maintained in the long term.
3. Identification and implementation of the most appropriate management model (including the most effective and fitting use of the facility).
4. Identification of operational and ongoing maintenance requirements, as well as a budget for these works, over the next 10 years.
5. Identification of appropriate funding opportunities to undertake the major restoration project.
6. Any other matters raised during consultations.

6.2 Exploring options for use of the site

In considering possible uses for the cottage, it is helpful to refer again to the Burra Charter. Its definition of compatible use states:

Article 1.11 *Compatible use* means a use which respects the *cultural significance* of a *place*. Such a use involves no, or minimal impact, on cultural significance

The 2014 Conservation Management and Interpretation Plan for Aitchison Cottage also refers to use of the cottage in Policy 3.7 of its policies to guide its conservation, as follows.

Policy 3.7 Adaptive reuse is necessary for future survival of the item

However, the CMP does not make any suggestions as to how such a use might be achieved. Adaptive reuse is similar to compatible use and means a use that is consistent with the heritage values of the place, whilst adapting it for a suitable purpose. Article 21 of the Burra Charter refers to adaptive reuse, and further explains:

Article 21.2 *Adaptation* should involve minimal change to significant *fabric*, achieved only after considering alternatives

As noted in the previous section, Article 1.3 of the Burra Charter defines fabric as 'all the physical material of the place'.

Setting

The Burra Charter also emphasises the importance of setting for a heritage place:

Article 1.12 *Setting* means the immediate and extended environment of a place that is part of or contributes to its *cultural significance*.

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The explanatory notes for Article 1.12 state that 'setting may include: structures, spaces, land, water and sky; the visual setting including views to and from the place, and along a cultural route; and other aspects of the setting such as smells and sounds. Setting may also include historical and contemporary relationships, such as use and activities, social and spiritual practices, and relationships with other places, both tangible and intangible'.

Therefore, in determining a compatible use for Aitchison Cottage, in addition to the building itself, the setting should be considered as a vital part of the place's heritage value. Landscaping, interpretative signage, views to and from the cottage and its relationship to other early and contemporary structures and sites are all relevant aspects of its place in Berridale's civic precinct.

6.3 Earlier reports

In addition to the 2014 CMP for Aitchison Cottage, a previous report, the 'Berridale Civic Centre Precinct Functional Concept Plan', completed in 2010 by Robert Staples and Associates, is relevant to this Strategic Management Plan. The Civic Centre Precinct Plan made seven recommendations, the third of which was 'that Aitchison Cottage be incorporated into the Civic Centre Precinct Plan as a functional and historic asset'. The Plan also included the restoration of Aitchison Cottage in its 'Feasibility Cost Estimates' table as one of its Estimated Stage 1 Works (p.16). However, details of the works involved were not included. The proposed works and an estimated amount of \$100,000 for their completion needs to be revisited, taking into account work carried out in the interim.

The Civic Centre Precinct Plan's recommendation that the cottage be incorporated into the Civic Centre Precinct is supported. This measure will ensure that it becomes a vibrant part of Berridale's cultural precinct.

As recommended in the Civic Centre Precinct Plan, a Berridale Village Landscape Master Plan Report was completed in September 2014 by Arterra Design Pty Ltd. It incorporated historical information and heritage considerations for Berridale, with a focus on Aitchison Cottage as a prominent historical element to the Town Centre and its community. The report noted (as the 2014 CMP for Aitchison Cottage had observed) that the cottage is accessed from Berridale's public park but is on greatly reduced curtilage, as the grounds were once much larger. It concluded that the 'Landscape Master Plan presents a good opportunity to better integrate this historical property with the surrounding public open space and the Village Centre'.

The Snowy Monaro Regional Council Stronger Communities Fund – Major Projects Program, referred to later in this Plan, includes completion of Stage Three of the Berridale Streetscape Project, incorporating:

- Construction of path and drainage on north side of Berridale town centre
- Upgrade of Myack Street and Jindabyne Road intersection
- Sealing on edges of Myack Street to town limits
- Additional signage for toilet block

In addition, the program includes replacement of Berridale Lions Park playground equipment, including fencing. However, these works do not reflect the stages outlined in the Berridale Village Landscape Master Plan.

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6.4 Interpretation

Consideration of the future use of Aitchison Cottage is assisted by referring to the Australia ICOMOS 'Practice Note on Interpretation'. This document explains the need for interpretation as follows (p. 2):

Interpretation enhances understanding. Interpretation communicates what is important about a place, recognising that a place may have a range of values and meanings for different people. Conservation actions, like restoration, preservation and reconstruction can be seen as a means of interpretation. These actions have the potential to reveal significance and aid in its understanding.

Interpretation may be achieved through many different means, for example: through use; in the way the fabric of a place is investigated or conserved; through interpretive media (e.g. signs, displays, activities, publications, events); community engagement and more. Essentially, all the actions taken on a significant place may contribute to people's appreciation of its significance and their engagement with the place and its meanings.

Interpretation can be an important way of safeguarding a place. Public awareness and understanding of the cultural significance of a place may reduce the risks of vandalism or unintended damage, and increase the level of community vigilance.

'Site Interpretation' is one element (Item 7) in the 2014 CMP's 'Schedule of Conservation Works for Aitchison Cottage'. It states that 'the target audience for site Interpretation is local people and visitors'. It is important to consider the specified target audience for any proposed future use of Aitchison Cottage. Will the expectations of the two groups be similar? Are there likely to be differences that need to be taken into account?

The 2014 CMP Schedule (Item 7) also addresses the issue of the need for explanation of the cottage's distinctive characteristics to the audience. While in rare cases an item may not require interpretation due to the self-explanatory nature its features, for Aitchison Cottage 'story lines' are particularly important to inform visitors, as well as locals who are not familiar with the history of the place, of its background. Such interpretation would especially benefit younger generations.

Item 7 of the CMP refers to 'signage' as a means of interpretation, and the need for accurate preparation of text for interpretive plaques, as well as installation methods and locations. It is suggested that interpretive signs be made of vitreous enamel. This suggestion is supported, as such signs are vandal and graffiti resistant, UV light resistant, have high durability and require low maintenance. As advised, the firm Glassmetal Industries can supply information and wayfinding signs; it may still be contacted via the website: www.glassmetal.com.au

As suggested, Council's Heritage Adviser should be consulted in any proposals to produce this signage. However, to avoid cluttering the site, the number of signs should be minimised; one or two signs at most would be sufficient for the cottage's exterior. Any sign should not be excessively wordy, but rather, should convey only a small amount of information. If possible, the sign could include a copy of an early photo or a drawing.

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Other forms of interpretation

Other forms of interpretation may also be considered to provide further information. The Section 355 Committee for the Cottage has already produced a booklet, 'Welcome to the old Aitchison Cottage' for its open day on Saturday 4 April 2015. Such a publication is useful in informing visitors to the cottage of its place in the history of Berridale, the history of its occupants, its construction techniques and what remains. It is recommended that this booklet be updated and made available to future visitors to the cottage. Consideration may be given to making a small charge for the booklet to cover printing costs and any other expenses relating to the cottage's use. Alternatively, a donation to the cottage, which includes the supply of the booklet, could be requested.

Another interpretation measure is to incorporate Aitchison Cottage into a walking tour of heritage places in Berridale, commencing from the cottage. A Heritage Trail has already been developed in Berridale, with appropriate signage (referred to in the 2014 Landscape Master Plan, p. 26). Other places of heritage significance in Berridale, mentioned earlier in this report in the section on the cultural significance of Aitchison Cottage, could be included. It is suggested that a small brochure could be produced, consisting of a printed and folded A4 sheet. It could include a small amount of background on Berridale's history, and a map, starting from the cottage and marking other places on the Heritage Trail. A website to provide or support this information could also be considered, and possibly a phone app.

Events that incorporate opening the cottage to visitors are also a means of interpretation. The Section 355 Committee for the Cottage has already held events such as its Easter and Spring Fairs. This has allowed the Committee to undertake various fundraising activities for the cottage. The continuation of such activities should be encouraged.

An event incorporating the cottage could be organised as part of the National Trust Heritage Festival, held in April/May each year. The Trust includes places that it does not manage in the Festival, and registration includes advice about how to organise an event. This is a marketing opportunity, providing advertising both in a booklet and through the internet; no funding for individual properties is available. Information for the 2018 Heritage Festival can be found on the website: <https://www.nationaltrust.org.au/ahf/>

6.5 Key constraints/issues

In considering the most suitable use of the site of Aitchison Cottage, the key constraints and issues are:

- Security
- Deterioration
- Management
- The need for community involvement
- Funding (addressed in the following section)

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6.6 Funding

Sources of funding are critical to the need for further work to improve Aitchison Cottage and this section provides some information on opportunities for funding. As noted earlier, the Section 355 Committee for the Cottage has raised funds through various fundraising activities such as its Easter and Spring Fairs. The Committee intends to use these funds for the restoration/renovation works for the cottage. This means that it can therefore offer funding towards a project when making applications for government funding, which is often a requirement of such grants. The following schemes offer possible sources of grant funding for future works on Aitchison Cottage.

Federal Government Heritage Grants

There are no suitable Federal government heritage grants currently available.

State Heritage Grants

Aitchison Cottage is listed on Snowy River Council's LEP 2013 as a place of local heritage significance. It does not qualify for NSW Heritage Council grant funding as this funding is available only to places listed on the State Heritage Register, i.e., of State heritage significance.

A program of NSW Heritage Grants for Local Heritage Places is offered to Councils to administer through their Local Heritage Fund (see Council grants).

The 'Heritage Near Me' incentives program, running from 2016–2019, is currently available through the NSW government. The program has three grant stream opportunities: Heritage Activation Grants, Heritage Green Energy Grants and Local Heritage Strategic Projects Grants. The program is supported by a dedicated 'Heritage Near Me' Roadshow team.

Berridale Public School has already received a grant of \$16,341 for its Crozier Science and Heritage Museum from the 'Heritage Near Me' program. Nevertheless, it would be worth inquiring about possible assistance for Aitchison Cottage through the Local Heritage Strategic Projects program. The 'Heritage Near Me' program is open year-round, subject to available funding. Expressions of interest are invited from owners and managers of heritage items, local government, organisations and companies for projects to be developed in collaboration with the 'Heritage Near Me' Roadshow team. Details are accessible through the NSW Department of Heritage & Environment's website:
<http://www.environment.nsw.gov.au/topics/heritage/support-for-local-heritage/heritage-near-me-incentives-program>

Council Grants

- Snowy Monaro Regional Council Local Heritage Fund 2017–2018

As in the past, these grants offer a total of \$20,000 across the Shire for items listed on Council's Local Environment Plan (LEP) 2013. Individual grants of up to \$4,000 are offered to successful applicants for works, on a dollar-for-dollar basis. Applications for 2018–2019 closed on 18 September 2017. It is expected that this program will be offered in 2018–2019 and will continue to be offered in the future.

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- The Snowy Monaro Regional Council Stronger Communities Fund

This fund was established by the NSW Government to provide recently merged councils with funding to kick-start the delivery of projects that improve community infrastructure and services. The Stronger Communities Fund Major Projects Program has \$14million allocated, split evenly across the three former Council areas. The projects to be included in the program of works were endorsed by Council on 24 May 2017. There are 100 projects funded across the region.

A submission was made for this program to fund the completion of the restoration/reconstruction of Aitchison Cottage. The panel for the Major Projects Program agreed to fund this Strategic Management Plan for Aitchison Cottage, including determination of final use. Further funding under this program is pending the outcome of this Plan.

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

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

Southern Phone Grants

Southern Phone provides telecommunications services in the region and returns annual dividends to local Council shareholders through the Southern Phone Grants Scheme. The Scheme was introduced in 2014 as a way to extend its support for Australian regional communities. Organisations apply to their regional Council for a grant. In the 2014/15 round, approximately \$150,000 was granted to community groups in the region. Berridale received funding for promotional activities (Berridale Beautification Committee) and extension of a cricket pitch (Berridale Pool, Hall & Oval Committee). The 2014/15 grants round was the most recent to be offered. It is not known when these grants are to be offered in the future.

Other grants

Information about other grants and grant availability is available through the Snowy Monaro Regional Council's website:

<https://www.snowymonaro.nsw.gov.au/758/Council-Assistance-with-Grants>

Information can also be accessed through the NSW government's on-line hub, CommunitybuildersNSW: <https://www.communitybuilders.nsw.gov.au>

6.7 Opportunities/goals

Some opportunities in the management of Aitchison Cottage and goals to work towards are:

- Community involvement
- Community pride

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- Tourist potential
- Education potential
- Agreement on use
- Digital opportunities (addressed in the following section)

6.8 Digital opportunities

In the twenty-first century, there has been increasing use of digital technology to connect with internet sites that provide a range of information. It would be useful for Aitchison Cottage's managers to take advantage of this facility and use the internet to communicate information on the historical background of Berridale and in particular, Aitchison Cottage. This material should include details about the heritage values of the place, work that is being carried out and events, both past and planned.

A Facebook site was set up for Aitchison Cottage under the auspices of the Friends of Aitchison Cottage. Annie O'Keefe, Local Council Representative for the Shire while it was under administration, instigated the site and posted some photos of public events, in order to create public awareness. However, the site is no longer under active management. It is recommended that the Facebook site should continue to operate and that the custodians of the cottage take on its management. It should be linked to the Snowy Monaro Regional Council website under a suitable subject heading, and the website link should include some information on the cottage.

6.9 Possible uses of Aitchison Cottage

The Section 355 Committee for Aitchison Cottage has considered the following suggestions for final use of the cottage:

- Community cultural centre
- Meeting rooms
- Events
- Showcase for artefacts
- Visitors information Centre
- Community garden
- Community Group use, e.g., Lions Club, Men's Shed, Historical Society

The following is an outline of suggested possible uses for Aitchison Cottage, taking into account the Section 355 Committee's above list.

1. To offer occasional access to a locally heritage listed building for the local community and the general public at local community events.
2. To provide office/meeting space for Snowy Monaro Regional Council management.
3. To provide an exhibition display area within a locally heritage-listed building for the local community and the general public.

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4. To host meetings of a range of local community groups.

5. To establish Aitchison Cottage as a Community Cultural Centre/Visitor Centre.

6. To provide a combined use, i.e., both occasional access to and exhibition display area within a locally heritage-listed building for the local community and the general public, including events, AND to host meetings of local community groups, as suggested above in 4.

6.10 Risks and opportunities associated with proposed uses

1. To allow occasional access to a locally heritage listed building for the local community and the general public at local community events.

This use will allow the cottage to be accessed on occasion and will enable visitors, both local and from elsewhere, to appreciate the historic and cultural aspects of one of Berridale's earliest buildings.

2. To provide office/meeting space for Snowy Monaro Regional Council management

Although this use would ensure that the cottage is occupied during working hours, it is not considered to be an appropriate means of using the building. There would be space for only one officer, and an office environment, including phone and internet access would need to be provided. If the cottage was to be used for meetings of small groups, or opened to the public during working hours, this would create a disturbance to the officer's work schedule.

3. To provide an exhibition display area within a locally heritage listed building for the local community and the general public.

This use will open up the cottage as an exhibition display area to enable community groups to mount displays associated with aspects of Berridale's heritage. Displays could include exhibitions of early building techniques and stories of the inhabitants of the cottage, as well as the history of Berridale and of other properties in the area. Historic photographs could form the basis of displays relating to history/heritage themes.

The cottage could also be used for art and craft displays by local artists or craft groups, for public exhibition, providing that the historic fabric of the building is not compromised. Displays of such material or objects relating to historic themes would be most suitable, e.g., early craft exhibits, including clothes, or techniques such as wool spinning.

4. To host meetings of community groups

Those groups who it is considered may be interested in access for this purpose are:

Snowy River Historical Society;

Berridale Lions Club;

Berridale CWA;

Berridale Men's Shed;

Berridale Beautification Committee (Section 355 Committee);

Berridale Pool, Community Centre & Sportsground Committee (Section 355 Committee); and

Section 355 Committee for Aitchison Cottage

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Of these groups, the Historical Society and the CWA are currently accommodated but may require accommodation in the cottage, to hold small meetings, in the future. The other groups will need to be approached to gauge their interest. Any other local groups not mentioned above could be considered on application to the managers of Aitchison Cottage.

5. To establish Aitchison Cottage as a Community Cultural Centre/Visitor Centre

Although there are positive aspects to the establishment of a Cultural or Visitor Centre in the cottage, it is not considered to be an ideal use of the building. Community expectations of such a centre are that it will exhibit a range of cultural material, including environmental and Aboriginal information and artefacts. The cottage layout of the building is not appropriate for such a use. It would be more appropriate for those entering the cottage to visit it with the intention of learning about the historical significance of the building itself, rather than entering it in order to obtain information on various topics, which may or may not be related.

Consideration could be given to extending the Berridale Council offices for use of as a Visitor Centre. Information to be made available would include Aitchison Cottage, as well as Berridale's other heritage buildings (the Heritage Trail), and also background on Aborigines of the region and the environment, e.g., geology, plants, birds.

6. To provide a combined use, i.e., both occasional access to and exhibition display area within, a locally heritage-listed building for the local community and the general public, including events, AND to host meetings of the community groups suggested above.

Articles of the Burra Charter referred to earlier in this report relate to compatible use and setting and are therefore directly relevant in the consideration of a combined use, i.e., is the combined use of the site as community meeting rooms and display/exhibitions on an occasional basis, including at events, compatible with its heritage status?

The preferred use

The most suitable use for Aitchison Cottage is considered to be No. 6. This use allows for small group meetings, exhibitions or displays of associated material, in a sensitive manner, and opening the building for public access on occasion. Such a use would mean that the cottage has people who are concerned to ensure its preservation entering on a regular basis. In addition, displays and exhibitions in the cottage will increase interest in visitation. Another benefit of this type of use is that tourists will include a stop in Berridale to their itineraries. As an example of this type of interest, a group of members of Historical Societies from the South Coast of NSW recently visited the cottage. Historical Society groups from other areas in NSW can be encouraged to consider making an excursion to Cooma and Berridale to view heritage properties in the area, incorporating the cottage.

Aitchison Cottage is not considered suitable for the storage of historic materials, e.g., books and historic memorabilia/objects. Neither is it suitable for use as a library, as it has only limited space and it would be inappropriate to take up part of the building with large amounts of such materials. However, small collections of books, reports and other material, such as copies of photographs that are relevant to the cottage, would be suitable. A small selection of material on heritage conservation generally, and background information on the history/heritage of the local area, could also be accommodated.

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As an element of the proposed use as suggested in No. 6, it is recommended that arrangements are made for increased communication between the Berridale Section 355 Committee for Aitchison Cottage and the other two Berridale Section 355 Committees, as well as the other groups proposed to use the cottage for meetings. In this way, the groups can consider opportunities available in using the cottage and may be encouraged to contribute to its preservation, both physically and through suggestions for its improvement.

7. STRATEGY IMPLEMENTATION

7.1 Management

Although one of the groups mentioned in the previous section could be approached to become the managers of Aitchison Cottage, it would be more effective to form a group that is focused on retention and conservation of the heritage values of the place. While the Snowy River Historical Society may be interested in using the cottage, the Society recently moved in to share a building at the Berridale Public School, for which the School has received government funding. Therefore, it does not require another base at present. Also, as noted in the previous section, the building is not suitable for storage of archival material, which it is likely that the Historical Society would require. While it is not considered to be suitable as a headquarters for the Snowy River Historical Society, if the proposed use No. 6 in the previous section is adopted, the Society would be invited to hold meetings at the cottage and may wish to participate in events planning and delivery.

It is recommended that the Section 355 Committee for Aitchison Cottage continue to be responsible for the works for restoration/reconstruction of the cottage. However, the Committee does not plan to continue in its present form once the works are completed. At that time, it is suggested that expressions of interest be sought to form a community group to manage the cottage. Members of the Section 355 Committee for the cottage or members of the other groups that are being considered as users of the cottage may be interested in becoming members of the new management group. If so, interested members should submit an expression of interest to Council. Consideration may be given to incorporating the group, unless Council, as the owner of the property, continues to sponsor the group for insurance purposes.

Friends of Aitchison Cottage Facebook site

It was suggested that a 'Friends of Aitchison Cottage' group be formed but Council did not approve funding for it. As noted earlier, a Facebook site for the 'Friends of Aitchison Cottage' was set up. It is proposed that the Facebook site be continued and that the new management group take over its administration. The group should decide whether it wishes to be known as the 'Friends of Aitchison Cottage', or to operate under another name. The Facebook site should be linked to the Snowy Monaro Regional Council website under a suitable subject heading, and the website link should include some information on the cottage.

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7.2 Conservation Works

Order of priorities

The 2014 Conservation Management and Interpretation Plan sets out Conservation Policies to direct future works. Any consideration of future uses for the site should observe these policies, a copy of which is attached as Appendix A.

The first policy, *Policy 3.1* sets out the order of priorities as follows:

The order of priorities in works relating to the site shall be:

- Protect building and site integrity
- Enhance public safety
- Enhance community uses by providing facilities which will promote public appreciation and visitation

The remaining relevant policies guide Repairs (Policies 3.2, 3.3, 3.4 and 3.5), Maintenance (Policy 3.6) and Adaptive reuse (Policy 3.7).

Conservation Works to date

The Section 355 Committee for the cottage, with Council approval, arranged for the demolition of the 1950s concrete-block structure on the north-eastern side of the cottage in 2014. The 2014 CMP also included a Schedule of Conservation Works (Part C, Management & Interpretation), labelling them as either mandatory or optional. It directed that all mandatory works must be carried out. Accordingly, the Committee completed the following restoration and reconstruction works for the building to bring it to lock-up stage, thereby making it secure:

- Replaced the rusted corrugated iron roof with a new roof of galvanised iron;
- Replaced the verandah at the front, north-western side, of the building;
- Repaired the window surrounds at the front of cottage with cement mix;
- Replaced the missing lintels above the front windows;
- Repointed some brickwork at the front of the cottage with cement mix;
- Repaired the chimney on the south-western side of the building.

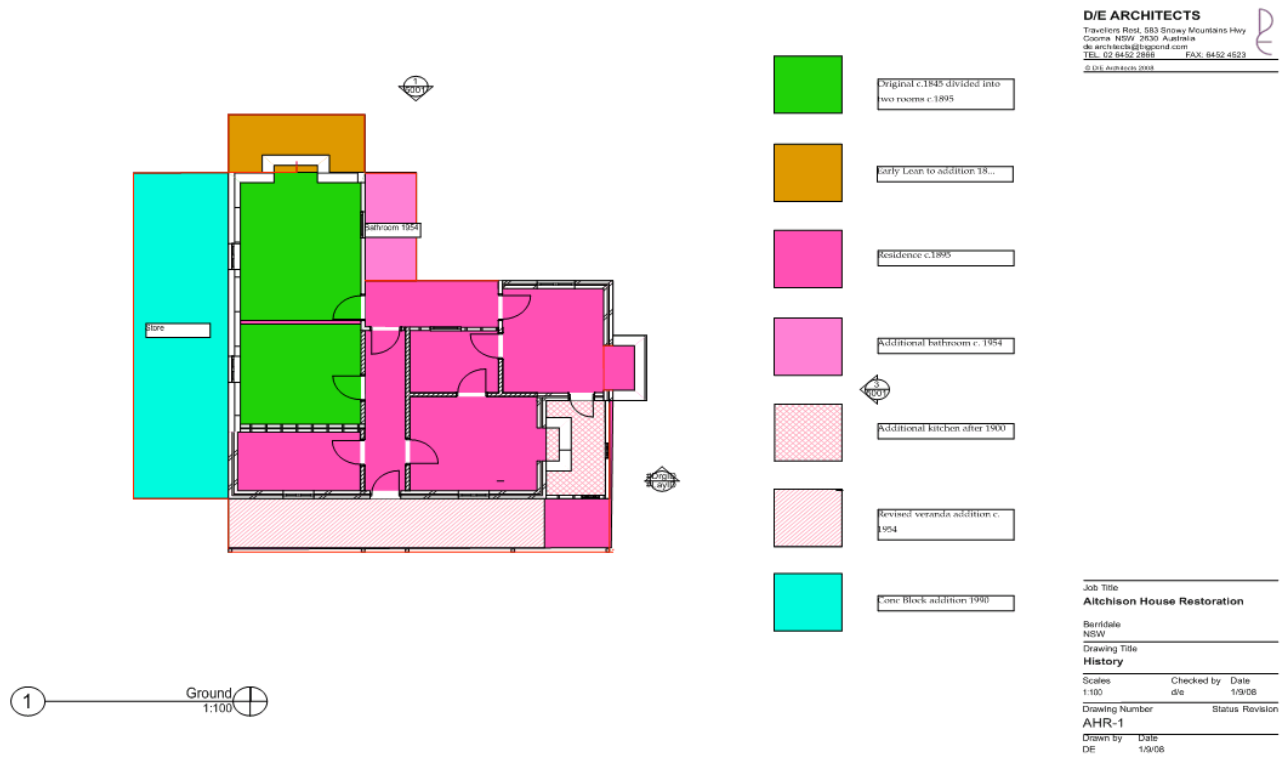


Figure 5: restoration plan, 2008, D/E Architects, Cooma

Conservation Works to be carried out

The Section 355 Committee for Aitchison Cottage has identified the following works as yet to be carried out:

- Replace timber floorboards;
- Repairs to reinstate chimney at the south-eastern side of the cottage;
- Complete repairs to chimney at the south-western side of the cottage;
- Repairs to internal walls and ceilings throughout the cottage;
- Repairs to kitchen, including fitting plumbing and insulation and repairs to chimney;
- Connect electricity, water supply and stormwater outlet to the cottage;
- Paint walls and ceilings as necessary;
- Install toilet at rear of the cottage;
- Establish fencing;
- Establish landscaping;
- Establish a community garden.

In addition to these works, it is recommended that repointing of brickwork at the front of the building is completed. Although some repointing has been done, further work is necessary to ensure that the brickwork is kept stable.

It is also necessary to regularly check the sub-floor ventilation to assist in alleviating dampness in the cottage foundations that contributes to rising damp. It is considered that the installation of a damp course would not be cost effective.

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Figure 6: Interior of Aitchison Cottage, lounge room with repaired chimney surround, August 2017; photograph: Paul Wallace

Removal of wall and other internal alterations

The Section 355 Committee is also planning to remove the dividing wall in the original room on the north-eastern side of the cottage. Currently there is only a timber frame remaining of this wall. In his examination of the building in 2013, architect David Epstein estimated that the original room dated back to 1838, based on the footings and the stone wall. This was supported by historical information and by the recollections of Ellis Aitchison, passed on to his son, Barry Aitchison. The removal of this wall will make the area on this side of the cottage, currently of three rooms, into two rooms. This will allow the larger of these two rooms to be used for meeting space by community groups, as suggested in the previous section.

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Figure 7: Interior of Aitchison Cottage, showing wall to be removed, August 2017; timber shingles are located above ceiling; photograph: Paul Wallace

In addition, the Committee plans to extend the ceiling in the larger room, so that it is at the same level across these two rooms. The wall on the north-western end of this side of the cottage, which is of packing case timbers, will not be disturbed.

The Committee also proposes to insert a panel of framed Perspex into the ceiling to exhibit, with lighting, a small section of the remaining timber shingles of the earlier roof. A small exposed section of the lathe-and-plaster wall in the hallway is to be exhibited in the same way. The intention is to show one small section of each of these building techniques that remain.

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Figure 8: Interior of Aitchison Cottage; hallway showing damaged lathe-and plaster wall on left, August 2017; photograph: Paul Wallace

These activities to finalise restoration/reconstruction of the site are supported. However, it is important that a record, both written and photographic, is made of any changes to the site, in particular the proposed removal of the internal wall. Any materials removed should be stored in a secure place, either on-site or in a recorded location. All work should be undertaken with reference to the Conservation Policies to guide restoration/reconstruction of the cottage outlined in the 2014 CMP, in particular, Policies 3.3. and 3.5. Also, the General Conservation Policies in the Burra Charter should be observed, in particular, Article 15:

15.1 Change may be necessary to retain cultural significance, but it is undesirable where it reduces cultural significance. The amount of change to a place and its use should be guided by the cultural significance of the place and its appropriate interpretation.

15.2 Changes which reduce cultural significance should be reversible, and be reversed when circumstances permit.

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It is also most important to protect the packing case timber walling and floor boards in the small room on the north-eastern side of the cottage. The room should be cordoned off and consideration given to covering the floor with Perspex if access is to be allowed into this room. This floor covering may be done on a temporary basis, so that it can be removed if necessary, e.g., for closer viewing. However, it must be replaced immediately afterwards.

Further details of the proposed works are provided in section 7.4: Feasibility Cost Estimates.



Figure 9: Interior of Aitchison Cottage, showing packing case timber floor boards, August 2017; photograph: Caroline Cosgrove

7.3 Management Guidelines

Works should be carried out in accordance with the NSW Heritage Office's publication, 'How to carry out work on heritage buildings and sites'. This publication sets out guidelines which give practical advice on how to implement the Burra Charter philosophy. It is part of the NSW Heritage Office's Heritage Information Series and can be accessed on-line via the Snowy Monaro Regional Council's website at:
<https://www.snowymonaro.nsw.gov.au/937/Development-on-Heritage-Items-or-Areas>

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In particular, the guidelines note that while changes may be necessary to adapt heritage buildings to new uses, it is important to ensure that these changes do not compromise the heritage significance of the item.

One item of particular relevance to Aitchison Cottage is 1.10 'Services and safety requirements'. It specifies:

Install new services ... inconspicuously to cause least damage to the fabric. Use sub-floor or roof spaces to bury them underground. **Pull cord switches** are a viable alternative to chasing electric wiring. Floor mounted power points are an alternative to damaging skirtings.

The advice given in the 2014 CMP Schedule of Conservation Works (see appendix A (ii)) should also guide the conduct of any further work that has not yet been completed, as set out in section 7.4.

Landscape Plan for Aitchison Cottage

In his letter of 12.12.2013, Dr Peter Kabaila, Heritage Adviser to the then Snowy River Shire Council, advised Council's General Manager on the Aitchison Cottage landscape plan. Dr Kabaila advised that it is 'desirable to create a new landscape that provides some sense of enclosure around the cottage. The landscape should visually screen or filter out intrusive developments that surround the cottage. It should provide a setting in keeping with the cottage. It does not necessarily have to attempt to reproduce a past landscape from a particular past era.'

This advice is supported for consideration in landscaping the cottage. However, elements of the past landscape layout may be included in the new design. Historic photographs from the early twentieth century show some features, including a hedge bordering a picket fence, and several fruit trees (see Figure 4, 1910 photograph).

Objectives and Guidelines

The objectives of a landscape design should be to improve access and enjoyment for visitors and those using Aitchison Cottage. The main landscape elements, including the fence, hedge, shrubs and trees, should require minimal maintenance. Elements such as herb and vegetable gardens will generally require maintenance and should only be considered if a Community Garden Group is formed, with voluntary labour to care for them. Hardy herbs such as rosemary and lavender may be appropriate, if kept trimmed. Fruit trees will require some maintenance.

As suggested in the 2014 CMP, a simple spear-tip hardwood fence (preferably painted) would be most appropriate for the cottage surrounds. It would not only assist with security but would provide a suitable curtilage for the cottage. A path from the picket fence at the front of the cottage to the front door is also desirable. Ideally, it should meet the path from the Lions Park.

Setting

As stated earlier, it is important for a place of heritage significance to have a suitable setting. In relation to Aitchison Cottage, the skate park on its south-western side and the car park on its north-eastern side both impinge on the setting. To counter this, some type of screening

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between the cottage and these discordant elements is recommended to assist in retaining the heritage setting.

The Section 355 Committee proposes a planting of 15 to 18 shrubs or trees for World War One servicemen who lived in the local area, at least five of whom are directly associated with Aitchison Cottage, each to have a plaque to commemorate the individual. It is suggested that this planting could be done between the cottage and the skate park on the south-western side of the cottage, and between the Council carpark and the cottage on the north-eastern side, thereby providing the screening required to maintain the setting.

This planting will need to be done outside the fence on each side of the cottage, and may be beyond the cottage boundaries. As the planting is to commemorate local World War One servicemen, it may be considered to be on behalf of the whole Berridale community, and the proposal should be pursued on this basis. Suitable plants include camellia (*Camellia japonica*, hardy, although slow growing); pittosporum (*Pittosporum tenuifolium*); or a frost tolerant species of Bottlebrush (*Callistemon spp.*). Other types of plants that are frost tolerant and grow to around two to three metres may be considered. The location of the planting needs careful consideration, as planting too close to the cottage or too much shading of the cottage could cause problems.

The nineteenth century layered hawthorn hedge at the rear of the skate park should be retained. Although it is located behind the skate park and is not within the current curtilage of Aitchison Cottage, it is related to the early history of the cottage, and is therefore more likely to be protected by being included in the cottage's interpretation. It is on Council land and should receive regular maintenance as part of the wider landscape.



Figure 10: Layered hawthorn hedge located at rear of Aitchison Cottage and skate park; photograph: Snowy Monaro Regional Council

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A concept landscape plan was prepared by a then member of the Section 355 Committee, Rosemary Stewart-Beardsley, in August 2014. However, the plan, which did not recommend a screen for either side of the cottage, did not proceed. Neither did a proposal to incorporate a community garden into the landscape plan.

It is recommended that the Section 355 Committee for Aitchison Cottage, with the support and assistance of Council, seek a grant for a new landscape plan to be prepared for the cottage. The advice of Council's Heritage Adviser (12.12.2013), as stated at the beginning of this section, and the above objectives, should form general guidelines for this plan.



Figure 11: Aitchison Cottage, showing new galvanised iron roof and verandah, rubble stone wall with pole frame at left, and red brick front; photograph: Paul Wallace

7.4 Aitchison Cottage: Feasibility cost estimates

The following schedule of works and costs is set out in order of priority.

No.	Stage	Task	Estimated cost			Milestone
			Labour	Materials	Total	
1	1	Carry out sewerage and storm-water drainage works and connect water supply (allow for toilet not yet built: see No. 15)	1,660	4,200	5,860	Sewerage is connected; storm-water risk is negated; complete within 6 months of release of final Strategic Heritage Management (SHM) Plan.
2	1	Connect electricity	3,500	12,200	15,700	Electricity is available to the cottage and for those working on the site; complete within 6 months of release of final SHM Plan.
3	1	<u>Exterior:</u>				Exterior restoration/repairs completed; complete within 10 months of release of final SHM Plan.
"	"	Replace/restore doors and timbers	1,800	6,200	8,000	"
"	"	Replace/restore windows	2,500	7,400	9,900	"
"	"	Replace rear slab wall plus corner posts		2,500	2,500	"
"	"	Replace damaged bricks	1,200		1,200	"
"	"	Repoint stone and brickwork as required, with suitable cement mix, in cottage walls and chimneys; repair damaged brickwork at front	10,000	648	10,648	"
4	1	<u>Interior:</u> Replace timber flooring (joists and bearers: \$5,000 + floorboards: \$350 per sq. mtr. = \$25,000)			30,000	Floor is made secure for workers and visitors to the cottage; complete within 12 months of release of final SHM Plan.
5	1	Repair walls and ceilings throughout cottage:* Ceiling repairs, lining board (\$8,000); plaster and wall repairs (\$10,000); skirtings and architraves (\$8,700); timber slabs (\$4,000)	5,500	25,200	30,700	Improved appearance of walls and ceilings, as well as greater security; complete within 12 months of release of final SHM Plan.

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6	1	Internal electrical work	3,500	7,170	10,670	Electrical connection complete; complete within 12 months of release of final SHM Plan.
7	2	Install insulation in ceiling throughout		3,000	3,000	Cottage is insulated; complete within 14 months of release of final SHM Plan.
8	2	Repair kitchen, including fitting plumbing, hot water and stove	5,560	17,440	23,000	Kitchen is made usable for the cottage; complete within 14 months of release of final SHM Plan.
9	2	Paint interior walls and ceilings	4,000	3,000	7,000	Improved appearance of walls and ceilings; complete within 16 months of release of final SHM Plan.
10	2	Install Perspex coverings over exposed lathe-and-plaster walling in hallway, and over timber shingles in south-eastern room			1,500	Perspex coverings protect exposed lathe-and-plaster walling in hallway and timber shingles. complete within 16 months of release of final SHM Plan.
11	2	Complete chimney reconstruction in lounge room: finish repointing brickwork and cap chimney stacks	5,000		5,000	Chimney is made usable; complete within 16 months of release of final SHM Plan.
12	2	Reconstruct chimney in kitchen and at south-eastern side of cottage	8,000	2,285	10,285	Chimneys are reinstated; complete within 18 months of release of final SHM Plan.
13	3	Paint exterior	500	1,500	2,000	Protection for exterior timber; complete within 18 months of release of final SHM Plan.
14	3	Install water tank, including stand		1,300	1,300	Water is available to cottage; complete within 18 months of release of final SHM Plan.
15	3	Install toilet at rear of cottage			5,000	Proposed toilet plan has been prepared: to be considered; complete within 18 months of release of final SHM Plan.
16	3	Prepare landscape plan, including community garden and establish landscaping	2,000	3,000	5,000	A concept landscape plan has been prepared: 2.8.2014 – needs to be revised; complete within 14 months of release of final SHM Plan.
17	3	Establish fencing	1,000	5,000	6,000	Complete within 20 months of release of final SHM Plan.
18	3	Lay gravel for paths and community garden around cottage		3,000	3,000	Complete within 20 months of release of final SHM Plan.
19	3	Establish community garden			2,000	Complete within 20 months of release of final SHM Plan.

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20	4	Interpretation: signage; walking trail brochure; phone app			4,000	Complete within 2 years of release of final SHM Plan.
21	5	Further research; revised booklet	10,000	2,000	12,000	Complete within two years of release of final SHM Plan.
		TOTAL COST	65,720	107,043	215,263	

* NB (i) Structural security of the building must be assessed before removal of any wall, including the proposed removal of the dividing wall in the main room on the south-eastern side of the cottage. Removal of any internal structures must be recorded during the process and the materials retained.

(ii) Any repairs to walls and ceilings are to leave exposed the lathe-and-plaster walling in the hallway and the timber shingles in the ceiling of the room on the south-eastern side of the cottage, as both show the technique used.

NOTE: Section 355 Committee members will provide voluntary labour for those items where no labour cost has been included.

STAGES

The following are the stages for the proposed works and reflect the above numbers:

Stage 1 – finish to lock up: includes floors, doors, architraves, initial electrical work and plumbing

Stage 2– fit out the interior: complete all internal requirements

Stage 3 – exterior and landscaping: complete all exterior items including toilet, storm water, landscaping and exterior painting

Stage 4 – Interpretation: signage; walking trail brochures; phone app

Stage 5 - further studies/research and produce revised booklet

8. REVIEW AND EVALUATION

There is a need for evaluation and a continuity/management review to ensure that the guidelines and recommendations in this Strategic Heritage Management Plan are observed and reassessed on a regular basis. It is considered that the Section 355 Committee for Aitchison Cottage, as the custodians of the cottage while the restoration/reconstruction works are carried out, should remain responsible for these works. A review of the progress of these works should be carried out by Council's Heritage Adviser at three-monthly intervals whilst they are being completed.

Once the works are finished, the cottage will also require a regular program of maintenance. Any work should comply with the NSW Heritage Office's publication, 'How to carry out work on heritage buildings and sites', part of its Heritage Information Series. Item 1.16 of this publication explains the need for such a program and is included here for reference.

1.16 Maintenance

In the terms of the Burra Charter, maintenance is the continuous protective care of a place.

A regular maintenance program is a good investment, as it reduces the likelihood of costly and disruptive major restoration. It is part of an owner's normal responsibilities.

The cottage's management committee should provide a brief annual report to Council, indicating how the ongoing arrangements for use of the cottage are progressing, and raising any concerns. In future years, the cottage's new management committee, as recommended in the above section on management, should take on responsibility for all maintenance, in conjunction with Council, and provide annual reports to Council. Council's Heritage Adviser should also regularly inspect the cottage and advise on maintenance issues in the future, at least annually.

This process is to continue over the next 10 years. After five years, Council should review this process to ensure that the management arrangements are operating satisfactorily.

In future years, it is suggested that the new management committee for Aitchison Cottage should seek further opportunities for using digital technology to communicate information about the site and its surroundings in Berridale, e.g., by developing a phone app. The committee should also keep abreast of developments in programs that provide assistance for heritage properties or communities, in order to take advantage of any future funding opportunities or other benefits.

9. CONCLUSION

This Strategic Heritage Management Plan has considered issues that are central to the conservation of Aitchison Cottage, including its cultural and heritage significance, the changes that have been made to it over time, and its current status. It has also made suggestions as to ways to address its future potential. The Plan has identified uses, goals and objectives for the cottage. It proposes a Schedule of Works for the cottage, in priority order, as well as milestones to achieve these tasks. It suggests a continuing management strategy and a maintenance plan to ensure that the cottage is safeguarded in future years.

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The recommendations at the end of this Plan are designed to draw out the major elements arising from this Plan that will contribute to the conservation of the cottage, including through its appropriate use and management. They will also assist in fulfilling its future preservation requirements and its potential as a place of cultural heritage significance that is valued by the Berridale community, as well as visitors to the district.



Figure 12: Aitchison Cottage in its current setting, taken from near the skate park; photograph: Paul Wallace

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10. RECOMMENDATIONS

Management, funding and works

1. The following recommendations are for the current and future management of Aitchison Cottage:

It is recommended that the Section 355 Committee for Aitchison Cottage continue to be responsible for the restoration/reconstruction works on the cottage.

After the cottage has been restored/renovated, it is recommended that Council advertise for residents of the Snowy Monaro Regional Council to form a body to manage the cottage; incorporation of the new group should be considered. Members of the current Section 355 Committee for Aitchison Cottage, as well as members of other local groups who are interested, should be encouraged to apply.

2. The Section 355 Committee for Aitchison Cottage, as interim managers for the cottage, with the support and assistance of Council, should pursue funding opportunities for the Schedule of Works for Aitchison Cottage included in this Strategic Heritage Management Plan (section 7.4), as a matter of priority. Reference should be made to the Funding Section in this Management Plan (section 6.6) for possible sources of funding.

3. Additionally, the Section 355 Committee for Aitchison Cottage, with the support and assistance of Council, should investigate funding for heritage activities in relation to the cottage (section 6.4 of this Management Plan), especially assistance from the 'Heritage Near Me' incentives program.

4. The Schedule of Works for Aitchison Cottage, referred to in Recommendation 2 above, should commence as soon as possible, so that on completion, the existing security fence can be removed and landscaping can begin. The works are to be carried out in accordance with the Burra Charter and the NSW Heritage Office's guidelines, as set out in this Management Plan, and in the NSW Heritage Office publication, 'How to carry out work on heritage buildings and sites'. The website for the NSW Heritage Office document is included in the References section.

5. The Section 355 Committee for Aitchison Cottage, with the support and assistance of Council, should seek a grant for a landscape plan to be prepared for the cottage. The Plan is to be implemented with reference to the guidelines in this Strategic Heritage Management Plan (section 7.3). Landscaping should commence as soon as the external works for the cottage are completed, so that a suitable setting for the cottage can be effected as a matter of priority. The layered hawthorn hedge at the rear of the skate park is to be retained as part of the wider landscape plan.

Review and evaluation

6. A review and evaluation plan is to be implemented for both the conduct of the works and the continuing management of Aitchison Cottage, as set out in section 8 of this Strategic Heritage Management Plan. This will require the Management Committee to make an annual report to Council and Council's Heritage Adviser to carry out three-monthly checks of the restoration/reconstruction works for the cottage. When it is appointed, the cottage's new management committee is to take on responsibility for all maintenance, in conjunction with Council, and annual reports. In the future, Council's Heritage Adviser should also

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regularly inspect the cottage, at least annually, and advise on maintenance issues. Council is to undertake a review of this process after five years.

Communication and interpretation

7. Arrangements should be made for increased communication between the Berridale Section 355 Committee for Aitchison Cottage and the other two Berridale Section 355 Committees, as well as the other groups proposed to use the cottage for meetings. Meetings of representatives of these groups should focus on the conservation requirements of the cottage.

8. Interpretation activities for Aitchison Cottage should be developed, with consideration given to external signage, possibly some small internal information panels, and/or a booklet about the cottage's history and restoration/ reconstruction/renovation, to be made available to visitors for a small charge. The cottage should continue to be included in community events; an event incorporating the cottage could be planned as part of the National Trust Heritage Festival, held in April/May each year.

9. The Facebook site set up for Aitchison Cottage should continue to operate, with the custodians of the cottage as its managers. The site should be regularly updated and linked to the Snowy Monaro Regional Council website under a suitable subject heading. The website link should include some relevant information on the cottage.

10. Aitchison Cottage's new management committee, with the support of Council, should seek further opportunities for programs that provide assistance for heritage properties or communities, particularly those that use digital technology to communicate information.

11. Other heritage places in Berridale should be integrated into interpretation of the Aitchison Cottage site. It is suggested that the cottage is included as part of a walking trail of these places, commencing from the cottage. A brochure, as well as digital information, possibly made available via a phone app, should be prepared to guide visitors on the trail.

12. Aitchison Cottage should be incorporated into the main area of the Berridale Civic Centre, which includes the shopping precinct and the Lions Park, so that visitors who are passing through the town can be made aware of the opportunity to visit the cottage.

Promotional material, further research and copies

13. Aitchison Cottage should be included as part of promotional material prepared by Council to encourage tourism to the local area, as should the walking trail of heritage places in Berridale. Tourism could also be directed towards interested groups, e.g. other Historical Societies may arrange for bus tour groups to include Aitchison Cottage, as well as other heritage places in Berridale, in a tour of the district.

14. The Section 355 Committee for Aitchison Cottage, or its successor, with the support of Council, should seek funding opportunities for further research into the history of Aitchison Cottage and Berridale. Funds would allow for a historian to conduct a research study, accessing any available records, with the outcome to form a publication providing accurate and detailed information about the cottage and the town.

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15. A copy of this Strategic Heritage Management Plan is to be held by Council; another copy is to be held at Aitchison Cottage; and a third copy is to be held by the Snowy Monaro Regional Library.

Draft Strategic Heritage Management Plan, Aitchison Cottage, Berridale, NSW, 28 November 2017

References

Australia ICOMOS (International Council on Monuments and Sites), *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, Australia ICOMOS Inc., Burwood, Vic., 2013: <http://australia.icomos.org>

Rodwell, Frank, *Homes on the Range*, A history of the townships and campsites built during the construction of the Snowy Mountains Scheme, the author, Cooma, 1999

Unpublished: reports etc.

Arterra Design Pty Ltd, Epping, NSW, 'Berridale Village Landscape Master Plan Report', Revision A, 12 September 2014

Australia ICOMOS (International Council on Monuments and Sites) Inc., 'Practice Note, Interpretation', Version 1: November 2013

Burke, I F, 'Aitchison Cottage', unpublished booklet prepared for the Aitchison Cottage Section 355 Steering Committee, Berridale, for Aitchison Cottage's Open Day, Saturday 4th April, 2015

Kabaila, Peter, Archaeologist & Architect NSW, Black Mountain Projects Pty Ltd, ACT, Heritage Adviser to Snowy River Shire Council, 'Aitchison Cottage, Berridale, NSW, Conservation Management Plan & Interpretation Plan', Report to Snowy Shire River Council, March 2014

NSW Heritage Office, 'How to carry out work on heritage buildings and sites', part of the NSW Heritage Office's Heritage Information Series; publication available on-line: <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infocarryoutwork.pdf>

Robert Staples and Associates, Consulting Engineers and Project managers, 'Berridale Civic Centre Precinct Functional Concept Plan', report to Snowy River Shire Council, April 2010

Snowy River Shire Council, 'Development Assessment Report, Historical Outline, Snowy River Shire Conservation Strategy', 30 August 2013

Maps; Certificates of Title

Parish map: parish of Myack, County of Wallace, Part of Portion 3;

Certificates of Title: CT 31/125 (Lot 1, DP1167771, 24 June 1862); CT 820/4; CT 887/225; CT 958/149

Personal communication

Information provided by the Section 355 Steering Committee for Aitchison Cottage

Discussion with Dr Peter Kabaila, Heritage Adviser for Snowy Monaro Regional Council, onsite at Aitchison Cottage, 23 August 2017

Websites

Australian Heritage, an independent website dedicated to sharing interest in and information about Australia's cultural and natural history and heritage.
Berridale: <http://www.heritageaustralia.com.au/new-south-wales/3270-berridale-viewed> 5 September 2017

Stronger Councils, Government of New South Wales, Snowy Monaro Regional Council, viewed September 2017: <https://www.strongercouncils.nsw.gov.au/new-councils/snowy-monaro-regional-council/>

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Appendices

Appendix A

'Conservation Management and Interpretation Plan for Aitchison Cottage', 2014:

- (i) Conservation Policies to guide restoration/renovation of the Cottage and its future preservation.
- (ii) Schedule of Conservation Works (Mandatory and Optional)

Appendix B

NSW Office of Environment & Heritage, Heritage inventory sheet for Aitchison Cottage, 2 Myack Street, Berridale, NSW, Local Government area: Snowy River, Database No. 2410114.

11.1 REQUEST FROM FORESTRY NSW FOR CONTRIBUTION TOWARDS SURVEY AND COST ESTIMATE FOR VARIOUS ROAD IMPROVEMENTS PROJECTS

Record No:

Responsible Officer: General Manager

Key Direction: 2. Expanding Connections Within the Region and Beyond

Delivery Plan Strategy: DP2.2.1.3 Continual maintenance and improvement of the road infrastructure network

Operational Plan Action: OP2.10 Implement Council's transportation construction and maintenance program in accordance with the Strategic Transportation Asset Management

Attachments: 1. Bombala Bypass Proposed Alignment and Quote for Survey [↓](#)

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Forestry NSW has approached Council with a request to assist with the survey, design and cost estimates for Bucky Springs Road/Burton Street Bombala Bypass which has been discussed and evaluated by various administrations (FCNSW & Council) over the last 15-20 years.

A fee proposal prepared by their affiliated engineer and made available to Council is attached to this report and equates to about \$20,000. Forestry NSW have proposed the following:

- Contributing 50% of the attached quote for Bombala Bypass
- OR
- Resource it internally with Council Engineers and FCNSW could contribute.

The proposed bypass of Bucky Springs Road/Burton Street Bombala has the following benefits:

- would allow safe and efficient haulage of forest products to Dongwha without passing through Bombala CBD
- links onto recently upgraded Rosemeath Road.
- provides load quality (overloads/unsafe loads) inspections to be undertaken at central facility prior to entering Bombala and Monaro Highway.

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

OFFICER'S RECOMMENDATION

That Council

- A. Approve 50% contribution towards the cost of survey, design and cost estimates for Bucky Springs Road/Burton Street Bombala Bypass up to an amount not exceeding \$10,000.
 - B. Authorise the expenditure and allocate an amount of \$10,000 in the 2017-18 Financial Year Budget with funding to be provided from Other Internal Reserves
-

BACKGROUND

Following recent meetings with Forestry NSW, a request has been received that Council contribute to the cost of surveys and cost estimates for works on proposed Bucky Springs Road/Burton Street Bombala Bypass project to enable them to be shovel ready for grant and budget applications. The project involves

- 1) Survey Party to capture survey data and peg approx. 5000m of proposed roadway including cross-sections
- 2) Provide a comprehensive design with 3 sets of copies based on data captured, supplied as complete engineering plans.

Forestry in the Monaro district of NSW centres on the townships of Bombala and Delegate. Transport infrastructure in the Monaro district also caters for a significant quantity of raw timber product from north-eastern Victoria. With the South West Slopes of NSW and north-eastern Victoria, the area now accommodates the largest softwood plantations in Australia.

As at May 2012, the NSW Department of Primary Industries – Forestry managed 36,000 hectares of public land as pine plantations. The state industry employed over 300 people directly and the recognised multiplier for indirect employment generation is 3:1. In addition, a number of private companies operate softwood plantations.

A softwood sawmill facility owned and operated by Dongwha Timbers is located at Bombala. This facility produces up to 180,000 tonnes of treated sawn timber to be used for outdoor building, decking, landscaping and fencing. It is a significant employer in the Monaro district.

There has been unilateral support amongst the Bombala and Delegate residents to:

- Undertake a feasibility study of heavy vehicle traffic in and around the Bombala township area to determine if an alternative route can be established to minimise heavy vehicle traffic within the Bombala CBD.
- Determine optimal location for a Heavy Vehicle alternative route that will achieve the greatest reduction in heavy vehicle movements in the Bombala CBD.

Currently Bucky Springs Road/Burton Street Bombala has about 2,500 loaded truck movements per annum. Forestry NSW estimates that this will increase in 2018 and then return to this level for 2019 but increasing again for the following 10 years.. As such the proposal to have a by-pass to the Dongwha facility without timber trucks having to travel down Bucky Springs Road/Burton Street Bombala has merit and should be investigated.

A recent study on “Bombala & District Timber Industry Haulage Study” (commissioned by former Bombala Shire and being reviewed by staff for a formal report to Council) deals with the local and regional road network within the former local government area of Bombala (now Snowy Monaro LGA) that services the timber industry of south-east NSW and north-east Victoria.

The objective of this report is to provide a basis for Snowy Monaro Regional Council to plan for and design network upgrades and to seek funding to carry out these works from external agencies and groups. This is achieved by:

- describing current forestry industry planning and expected developments,
 - reviewing quantities hauled on the local and regional road network,
 - describing the standard and condition of the local and regional road network,
-

11.1 REQUEST FROM FORESTRY NSW FOR CONTRIBUTION TOWARDS SURVEY AND COST ESTIMATE FOR VARIOUS ROAD IMPROVEMENTS PROJECTS

- identifying and quantifying road maintenance funding requirements on the local and regional road network,
- demonstrating the economic benefits of maintenance and development of the road network, and
- providing a framework for Council to set priorities and coordinate roadwork operations.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Bombala Bypass was identified as one of the priority projects during community consultation as part of the SRFMPP and hence will have significant social impact.

2. Environmental

Environmental assessment and mitigating measures are addressed while designing a project of this magnitude.

3. Economic

Forestry NSW have supplied an estimate from GeoTrack Engineering for the project with an estimate for the Bombala Bypass Project of \$20,000 with Council's contribution being \$10,000. Under Council's procurement guidelines a project of this size would require 2 quotes. However it is understood that the quote is from their affiliated engineers which Council may consider as appropriate to accept without obtaining further quotes.

Council currently has an uncommitted balance in the Other Internal Reserves of \$446,000 which can be used to fund this contribution

4. Civic Leadership

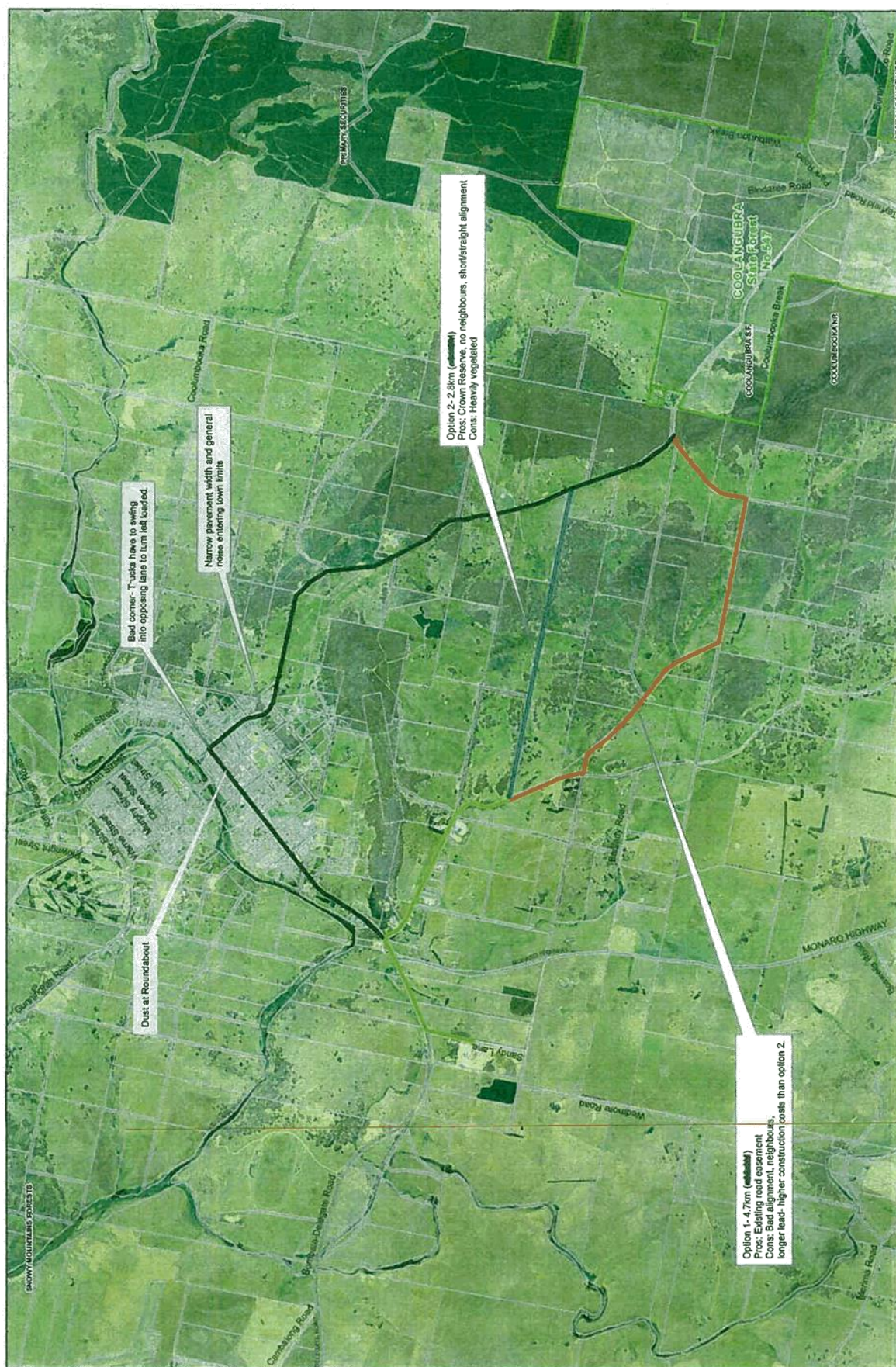
Bombala Bypass was identified as one of the priority projects during the community consultation as part of the SRFMPP and the proposed bypass has the following benefits:

- Would allow safe and efficient haulage of forest products to Dongwha without passing through Bombala CBD
- Links onto recently upgraded Rosemeath Road.
- Provides load quality (overloads/unsafe loads) inspections to be undertaken at central facility prior to entering Bombala and Monaro Highway.

There has been unilateral support amongst the Bombala and Delegate residents to:

- Undertake a feasibility study of heavy vehicle traffic in and around the Bombala township area to determine if an alternative route can be established to minimise heavy vehicle traffic within the Bombala CBD.
 - Determine optimal location for a Heavy Vehicle alternative route that will achieve the greatest reduction in heavy vehicle movements in the Bombala CBD.
-

Bombala Bypass Proposal





Q 102_2017

16th October 2017

Dear Tim,

RE: FCNSW – Re-Pericoe Road access

Please find following quotation for subject project as requested.

Pericoe- Ridges Link

- 1) Survey Party to capture road location in field using established maps with contour intervals as slope guide, with outlet at river at location inspected *\$1800 day. Estimate 2 days to complete.*
- 2) Survey Party to capture survey data and peg 3000m of proposed roadway including cross-sections, allow 4-5 full days (due to steep terrain and short sight distances and higher frequency of turning points it may take 5 days) *Estimate 4-5 days to complete at \$1800 day*
- 3) Provide a comprehensive design with 3 sets of copies based on data captured, supplied as complete engineering plans: *approximately 5 days estimated for complete design package lump sum rate \$6500.00*
- 4) Travel to site kilometer rate at 85c/km and accommodation at \$200/person/night (two man crew).
- 5) Materials, i.e pegs, to be supplied by client or by GES at cost price only.

Bombala Bypass-

- 1) Survey Party to capture survey data and peg approx 5000m of proposed roadway including cross-sections, allow 4-5 full days *Estimate 4-5 days to complete at \$1800 day*
- 2) Provide a comprehensive design with 3 sets of copies based on data captured, supplied as complete engineering plans: *approximately 4 days estimated for complete design package lump sum rate \$5200.00*
- 3) Travel to site kilometer rate at 85c/km and accommodation at \$200/person/night (two man crew).
- 4) Materials, i.e pegs, to be supplied by client or by GES at cost price only.

12.1 REQUEST FROM SMEC TO CONTRIBUTE TO COST OF STUDY FOR FLUIDS LAB

Record No:

Responsible Officer:	General Manager
Key Direction:	3. Strengthening Our Local Economy
Delivery Plan Strategy:	DP3.1.1.2 Take full advantage of the unique assets and character of our towns and villages.
Operational Plan Action:	OP3.3 Provide facilities and amenities to accommodate visitors and their needs
Attachments:	1. Draft Memorandum of Understanding - SMEC Holdings Ltd ↓
Cost Centre	
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

SMEC have offered the old Fluid Lab at its site in Cooma to Council. Since the decision of SMEC to shut its operations in Cooma there has been considerable interest in the community regarding the future of the site. Whilst there are a lot of negatives associated with the building given its age and conditions, the positives have not yet been fully investigated. This feasibility study will investigate a cost benefit analysis for this proposal which Council can then use to determine its position

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

OFFICER'S RECOMMENDATION

That Council

- A. Receive and note the report; and
- B. Authorise the expenditure and allocate an amount of \$20,000 in the 2017/18 Financial Year Budget with funding to be provided from Other Internal Reserves for a feasibility study of the Fluid Lab with SMEC;
- C. Endorse the Draft MOU for negotiation with SMEC and bring a further report to Council once the negotiations have been completed.

BACKGROUND

SMEC have offered the old Fluid Lab at its site in Cooma to Council. Since the decision of SMEC to shut its operations in Cooma there has been considerable interest in the community regarding the future of the site. The recent announcements concerning Snowy 2.0 has resulted in SMEC again utilising their offices in Cooma but are still pursuing future development of the site.

Recently the Mayor and General Manager undertook an inspection of the Fluid Lab with Peter Evans from SMEC. There are a number of concerns staff have with this proposal which are listed below for Council's consideration:-

- Depending on whether SMEC agrees to upgrade the building to 'fit for purpose', there are a lot of costs involved in converting the Fluid Lab to use such as a museum or educational facility. The extent to which SMEC is willing to upgrade needs to be clarified.
- Funding the operations of the building into the longer term needs to be canvassed in the study
- Informal discussions with the SMEC representatives indicated that they are considering DA's for a range of possible future uses for the remainder of the site. Council needs to be fully aware of the potential overall cost of waiving (i.e. Council donating) DA fees/contributions for *"any future DA's"* as was earlier requested.
- There was also a previous request for Council to 'waive' any fees involved in the disposal of asbestos containing materials (ACM) from the demolition of the former office buildings at the site. The Statement of Environmental Effects (SEE) supplied with the DA for the demolition works was not definitive on the amounts of ACM to be removed, stating that further investigation and sampling was required to determine the extent of possible ACM buried or contained in soil around the site, and the method of dealing with those quantities. Prior to consideration of that request, verification of actual quantities would be required. Council could agree to 'waive' fees for disposal of bonded ACM from the buildings to a specified weight limit (e.g. 10 Tonnes, 20 Tonnes), but not for any surface or in-soil ACM (the SEE states there is an unknown volume of soil, beneath the surface that is potentially contaminated by ACM (up to 27,000m³).

As well a cursory inspection of the site by professional staff has identified a number of issues that will need addressing in any business case/feasibility study, such as:-

- Fire safety upgrading – part of the building (offices and access points between the office part and the lab section) have fire sprinklers – it is not known whether this system is operational, but it is doubtful that it meets current required standards. Note that although full upgrading to current BCA standards might not be required, there could still be a significant amount of upgrading required. The last date of service tags for some of the fire equipment was 2010.
 - There may be a need for additional fire separation treatment between the office area and lab area.
 - The large volume of the lab section may create additional requirements for Fire Safety upgrading, as some controls are floor area based, while others are volume-based. Floor plans and either a cross-section or elevation of the building would be needed to assess those requirements.
 - The existing toilet facilities are not compliant with accessibility requirements and would require complete overhaul/upgrade. The required number of facilities (WC pans and wash basins) would need to be assessed, and can vary depending on the intended use of the building. Compliant disabled facilities would be required regardless of the eventual end use. Disabled access will be required to any publicly accessible areas.
 - Additional fire exits are likely be required from the Fluid lab part, particularly if it is accessible to the public.
 - There did not appear to be adequate emergency lighting or exit signs.
-

- There are large areas of glazing in the Fluid Lab area, it is not known if the type & thickness of that glass would be serviceable or not. There may be a requirement to replace some or all of the glazing.
- There are potential issues with public access to parts of the Fluid Lab area – for example, stairways and sub-floor access ways.

Whilst there are a lot of negatives associated with the building, the positives have not yet been fully investigated. It is a large building, in the centre of town on the highway and with a lot of highly unique features. There is also potential grant money on offer from the state government (e.g. \$100m regional cultural fund) which perhaps could be leveraged. A condition of any business case would have to be minimal ongoing costs to council and if there were to be ongoing costs they would have to be well defined with funding sources identified.

Council's heritage advisor has reviewed the site and provided a report which concludes:

"Retention of the Fluid Mechanic's Laboratory would enable the development of an exceptionally powerful interpretation trail that would benefit not only Cooma residents and businesses, but would add to the experience and understanding of visitors to the area.

The retention and presentation of the Fluid Mechanic's Laboratory in combination with the interpretation of Lambie Gorge, Lambie Street and nearby bush trails would seem to be consistent with the new Destination Networks tourism initiative for which the NSW Government is making \$43million available over the next four years (2017 -2021).

The walk would enable interpretation of Indigenous history, geological history, natural history (flora and fauna), early European settlement, engineering developments and the role of Cooma in the Snowy Mountains Scheme. It could be developed as a series of short walks or a full loop of the town. It is recommended that the heritage value of the Fluid Mechanics Laboratory be formally acknowledged and that steps be taken to investigate how the building can be utilised for the economic and historic betterment of the Cooma community and visitors to the area."

The proposed consultants brief from SMEC involves the following;

."The key tasks are outlined below:

1. APPRECIATION OF THE TASK - *Undertake an appreciation & understanding of the existing facility with a master plan for the development of a museum concept, including a budget estimate to provide additional project feasibility and certainty.*

2. SITE INVESTIGATION - *The site investigation would involve the Architects and Certifiers conducting an onsite inspection to determine the existing conditions, opportunities and site constraints of the building and site. This base information will allow the project team to develop a master plan and museum concept based upon a report of the existing facility against the BCA and relevant accessibility codes.*

3. OPPORTUNITIES IDENTIFICATION - *Following the Site investigation, Cox will conduct a desk top opportunities identification that will highlight the key aspects that should be further developed within a new scheme. This will involve all opportunities both within the building and site, plus the sites connection to the greater Cooma area, and how these opportunities should be explored and developed to increase the future museums success. I suggest this be a meeting between the consultant team and all interested parties including Council.*

4. MUSEUM TYPOLOGIES ADVICE - *Following a firm understanding of the existing conditions, and our understanding of the project task, we will engage Arterial Design to provide high level advice on the correct museum solution. This advice will guide the master planning of the building and site to ensure the building can be successful repurposed. This will involve a firm basis and knowledge of current museum typologies and technologies, and how these can be successfully integrated within the new facility.*

5. ARCHITECTURAL MASTER PLAN - *The architectural master plan will build upon the above stages and their collated information, to create a tangible master plan drawing that can highlight the high level opportunities for the building and the precinct. This drawing will offer an initial understanding of the possible future development of the building and site into a museum. It will also offer ideas and possible solutions to the opportunities and constraints, while understanding current museum trends and how this can all be integrated within the existing building and a built form.*

6. INITIAL CLIENT PRESENTATION - *The Architect will conduct an initial client presentation to SMEC/Council to discuss the works to date, our understanding of the scope and the opportunities potentially offered, as shown on the master plan. This will allow initial feedback on the master plan and the museum concept proposed by the Architecture team.*

7. ESTIMATE - *Following the initial client presentation and feedback the cost surveyor will provide a budget estimate of the works. This high level estimate will give a firm understanding of the potential costs associated with the project*

8. FINAL CLIENT PRESENTATION - *The team will conduct a final client presentation to SMEC/Council and interested parties to further discuss and present our proposed museum master plan and concept. This presentation will act as a culmination of the works to date, and will provide firm project advice based upon a budget estimate, current museum design input and an architectural master plan, all following a firm understanding the buildings opportunities and constraints.*

The architect's team have offered the above services for \$36,000 plus GST. As previously discussed we seek Council's agreement to fund 50% of this initial feasibility study. If you wish to discuss this proposal please do not hesitate to give me a call."

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Notwithstanding that a comprehensive cost-benefit analysis has not been completed, the SMEC building may offer a range of possible future uses for the community to enjoy. It is a sizeable building and it is plausible that several community groups could make good use of this site which is steeped in history, has a large presence and footprint and the building is uniquely feature rich. Possible future uses may include holding community events, exhibitions and as a meeting venue.

2. Environmental

There are significant concerns, however, due to the range of hazardous substances identified at the site, including (but not limited to) asbestos containing materials (including yet to be determined quantities of asbestos in sub-soil) and lead from old painted surfaces. Some of these

substances are yet to be accurately quantified to determine how they will be managed in the future.

Subject to the above environmental concerns and notwithstanding that a comprehensive cost-benefit analysis is yet to be completed, given the prominent location that the SMEC building occupies, the environment and the amenity could be enhanced with some carefully designed low-cost landscaping and environmentally friendly recycled outdoor seating, post the environmental concerns being fully addressed.

3. Economic

- Cost of getting the Dartmouth Dam model to an operating level is unknown
- The running costs (lighting, heating, power for water pumps to run the display etc) would be huge – such a large area and volume.
- We don't really know exactly what is beneath the building
- Rates – a commercial building under the current (CMSC) rate structure (which we can't change for another 3 years) will be high.

The quote provided by SMEC is for \$36,000 with 50% to be funded by Council. Accordingly an amount of \$18,000 is being sought. Funds are available in the Other Internal Reserves which has an uncommitted balance of \$436,000 if Council approves contribution to NSW Forestry feasibility study for a by-pass to Dongwha.

4. Civic Leadership

At its meeting on 26 July 2017 Council considered the offer from SMEC to divest the old Fluid Laboratory to Council and resolved (137/17) as follows:

That Council

- A. Acknowledge the formal offer by SMEC Holdings to divest the old Fluid Laboratory to the SMRC;*
- B. Acknowledge the generous offer by the SMEC Foundation to potentially provide funding that will enable the site to be developed for a suitable community purpose;*
- C. Develop a business case for potential use of the site for Council consideration; and*
- D. Draft a mutually agreeable MOU with SMEC for Council consideration.*

This report seeks to address part C of the recommendation by contributing to the cost of a feasibility study to be jointly funded with SMEC.

This project has a lot of history and the following chronology provides some details of communication regarding this proposal. Copies of the information are available if required by Councillors. They have not been reproduced as attachments due to the volume involved:

<u>Date</u>	<u>Details</u>
22 Apr 2016	Email correspondence between CMSC Mayor Lynch and Andy Goodwin regarding potential for SMEC to leave lasting legacy following decision to close Cooma office

12.1 REQUEST FROM SMEC TO CONTRIBUTE TO COST OF STUDY FOR FLUIDS LAB

22 Sep 2016	Email correspondence between Administrator and Andy Goodwin regarding SMEC position on future of site
26 Sep 2016	Email correspondence between Administrator and Neil Brown updating SMEC Working Group on status of negotiations with SMEC
28 Oct 2016	Email from SMEC Working Group forwarding working group's position statement on the future of the former SMEC Headquarters in Cooma
30 Oct 2016	Email correspondence between Administrator and Bill Laforest regarding need for Council to receive copy of environmental condition reports for site
9 Nov 2016	Report from Council's heritage advisor received.
9 Nov 2016	Email correspondence between Administrator and Angus McPherson regarding Council interest in ownership of the site
9 Nov 2016	Email correspondence between Bill Laforest and Administrator forwarding copies of <ul style="list-style-type: none"> • Site environmental Report • Site map of asbestos and lead paint • Site sampling report
15 Nov 2016	Email correspondence between Administrator and Bill Laforest regarding concerns of staff with SMEC report not commenting on in-ground tanks, heavy metals, fuels, silver products etc.
25 Nov 2016	Email correspondence between Administrator and Angus Macpherson regarding delay in receipt of contamination reports delaying response from Council on proposal.
29 Nov 2016	Email from Administrator updating Cooma LRC on status of SMEC negotiations
20 Dec 2016	Email correspondence between Angus Macpherson and Administrator regarding retrieval of historical artefacts from the site and concept of future museum
20 Dec 2016	Email correspondence between Administrator and Angus Macpherson advising decision of Cooma LRC that Council acquire site at no cost to Council or retrieve artefacts if Council does not acquire site
23 Jun 2017	Email correspondence between Administrator and Staff regarding concerns with proposal without proper assessment
7 Jul 2017	Email correspondence between Administrator and Angus Macpherson regarding meeting to discuss conditions for Council to accept the building
10 Jul 2017	Email from Administrator clarifying that 'fit for purpose' was a fully fitted out building that would be suitable for use as a museum
26 Jul 2017	Email correspondence between Angus Macpherson and Administrator regarding Council resolution involving divesting the SMEC Fluid Lab to Council and MOU to be drafted
23 Aug 2017	Email from Administrator setting out basic issues to be addressed in MOU with

	SMEC – detailed below
27 Nov 2017	Email Peter Evans forwarding quote and scope proposed for feasibility study
16 Jan 2018	Email Peter Evans advising SMECX at tender for demolitions of building and enquiry as to status of MOU and request from contribution towards feasibility study for fluid lab

Council should be mindful of any ‘deals’ on DA costs or s94 contributions as part of any agreement. This would potentially compromise the integrity of any future DA process and will lack transparency for the public. The regulatory function of Council should be left out of the picture and be left to run its own course as the legislation permits and the property services community and culture services of Council deal with the future of the fluid lab.

For the building to be involved in any offset for s94 contributions there would need to be a ‘material public benefit’ delivered instead. Without a feasibility study we are not at the stage at present where we could say the building will be a material public benefit, and it would be too risky to presume this.

On 23 August 2017 the Administrator listed a number of points that would need addressing in any MOU with SMEC over the building. These included:

‘Background

- *History of the site and the legacy SMEC want to leave*
- *Community wish to develop the site for community good*
- *Council resolution to move toward a mutually agreeable MOU that ultimately leads to a Heads of Agreement*

Definitions

- *Clearly state who the interested parties are i.e. Council and SMEC*
- *Clearly state the land/site affected*

General Conditions

- *Agree to*
 - *Work collaboratively*
 - *SMEC to bring site to an acceptable standard for identified Council use*
 - *SMEC Foundation to provide funding of XXXX amount*
 - *SMEC to identify potential fee waiving in lieu of land transfer*

Termination

- *Parties agree*
 - *XXX? Months notice to be given*
 - *To keep any internal information confidential*

Press Announcements

- *Parties*
 - *agree to not make announcements without the other party’s agreement*

Branding

- *Acknowledge*
 - *Each has own identity*
 - *Agree to promote SMEC brand in perpetuity*

Costs

- *SMEC pay for*
 - *Subdivision*
 - *Identified upgrades to shed*
- *Council pays for*
 - *Ongoing maintenance'*

A draft MOU has been prepared and is attached for consideration by Council.

MEMORANDUM OF UNDERSTANDING

Snowy Monaro Regional Council

and

SMEC Holdings Ltd

Joint Use Project Agreement – Memorandum of Understanding

1. Rationale

SMEC Holdings Ltd (SMEC) has identified a joint use for the site at 220-226 Sharp Street, Cooma NSW 2630. This Memorandum of Understanding (MoU), is non-binding and aims to form the basis for a co-operative relationship between the two parties in regard to investigating potential joint use of the site, being the Fluid Laboratory at 220-226 Sharp Street, Cooma NSW 2630. It also aims to form the basis for a co-operative relationship between the two parties in regard to investigating potential joint use projects and the potential for the development of binding Joint Use Project Agreements (JUPAs) where both parties agree to do so.

The parties agree that this MoU is neither intended to be, nor is a legally binding agreement.

2. Outcomes of Joint Use Project Agreements

The outcome of divestment of the site is to optimise social capital in ways that have mutually beneficial results for council, SMEC and the community.

3. The Goals of MoU

- social capital within communities is optimised to the mutual benefit of the parties involved without compromising operational and safety requirements.
- development of the Fluid Laboratory to optimise use for both parties and the community where feasible and mutually agreed
- asset planning that enables the optimal joint and shared use of facilities by and the community
- facilities/grounds are upgraded and operated with shared capital and operating costs which reduces the cost burden to both parties involved

4. Parties

This MoU is between the parties listed below.

5. Company Details

Company		SMEC Holdings Ltd	
Street Address		Level 5, 20 Berry Street, North Sydney NSW 2060	
Postal Address		PO Box 1052 North Sydney NSW 2059	
Email Address(for correspondence)		Angus.Macpherson@smec.com	
Contact person (for correspondence)		Angus Macpherson – Director of Operations	
Telephone	02 9900 7100	Fax	9925 5566
Partner's an ACN or ABN		ACN	ABN

6. Partner Details

Correct Legal Name	Snowy Monaro Regional Council
Street Address	81 Commissioner Street, Cooma, NSW 2630
Postal Address	PO Box 714, Cooma, NSW, 2630

Email Address (for correspondence)		council@snowymonaro.nsw.gov.au	
Contact person (for correspondence)		Mark Adams – Group Manager Economic Development and Tourism	
Telephone	02 6455 1912	Fax	
Partner's an ACN or ABN	ACN	ABN 72906802034	

7. Subject Area

This MoU is developed in collaboration between the parties and relates to the areas/facilities as outlined below:

- Fluid Laboratory, Cooma SMEC Site, 220-226 Sharp Street, Cooma NSW 2630

8. Purpose and Process

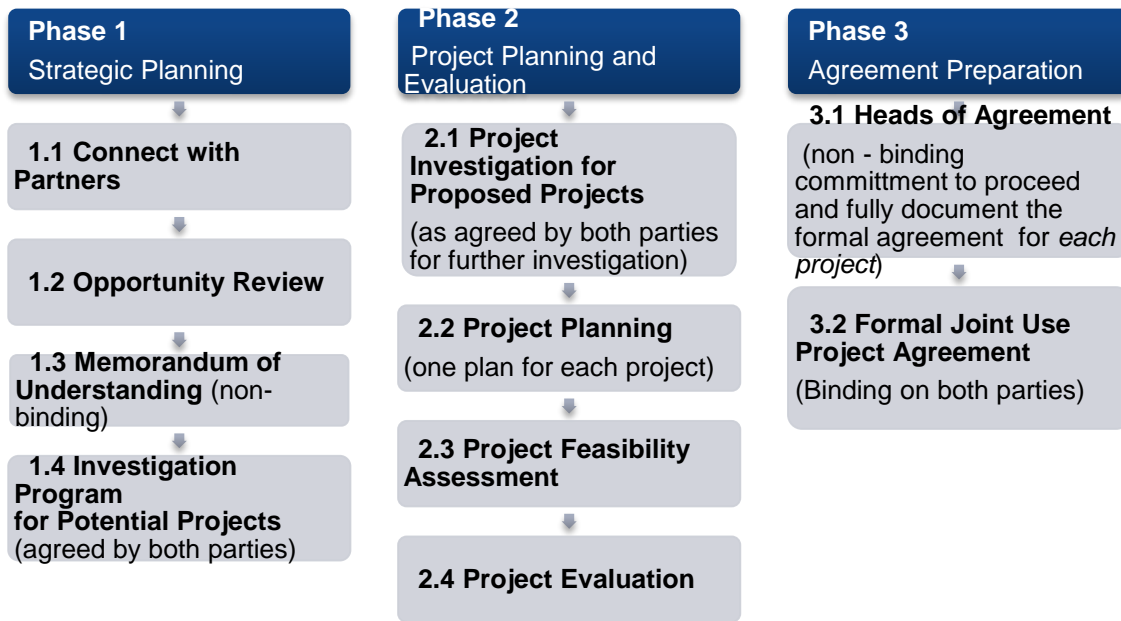
The purpose of this MoU is to:

- establish a statement of intent which identifies that the parties are willing to work collaboratively over time
- acknowledge the framework and process that both parties will follow
- agree to the establishment of a Joint Use Project Advisory Group to oversee the MoU's development and maintain progress as agreed by both parties
- identify and agree to partnership roles and responsibilities in regards to:-
 - progressing the investigation of Joint Use Projects identified as part of planning and/or progressing the investigation of Joint Use Projects to Joint Use Project Agreements as identified and agreed between parties

The purpose of the JUP Advisory Group is to:

- formalise and agree the potential joint use project opportunities and priorities; and to establish, implement and review an *Investigation Program* (stage 1.4)
- agree to methods of progressing the investigation of priority projects through 'Phase 2' of the process outlined in the *JUPA Guidelines* and to determine if they will be realised through a formal legal agreement (Phase 3).

The key steps in this process are shown in the diagram below (see guidelines for further information).



At the commencement of Phase 2, the JUPA Advisory Group will complete a *Project Investigation Proposal*. Throughout this process, individual projects will be subject to review and evaluation at each step (refer to section 11) with formal project evaluation occurring at step 2.4.

9. JUPA Advisory Group Roles and Responsibilities

The parties agree to form a JUPA Advisory Group to guide the investigation of the priority joint use projects and review and update the *Investigation Program* on an ongoing basis. It is noted that the role of the JUPA Advisory Group is limited to potential JUPAs and does not extend to the planning and/or location of the parties' assets generally

The JUPA Advisory Group will consist of the following delegates (1 per party) and members (up to 2 per party) or their proxies. Parties may invite additional staff and/or consultants to meetings as required to assist with discussions and/or information sharing but must advise the other party in advance of the meeting.

- SMEC -
 - Delegate:
 - Members:
- Snowy Monaro Regional Council -
 - Delegate: Group Manager – Economic Development and Tourism (Mark Adams) (proxy: either of the members)
 - Members:

The roles and responsibilities of the JUPA Advisory Group include the following points:

- The JUPA Advisory Group is accountable for:
 - fostering collaboration
 - developing solutions which may remove obstacles to the partnership's successful delivery, adoption and use
 - maintaining at all times the focus of the partnership on the agreed scope, outcomes and benefits
 - monitoring and managing the factors outside the partnership's control that are critical to its success.

Both parties acknowledge that JUPAs are agreements reached with mutual benefits for both parties. Therefore the approach to their development is different to normal commercial negotiations in that, to be successful, a mutually beneficial win / win outcome is to be sought. In order to reach this outcome, both parties will commit to:-

- developing enhanced levels of trust
- keeping communication honest and open
- understanding each other's opportunities and constraints at the beginning of each process
- having an open book approach to financial information related to the agreement
- having an open book to all relevant data held by each party on the facilities or land involved
- joint problem solving
- expending funds on the evaluation of projects that may not come to fruition
- ensuring that those involved in negotiations have approval to negotiate on behalf of their organisation
- understanding each other's approval processes
- respecting each other's timing imperatives.

The membership of the JUPA Advisory Group will commit to:

- champion the partnership within and outside of work areas
- share all communications and information across all group members
- make timely decisions and take action so as to not hold up the project
- notifying members of the group, as soon as practical, if any matter arises which may be deemed to affect the development of the partnership
- attendance at all meetings and if necessary nominate a proxy
- providing complete, accurate and meaningful information in a timely manner
- provide reasonable time to make key decisions
- alert to potential risks and issues that could impact on the project, as they arise
- monitor and verify the overall status and 'health' of the partnership.

10. Meetings

The following points relate to the conduct of JUPA Advisory Group meetings:

- meetings will be chaired by [x] delegate (or as otherwise agreed)
- notice of a meeting can be given by either party's delegate, but must be accepted by the other party's delegate to constitute a JUPA Advisory Group meeting
- a meeting quorum will be one JUPA Advisory Group delegate or their nominated proxy from each MoU partner
- decisions will be made by mutual agreement (i.e. both delegates agree)
- meeting agendas and minutes will be provided by the chair in partnership with the other party, who will:
 - prepare agendas and supporting papers
 - prepare meeting notes and information
- meetings will be held as required, but not less than twice annually; and
- subgroup meetings (if required) will be arranged outside of these times at a time convenient to subgroup members. Outcomes of these meetings will be reported to JUPA Advisory Group delegates and shared as required at JUPA Advisory Group meetings.

11. Resources and Information

The JUPA Advisory Group will discuss and nominate specific actions required to complete each step of the investigation process for each project. The responsibility of undertaking actions and the associated resources and costs will be agreed by the parties through the JUPA Advisory Group and documented in a *Project Investigation Proposal*.

Subject to confidentiality issues, the parties will share all relevant project information with each other. Unless otherwise agreed, all information that is shared is to be treated in confidence and not to be shared outside of the partner organisations without permission. Distribution of shared information within the organisations should be kept to a minimum (i.e. generally within the JUPA Advisory Group and executive of each partner).

12. Communication

Both parties agree that any communication with the public or media will be jointly agreed by the parties involved before being released.

13. Dispute Resolution

Where a dispute between the parties cannot be resolved by the JUPA Advisory Group, it should be referred to the Executive Officers of each party for resolution.

In the event that the Executive Officers cannot resolve the dispute, the view of the land owner shall prevail with the subject project(s) and the *Investigation Program* to be reviewed and updated by the JUPA Advisory Group to reflect the outcome.

14. Term

This Memorandum shall commence on the date of execution by both parties and expire on 1 October 2022, unless terminated earlier by written consent of both parties.

This Memorandum shall commence on the date of execution by both parties and expire on 1 October 2022, unless extended by written consent of both parties or terminated in writing by either partner.

15. Review and Evaluation

The MoU partners and the JUPA Advisory Group will review the viability of projects as they pass through each step of the 'Phase 2' and 'Phase 3' investigation processes and evaluate whether they should proceed to the next step of the process. However, a formal evaluation process has been established at stage 2.4.

Should a project not progress through one of the stages, it will be:

- reviewed to consider scope changes and resubmitted, or
- issued with a lower priority for future investigation, or
- removed from the strategic project program.

The JUPA Advisory Group will review and update (at least twice annually) the Investigation Program including:

- addition and/or removal of projects;
- changes/amendments to projects;
- revision of priorities; and
- status of each current project.

The updated program is to be circulated to relevant executive officers of each partner organisation.

16. Checklist

PARTIES TO COMPLETE THE FOLLOWING CHECKLIST	
i. Map(s)/lists attached indicating the locations and areas subject to the MoU.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
ii. Membership for the JUPA Advisory Group established.	<input checked="" type="checkbox"/> Yes
iii. Expiry date established.	<input checked="" type="checkbox"/> Yes

17. Execution

SIGNATORIES TO THIS MEMORANDUM	
<p>We understand that the purpose of this Memorandum of Understanding is to form the basis for a co-operative relationship between the two parties to investigate potential joint use projects and if agreed by both parties establish a Joint Use Project Agreement. This MoU is neither intended to be nor is a legally binding agreement.</p> <p>Each party will strive to reach the objectives stated in the MoU and adhere to the undertakings outlined in each section to the best of their ability.</p>	
_____	_____
Signature of Department Representative	Signature of Partner Representative
Name and Position of Department Representative	Name and Position of Partner Representative
Date: _____	Date: _____
For Department Use Only	
Agreement Type (complexity)	
Responsible Project Officer	
Other Comments	

13.1 REQUEST FOR PUBLIC EXHIBITION: PROPOSED ALCOHOL PROHIBITED AREAS AND ALCOHOL FREE ZONES

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Community Development Officer
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:	<ol style="list-style-type: none">1. Section 632A - Confiscation of alcohol in certain public and other places ↓2. Section 642 - Confiscation of alcohol in alcohol free zones ↓3. Section 644 - Proposal for the establishment of alcohol free zones ↓4. Section 644A - Public consultation on proposal to establish alcohol free zones ↓5. Section 644B - Establishment of alcohol free zones ↓6. Section 644C - Operation of alcohol free zones ↓7. Section 646 - Guidelines for alcohol free zones ↓8. NSW Police Report to SMRC - Alcohol Free Zones and Alcohol Prohibited Areas ↓9. Map - Proposed Berridale Alcohol Prohibited Areas ↓10. Map - Proposed Bombala Alcohol Prohibited Areas ↓11. Map - Proposed Cooma Alcohol Prohibited Areas ↓12. Map - Proposed Jindabyne Alcohol Prohibited Areas #1 ↓13. Map - Proposed Jindabyne Alcohol Prohibited Areas #2 ↓
Cost Centre	2420 – Community Development
Project	Proposed Alcohol Free Zones and Alcohol Prohibited Areas
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

In 2017, the NSW Police asked Council to consider implementing Alcohol Free Zones (AFZ; Section 644 of the Local Government Act) and Alcohol Prohibited Areas (APA; Section 632A of the Local Government Act) right across the region.

The proposed areas were explored and mapped by the NSW Police Crime Prevention Officer and Council's Jindabyne-based Community Development Planner in September 2017. The areas examined are, predominately, hot-spots for antisocial behaviour and excessive drinking – particularly those areas identified in Jindabyne. The purpose of the proposed zones is to decrease the risk of injury or harm to area users by minimising alcohol consumption in those areas at dangerous times (e.g., night time).

In addition to addressing anti-social behaviour and decreasing risk-of-harm to users of these areas, implementation of proposed AFZ and APA areas will help to minimise litter and waterways pollution in the Bombala River, Cooma Creek, Lake Jindabyne, and Myack Creek.

Following a report to Council in December 2017, the Community Development Planner (CDP) undertook targeted consultation with key stakeholders. Based on their feedback, and a further review of the proposed APA/AFZ areas, the CDP has made slight modifications to the proposed areas. Updated maps are attached.

It is now recommended that Council proceed with the public exhibition of these documents and further consultation with key stakeholders and the wider public as identified in the Act and Ministerial Guidelines.

Should public exhibition proceed, a further report will be provided to Council in due course regarding the community response. This can then be considered by Council when it makes a final decision on this matter.

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

OFFICER'S RECOMMENDATION

That Council:

- A. Endorse the placement of the regional Alcohol Free Zone / Alcohol Prohibited Area proposals on public exhibition for a period of 14 days from Monday 26 February 2018 per Section 644A(1) of the *Local Government Act 1993*;
- B. Provide copies of the regional Alcohol Free Zone / Alcohol Prohibited Area proposals to the officers in charge at the Berridale, Bombala, Cooma and Jindabyne Police Stations per Section 644A(2a) of the *Local Government Act 1993*;
- C. Provide copies of the regional Alcohol Free Zone / Alcohol Prohibited Area proposals to all licensees adjoining or adjacent to the proposed areas per Section 644A(2b) of the *Local Government Act 1993*

BACKGROUND

Why Alcohol Free Zones and Alcohol Prohibited Areas?

In both AFZ (roads, car parks) and APA areas (parks, skate parks, etc), Police have confiscation and "tip-out" powers; fines will only apply to persons who do not cooperate with Police to this end. In such cases, a \$2200 fine associated with a charge of obstruction can be applied.

These powers help Police control and prevent antisocial behaviours such as destruction of property, minimise littering, and reduce the likelihood of alcohol-related harm (injuries incurred or inflicted while intoxicated). It must be noted that, in Jindabyne, enormous amounts of alcohol-related rubbish were identified during the Police/Council walkthrough of Banjo Paterson Crescent, Bogong Street, and the foreshore, making litter and waterways pollution key issues for that town.

The AFZ areas, in particular, target pre-loading behaviours as it is common for individuals and small groups to consume alcohol while walking to the pub, club, or a restaurant. APA areas are

predominately aimed at keeping the community safe by discouraging drinking in those areas after nightfall. This is especially important around waterways such as the Bombala River and Lake Jindabyne, where accidents can be fatal.

Please note, these zones will be enforced by police during the following times only:

- Alcohol Free Zones (roads, footpaths, car parks): 7:00pm to 9:00am
- Alcohol Prohibited Areas (parks, walking tracks, the foreshore): 9:00pm to 9:00am

Targeted Consultation

The following businesses and organisations were targeted for consultation regarding the proposed AFZ/APA areas:

Organisation	Method of Contact
Regional	
Snowy Monaro Regional Youth Council	The next scheduled meeting of the Youth Council is at the end of February. I have liaised with the Youth Development Officers, placing the AFZ/APA proposal on the agenda.
Berridale	
Atchison Cottage 355 Committee	E-mail January 2018
Berridale Public School	E-mail December 2017; phone call January 2018
Coolamatong Country Club	Post (letter and map) January 2018 Follow-up call and message 22 January
Berridale Hotel	Post (letter and map) January 2018 Follow-up call 25 January
Berridale Lions	E-mail January 2018
Bombala	
Bombala Caravan Park	E-mail December 2017; phone – January 2018
Bombala High School	E-mail December 2017
Bombala Primary School	E-mail December 2017
St. Joseph's Primary School	E-mail December 2017
Cooma	
The Hub Youth Centre	E-mail December 2017; follow-up e-mail January 2018
Cooma Waterwatch	E-mail December 2017; follow-up email January 2018; phone discussion 22 January
Monaro High School	E-mail December 2017
St. Patrick's Parish School	E-mail December 2017
Snowy Mountains Christian School	E-mail December 2017

13.1 REQUEST FOR PUBLIC EXHIBITION: PROPOSED ALCOHOL PROHIBITED AREAS AND ALCOHOL FREE ZONES

Organisation	Method of Contact
Cooma North Public School	E-mail December 2017
Cooma Public School	E-mail December 2017
Cooma TAFE	Letter January 2018; follow-up phone call on 24 January
Cooma Furnishing Co.	Letter January 2018; follow-up phone call on 24 January
Cooma Rural Supplies	Letter January 2018; follow-up phone call on 24 January
Jindabyne	
Snowy Mountains Liquor Accord	E-mail December 2017
Discovery Holiday Park	E-mail December 2017
Jindabyne Holiday Park	E-mail December 2017
Lake Light Sculpture Committee	E-mail December 2017
Rydges Horizons	Contacted via CC on reply from Lake Light Sculpture Committee
Jindabyne Sailing Club	E-mail December 2017
Mountain Life Church (Carols in the Park)	E-mail December 2017; follow-up email January 2018

Responses were received from:

Organisation	Method	Discussion
Berridale Lions Club	Telephone	No issues with proposal. Sounds like a good idea.
Bombala Caravan Park (Council managed)	Telephone	Discussions with relevant council staff indicated that the proposed areas would not impact caravan park users. The relevant officer also indicated support for the implementation of the APA area, especially at the skate park. Would like APA at skate park to apply 24/7.
Coolamatong Country Club	Telephone	No issue at all; think it's a good idea. Would like a flyer when zones are finalised to assist in notifying patrons.
Cooma Furnishing Co.	Telephone	Supportive of the initiative. Particularly concerned about the number of bottles/ amount of glass they arrive to in the morning. Anything that addresses this issue is good.
Cooma Rural Supplies	Telephone	Absolutely no issue with the proposal. They think it's a great initiative. They'd like to see the wider littering issue around the skate park addressed. Indicated that the users take pretty good care of the park, but there is a huge issue with littering. CDP will liaise with Youth Development Team to this end.

Organisation	Method	Discussion
Cooma TAFE	Telephone	Supportive of the initiative.
Cooma Waterwatch	Telephone	Supportive of the initiative, particularly from the perspective of keeping public spaces safe/ family friendly. Very supportive of addressing issues at the skate park. However, they find most litter is soft drink and food wrappers as opposed to alcohol containers.
The Hub Youth Centre	E-mail	The Hub expressed support for the establishment of Alcohol Prohibited Areas in Centennial Park, Norris Park, and the Cooma Skate Park.
Jindabyne Central and Snowy Mountains Grammar Schools	Snowy CDAT Meeting	While we have not yet spoken directly to the schools about proposed APA/AFZ, past discussions (via Snowy CDAT) have indicated serious concerns about drinking and partying that occurs on the Lake Jindabyne throughout the year.
Jindabyne Holiday Park	Telephone	No issue with APA areas on the Lake Jindabyne foreshore.
Jindabyne Sailing Club	E-mail; meeting	Initial e-mail indicated no issue with proposed APA areas on the Lake Jindabyne foreshore. Follow-up meeting with Secretary and Commodore on Monday 22 January 2018. The following suggestions emerged: <ul style="list-style-type: none"> • Extend area to include “beach” to the west of the club • Exclude club lease area to avoid confusion
Lake Light Sculpture	E-mail	No issue with APA areas on the Lake Jindabyne foreshore. Will discuss further with committee and follow up with any additional thoughts.
Monaro High School	E-mail	Acknowledgement from Principal Adrian Bell

Changes to the Original Proposal Based on Targeted Consultation

- Extend the proposed Alcohol Prohibited Area on the Lake Jindabyne Foreshore all the way to the bridge on the eastern side of the Discovery Holiday Park.
- Exclude the Lake Jindabyne Sailing Club lease area from the proposed Alcohol Free Zone.
- Inclusion of public parking lots in Jindabyne to ensure people do not avoid the proposed AFZ by walking through the parking lot (e.g., Kalkite Street)

Public Exhibition

The public exhibition process for proposed Alcohol Free Zones and Alcohol Prohibited Areas as specified in the Local Government Act includes:

1. A notice in local newspapers advising the public of the proposal, where to access additional information, and the timing and method of making a submission;
2. Formal notification to the Officer in Charge at the Police stations nearest the proposed zones;
3. Formal notification to all licensees adjacent to or adjoining the proposed zones.

The public have 14-days to make a submission per the Local Government Act; Police and licensees have 30-days.

Should Council approve the request to proceed with public exhibition, the following documents will be placed on public exhibition at all Council offices, on Council's website, and posted to relevant Police and licensees:

- A copy of the NSW Police Monaro Local Area Command's report about Alcohol Free Zones and Alcohol Prohibited Areas in the Snowy Monaro
- Two (2) maps of the proposed AFZ/APA sites in Jindabyne
- A map of the proposed AFZ/APA sites in Cooma
- A map of the proposed APA sites in Bombala
- A map of the proposed APA sites in Berridale
- Information about how to make a submission to Council regarding the proposed AFZ and APA areas

Relevant Legislation

Section 632A (Confiscation of alcohol in certain public and other places) of the Local Government Act provides Council with guidance associated with the establishment and enforcement of Alcohol Prohibited Areas.

Alcohol Free Zones are dealt with under Sections:

- 642 – Confiscation of alcohol in alcohol-free zones
- 644 – Proposal for establishment of alcohol-free zones
- 644A – Public consultation on proposal to establish alcohol-free zone
- 644B – Establishment of alcohol-free zones
- 644C – Operation of alcohol-free zones
- 646 – Guidelines for alcohol-free zones

These sections of the Act are attached for your reference.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Alcohol Free Zones/ Alcohol Prohibited Areas are a useful tool in the prevention of crime and antisocial behaviour. Irresponsible consumption of alcohol can interfere with other users ability to enjoy a space and 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, and damaged property 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, malicious damage 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.

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;
- Community Drug Action Teams;
- Increased police presence during the winter tourism season.

AFZ/APA areas are part of a long-term strategy to change drinking culture in Australia – with an emphasis on binge drinking. This is particularly relevant and important in Jindabyne, where a “party vibe” borne of winter tourism permeates the atmosphere year-round, 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 2017. 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, Lake Jindabyne, and Myack Creek.

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 estimated cost of signage (design and printing, plus brackets) is between \$13,700 - \$15,000. Installation can be done in-house. Given the scope of the project, we can anticipate that 128 hours of staff time will be required (two people, and a vehicle, for eight working days), with an estimated internal cost of \$5,632.

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).

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.

Estimated Expenditure	Amount	Financial year	Ledger		Account string															
AFZ/ APA signage (estimated)	\$14,500	2018	G	L																
Staff time	\$5,120	2018	G	L	P	J	1	8	0	1	8	1								
Vehicle use	\$512	2018	G	L	P	J	1	8	0	1	8	1								
Funding (Income/reserves)	Amount		Ledger		Account string															
To be determined	\$																			

4. Civic Leadership

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

- the safety and well-being of residents and visitors;
- 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.



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LOCAL GOVERNMENT ACT 1993 - SECT 632A

Confiscation of alcohol in certain public and other places

632A Confiscation of alcohol in certain public and other places

(1) A police officer or an enforcement officer may seize any alcohol (and the bottle, can, receptacle or package in which it is contained) that is in the immediate possession of a person in an alcohol prohibited area if the officer has reasonable cause to believe that the person:

- (a) is drinking, or
- (b) is about to drink, or
- (c) has recently been drinking,

alcohol in the alcohol prohibited area.

(2) Any alcohol or thing seized under this section is, by virtue of the seizure, forfeited:

- (a) if seized by a police officer--to the State, or
- (b) if seized by an enforcement officer--to the council that employs the officer.

(3) Any alcohol seized under this section may:

- (a) be disposed of immediately by tipping it out of the bottle, can, receptacle or package in which it is contained, or
- (b) be otherwise disposed of in accordance with directions given by the Commissioner of Police or the council (as the case requires).

(4) A council may declare any public place (or any part of a public place) in the council's area to be an

"alcohol prohibited area" for the purposes of this section. However, an alcohol prohibited area cannot be established in relation to a public place that is a public road (or part of a public road) or car park.

Note : Alcohol-free zones can be established under Part 4 of this Chapter in relation to public roads or car parks.

(5) For the purposes of subsection (4), a

"public place" includes any land comprising open space on public housing land. However, an alcohol prohibited area can only be established in relation to any such land if:

- (a) the open space is adjacent to an existing alcohol prohibited area (other than an alcohol prohibited area situated on public housing land) or alcohol-free zone, and
- (b) the open space is a common area (other than a common area within the curtilage of any building) that is available to the public housing tenants, and

(c) people can readily gain access to the open space from the adjacent alcohol prohibited area or alcohol-free zone, and

(d) the New South Wales Land and Housing Corporation has approved of the open space being established as an alcohol prohibited area.

(6) An alcohol prohibited area operates, in accordance with the terms of the declaration establishing the area, during such times or events as are specified in the declaration.

(7) An alcohol prohibited area operates only so long as there are erected at the outer limits of the area, and at suitable intervals within the area, conspicuous signs:

(a) stating that the drinking of alcohol is prohibited in the area, and

(b) specifying the times or events, as specified in the declaration by which the area was established, during which it is to operate.

(8) An alcohol prohibited area cannot be established without the approval of the Local Area Commander of Police for the area in which the proposed alcohol prohibited area is situated.

(9) If a council is required by the guidelines in force under section 646 to provide the Anti-Discrimination Board with a copy of the council's proposal to establish an alcohol-free zone, the council cannot establish an alcohol prohibited area unless the council has complied with the consultation requirements set out in those guidelines.

(10) For the purposes of subsection (9), the guidelines in force under section 646 apply, with such modifications as are necessary, in relation to a proposed alcohol prohibited area in the same way as they apply in relation to a proposed alcohol-free zone.

(11) An alcohol prohibited area is taken to have been established for the public place to which an existing alcohol prohibition notice applies. An **"existing alcohol prohibition notice"** is a notice erected under section 632, and in force immediately before the commencement of the *Local Government Amendment (Confiscation of Alcohol) Act 2010*, prohibiting the drinking of alcohol in a public place.

(12) In this section:

"enforcement officer" means an employee of a council authorised in writing by the Commissioner of Police to be an enforcement officer for the purposes of this section.

"public housing land" means any land on which public housing within the meaning of the [Housing Act 2001](#) is situated.



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LOCAL GOVERNMENT ACT 1993 - SECT 642

Confiscation of alcohol in alcohol-free zones

642 Confiscation of alcohol in alcohol-free zones

(1) A police officer or an enforcement officer may seize any alcohol (and the bottle, can, receptacle or package in which it is contained) that is in the immediate possession of a person in an alcohol-free zone if:

(a) t -free zone, or

(b) the officer has reasonable cause to believe that the person is about to drink, or has recently been drinking, alcohol in the alcohol-free zone.

(2) Any alcohol or thing seized under this section is, by virtue of the seizure, forfeited:

(a) if seized by a police officer--to the State, or

(b) if seized by an enforcement officer--to the council that employs the officer.

(3) Any alcohol seized under this section may:

(a) be disposed of immediately by tipping it out of the bottle, can, receptacle or package in which it is contained, or

(b) be otherwise disposed of in accordance with directions given by the Commissioner of Police or the council (as the case requires).

(4) In t



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LOCAL GOVERNMENT ACT 1993 - SECT 644

Proposal for establishment of alcohol-free zone

644 Proposal for establishment of alcohol-free zone

(1) A council may prepare a proposal for the establishment of an alcohol-free zone, either on its own motion or on the application of one or more of the following people:

- (a) a person who the council is satisfied is a representative of a bona fide community group active in the area,
- (b) a police officer,
- (c) a person who the council is satisfied lives or works in the area.

(2) The application must be in the form set out in the guidelines in force under section 646 or, if there are no such guidelines, in the approved form.

(3) The proposal must comply with the guidelines (if any) in force under section 646.

(4) The proposed alcohol-free zone may comprise either or both of the following:

- (a) a public road or part of a public road,
- (b) a public place that is a car park or part of a car park.

(5) The proposal may provide for an alcohol-free zone to be established for a period not exceeding 4 years and for the zone to operate for the whole of that period or just for days on which particular special events occur.



LOCAL GOVERNMENT ACT 1993 - SECT 644A

644A Public consultation on proposal to establish alcohol-free zone

(4) The council in this section. ll representations and submissions that are duly made to it under



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LOCAL GOVERNMENT ACT 1993 - SECT 644B

Establishment of alcohol-free zones

644B Establishment of alcohol-free zones

- (1) After complying with the procedures set out in sections 644 and 644A, the council may, by resolution, adopt a proposal (with or without modifications) to establish an alcohol-free zone.
- (2) The resolution has the effect of establishing the alcohol-free zone in accordance with the terms of the resolution.
- (3) After making the resolution, the council must, by notice published in a newspaper circulating in the area as a whole or in a part of the area that includes the zone concerned:
 - (a) declare that an alcohol-free zone has been established, and
 - (b) specify the period (or, in the case of a zone established for one or more special events, the day or days) for which the alcohol-free zone is to operate.
- (4) An alcohol-free zone may be re-established from time to time, in accordance with this Part, for further periods each not exceeding 4 years.



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LOCAL GOVERNMENT ACT 1993 - SECT 644C

Operation of alcohol-free zones

644C Operation of alcohol-free zones

(1) An alcohol-free zone operates, in accordance with the terms of the resolution establishing the zone, for the whole of the period specified in the resolution or just for specified days on which particular special events occur.

(2) However, an alcohol-free zone cannot operate earlier than 7 days after the first publication of the relevant notice under section 644B.

(3) An alcohol-free zone operates only so long as there are erected at the outer limits of the zone, and at suitable intervals within the zone, conspicuous signs:

(a) stating that the drinking of alcohol is prohibited in the zone, and

(b) specifying the period (or, in the case of a zone established for one or more special events, the day or days) for which the alcohol-free zone is to operate, as specified in the resolution by which it was established.

(4) The signs must comply with the requirements of the guidelines (if any) in force under section 646.



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LOCAL GOVERNMENT ACT 1993 - SECT 645

Suspension or cancellation

645 Suspension or cancellation

- (1) The council may, at the request of any person or body or of its own motion, suspend the operation of an alcohol-free zone by publishing notice of the suspension in a newspaper circulating in the area as a whole or in a part of the area that includes the zone concerned.
- (2) During the period indicated in such a notice as the period of suspension, the zone does not operate as an alcohol-free zone.
- (3) In like manner the council may at any time cancel the operation of an alcohol-free zone.

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Snowy Monaro Regional Council

81 Commissioner Street
Cooma NSW 2630

RE: Submission relating to the implementation of Alcohol Free Zones and Alcohol Prohibited Areas within the Snowy Monaro Regional Council area

Thank you for consulting the Monaro Local Area Command in relation to the establishment of Alcohol Free Zones and Alcohol Prohibited Areas within the Snowy Monaro Regional Council area.

This submission is divided into three sections:-

1. Crime Prevention and Community Safety principles which influence the foundational beliefs upon which police base their support for the establishment of Alcohol Free Zones and Alcohol Prohibited areas.
2. Alcohol Free Zones: Statistical and anecdotal information provided in support of the creation of nine zones. Bombala: - zone 1, Cooma: - zones 2 – 4, Jindabyne: - zones 5 – 9 Jindabyne.
3. Alcohol Prohibited Areas: Statistical and anecdotal information provide in support of the creation of 13 areas. Berridale: - area 10, Bombala: - areas 11-12, Cooma: - areas 13-15, Jindabyne: - areas 16-22.

Notes:

1. The information provided in this proposal is evidence based and a reflection of past irresponsible behavior arising from the consumption of alcohol within the nominated zones.
2. Requested zones have been amended for the townships of Jindabyne and Cooma as a result of evidence and antidote information obtained after a joint assessment of the areas between staff from Snowy Monaro Regional Council and police from the Monaro Local Area Command.
3. This report identifies individual areas, or zones that can be readily identified and effectively signposted (refer to attached maps). It is hoped that council may consider establishing all, or the majority of, these zones with a view of combating anti-social behavior and alcohol related violence within the community. The zones also provide council with a real opportunity to positively influence the public's perception of, and shape the culture surrounding 'street drinking' within Jindabyne.

4. It is proposed the Alcohol Free Zones are implemented from 7pm-9am and the Alcohol Prohibited Areas implemented from 9pm-9am. Council obviously have flexibility surrounding the hours and dates of operation for each zone and the ability to exempt any zone or area for special functions or events.
5. Officers from the Monaro Local Area Command fully support all of the proposed areas as outlined in this submission. The Monaro Local Area Command gives a commitment to enforce any alcohol free zone or alcohol prohibited area that might be established by council. Officers such as the Crime Prevention Officer and Licensing Officer for Monaro are also dedicated to assist in other community programs such as education, awareness and harm minimisation programs surrounding laws relating to alcohol free zones and alcohol prohibited areas.

Crime prevention principles, community safety principles and perceived social costs

The prohibition of alcohol consumption in public areas is an important and ongoing strategy adopted by many councils within New South Wales to help curb antisocial behaviour and alcohol related crime in specified areas. Many Regional Councils, including Armidale, Tweed Heads, Queanbeyan and Tamworth have established alcohol free zones and alcohol prohibited areas.

People who frequent the established areas have become accustomed to, and largely abide by, the laws that prohibit them from consuming alcohol within the area. When this pattern of behavior is established it assists in developing a culture within the community that fosters responsible drinking habits.

The Intergovernmental Committee on Drugs had stressed the importance of reducing the supply of alcohol within regional areas. The National Drug Strategy document mentions the importance of local council's involvement in campaigns to help shape the culture of young people and their acceptance of alcohol ⁽¹⁾. Further the document identifies the importance of alcohol harm reduction and encourages strategies that help to reduce harm to individuals ⁽²⁾. One of the good practice examples includes creating safer settings such as 'dry areas' through the establishment of Alcohol Free Zones and Alcohol Prohibited Areas.

The National Institute of Justice state the consumption of alcohol (and drugs) by people impact on crime indirectly because it effects their behaviour and is associated with violence and other illegal activity ⁽³⁾. The Australian Drug Foundation produced a report in 2012 indicating alcohol consumption is strongly related to a wide range of crimes, including antisocial behaviour and interpersonal crime ⁽⁴⁾.

The National Crime Prevention Framework cites crime prevention principles that can reduce the long term costs associated with crime and can reinforce social cohesion within communities ⁽⁵⁾. The conclusion reached is that the implementation of Alcohol Free Zones and Alcohol Prohibited Areas assists in reducing the amount of alcohol consumed within public areas and thus assists in reducing the likelihood of crime occurring.

(1) National Drug Strategy 2016-2025, p.16 draft form for public consultation

(2) National Drug Strategy 2016-2025, p.12 – 24 draft form for public consultation

13.1 REQUEST FOR PUBLIC EXHIBITION: PROPOSED ALCOHOL PROHIBITED AREAS AND ALCOHOL FREE ZONES

ATTACHMENT 8 NSW POLICE REPORT TO SMRC - ALCOHOL FREE ZONES AND ALCOHOL PROHIBITED AREAS

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- (3) Drug & Alcohol Crime & Offences, National Institute of Justice
 - (4) Prevention Resource Quarterly 2012, Australian Drug Foundation
 - (5) Australian and New Zealand Crime Prevention Senior Officers' Group (ANZCP SPG) p.3

The signage displayed upon the establishment of Alcohol Free Zones and Alcohol Prohibited Areas not only enables law enforcement officers to actively reduce the amount of alcohol consumed within the public sphere, it also has the effect of informing community members and visitors that the town does not welcome 'street drinkers'. Signs are an 'ownership' cue and form a principle of association with Crime Prevention through Environmental Design.

Areas that appear 'owned' and 'cared for' are less likely to be damaged or littered and are more likely to be respected.

Alcohol Free Zones and Alcohol Prohibited Areas also help to improve the perception of safety within the nominated areas. In general, 'street drinkers' can increase the perceived fear of crime which can lead to avoidance of the area. Avoidance of specific areas leads to a reduction in natural surveillance which renders a location vulnerable for the commission of offences such as malicious damage, littering and more serious offences such as assaults and sexual assaults.

Alcohol Free Zones and Alcohol Prohibited Areas work best when the local community engages in other strategies simultaneously. There have already been significant inroads made in addressing issues of anti-social behavior and alcohol related crime in the Snowy Monaro Regional area. These inroads have been made as a consequence of the collaborative approach made by both Police, Local Council, Business and general community. The Snowy Monaro Regional area already have effective Community Drug and Alcohol Action Teams (CDAT), proactive Liquor Accord and active Business Chambers who have already implemented a number of harm minimization strategies within the local community to assist in reducing alcohol related crime.

That being stated, the NSW Bureau of Crime and Statistics Research depicts Jindabyne as being over represented for the commission of liquor and drug offences, albeit those figures are influenced adversely by a seasonal fluctuation in population ⁽⁶⁾. Current legislative powers such as 'move on directions', whilst effective, are reliant on people behaving in a criminal manner prior to police intervention and are not as proactive in reducing potential harms as enforcement activities within 'dry areas' can be.

The Monaro Command Police, although buoyed by the decline in the majority of key crime categories, do not consider a single alcohol related offence as being within their degrees of tolerance. There exists a financial and social cost with the commission of any alcohol related offence. Costs are incurred in clearing up broken bottles and rubbish, the repair of damaged property, the physical and psychological harm inflicted upon those who are affected by violent crime or by the impact on the town's reputation.

It is for these reasons Police continue to strive to eliminate alcohol related crime and propose the creation of the following Alcohol Free Zones and Alcohol Prohibited Areas as part of a holistic approach to reduce alcohol related harms.

(6) NSW Bureau of Crime and Statistics
2016: Liquor offences: 1836 per 100 000 population as compared to the NSW State average of 795
2016: Drug offences: 3477 per 100 000 population as compared to the NSW State average of 146

Section 2 – Alcohol Free Zones

Alcohol Free Zones can be established on public roads, footpaths, car parks and laneways. The following submission will detail statistical and anecdotal evidence which is an indication of past irresponsible behavior arising from the consumption of alcohol within each of the specific zones. For this report a twelve month period from July 2016 to June 2017 has been considered.

In 2009 the NSW Government implemented ministerial guidelines in support of alcohol-free zones as a measure to help prevent antisocial behavior as a result of alcohol consumption in a public place. According to these guidelines, obstruction (by persons), littering, personal injury, property damage and police interventions that have occurred within the nominated area are reasons for requesting the proposed area.

The evidence contained within this submission has been obtained from an interrogation of the NSW Police Force Computerised Operational Policing System (COPS). COPS is an operational computer system designed to capture and record crime. An 'event' is created by police within COPS when they attend an incident which they believe to be reportable. Other information within this submission arises from the observations of local Police as well as, information provided by members of the public, local business owners, managers and employees.

The proposed Alcohol Free Zones are identified on the attached maps and represented with corresponding zone numbers.

NOTE: For these areas to be legally enforceable signage must be adequate and must indicate times, dates and nominated area of enforcement.

Berridale

No Alcohol Free Zones are proposed for Berridale.

Bombala

Proposed Zone 1: Riverside Park Car Park Area, Therry Street, Bombala

The township of Bombala has a low rate of volume crime predominately due to the limited population of 1400 people. The town is not however without its incidents of alcohol related crime.

Surveillance of this area conducted by local police indicates they have observed people consuming alcohol in this nominated area which has required police interaction. The Riverside Park is also nominated in Section Three – as an alcohol prohibited area.

Within the period from July 2016 until October 2017 police have responded to the following alcohol related incidents within/near the proposed area.

- Person Search
-

13.1 REQUEST FOR PUBLIC EXHIBITION: PROPOSED ALCOHOL PROHIBITED AREAS AND ALCOHOL FREE ZONES

ATTACHMENT 8 NSW POLICE REPORT TO SMRC - ALCOHOL FREE ZONES AND ALCOHOL PROHIBITED AREAS

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- Vehicle Search
- Drug Detection

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

Cooma

Proposed Zone 2: Sharp Street from Vale to Bombala Streets, Bombala Street from Sharp to Commissioner Street, Commissioner Street from Bombala to Vale Streets, Vale Street from Commissioner to Sharp Streets:

The implementation of the Alcohol Free Zones in the past in this area has been very successful at reducing alcohol consumption on the nominated streets and footpaths. People who frequent the proposed area have become accustomed to, and largely abide by, the zone laws that prohibit them from consuming alcohol within the area. Police believe that if the area is not reinstated some patrons from the licensed premises may congregate and consume alcohol around these areas, particularly in the early hours of the morning. Further, if the zones are not reinstated the area could be subjected to noise complaints and it could increase the likelihood of alcohol related crime and anti social behaviour occurring within the area.

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Drug Detection
- Move on Direction
- Person Search
- Vehicle Search
- Street Offence
- Assault
- Miscellaneous
- Malicious Damage
- Offence Against the Person
- Located Vehicle/Vessel

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

Proposed Zone 3: Sections of Massie Streets and Bombala Street that surround Centennial Park (Refer to Proposed Alcohol Prohibited Area 13).

The implementation of Alcohol Prohibited Areas in the past in this area has been very successful at reducing alcohol consumption within the park and surrounding streets. People who frequent the proposed area have become accustomed to, and largely abide by, the zone laws that prohibit them from consuming alcohol within the area. Police believe that if the area is not reinstated people may congregate and consume alcohol around this area, particularly in the early hours of the morning. Further, if the zones are not reinstated the area could be subjected to noise complaints and it could increase the likelihood of alcohol related crime and anti social behaviour occurring within the area.

13.1 REQUEST FOR PUBLIC EXHIBITION: PROPOSED ALCOHOL PROHIBITED AREAS AND ALCOHOL FREE ZONES

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Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Move on directions
- Person Search
- Drug Detection
- Street Offence
- Vehicle Search
- Intoxicated Person

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the re-establishment of an alcohol free zone within this area.

Proposed Zone 4: Car park area attached to the skate park off Commissioner Street, Cooma:

This area is nominated due to the antidotal evidence received that the area is frequently used as a gathering location, particularly for the youth, where they tend to 'hang out' around/in vehicles at the location and consume alcohol. These young people are not necessarily users of the skate park. This area is attached to the Cooma Skate Park which is nominated as proposed area 15. During the assessment of this location rubbish, including empty alcohol containers, were located within this area which is supportive of the antidotal evidence.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

Jindabyne

Proposed Zone 5: Jindabyne Town Centre (Including surrounding streets of Thredbo Terrace and Kosciuszko Road)

Surveillance conducted of this area indicates people often conceal alcohol bottles and food wrappers within bushes around the location. People have been observed walking and consuming alcohol in the area and have been observed urinating in public. Late night food outlets within this area appear to be the reason some people gather in this area after closing of licensed premises nearby. Business owners indicate in the mornings they are often cleaning up bottles and other litter from around their premises, more specifically on Thursday morning's and on the weekends. They have reported that on occasions they need to clean where people have urinated on buildings.

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Intoxicated Person
 - Noise Complaint
 - Assault
 - Brawl
-

13.1 REQUEST FOR PUBLIC EXHIBITION: PROPOSED ALCOHOL PROHIBITED AREAS AND ALCOHOL FREE ZONES

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- Concern for Welfare
- Move-on Directions
- Fire
- Street Offences
- Resist/Hinder/Assault Police
- Crowd Control Management.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

Proposed Zone 6: Street and car park areas encompassing the Skate Park and Bowling Club (This area includes surrounding streets and public parking spaces of Bay Street, Kosciuszko Road and Banjo Paterson Crescent)

Surveillance conducted of this area indicates that people often discard alcohol bottles and food wrappers around the location.

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Move-on Directions
- Street Offences
- Concern for welfare
- Intoxicated person

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

Note: There are car parking spaces and grass lands within this area that are owned by the Bowling Club. These are marked on the map within this section in green. Due to the liquor license attached to the Bowling Club, alcohol consumption within this car parking area is already restricted.

Proposed Zone 7: Alcohol Free Zone:- Street areas and car park areas surrounding Nuggets Crossing and connecting streets (Includes council owned car parking areas, Park Road, Snowy River Avenue, Gippsland Street, Kalkite Street, Thredbo Terrace, Kosciuszko Road, Clyde Street, Bent Street and Kurrajong Street)

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Intoxicated Person
 - Noise Complaint
 - Assault
 - Concern for Welfare
 - Move-on Directions
 - Street Offences
 - Resist/Hinder/Assault Police
 - Malicious Damage
 - Offences against the person
-

13.1 REQUEST FOR PUBLIC EXHIBITION: PROPOSED ALCOHOL PROHIBITED AREAS AND ALCOHOL FREE ZONES

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Surveillance conducted of this area indicates people smash and discard empty alcohol bottles and other rubbish in a small concealment area adjacent to Mitre 10 and within the car park surrounding the National Parks Visitor Centre. This littering appears to be occurring predominantly on Wednesday night/Thursday morning. Information has been provided indicating that at least one of the local businesses employs extra staff to remove this litter in a timely fashion. Further information was also received suggesting the verandah areas within this zone were being used of a night by groups of people consuming alcohol.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

Note: Section 3A:- It is noted within this zone there are a number of privately managed car parking spaces and road related areas. These areas are marked on the attached map (green 3A). These areas are managed by Nuggets Crossing and the National Parks Visitor Centre. Police have made contact with management of both of these locations. Both locations are willing to consider release of the area to council so council are capable of establishing Alcohol Free Zones within their parking and road related areas. They were informed there is specific legislation and costs surrounding this proposal. Even if these areas remain private lands, people must cross zone 3's proposed alcohol free zone in order to get to the location, thus providing authorised personnel with an opportunity to enforce the requirements of the zone.

Proposed Zone 8: Gippsland Street (from Snowy River Ave to Ingebyra Street) Munyang Street, Ingebyra Street, Bogong Street.

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Street Offences
- Offences against the person
- Check Benefices
- Located vehicle/vessel

Surveillance conducted of this area indicates this area is a popular thoroughfare for people to migrate from a high residential area to the main entertainment district. Surveillance conducted indicates people often carry and consume alcohol as they travel through this proposed zone. Police have approached residents within this area who state they often see empty alcohol bottles discarded on the street.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

Proposed Zone 9: Banjo Paterson Crescent from Kosciuszko Road to Townsend Street. Townsend Street from Banjo Paterson Crescent to Cobbon Crescent

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Person Search
 - Vehicle Search
 - Malicious Damage
-

- Miscellaneous
- Drug Detection

Surveillance conducted of this area indicates this area is a popular thoroughfare for people to migrate from a high residential area to the main entertainment district. Surveillance conducted indicates people often carry and consume alcohol as they travel through this proposed zone. Residents within this area state they often see empty alcohol bottles discarded on the street.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

Section 3 – Alcohol Prohibited Areas

Alcohol Prohibited Areas cover any other public place that is not a public road, part of a public road or a car park. It is noted that some of these areas are used for welcomed recreational activities. For this reason it is recommended that times be considered for each of these locations as deemed appropriate. For example, as police encounter the majority of alcohol related issues of a night time, police would be supportive of the areas being enforceable from 9pm to 9am. This would allow for extended usage of the area for welcomed recreation activities in the warmer summer months.

The following submission will detail statistical and anecdotal evidence which is an indication of past irresponsible behavior arising from the consumption of alcohol within each of the specific areas. For this report a twelve month period from July 2016 to June 2017 has been considered.

The evidence contained within this submission has been obtained from an interrogation of the NSW Police Force Computerised Operational Policing System (COPS). COPS is an operational computer system designed to capture and record crime. An 'event' is created by police within COPS when they attend an incident which they believe to be reportable. Other information within this submission arises from the observations of police and information provided by members of the public, business owners, managers and employees.

The proposed Alcohol Prohibited Areas are identified on the attached maps and represented with corresponding area numbers.

NOTE: For these areas to be legally enforceable signage must be adequate and must indicate times, dates and nominated area of enforcement.

Berridale

Proposed Area 10: Skate Park and surrounding parkland – bordered by Jindabyne Road, Myack Street, Bolton Street, Berridale

The township of Berridale has a low rate of volume crime predominately due to its population being a total of 1200 people. That being stated it is not without its incidents of alcohol related crime. Surveillance of this area conducted by local police indicates they have observed people consuming alcohol in this nominated area which has required police interaction.

13.1 REQUEST FOR PUBLIC EXHIBITION: PROPOSED ALCOHOL PROHIBITED AREAS AND ALCOHOL FREE ZONES

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Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within/near the proposed area.

- Drug detection
- Person Search
- Vehicle Search
- Assault

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

Bombala

Proposed Area 11: Bombala Skate Park, Ginger Lee Memorial park, Footpath area between Ginger Lee memorial park and Bicentennial Park – bordered by Monaro Highway and Mahratta Street, Bombala

The township of Bombala has a low rate of volume crime predominately due to the limited population of 1400 people. The town is not however without its incidents of alcohol related crime. Surveillance of this area conducted by local police indicates they have observed people consuming alcohol in this nominated area which has required police interaction.

Within the period from July 2016 until October 2017 police have responded to the following alcohol related incidents within/near the proposed area.

- Drug detection
- Person Search
- Vehicle Search
- Malicious Damage
- Move on direction
- Resist/Hinder/Assault Officer

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

Proposed Area 12: Riverside Park, Bombala (bordering street is also proposed. See Proposed Zone 1)

The township of Bombala has a low rate of volume crime predominately due to the limited population of 1400 people. The town is not however without its incidents of alcohol related crime with local police stating they have witnessed alcohol consumption in this nominated area which has required police interaction.

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within/near the proposed area.

- Person Search
 - Vehicle Search
-

-
- Drug Detection

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

Cooma

Proposed Area 13: Centennial Park (Surrounding streets are also proposed, see Proposed Zone 3)

The implementation of the Alcohol Prohibited Areas in the past in this area has been very successful at reducing alcohol consumption within the park. People who frequent the proposed area have become accustomed to, and largely abide by, the zone laws that prohibit them from consuming alcohol within the area. Police believe that if the area is not reinstated it may encourage people to congregate and consume alcohol within the area. Further, if the zone is not reinstated the area could be subjected to noise complaints and could increase the likelihood of anti social behaviour and alcohol related crime occurring, for example malicious damage within the area. Any antisocial behaviour and/or decay in the environment may lead to people avoiding the area for intentional recreation use.

Local Police also indicate young people, and other disruptive people, have been known to gather at this location and consume alcohol. It was reported to police that frequent cleaning of Centennial Park is required to remove glass and rubbish, which often contains empty alcohol containers.

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Move on directions
- Person Search
- Drug Detection
- Street Offence
- Vehicle Search
- Resist/Hinder/Assault Officer

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.

Proposed Area 14: Norris Park Cooma

The implementation of the Alcohol Prohibited Areas in the past in this area has been successful at reducing alcohol consumption within the park area. People who frequent the proposed area have become accustomed to, and largely abide by, the zone laws that prohibit them from consuming alcohol within the area. Police believe that if the area is not reinstated it may encourage people to congregate and consume alcohol within the area. Further, if the zone is not reinstated the area could be subjected to noise complaints and could increase the likelihood of alcohol related crime and anti social behaviour occurring, such as malicious damage. Any antisocial behaviour and decay in the environment may lead to people avoiding the area for intentional recreation use.

13.1 REQUEST FOR PUBLIC EXHIBITION: PROPOSED ALCOHOL PROHIBITED AREAS AND ALCOHOL FREE ZONES

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Local police indicate they often see those who they move on from Centennial Park re gathering in this area which makes it an important area to keep alcohol free during the nominated times.

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within/near the proposed area.

- Street Offence
- Drug Detection
- Person Search
- Vehicle Search

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.

Proposed Area 15: Skate Park – Murray Street, Cooma

This area is nominated due to the antidotal evidence received that the area is frequently used as a gathering location, particularly for the youth where they tend to 'hang out' around/in vehicles at the location and are not necessarily users of the skate park. Police are powerless to move people on from this location unless other offences have/are occurring as the area is not currently an alcohol prohibited area. This area borders Murray Street car park which is nominated as proposed zone 4. During the assessment of this location, rubbish including empty alcohol containers were located within this area which supports the antidotal evidence.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.

Jindabyne

Proposed Area 16 - Alcohol Prohibited Area – Walking tracks and surrounding parkland situated between Gippsland Street and Kosciusko Road, Jindabyne

There have been no alcohol related events recorded in the twelve month period from July 2017 to June 2016 however Police have been provided with information that suggests irresponsible behavior arising from the consumption of alcohol has occurred within this zone.

The pathways from Gippsland Street towards the Jindabyne town center form part of a frequently used walking thoroughfare. This thoroughfare is used by people commuting from a high residential area to the entertainment district.

Surveillance of this area by local Police supports the assertion that people are transiting through this area as they consume alcohol. Police have spoken with members of the public in the area who complain that they often see people finishing alcoholic drinks and then discarding the empty bottles within this zone. Observations of the area support the assertion that alcohol packaging is frequently discarded within this zone.

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For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.

Proposed Area 17 - Alcohol Prohibited Area – Skate Park and surrounding public land situated off Bay Street, Jindabyne

Surveillance of the proposed area suggests that young people tend to gather at this location and at time, consume alcohol. It was reported to police that frequent cleaning of the skate park is required to remove broken bottles and rubbish. This area is bordered on one side by an alpine lake. Over a number of years drownings have occurred in the lake that have been linked, along with other causal factors, to alcohol consumption.

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Street Offences
- Move on directions
- Intoxicated person
- Concern for welfare
- Check Benefices

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.

Note: There are open spaces within this area that are owned by the Bowling Club. These are indicated on the map within this section in green. Due to the liquor license attached to the Bowling Club, alcohol consumption within the area is already restricted.

Proposed Area 18: - Banjo Patterson Park, Jindabyne

Surveillance of the area by local Police suggests this area is used by people consuming alcohol. This area is bordered on one side by an alpine lake. Over a number of years drownings have occurred in the lake that have been linked, along with other causal factors, to alcohol consumption.

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Street Offences
- Move on directions
- Intoxicated person
- Concern for welfare
- Check Benefices

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.

13.1 REQUEST FOR PUBLIC EXHIBITION: PROPOSED ALCOHOL PROHIBITED AREAS AND ALCOHOL FREE ZONES

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Proposed Area 19:- Park land and footpath between Banjo Patterson Park and Foreshore Park, Jindabyne

This area contains the footpath which continues on from proposed area 18. This area is bordered on one side by an alpine lake. Over a number of years drownings have occurred in the lake that have been linked, along with other causal factors, to alcohol consumption.

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Street Offences
- Move on directions
- Concern for welfare
- Check Benefices

For these reasons police are in full support of the establishment of an alcohol prohibited area within this area.

Proposed Area 20:- Foreshore Park Area, Jindabyne (as indicated on the annexure)

Information received from members of the public and local police for this area indicates that alcohol is often consumed near the clay pit areas by gatherings of people. This area is a popular spot used for walking along the foreshore between the Clay Pits and Banjo Patterson Park. This area is bordered on one side by an alpine lake. Over a number of years drownings have occurred in the lake that have been linked, along with other causal factors, to alcohol consumption.

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Noise complaints
- Move on directions
- Concern for welfare
- Intoxicated persons
- Check Benefices

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.

Proposed Area 21:- Foreshore Park area and area commonly known at the Clay Pits (Including Foreshore Park) as indicated on the annexure:

Information received from members of the public and local police for this area indicates that alcohol is often consumed near the clay pit areas by gatherings of people. This area is a popular spot used by locals and visitors for outings and special events. This area is bordered on one side by an alpine lake. Over a number of years drownings have occurred in the lake that have been linked, along with other causal factors, to alcohol consumption.

13.1 REQUEST FOR PUBLIC EXHIBITION: PROPOSED ALCOHOL PROHIBITED AREAS AND
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PROHIBITED AREAS

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Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Check Benefices
- Noise complaints
- Move on directions
- Concern for welfare
- Intoxicated persons

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.

Proposed Area 22:- Jindabyne Lions Park (off Kalkite Street)

The area is within close proximity to a licensed premise and is often used as a thoroughfare between the local shopping precinct and residential areas. Intoxicated people are often spoken to by Police within the area. Antidotal information received indicates empty alcohol containers have been located within the park.

Within the twelve month period from July 2016 until June 2017 police have responded to the following alcohol related incidents within the proposed area.

- Located Vehicle/Vessel

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.

Naomi Nemec
Senior Constable
Crime Prevention Officer
Monaro Command

Neil Grey
Detective Chief Inspector Grey
Crime Manager
Monaro Command

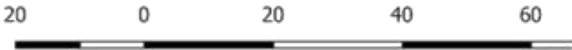


Proposed Alcohol Prohibited
and Alcohol Free Zones
Berridale Map

Legend

- Parcel
- Alcohol Prohibited Areas

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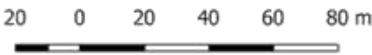




Proposed Alcohol Prohibited
and Alcohol Free Zones
Bombala Map

- Legend
- Alcohol Prohibited Areas

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Proposed Alcohol Prohibited
and Alcohol Free Zones
Cooma Map

Legend

- Parcel
- Alcohol Prohibited Areas

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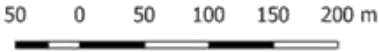




Proposed Alcohol Prohibited
and Alcohol Free Zones
Jindabyne Map 1

- Legend
- Alcohol Prohibited Areas
 - Alcohol Free Zones

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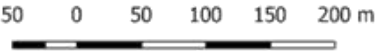




Proposed Alcohol Prohibited
and Alcohol Free Zones
Jindabyne Map 2

Legend
Alcohol Prohibited Areas

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13.2 REQUEST TO ERECT A MEMORIAL TO ULICK O'BOYLE IN BANJO PATTERSON PARK, JINDABYNE

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Recreation & Property Technical Officer
Key Direction:	4. Creating a Safer, Healthier and Thriving Community
Delivery Plan Strategy:	DP4.1.1.2 Support activities, events and celebrations that promote cultural diversity and inclusiveness.
Operational Plan Action:	OP4.4 Support and facilitate cultural diversity across the region
Attachments:	1. Ulick O'Boyle Plaque and Memorial design ↓ 2. Ulick O'Boyle memorial location ↓ 3. Policy - Public Land Plaques and Memoria ↓
Cost Centre	Nil
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The family of Ulick O'Boyle have requested that permission be given to erect a Ulick Memorial in Banjo Patterson Park, Jindabyne.

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

OFFICER'S RECOMMENDATION

That Council:

Approve the erection of the Ulick O'Boyle memorial to be located in the proposed Site 1 near the Irish Memorial in Banjo Patterson Park, Jindabyne to be funded fully by the family.

BACKGROUND

Ulick O'Boyle was born in Ireland in 1932 and lived in Australia for 50 years, where he died in 2011. The first song Ulick wrote in Australia was 'Jindabyne Farewell', which laments the loss of the old town which was to be flooded to become Lake Jindabyne.

As a Snowy Mountains Hydro Electric Scheme worker himself Ulick witnessed and documented in poetry and song its history, its splendid engineering achievements and perhaps, and most importantly, the stories of the workers who lived and died building it.

Ulick's music was recorded by RCA Australia in the late 1960's, and was performed by his band 'The Settlers'. This music is still in high demand today and is played in schools, and at cultural and civic events.

The former Snowy River Shire had a policy for *Public Land Plaques and Memorials (attached)* and this request satisfies this criteria. In particular clause 5.3 'Memorials that exemplify the Snowy River Shires unique heritage'.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

This project will provide a lasting cultural contribution within Banjo Patterson Park and will enable tourists to continue to be informed of the significance of the Snowy Mountains Hydro Electric Scheme.

2. Environmental

No detrimental environmental impact.

3. Economic

The family will be responsible for all costs associated with the memorial.

4. Civic Leadership

This project will demonstrate Council's commitment to promoting the cultural heritage of the region. The Snowy Mountains Hydro Electric Scheme was, and still is, a significant part of the region as it not only provides employment for the region but also contributes greatly to the economy through tourism activities.

A new SMRC policy, in line with former SRS's "Public Land Plaques and Memorials Policy" will be prepared to avoid excessive cluttering of monuments in high pedestrian traffic areas.

In memory of Ulick O'Boyle

Songwriter, Poet, Musician

Ulick was born in Ireland in 1932, he lived in Australia for 50 years, where he died in 2011.

The first song Ulick wrote in Australia was 'Jindabyne Farewell',
which laments the loss of the old town which was to be
flooded to become Lake Jindabyne.

Ulick was the minstrel of the Snowy Mountains.

As a Snowy worker himself

Ulick witnessed and documented in poetry and song its history, its
splendid engineering achievements and perhaps,
and most importantly, the stories of the workers who
lived and died building it.

This is his legacy.

Ulick's music was recorded by RCA Australia in the
late 1960's, and was performed by his band
'The Settlers'. This music is still in high demand
today and is played in schools, and at
cultural and civic events.

'Oh let the white snow fall

soft upon those hills

and let the years pass by a man

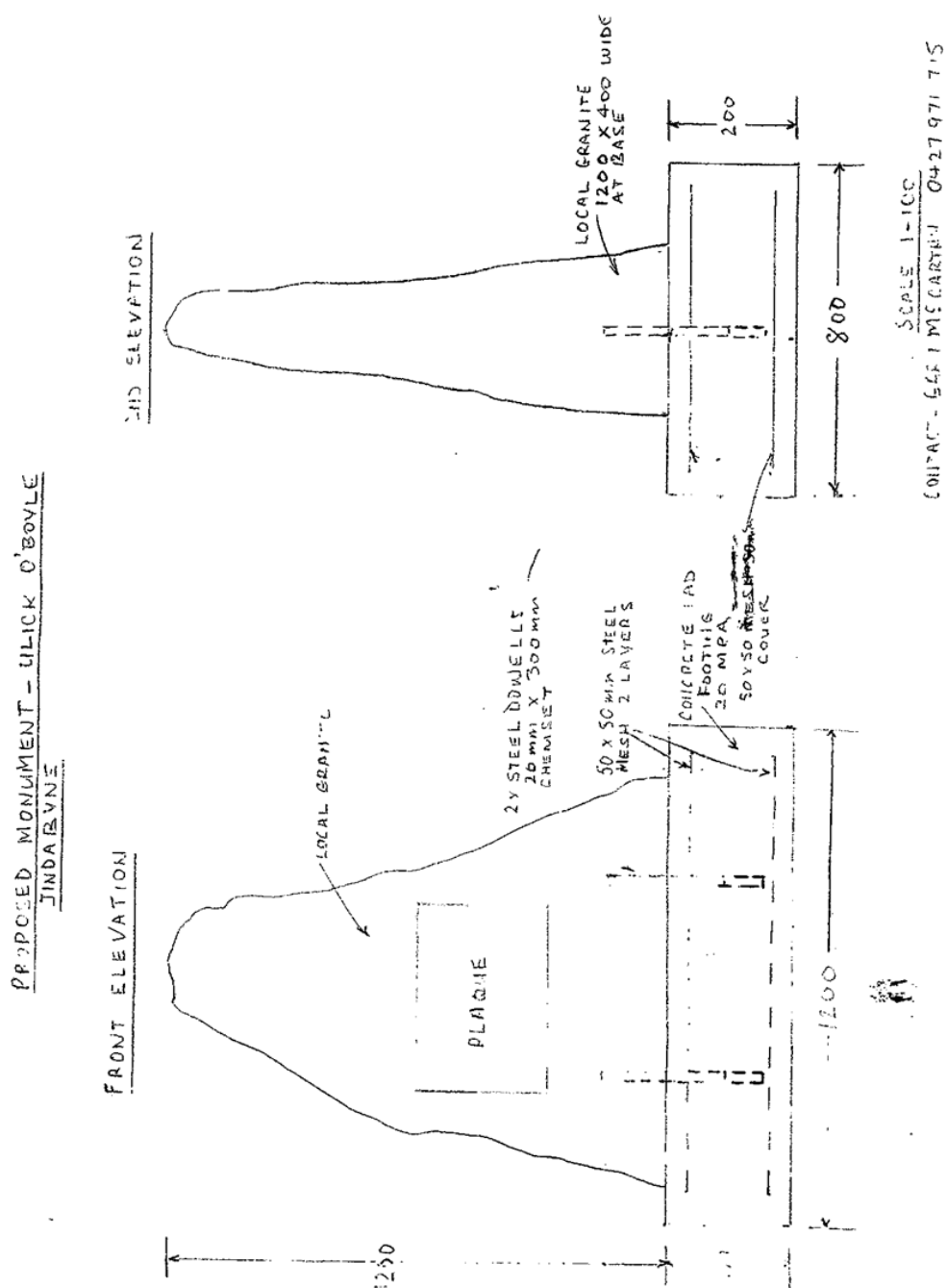
what matter when he feels

There was something of value left behind

when he came from the breed of the building kind

that lived and worked and made the Snowy Scheme'

13.2 REQUEST TO ERECT A MEMORIAL TO ULICK O'BOYLE IN BANJO PATTERSON PARK,
JINDABYNE



2/6/2018

Quick Plot

Jindy

6/02/2018
Scale: 1 : 250



Public Land Plaques and Memorials Policy



Policy Number: EOS 015

1. PURPOSE

2. RELEVANT LEGISLATION / STANDARDS / CODE OF PRACTICE

3. POLICY DETAILS

Introduction

- 1.1 Memorials provide a celebration of people or events that have contributed significantly to the Snowy River Shire Community. They publicly recognize important contributions of individuals, groups, organization or events through memorials such as plaques, plants and furniture.
- 1.2 Snowy River Shire manages Public land primarily for recreation. These parks and open spaces provide opportunity for the placement of appropriately designed memorials.
- 1.3 This policy provides guidelines for the placement of and maintenance of memorials on public land managed by Snowy River Shire Council.

Scope of the Memorials Policy

- 2.1 This policy applies to all memorials on Public Land Managed by Snowy River Shire Council.
- 2.2 This policy does not apply to memorials in cemeteries, crematoria or to explanatory plaques associated with public assets.
- 2.3 Memorials considered to be of regional or national significance will be referred to Council's planning unit.
- 2.4 This policy replaces any previous approval process in regard to the installation of a memorial or plaque. Any alterations to an existing memorial or plaque will need to comply with this policy

General Guidelines

- 3.1 Subjects for memorials will be limited to a person, group, organisation or event that has contributed significantly to the Snowy River Shire Community.
- 3.2 Memorials commemorating the death of a private individuals and domestic pets and animals are not allowed on public land except cemeteries and crematoria.

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Authorised By:	Approval Date & Resolution	Current Version Number	Document Owner	Review Date	Page Number
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- 3.3 Memorials must convey the cultural or geographic significance to the Snowy River Shire Community of the person, group, organization or event being commemorated, and should be aesthetically complementary to their proposed surroundings.
- 3.4 Wording must be approved by Council prior to construction. Text should be brief and well researched.
- 3.5 Proponents should nominate at least two preferred sites that have relevance to the memorial.
- 3.6 Plaques may only be attached to publicly owned assets with Council approval, and must not be attached to trees.
- 3.7 The proponent is responsible for all costs associated with obtaining information on planning regulations that will restrict the placement of the memorial.
- 3.8 The creation and maintenance of non plant memorials is to be funded by the proponent. No exemptions will be granted to this clause.
- 3.9 Memorials must comply with all current access and safety standards and should be modified as standards change. Plaques should be positioned flush with surrounding surfaces and not interfere with or cause additional maintenance of a site. The cost of safety modifications will be met by the proponent.
- 3.10 Council may remove a plaque or memorial if the plaque or memorial is considered dangerous or unsightly due to lack of maintenance or vandalism.
- 3.11 Trees, shrubs and other flora may be planted in urban parks as memorials to individuals, groups, organizations or events. Plaques may accompany these plantings.
- 3.12 Flora used as memorials should compliment existing landscape design and plant species must be selected in consultation with Snowy River Shire Council.
- 3.13 All costs associated with the planting are to be met by the proponent and planted by or under the supervision Council.
- 3.14 A maintenance agreement for the planting must be entered into before the planting can be approved.
- 3.15 No plaque or memorial is to be placed in Snowy River Shire unless it is consistent with the management objectives of the relevant Plan of Management. If there is no Plan of Management it must be consistent with the land's Public purpose and must not change the use of the land.
- 3.16 Any memorial or plaque that incorporates Public Art must comply with Council's Public Arts Policy ECS001.

Applying for a Memorial

- 4.1 Applications for all memorials must be accompanied by the following information:

- Type of memorial

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- Size and dimensions of memorial
 - Two proposed locations for the memorial
 - The text and diagrams for a plaque or engraving
 - A brief description of the significance to the Snowy River Shire Community of the person, group, organization, event to be commemorated.
 - Demonstrated community support.
- 4.2 Restrictions on size, design and placement may apply to memorials. Some memorials may require a Development Application.
- 4.3 Written applications for all memorials should be sent to
- The General Manager
Snowy River Shire Council
PO Box 143
BERRIDALE NSW 2628

Assessment Criteria

- 5.1 Proposals for memorials will be assessed for their significance to the Snowy River Shire Community and the level of demonstrated community support. They must also meet one or more of the following criteria.
- 5.2 Memorials that closely reflect the values and aspirations of the Snowy River Shire Community by recognizing their achievements and contributions to the area. This may include individual or groups in national or international competitions, ideas, innovations or events.
- 5.3 Memorials that exemplify the Snowy River Shires unique heritage.
- 5.4 The site for the memorial must be relevant to what the memorial is commemorating.
- 5.5 Endorsement of a memorial according to the assessment criteria by the relevant land manger is an in-principal agreement. Final approval will be subject to an assessment of the concept design by Councils.

Approval of Memorials

- 6.1 Proposals for memorials will be assessed by the relevant Council Department.
- 6.2 A report will then be submitted to Council for consideration.
- 6.3 Decisions will be confirmed in writing to the proponent.
- 6.4 No application will be considered outside this process.

4. VERSION HISTORY AND AUTHORISATION

Date Published	Version	Detail reason for issue or amendments	Author / Document Owner
MM YYYY	2.0	[Adopted Version]	
Snowy River Shire Council – Public Land Plaques and Memorials Policy – EOS 015			
Authorised By:	Approval Date & Resolution	Current Version Number	Document Owner
Council	20/06/2006 104/06	[test]	Director Technical Services & Operations
Date Printed: 20/05/2014 3:04:00 PM		TRIM Reference: ED/06/5729	

MM YYYY	1.5	[Fifth issue of draft]	
MM YYYY	1.4	[Fourth issue of draft]	
MM YYYY	1.3	[Third issue of draft]	
MM YYYY	1.2	[Second issue of draft]	
MM YYYY	1.1	[First issue of draft]	
06/2006	1.0	104/06	

5. REPLACES POLICY NUMBER

6. RELATED POLICIES AND PROCEDURES

7. DEPARTMENT RESPONSIBLE

8. REVIEW DATE

February 2012

Snowy River Shire Council – Public Land Plaques and Memorials Policy – EOS 015					
Authorised By:	Approval Date & Resolution	Current Version Number	Document Owner	Review Date	Page Number
Council	20/06/2006 104/06	[test]	Director Technical Services & Operations	February 2012	Page 4 of 4
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13.3 APPLICATION FOR THE YOUTH OPPORTUNITIES GRANT

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Youth Officer
Key Direction:	4. Creating a Safer, Healthier and Thriving Community
Delivery Plan Strategy:	DP4.3.1.2 Provide and support appropriate services and facilities for children and young people within the Region.
Operational Plan Action:	OP4.16 Deliver and facilitate youth programs and services throughout the Region
Attachments:	Nil
Cost Centre	2910
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The Youth Development Officers were successful in a State Government funding application to deliver the “Snowy Monaro Youth Leadership Project”. The project has attracted \$28,000 of external grant funding through the Department of Family and Community Services.

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 successful award to Council of Youth Opportunities Funding.

BACKGROUND

The Youth Development Officers made a successful funding application to the State Government for \$28,000 to fund the “Snowy Monaro Youth Leadership Project”. This project was one of 10 across the state that were awarded a grant as part of the NSW Government’s “Youth Opportunities Funding” through the Department of Family and Community Services. It will directly benefit the 20 young people who are members of the Snowy Monaro Youth Council as well as engaging up to 30 other young people from the Snowy Monaro Region on specific projects flowing out of the youth council. In this way the funds will be contributing towards a leadership and personal development/mentoring program for youth across the region. We anticipate this project will help to give the next generation of leaders in our community the skills and inspiration to excel and implement change across the Region.

The grant funding will be used to purchase IT equipment and improve the experience and training available for the students taking part in the youth council. Any additional costs for the Council from using the grant funds will be absorbed as part of the normal duties of the Youth Development Officers and youth development budget.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The project will create personal development and leadership opportunities for young people from across the Region. It encourages young people to participate and be actively involved in their local community and community development processes and this in turn increases their sense of belonging, social inclusion and pride in place. It also helps to foster relationships between young people, local businesses, support services and the broader community, as well as bridging the divide between young people and Local Government. The commitment of Council to this project will demonstrate its contribution to investing in the region's young people and strengthens the capacity and potential of the Snowy Monaro Regional Youth Council to implement genuine and long lasting change.

2. Environmental

No environmental impacts are associated with this report.

3. Economic

The award of these grant funds means that potentially the project will inject up to \$28,000 into the regions local businesses and support services. It will also help provide vocational pathways for young people and foster their transition to work skills.

4. Civic Leadership

This project reflects Councils commitment to investing in young people as identified in the Community Strategic Plan. It will provide leadership and personal development opportunities for the Youth Council, as well as other young people interested in pursuing leadership opportunities. By establishing and supporting the youth council the Council is directly contributing to the creation of a platform to champion the voice of young people and will position the young participants as strong advocates for youth related matters.

15.1 LEGAL COSTS - RECOVERY OF COSTS AWARDED THROUGH LAND AND ENVIRONMENT COURT

Record No:

Responsible Officer:	Director Environment & Sustainability
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.2.1.1 Ensure that Council's land use planning and development policies enhance liveability.
Operational Plan Action:	OP6.15 Ensure that amenity, safety and sustainability of community neighbourhoods is enhanced through compliance and enforcement
Attachments:	Nil
Cost Centre	3120
Project	Recovery of outstanding legal costs awarded through Court
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Following a judgement issued by Justice Craig of the Land and Environment Court on 31 July 2015, Council commenced proceedings to recover the costs awarded to it from that matter.

As Councillors are aware, the matter was recently settled with payment received from the landowner.

Council requested a report detailing the cost to the community of recovering the Court-awarded costs.

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 expense of recovering the legal costs awarded to it pursuant to the Land and Environment Court judgement of 31 July 2015.

BACKGROUND

At its meeting of 19 October 2017, a report was considered by Council (in closed session) regarding the continuing of proceedings to recover the costs awarded to it following a judgement handed down in the Land and Environment Court on 31 July 2015. At that meeting, Council resolved to continue to recover those costs (Resolution 252/17).

The costs recovery proceedings followed an unsuccessful attempt to negotiate the amount of the costs payable from the Land and Environment Court judgement, and the Council applied to have its costs assessed by a costs assessor appointed by the Court.

The costs were assessed on a 'party and party' basis, as being \$48,498.99 and included the costs of the assessment and part of the filing fee. The landowner was subsequently provided with the costs assessment and again provided with the opportunity of settling the matter. Following the landowner's failure to pay the costs assessed as payable, Council commenced proceedings in the Federal Court in April 2017 to recover its costs.

As was advised to Council, the matter was finalised in early November 2017 with payment of \$48,498.99 being received from the landowner. Accordingly, the Federal Court matter was discontinued.

Council requested a report detailing the expenses incurred in recovering the legal costs awarded to it pursuant to the Land and Environment Court matter. The final invoices were received in December.

The expense to Council of seeking to recover the awarded costs was \$40,842.98. This includes costs for legal representation and costs associated with Court processes (filing fees etc).

It should be noted that the cost of staff time is not assessable as a claimable cost through the court proceedings.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

There are community expectations that minimum standards will be upheld, these are also recognised through the various statutes that Local Government is required to administer. Council was entitled to seek the full recovery of costs awarded to it through Court processes. It could be considered that If Council is not prepared to follow through with outcomes from Court actions, then it is a poor use of resources to undertake enforcement actions at all. There could be serious social implications of not carrying out enforcement activities.

2. Environmental

The recovery of the costs awarded to Council by the Land and Environment Court displays a commitment to Council's enforcement activities, in this instance particularly so as the enforcement actions were undertaken in accordance with resolutions of Council. Following through with recovery of debts owed from such activities is part of the overall enforcement process.

3. Economic

There are costs involved in seeking to recover debts owed to Council, regardless of the type of debt owed. Costs incurred in defending appeals can be high, and the complicated nature of the

legal system can mean that costs awarded, even where the matter is determined in Council's favour, are usually only a percentage of the overall actual costs.

Summary of Costs

The cost of the Land and Environment Court matter was \$62,609.18

The costs awarded to Council following that were \$48,498.99 (this was the amount eventually recovered)

The costs of trying to recover the awarded costs were \$40,842.98

So, the 'Net' cost to Council of defending the Land and Environment Court appeal and recovering the costs awarded was \$54,943.17

4. Civic Leadership

The actions that led to the cost recovery process stemmed from the landowner's decisions to exercise the legal right to challenge fines, which were issued following Resolutions of the former Cooma-Monaro Shire Council, and to subsequently appeal to the Land and Environment Court against the finding of the Local Court.

At its meeting of 19 October 2017, Council resolved to continue actions to recover the costs awarded through the Land and Environment Court matter.

15.2 POLICY - REFERRAL OF DEVELOPMENT APPLICATIONS TO COUNCIL FOR DETERMINATION

Record No:

Responsible Officer:	Director Environment & Sustainability
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.2.1.1 Ensure that Council's land use planning and development policies enhance liveability.
Operational Plan Action:	OP6.11 Ensure development assessment is undertaken in accordance with adopted Local Environmental Plans, Development Control Plans, Council Policy and State and Federal legislation.
Attachments:	1. Draft Policy - referral of DA's to Council ↓ 2. Draft Procedure - Council Decision contrary to Staff recommendation ↓
Cost Centre	1210 Development Assessment
Project	Development Assessment
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The attached draft policy and draft procedure are provided for Council's consideration to clarify the situations where a Development Application is referred to Council for determination, and to provide guidance to Councillors in procedures to be followed where it determines an application differently to what was recommended in the Council report.

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

OFFICER'S RECOMMENDATION

That Council

- A. Adopt the revised 'Referral of Development Applications to Council for Determination' Policy
- B. Adopt the revised 'Council Decision Contrary to Staff Recommendation' Procedure.

BACKGROUND

At its meeting of 14 December 2017, Council made Resolution 318/17:

"That all DA's that are subject to a written objection, either by a member of the public or a Government Department, are referred to Council by a staff report for decision.

This arrangement to be in place until the "Delegations to the General Manager" report is submitted to Council for decision."

On 18 December 2017, the Mayor provided a clarification as follows:

“The purpose of this resolution was not to delay the processing of DAs nor to unintentionally increase DA response times but to ensure that “unresolved” written objections were referred to Council pending review of the Delegations granted by Council to the General Manager.

To ensure that the timely processing of DAs continues, I provide the following policy direction clarifying the above resolution, which I have based on the Best Practice Guidelines for Councils produced by the Department of Planning and Environment.

The General Manager and staff with sub-delegated authority to determine Development Applications (DAs) including Modifications are to continue to determine DAs other than in the following situations:

- *Where there are more than five objections by way of individual written submissions from different households (note that a petition or pro-forma documents are counted as one objection).*
- *The development does not comply with an adopted council policy (including a development control plan), development standard in a Local Environmental Plan unless, in the assessment officer’s opinion:*
 - *compliance with the policy is unreasonable and unnecessary in the circumstances;*
 - *any variation of a development standard has been addressed in accordance with Clause 4.6 or any other requirements of the council’s Local Environmental Plan subject to prior peer review by a more senior officer.*
- *The development is of Regional or State Significance.*
- *Notification in writing has been received from at least three councillors that the DA is required to be submitted to the elected council for determination. Any such notification should include reasons or policy position for why the application requires reporting to the council for determination.*
- *Where in the opinion of the officer the matter should be referred to Council in the public interest.”*

The mayor also requested a report be prepared regarding what Council needs to put in place or resources it will require to meet the NSW Department of Planning and Environment ‘*Development Assessment Best Practice Guide*’ (the Guide). This will be provided to the March Council meeting for consideration.

To assist Councillors in their discussions and considerations, a copy of the former Cooma-Monaro Shire Council policy (‘Referral of DA’s for Council Determination’) and procedure (Council Decision Contrary to Staff Recommendation) were provided to Councillors via email on Friday 5 January.

At that time it was suggested that the Policy could be updated with inclusions from the NSW Department of Planning and Environment’s “*Development Assessment Best Practice Guide*” (The Guide) which was issued in 2017.

The revised draft policy is attached for Council’s consideration. It should be noted that the sections of the policy shown in *italics* are reproduced from the Guide. The document will be reformatted if/when adopted to remove the italics.

The Guide clearly references that most DA's should be able to be determined by staff under Delegated Authority, as shown in the following extracts:

Delegations

Development assessment delegations should be maximised and standardised to ensure a consistent and efficient decision making process. (Page 26); and

While noting that delegations at council level often reflect varying planning issues facing different Local Government Areas, councils should make every effort to maximise and standardise development assessment delegations to ensure a consistent and efficient decision making process. Delegations should:

- *Facilitate decisions which reflect the nature of the DA.*
- *Acknowledge the judgement of their professional staff, particularly in planning and environmental management.*
- *Seek the continued merit assessment at the appropriate level to minimise politicisation of the decision making process. (Page 11)*

NSW Planning & Environment (Local Development Performance Monitoring: 2015-16) showed that on average, about 3% of all DA's in NSW were determined by Councillors for that reporting period (3.3% for 2014-15; and 3.4% for 2013-14).

The majority of DA determinations in NSW are made by staff under delegated authority.

Note there are other determining authorities including Joint regional Planning Panels (JRPP's) and Independent Hearing and Assessment Panels (IHAP's)), however their determinations made up less than 1% of the total reported for that period.

Although not specified as an actual target figure, NSW Planning & Environment also lists the number of NSW Councils achieving more than 98% of DA determinations by staff under delegation (56 in 2015/16; 50 in 2014/15; and 52 in 2013/14).

The former Councils achieved the following levels of determination via delegated staff in 2015/16: Bombala – 100%; CMSC – 98.7%; SRSC – 96.2% (NSW Average 97%). In 2014/15: Bombala – 97.5%; CMSC – 96.6%; SRSC – 97.75% (NSW Average 96.7%). In 2013/14: Bombala – 100%; CMSC – 95.5%; SRSC – 95%. (NSW average 96.6%).

The former Cooma-Monaro Shire Council also had a documented procedure to follow where a DA referred to Council for consideration was determined other than as recommended in the report.

It is stressed that the Council is entitled to make a determination other than as recommended in the report, providing such determination is within the legal framework and it can be demonstrated that proper consideration of all aspects has been made.

The procedure was produced at the request of the Council at the time to assist in ensuring correct process was followed.

The attached procedure has been updated (basically to reflect the new entity) and is also put to Council for its consideration.

Both the Draft Policy and Draft Procedure have been circulated to all staff for input/comments.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The draft policy and procedure have no direct social impact

2. Environmental

Environmental aspects are part of the mandatory assessment of any DA. There are no direct environmental impacts from the draft policy and procedure

3. Economic

There are no direct cost impacts from the draft policy and procedure.

4. Civic Leadership

Council had made a resolution at its December meeting in relation to referral of various Development Applications to Council for determination. The draft policy and procedure will assist in that by formally documenting process requirements.

Policy



Title of Policy	Referral of Development Applications to Council		
Responsible Department	Environment & Sustainability	Document Register ID	250.[document year].[document number].[document part]
Policy Owner	Director of Environment & Sustainability	Review Date	Date [document date1]
Date of Council Meeting	Date Approved [checklist 25002 10 DD LAST VALUE]	Resolution Number	Number [checklist 25002 11 DD LAST VALUE]
Legislation, Australian Standards, Code of Practice	Environmental Planning & Assessment Act 1979 Local Environmental Plan (LEP) Development Control Plan (DCP)		
Aim	To improve delivery timeframes of Development Applications		

The NSW Department of Planning and Environment published the 'Development Assessment Best Practice Guide - To assist councils to improve delivery timeframes' (the Guide) document in 2017.

The Guide (p.11) states that "...councils should make every effort to maximise and standardise development assessment delegations to ensure a consistent and efficient decision making process. Delegations should:

- Facilitate decisions which reflect the nature of the DA.
- Acknowledge the judgement of their professional staff, particularly in planning and environmental management.
- Seek the continued merit assessment at the appropriate level to minimise politicisation of the decision making process".

The following is provided to clarify situations where Development Applications will be referred to Council for determination, and where applications will be determined by duly authorised Council staff in accordance with Delegations.

Development Applications will be referred to Council for determination in the following situations:

- Where there are more than ten objections by way of individual submissions from different households (note that a petition or pro-forma documents are counted as one objection).
- The development does not comply with an adopted council policy (including a development control plan), development standard in a Local Environmental Plan unless, in the assessment officer's opinion:
 - compliance with the policy is unreasonable and unnecessary in the circumstances;
 - any variation of a development standard has been addressed in accordance with Clause 4.6 or any other requirements of the council's Local Environmental Plan.
- The development is of Regional or State Significance.
- Notification in writing has been received by at least three councillors that the DA is required to be submitted to the elected council for determination. Any such notification should include reasons or policy position for why the application requires reporting to the council for determination
- Applications involving a variation to a Council Contributions plan.
- Applications made in accordance with Clause 4.6 of the relevant Local Environmental Plan requiring the initial decision to support or not support the application for referral to the NSW Department of Planning and Environment.
- Development Applications deemed to be of substantial public interest, whether or not significant levels of relevant public submissions have been received.

- Where the application is by or on behalf of a Councillor or a designated Senior Staff member.
- Where the application is by or on behalf of a Council staff member (other than a designated Senior Staff member) for other than a single dwelling house (Class 1 building), an outbuilding (Class 10 building), or renovations/extension/demolition of a Class 1 or Class 10 building.
- Where Council is the owner or trustee of the land.

NOTE: Points shown in *italics* above are reproduced from the Guide

Development Applications will be determined by duly authorised staff members under delegated authority in the following situations:

- Where an application does not meet specific requirements of the relevant Local Environmental Plan (LEP) or other Legislation (i.e. where it would be illegal to approve) and therefore must be refused.
- Where NSW Department of Planning and Environment concurrence has not been granted for applications made under Clause 4.6 of the relevant Local Environmental Plan, and the application therefore must be refused.
- Where a request for variation to a Council policy and/or DCP is not considered unreasonable in the circumstances, and the General Manager or Staff member has delegated authority to approve such amendments to the relevant policy and/or DCP.
- Applications where objections are not founded on fact and merit (for example, objections based on a personal or neighbourhood dispute) – even if a compromise position cannot be reached.
- Applications by or on behalf of a staff member (other than a designated Senior Staff member) subject to the Class of building and the provisions regarding submissions as listed above. (Note that the staff member making the application must submit a written declaration of interest to the General Manager and must not be involved in any part of the application administration, processing or assessment).

Following a determination, an applicant has the right to request a 'Review of a Determination' under Section 82A of the *Environmental Planning & Assessment Act 1979** (EP&A Act); to request a modification under Section 96 of the EP&A Act; and/or to lodge an appeal to the Land & Environment Court under Section 97 of the EP&A Act.

*Note: A Review of a Determination is not available for Integrated Development or Designated Development

Documentation

Development Control Plan (DCP)

Local Environmental Plan (LEP)

Council Contributions Plan

Variation

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

Procedure



Name of Procedure	Council decision contrary to Staff Recommendation		
Document Register ID	250.[document year].[document number].[document part]	Date Approved	Date
Document Author	Director of Environment & Sustainability		
Authorised by	[checklist 25001 4 DD LAST VALUE]		
Applicable to	Environment & Sustainability		
Purpose	The purpose of this document is to minimise any potential problems which may arise from this situation and provide a clear framework within which appropriate decisions can be made.		
Frequency	When will this procedure be followed As required and in accordance with Policy Referral of Development Applications to Council		
Hazard Identification	Nil		
Level of risk	Legal Risk		

In a situation where a development application is reported to a Council meeting for decision, the staff report includes a commentary of the matters that legally must be considered in the assessment of a development application, and also makes a recommendation to the Council as to a decision.

The Council is entitled to form its own decision and may therefore determine not to adopt the staff recommendation.

The following procedure has been formulated to minimise any potential problems which may arise from this situation and provide a clear framework within which appropriate decisions can be made.

Reference should be made to CI 100(c) of the Environmental Planning and Assessment Regulation 2000 which states that a notice of determination of an application must include: "If the application has been refused, or granted subject to conditions (other than conditions prescribed under Section 80A (11) of the Act) the consent authority's reasons for the refusal or for the imposition of those conditions".

Reference should also be made to Council's Code of Meeting Practice (Clause 20 (8)) and Council's Policy titled '*Referral of Development Applications for Council Determination*'.

Situation 1: Staff recommend refusal however Council determine to approve

1.1 Process:

- 1) The staff reasons for refusal should be displayed on the screen in full view of the meeting. The reasons for refusal should display the relevant section (including subsections) of the Environmental Planning and Assessment Act, 1979 or Regulations which they relate to. The reasons for refusal are to state whether there is a non-compliance with a procedural or prescriptive provision of the Act, Regulations or an environmental planning instrument (i.e. SEPPs, REPs or LEPs).

Note: An example of a prescriptive provision would be a particular minimum lot size. If a development is below a minimum lot size in a Local Environmental Plan (LEP), in the absence of an application under Clause 4.6 of the relevant LEP, the application must be refused.

An example of a procedural provision might be the need to obtain approval from another government body as part of integrated development. If the other government body refuses to grant their approval the application must be refused.

- 2) Two possibilities may arise:

If there is a non-compliance with a prescriptive or procedural requirement → the Council has no alternative. It can either refuse the DA or defer the decision and instruct the applicant to amend their application to comply.

If there is no non-compliance with a prescriptive or procedural requirement → The Council is free to form its own opinion on the proposed development and the recommended reasons for refusal, providing it is satisfied that it has duly considered the matters prescribed in Section 79C of the Environmental Planning and Assessment Act. The following actions are to be taken:

- (a) Record in the minutes beneath each reason for refusal the reason(s) it does not consider it warranted (refer also to Clause 20(8) of Council's *Code of Meeting Practice*); and
 - (b) Resolve to instruct the Director to prepare draft conditions of consent for submission to the next Council meeting. (Note the provisions of S.352 of the *Local Government Act* may apply).
- 3) Between Council meetings the Director is to prepare draft conditions of consent and include a copy of the full draft consent in the agenda for the next meeting.
- 4) At the next meeting the Council may resolve to approve the application in accordance with the draft consent supplied by the Director. It may also make changes to any conditions it sees fit provided the changes do not contravene any legal requirements. The Council should consult with the Director at the meeting in this regard.

Situation 2: Staff recommend approval however Council determines to refuse

Process:

- 1) In forming its determination to refuse the application, Council must be satisfied that it has duly considered the matters prescribed in Section 79C of the Environmental Planning and Assessment Act. The Council should prepare draft reason(s) for refusal of the application and display these on the screen at the meeting (refer also to Clause 20(8) of Council's *Code of Meeting Practice*).
- 2) The Director is to be consulted at the meeting to advise whether the draft reason(s) for refusal are considered to be legitimate reasons for refusal under the Environmental Planning and Assessment Act, 1979.
- 3) One of three possibilities may arise:
 - a) *If the reasons are considered to be legitimate* → the Council may resolve to refuse the application for those reasons. The reasons must be recorded in the minutes and the relevant section (including subsection) of the EP&A Act attached to them.
 - b) *If the reasons are not considered to be legitimate* → the Council must not refuse the application for those reasons. It may refuse it for other legitimate reasons or prepare new reasons and go back through the process.
 - c) *If the Director is not in a position to form the view that the draft reasons are legitimate at the meeting* → the Council should defer the decision and request that the Director provide further information (including the obtaining of legal advice if necessary) for consideration at the next meeting of Council.

It should be recognised that by refusing the application, the right of appeal to the Land and Environment Court is available to the applicant.

Important background considerations

- (a) Under Section 352 of the Local Government Act 1993, Councillors cannot instruct a staff member on the content of any advice or recommendation, however they can ask that advice or a recommendation be provided. Section 352 reads as follows:

352 Independence of staff for certain purposes

- (1) *A member of staff of a council is not subject to direction by the council or by a councillor as to the content of any advice or recommendation made by the member.*
- (2) *This section does not prevent the council or the mayor from directing the general manager of the council to provide advice or a recommendation.*

- (b) If Council resolves to determine an application contrary to a staff recommendation, it should recognise that in doing so it may have to employ a planning consultant to defend their decision if an appeal is made to the Land and Environment Court, as a staff member may not be in a position to testify on behalf of the Council for something that is contrary to their own recommendation to the Council.

Documentation

List the name and document reference number of any other document referred to in this document, including any related policies and procedures

250.2016.#.1 Name of Document here

250.2016.#.1 Name of Document here

15.3 WATER AND SEWER PROJECT STATUS REPORT

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Group Manager Water & Wastewater Services
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.1.2.2 Provide water and sewerage infrastructure improvements in accordance with the Water and Waste Water Strategic Business Plan, Integrated Water Cycle Management Plan and other related studies.
Operational Plan Action:	OP6.5 Implement annual Wastewater Capital Works Program.
Attachments:	Nil
Cost Centre	2010 /2110 – Water and Sewer Management
Project	Various water and sewer projects
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

This report provides a summary of the projects and the status of the works undertaken in the water and sewer department

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 status of the water and sewer projects.

BACKGROUND

Water and Sewer Management

Under Water and Sewer Management, following activities are proceeding:

Funding Applications

- Federal Government Building Better Regions (BBR) Grants – Similar to the application made for the Bombala STP which was successful under round 1, an application was made for funding of the Adaminaby STP under round 2 of the BBR funding.
 - NSW State Government Safe and Secure Water (SSW) Grant – This funding consists of 2 stages – Stage 1 is an EOI and if successful it proceeds to stage 2 for the detailed application consisting of a Business Case and Cost Benefit Analyses. Council was successful in the stage 1 application for the Bombala STP and was eligible to submit a stage 2 application by November 2018. However, on advice from the Office of Water, the stage 2
-

application for Bombala STP was submitted on 25th January 2018. This was to meet the deadline for the Ministers approval of funding which was to be made in March with the assessments being completed by February. If Council is successful in winning this grant, the entire project costing 7 million dollars for the Bombala STP will be funded by grants - 50% by the Federal Government and 50% by the State Government.

A stage 1 Application for funding of an options study and business case for the Jindabyne Water Treatment Plant was also submitted on 25th January 2018. This application was completed by Consultants engaged by the Department of Premier and Cabinet who visited Council to assess Council's water and sewer facilities.

Human Resources

Two critical positions for the water and sewer team currently are the Team Leader Planning and Compliance and the Capital Projects Engineer. These 2 positions will be responsible for the delivery of the capital works program. The recruitment of the team leader will be finalised by mid-February and the engineer's position is being advertised. This will enable the water and sewer team to expedite the delivery of the capital works program

Section 64 Development Servicing Plan (DSP)

Since there was an extended delay in the Minister's approval of the S64 guidelines, the former Snowy River Shire Council decided to draw up a S64 DSP plan based on the draft guidelines. However, due to amalgamations this plan could not be adopted and the 2008 plan is still being used. The guidelines has now been approved by the Minister with some changes to the calculation method. The S64 plans of the former Cooma and Bombala Council do not meet the guidelines and a consolidated plan which meets the new guidelines will be drawn up with a planned adoption by June 30 for implementation by 1 July 2018.

Annual Financial Review and Pricing for water and sewer

Request for quotes have been sent to suitably qualified consultants to carry out the work including a Councillor workshop which is proposed for mid-March.

Water and Sewer Capital Works

Delegate Water Supply

As previously reported to Council, the project for the water supply augmentation was to be staged with the installation of the water meters being in stage 1. Stage 2 consisted of the water treatment plant (WTP). It was essential to have good data for the sizing of the plant and hence the need for water meters to get more accurate data of water consumption. The winter consumption was obtained from the October readings and the summer consumption will be obtained from the February readings. Since the report to Council, an asset condition assessment was also carried out (Refer attachment). This report has identified major problems with the intake pump station which if not refurbished may have an effect on the filtration plant.

Staff are now looking at other options such as investigating bore supplies and will seek Office of Water advice on the options available to Council.

This will mean that the boil water alert will remain for some time until the water quality issue has been resolved. The consumers will NOT be charged usage charges in this period and the charge will apply only after the treatment plant / water quality issue has been resolved.

New Fluoridation Plants

NSW Health provided funding for the installation of new fluoride plants at Jindabyne, East Jindabyne and Bombala.

Form 1 approval is being sought from the Office of Water after which quotes will be sought for the supply and installation of these units. The tender document including the drawings and technical specifications have been completed

Adaminaby and Bombala STP Augmentation

- OPTIONS STUDY AND FINAL DESIGN

Work on the options study and the Concept Design has been completed with workshops being held in December 2017 and January 2018. A meeting will be held in Sydney with the EPA and DOI Water at their Office on 5th February 2018. Once the regulatory authorities have reviewed the concept design, work on the final design will commence. The final design has to be completed by 30 June 2018. As reported to Council previously on the award of the design work to Hunter H2O, the cost of the final design work is being negotiated with the Consultant on 6-7% of the project cost. An independent review of the estimate is being carried out to finalise the final design cost and award of the contract for it.

- PROJECT MANAGEMENT

A project of this magnitude will require the appointment of an experienced project manager from a reputed organisation with project management capabilities. Public Works has good systems in place and skilled staff to carry out this work. An expression of interest will be sought and price negotiated for the project management.

Water and Sewer Tenders

The following tenders have been issued and proceeding with the next stage of the tender process as described below:

1. Contract 004/2018 Dewatering And Disposal Of Biosolids From Cooma, Adaminaby, Berridale And Jindabyne STP. Council received three submissions when tender closed on 18 January 2018. Staff will evaluate these submissions and recommend preferred Contractor.
 2. Contract 005/2018 Wastewater Mains Rehabilitation & Construction At Jindabyne, Cooma & Bombala. Only one Contractor attended the compulsory site visit. Staff decided to withdraw this tender and will approach Public Works to execute this.
 3. Contract 006/2018 Supply & Deliver At Cooma Depot – White Medium Rigid Truck Equipped With A 5,000 Litres Liquid Waste Vacuum Tank Suitable For Industrial Liquid Waste As Specified. Council received no submissions when tender closed on 18 January 2018. Staff will approach reputable suppliers directly and obtain quotes.
 4. Contract 007/2018 Water Mains Replacement & Upgrade At Jindabyne, Cooma, & Bombala. Tender will close on 15 Feb 2018.
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QUADRUPLE BOTTOM LINE REPORTING

1. Social

The provision of clean drinking water and efficient sewage treatment provides for the social well-being of the community.

2. Environmental

Environmental impact is assessed as part of project planning and appropriate mitigating measures are put in place.

3. Economic

All planned capital works are accounted for as per the 30 year Financing Plan and reviewed annually.

4. Civic Leadership

Council needs to ensure that the communities that are provided with water and sewerage services have water supply that meet the NSW Guidelines for Drinking Water Management Systems and the sewerage treatment does not have any adverse effects on the environment.

Previous Council resolutions on the Bombala Sewage Treatment Plant Upgrade include the following:

Council Meeting 30th Nov 2016 – Upgrades to Delegate Water Supply and Replacement of Bombala STP.

COUNCIL RESOLUTION

216/16

That Council receive and note the information in the report on

1. The estimated cost of the upgrades to the water supply system in Delegate as follows:
 - o Stage 1 - \$604,925
 - o Stage 2 - \$631,000
2. The estimated cost of the replacement of the Bombala Sewage Treatment Plant as follows:
 - o Stage 1 - \$250,000
 - o Stage 2 - \$400,000
 - o Stage 3 - \$4,000,000

That Council approve the following:

1. To write to the Minister seeking funding options for the construction of the above project/s
2. Proceed with the preliminary work on the projects which includes the concept study and an EIS for the Bombala STP
3. Proceed on the metering of the properties in Delegate, replacing of the rising main and the concept design for the WTP.
4. That the funding for stage 1 of Delegate Water Treatment Plant project be allocated from the water reserves and the funding for stages 1 and 2 of the Bombala STP be allocated from the sewer reserves of the previous Bombala Council.

Approved by Administrator Lynch

Council Meeting 22 February 2017 Grant Funding Applications for Sewerage Infrastructure Project

COUNCIL RESOLUTION

30/17

That Council approve and support the following:

- A. The submission of the application for grant funding for the Bombala Sewage treatment plant upgrade.
- B. The nomination of a consultant to carry out economic analyses to meet treasury guidelines due to lack of in-house expertise
- C. Council co-funding contribution be allocated from reserves
- D. Letter outlining the co-contribution amount be signed by the authorised person of Council (Administrator) to be submitted with the application.

Approved by Administrator Lynch

COUNCIL RESOLUTION (27 September 2017) Federal Government Funding Under “Building Better Regions Fund” for the Augmentation and Upgrade of the Bombala Sewage Treatment Plant

COUNCIL RESOLUTION

197/17

That Council

- A. Receive and note the information in the report regarding the award of Federal Government Funding of \$3.5 million dollars for the augmentation and upgrade of the Bombala Sewage Treatment Plant.
- B. Council seek State Government funding for up to 100% of Councils contribution for this project and seek written advice within 6 week;
- C. Allocate Co-funding contribution from Councils reserves and include a report in regard to the former councils' sewerage funds.

Moved Councillor Stewart

Seconded Councillor Haslingden

CARRIED

15.4 ESTABLISHMENT AND TERMS OF REFERENCE OF THE WASTE MANAGEMENT COMMITTEE

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Manager of Resource & Waste Services
Key Direction:	1. Sustaining Our Environment for Life
Delivery Plan Strategy:	DP1.4.1.1 Provide an integrated waste management service that is socially, economically and environmentally responsible.
Operational Plan Action:	OP1.20 Investigate new technology and implement best practice in waste and recycling management.
Attachments:	1. Draft Terms of Reference Waste Management Committee ↓
Cost Centre	2200 Waste Management
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The Waste Management Committee is to be established for the purpose of investigating and reporting to Council on recommendations for optimum efficiencies relating to Council's waste management operations, services and facilities. Coordinator

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

OFFICER'S RECOMMENDATION

That Council

- a) Receive and note the information in the report for the Establishment and Terms of Reference of the Waste Management Committee
- b) Nominate Councillor representative/s to the Waste Management Committee

BACKGROUND

A Waste Management Committee will be established to provide advice and recommendations to Council regarding Council's waste management operations, services and facilities.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The NSW Local Government Act 1993 requires councils to provide waste management services, which include the provision for waste and recycling collection, treatment and disposal. Council will seek to encourage waste reduction and recycling programs through education programs

across the region and allowing residents to have personal interactions with Council Resource and Waste education staff at local annual events.

There are emerging trends in the area of recycling and therefore opportunities for reselling such items through our buyback facilities has major social benefits both to the consumers and the prevention of such items going to landfill.

2. Environmental

The aim is to ensure that Council's Waste and recycling activities minimise any detrimental effect on the environment, through the saving and re-use of resources and a reduction in the impacts resulting from landfill.

Council is also required to meet minimum standards for the on-going operation of its waste and resource facilities.

Other environmental benefits will be introducing tailored solutions and also seeking solutions to increase landfill capacity in our region for future generations and assisting communities to manage waste and recyclables and utilising re-use resources.

3. Economic

There will be additional costs in running a committee, particularly with staff/Councillor travelling and administration of meetings. The aim will be to provide longer-term savings through better management and avoidance of non-compliance issues, and to ensure pricing of services reflects the operational and long-term costs of ensuring adequate facilities and services are available for future generations.

4. Civic Leadership

Establishment of the Committee is in accordance with requests from Councillors.

TERMS OF REFERENCE WASTE MANAGEMENT COMMITTEE



Date Approved	
Minute Number	
Version Number	
Responsible Officer	
Council File Reference	
Related Policies	
Applicable Legislation	Local Government Act 1993, Local Government (General) Regulations 2005, Waste Avoidance & Recovery Act 2001 Protection of the Environment Operations Act 1997 (POEO Act)

ESTABLISHMENT & TERMS OF REFERENCE OF THE WASTE MANAGEMENT COMMITTEE

1. Establishment of the Waste Management Committee

Local Government Act 1993, the Council establishes a Committee to be known as the Waste Management Committee (“the Waste Management Committee”) for the purpose of investigating and reporting to Council on recommendations for optimum efficiencies relating to Council’s waste management operations, services and facilities and the setting of any proposed annual fees and charges.

2. Membership

The Waste Management Committee shall consist of no less than 3 elected council members and that consideration be given for a fair regional area representation when nominating.

Senior staff attending will be an advisory capacity only, Group Manager Resource and Waste Management, Manager Resource and Waste Facilities, Manager Resource and Waste Services.

3. Terms of Reference

The Terms of Reference for the Waste Management Committee are as follows –

- 3.1** the Committee does not enjoy the delegations of any powers, functions and duties of the Council therefore, all decisions of the Committee will constitute recommendations to Council;
- 3.2** the Committee shall act at all times in strict accordance with the Local Government Act 1993 and the Local Government (general) Regulations 2005 and with written policies and guidelines of the Council which are relevant to the Committee in the performance of its functions;
- 3.3** the Committee shall meet in a designated meeting room at one of Councils offices at a venue, date and time to be determined by the Committee;

SNOWY MONARO REGIONAL COUNCIL – TERMS OF REFERENCE
Waste Management Committee

- 3.4 a quorum for a meeting of the Committee shall be at least 4 consisting of a minimum 2 Councillors;
- 3.5 all decisions of the Committee shall be made on the basis of a majority decision of the members present;

Committee

The Waste Management Committee is charged with development of waste management strategies including;

- 1. Kerbside Collection – general waste, recycling and FOGO (Food Organics and Garden Organics)
- 2. Review and development of Waste Management Strategy (Local and/or sub-regional)
- 3. Resource and Waste Landfill and Facility continuity

15.5 FORMULATION OF NEW SNOWY MONARO LAND USE STRATEGIES AND PLANS

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Group Manager Economic Development and Tourism
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.2.1.1 Ensure that Council's land use planning and development policies enhance liveability.
Operational Plan Action:	OP6.14 Develop a detailed strategic Landuse Strategy for the Region.
Attachments:	Nil
Cost Centre	8010
Project	Developing a new suite of strategic land use planning documents and strategies, including a new Local Environmental Plan, for Snowy Monaro
Further Operational Plan Actions:	OP6.12 Ensure that the local planning framework enhances amenity, safety and sustainability of community neighbourhoods OP6.13 Review Local Environmental Plan

EXECUTIVE SUMMARY

This report provides an update on the development of new strategic land use planning documents for Snowy Monaro, including the new Local Environmental Plan.

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

OFFICER'S RECOMMENDATION

That Council receive and note this report.

BACKGROUND

A necessary implication of the Council merger on 12 May 2016 is the formulation of a new suite of strategic land use planning documents to apply to the new Council area, including the creation of Snowy Monaro Local Environmental Plan. From the perspective of strategic land use planning, the merger was in a broad sense a positive development because it meant that land use strategy could now be thought about in a coordinated fashion across Snowy Monaro. As time goes on this is likely to translate into more consistent planning controls across the region and a more efficient planning process as the region grows and develops. However it will take time to reach this point, and a negative implication of this is that in the short term there will be a mix of different planning policies inherited from the former Councils.

All three former Councils had relatively recent and up to date Local Environmental Plans (LEPs) and Development Control Plans (DCPs) which conform with current legislative requirements. The oldest existing LEP is *Bombala Local Environmental Plan 2012* which was five years old in October last year. The existing Cooma-Monaro and Snowy River LEPs are each just over 4 years old. There is no pressing need to repeal these LEPs due to their age. In fact, when making a new LEP the Minister typically advises Council's that the new LEP should be substantially reviewed every 5 years. In this sense the process of reviewing the existing LEPs with a view to the creation of a new Snowy Monaro LEP over the next two years is in line with the expected review terms of the existing three LEPs.

Because an LEP is a statutory document and a DCP also carries significant weight in legislation it is easy to view these particular documents as the most important aspects of strategic land use planning. To be clear, they are certainly important, but it would be a mistake to view them as the most important aspects of strategic land use planning. In the end these documents are only the enforcement and implementation mechanisms of a vision and strategy that should lie behind them. The Department of Planning, in its 2012 review of the NSW planning system, recognised that there is a need across the state for more emphasis on upfront strategy and vision in the planning system and that the statutory elements and tools of the planning system presently carry too great a focus. Although the entirety of the proposed reforms ultimately failed to pass parliament in the form of a new Planning Act, the Department of Planning and Environment has been successful since then in implementing a number of changes in its practice and policies, and in convincing parliament to endorse changes to the existing *Environmental Planning and Assessment Act 1979* which place a greater emphasis on strategic planning. Some examples of these reforms to date include:

- the creation of Regional Plans across the state, including the South East and Tablelands Regional Plan which applies to Snowy Monaro
- The creation of the Greater Sydney Commission
- The amendment of existing and creation of new Section 117 directions which have greater emphasis on permitting changes to LEPs if they are consistent with a particular strategy or plan
- Requirements for Councils to have community participation plans and strategic planning statements which the Department has indicated will be introduced over time once the most recent amendments to the Act commence on 1 March 2018.

The three former Councils each had varying degrees of land use strategies in place at the time of the merger. In contrast to the up to date LEPs and DCPs in the three former Councils, the land use strategies in place across the new Council region are an ad-hoc mix of documents which are in most cases either too brief, incomplete or aging, or any combination of these. The former Snowy River Council was the most advanced of the three former Councils in the strategic planning space, with a number of important strategies in place (which are now due for review). This can be attributed to the resources allocated to strategic planning by the former Snowy River Council.

The formulation of a coordinated land use strategy for the new Council is considered the highest priority for strategic land use planning at present. This will enable the new Council to solidify its vision for the region (to be broadly expressed in the Community Strategic Plan) and how in land use planning terms it intends to get there. The new LEP and DCP will subsequently then fall into

place in accordance with the strategy to enforce its implementation. Future changes to the LEP will be guided by the strategy and this will accord with the Department of Planning and Environment's direction for planning across the state.

The table below provides a list of what are considered to be key deliverables for strategic land use planning over the next two years. The delivery of new planning policies, particularly a new principal LEP for the whole of a local government area, are notorious for not meeting project time lines. A major factor contributing to this is that many issues to be addressed in the project are only uncovered during the course of the project. These may be particular issues that the community, Councillors or the Department of Planning have strong views about, or could also be unanticipated requirements or policy disputes of a particular government department. It must also be noted that at present Council does not have all positions in its structure filled, and significantly for strategic land use planning this includes a vacant position for a second (senior) strategic planner. The new LEP in particular will also require dedicated time from a GIS officer committed to the project and this is an area where there are also present resourcing difficulties within Council.

In these circumstances the most prudent and least expensive way for Council to proceed is to prepare a discussion paper on strategic planning issues for release and input from the community. This will allow Council to get input very early on in the process from the community and government agencies on what their issues are and prior to the Council forming clear policy directions. It will also provide time for staff recruitment to occur as per the new Council structure and for the resources to be put in place for the more intensive aspects of the project, such as preparation of the new LEP, later in the year. The issues considered through the discussion paper process can then be formulated into a Settlements Strategy and a Rural Land Use Strategy, and further public input sought. Once these strategies are finalised the new LEP will be formulated however it is anticipated that this process will be made considerably easier by this stage because the public will have been previously consulted for the discussion paper and land use strategies and so broad policy directions should already be settled. This leaves the LEP process to be about the finer details of proposed planning controls and mapping. By way of time benchmarks, the Department's 'Guide to preparing a Local Environmental Plan' states 24 months as the benchmark time for preparing a new principal LEP. It is hoped that by undergoing the above process the new Land Use Strategies and the new LEP can be delivered within this timeframe (ie by the end of 2019).

A table of key deliverables for strategic land use planning is shown below:

Deliverable	Purpose/Reason/Comment
Discussion Paper on land use planning issues in region	To highlight planning issues and reset policy focus across the new region. To undertake 'genuine' community and government agency consultation early on in the process before any policy decisions have been made.
Settlements Strategy	To set in place concrete policy directions for the major towns and villages and a vision for their future growth and development To provide policy direction & guidance for the new LEP, DCP & s94 plans.
Rural Land Use Strategy	To set in place concrete policy directions for the rural areas of the region and address a variety of issues unique to rural areas. To provide policy direction & guidance for the new LEP, DCP & s94 plans.

15.5 FORMULATION OF NEW SNOWY MONARO LAND USE STRATEGIES AND PLANS

Snowy Monaro LEP	The key statutory document implementing the policy directions and guidance provided by the Settlements Strategy and Rural Land Use Strategy. To fulfil requirements of legislation.
Snowy Monaro DCP	Details the finer details of planning controls and process requirements across the region. To fulfil requirements of legislation.
Snowy Monaro Section 94 and/or Section 94A contributions plan(s)	To enable infrastructure required by new development across the region to be provided and paid for (in part or in full) by new development. To fulfil requirements of legislation.
Snowy Monaro bushfire prone land map	To fulfil requirements of legislation. To ensure appropriate planning controls are implemented in bushfire prone areas.
Michelago Masterplan	To provide a vision and clear direction for the future development of this village consistent with the Settlements Strategy but examining the finer details involved in rapid expansion.
Jindabyne Masterplan	To build on previous strategies and provide an updated detailed vision for this unique and rapidly growing part of the region.
Snowy Monaro Comprehensive Koala Plan of Management	Completion of a project undertaken to draft stage by Cooma-Monaro Council to protect a unique population of koalas in a specific part of the region. To accord with the relevant state environmental planning policy protecting koala habitat.
Deliverables from the South East and Tablelands Regional Plan	There are a number of implementation actions of the Regional Plan which Council must provide or partner with other government agencies to deliver, across varying time frames.
Formulate a contaminated lands database and policy for the new region	This will provide a resource necessary in development assessment and accord with provisions in the relevant state policy and new DCP.
Formulate a list of land to be reclassified from community to operational land	This ideally will be undertaken in accordance with the development of the new LEP but can also be undertaken later. Key purpose is to free up surplus land owned by Council for disposal or use for a variety of other purposes.
Contribute as required to the Cooma/Bredbo/Michelago/Berridale flood study and floodplain risk management plan	This project is currently being undertaken by consultants and will help inform the land use strategies and new LEP and DCP.

At the Council's previous meeting in November there were several questions from Councillor Beer taken on notice. These questions are shown below with a response provided:

Can a report be provided to Council on the progress of the new combined Regional LEP?

The report above details the broad approach of staff to the delivery of a suite of new strategic planning documents for SMRC, including Snowy Monaro Local Environmental Plan. In terms of specific progress on the new LEP, a detailed comparative review has been undertaken of the similarities and discrepancies between the text of the three existing LEPs. This has highlighted that despite all the existing LEPs conforming to the Department's 'standard template' LEP, there

remain important differences in the detail between all sections of the three LEPs. Many of these discrepancies are not easily resolved and at some point Council will need to make a decision, for example, on whether it wants standardised development controls across different parts of the region or whether it wants controls specific to a particular location. There are many other decisions like this that will need to be made as the process is undertaken. That is why, before immersing itself in the detail of the LEP, it is better for Council to first think at a broad scale about the region more generally and formulate a vision for where it wants it to go and what this may mean for the relevant planning issues that need to be addressed. It is intended that the discussion paper process followed by the formulation of the Settlements Strategy and Rural Lands Strategy is the most effective means to move Council from the large scale to the small scale and from the general to the specific as the process moves on. This is also consistent with the direction the Department of Planning and Environment are setting at present which is for there to be a greater emphasis on upfront strategy and community consultation.

Can the report include at least the following:

The statutory process required to combine the three (3) existing shire LEP's into a regional LEP

The statutory process for preparing a new LEP is set out in Part 3 of the *Environmental Planning and Assessment Act, 1979*. The process is the same whether it is for a new principal LEP (LEP applying to the whole of a Council area) or an amendment of an existing LEP (known as an amending LEP). Part 3 of the Act was substantially amended in 2008 to simplify and improve the process of making an LEP. The process now basically involves the following steps:

- Council prepares a document explaining and providing justification for the proposed LEP, known as the 'Planning Proposal' (s.55)
- The Planning Proposal is submitted to the Minister for a 'gateway determination' (s.56)
- The Council carries out the requirements of the gateway determination which generally include consulting the community and government agencies, preparing detailed reports, if required holding a public hearing, and meeting the time frame for completion of the project as specified by the gateway determination (s.56-57)
- Following completion of the gateway determination requirements the Council reconsiders its proposal in light of community and government agency consultations and decides whether to proceed with the planning proposal or alter it. It must notify the Minister of its decision and follow any subsequent instruction of the Minister (eg to re-exhibit any changes) (s.58)
- The Minister decides whether or not to make the Plan (s.59)
- It is important to note that during the last stage where the Plan is with the Minister is when the actual legal instrument is drafted. Consultation occurs with Council staff at this point regarding the wording of specific clauses and whether they are consistent with the Planning Proposal endorsed by Council however it is the Ministers decision whether or not to make the Plan and what the exact wording of the instrument should be.

The various government departments and body's that need to be consulted;

A new principal LEP is a statutory document carrying the weight of legislation. As such consultation with government departments and agencies is wide ranging. The Minister's gateway

determination will instruct Council as to the government agencies which must be consulted and Council will need to comply with this requirement. However, it is expected the list will include:

- The Office of Environment and Heritage
- Roads and Maritime Services
- Environment Protection Authority
- Department of Industry and Investment
- Property NSW (Crown Lands)
- National Parks and Wildlife Service
- Department of Education
- Department of Health
- Forestry Corporation NSW
- Family and Community Services NSW
- Water NSW
- Department of Primary Industries (including Fisheries, Mining, Geology units)
- Snowy Hydro
- Local Aboriginal Land Councils
- All adjoining local councils
- ACT Planning
- Rural Fire Service
- Heritage Office

Consultation with many of these government agencies and other bodies would also occur during the stages of the discussion paper and development of the Settlement Strategy and Rural Land Use strategy. As such, it is anticipated many of these agencies will have already had input into the process by the time consultation on the actual LEP is required.

The anticipated time frame to complete the LEP;

The Departments benchmark time period for the completion of a new principal LEP is 24 months. The project cannot start in earnest until the appointment of a senior strategic planner within Council's structure as highlighted earlier in this report. However, a timeframe of the end of 2019 to deliver a discussion paper, Settlements Strategy, Rural Land Use Strategy and new LEP is the objective of staff at present.

The merit or otherwise of including the former shires settlement strategies in to the existing LEP's or combining such into the new Regional LEP

As highlighted earlier in this report the former Councils had mixed levels of development of existing planning strategies. In addition, these strategies did not take into account the wider regional context, but were focussed on the former local government areas. It is considered these existing documents provide a good foundation to build upon but they cannot be directly translated into a new Snowy Monaro LEP without further future strategy directions being formulated in the context of the new Council region. To push on without new strategies in place will immediately destine the new Council to future strategy 'on the run' and miss a golden opportunity to allow strategy to get ahead of operational demands rather than have it constantly trying to catch up with such demands. Good strategy is beneficial for growth and investment in

the medium to long term because it enables investors to clearly see where the region intends to go. This provides a level of increased certainty which is what investors crave when making decisions.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The directions set in Council's land use strategies and the new Local Environmental Plan will indirectly influence social aspects of the community in the medium to long term.

2. Environmental

The Council's new suite of strategic land use planning documents will have a direct influence on the environment because they will specify what types of development should occur in specific locations. They will also limit development in specific locations.

3. Economic

At present the strategic planning project is proceeding from within existing budgets and staff resourcing. However, as the project develops there are likely to be areas where the specific expertise of a consultant may be required. Requests for additional funding if required can be made at that time, however to ensure maximum expediency of the project it would be beneficial if Council allocated an initial amount of \$200,000 for this purpose.

4. Civic Leadership

Preparing a new suite of strategic land use documents presents a major opportunity for the Council to demonstrate leadership and vision to the community. These documents will set the geographical direction for the growth and development of the region for years to come.

15.6 MOD4009/2018 AMENDMENTS TO STAGE 7 HIGHVIEW ESTATE SUBDIVISION JINDABYNE

Record No:

Responsible Officer:	Group Manager Development & Building Certification
Author:	Manager Development Assessment
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.2.1.1 Ensure that Council's land use planning and development policies enhance liveability.
Operational Plan Action:	OP6.11 Ensure development assessment is undertaken in accordance with adopted Local Environmental Plans, Development Control Plans, Council Policy and State and Federal legislation.
Attachments:	<ol style="list-style-type: none"> 1. Draft Amended Conditions of Consent MOD4009/2018 ↓ 2. Amended Plans MOD4009/2018 ↓ 3. Cover letter submitted with application form MOD4009/2018 ↓ 4. Reponse from applicant regarding Barry Way intersection requirments MOD4009/2018 ↓ 5. Previous approved plans with lot layouts DA0079/2006 and MA2016/0002 ↓ 6. Submissions MOD4009/2018 ↓ 7. Application Form MOD4009/2018 ↓

Further Operational Plan Actions:

Applicant Number:	MOD4009/2018
Original DA Number:	DA0079/2006
Applicant:	Coast Plan Consulting
Owner:	Village Style Retirement Services Pty Ltd and Wytown Pty Ltd
DA Registered:	5/10/2017
Property Description:	Lots 28 DP1106444 and Lot 11 DP1035279
Property Number:	108355
Zone:	R2 – Low Density Residential, RU1 – Primary Production
Current Use:	Partially developed residential subdivision
Approved Use:	Residential Subdivision 224 lots
Proposed Modification:	Reconfiguration of Stage 7
Permitted in Zone:	Yes
Recommendation:	That the modification be approved as submitted

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's approval to modify DA0079/2007 in which approval was granted for a 207 lot residential subdivision known as Highview Estate. This will be the tenth modification to the original approval and seeks to amend the staging of the proposal, modify the layout and number of allotments and internal roads within stage 7 of the subdivision. The modification of the allotment layout and internal road network to service these lots provides for construction that will have less excavation during road construction due to the topography of the site and improve access to the proposed lots.

The application was notified and advertised and Council received 5 submissions which related in the most part to traffic and road issues currently being experienced in the already developed portion of the subdivision and the concern that this modification will further exacerbate those issues. These submissions have been considered in the assessment of the modification.

It is recommended that the modification be approved as requested and that when a further report comes before Council for the rural residential subdivision (DA40001/2018) that amendments be made to DA0079/2006 to bring forward the Barry Way intersection with Jillamatong Street from stage 8 to within 12 months of the release of the subdivision certificate for stage 7B.

RECOMMENDATION

That Council

- A. Pursuant to section 96(2) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that MOD4009/2018 being an amendment to DA0079/2007 on Lots 11 & 12 DP1216242 and Lot 32 DP1118132 be approved subject to amended conditions attached:
- B. Advise those persons who made a submission to MOD4009/2018 of Councils decision

BACKGROUND

DA0079/2007 was an approval for the staged subdivision of 207 residential lots described as 'Highview Estate', Jillamatong Street, Jindabyne. The subdivision was to occur over 12 stages. The approval has been modified nine times mostly relating to the splitting of stages and the removal of a condition requiring a second access into the development (MA2016/0002). MOD0022/2009 increased the number of lots to be subdivided from 207 to 224 as it reduced in size a number of the lots along Twynam Street.

To date five stages have been completed. The current proposed modification seeks to further amend the subdivision layout of 35 lots within approved stage 7. The modification and associated lot changes will reduce the total number of lots from 224 to 215. The modification seeks to make no changes outside stage 7.

This modification proposes to amend the subdivision layout and reconfigure the lots within the sub stages of stage 7. It seeks to relocate road 5 (as shown in the approved plans for MA2016/0002) which will now move to the southwest and connect with Road 1 (Twynan Street) with Jillamatong

Street. This is consistent with the original approved location of road 1 which can be seen in the approved plans. It is a minor modification that reduces the number of lots within stage 7 from 36 to 35.

This modification will result in less excavation during road construction and improve access to the proposed lots due steep topography in the area.

Previous Amendments:

MOD0067/2007	Modification to Stage 2
MOD0003/2008	Modification of Conditions 55 & 57
MOD0016/2008	Modification to Conditions 71 and 73
MOD0022/2009	Modification for decrease in Lot sizes
MOD0013/2010	Modification to Condition No 5
MOD0011/2012	Modification to Stage 4 (Stages 4a, 4b & 4c)
MOD0028/2014	Modify Stage 4C lot layout & increase lot sizes to 850m2
MOD0001/2016	Amend layout & provide a layout for Stage 8
MA20016/002	Amend staging and lot layout for stages, 6, 7 and 8, create a 'development lot' for the further development for the purposes of seniors housing and inclusion of the construction of a new sewer pump station to service proposed lots within the development.

Associated Development Applications

DA4001/2018 – 24 Lot Rural Residential Subdivision (yet to be determined)

ASSESSMENT

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

State Environment Planning Policies (SEPPs)	None specifically relevant
Local Environmental Plan (LEP) (including draft LEPs)	Snowy River LEP 2013.
Development Control Plans	Snowy River DCP 2013

SECTION 96(2) - ASSESSMENT

In order to amend a development application under S96(2) of the Environmental Planning and Assessment Act 1979 Council must be satisfied that:

- The development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified.

The development is considered to be substantially the same as that which was approved as it is a residential subdivision with lots of a size meeting the requirements of the Snowy River LEP 2013. The application merely seeks to reconfigure lots and associated minor changes to road layouts within approved stage 7

- Consultation has occurred with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed

to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and

There were no conditions to be amended that required the concurrence of any Minister, public authority or approval body (within the meaning of Division 5).

- The application has been notified in accordance with a relevant development control plan :
The application was notified to adjoining owners and publicly advertised
- Any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be have been considered.

Consideration of the five (5) submissions received is outlined below

Council must also take into consideration the matters referred to in section 79C (1) as are of relevance to the development the subject of the application, a summary of this assessment is shown below.

SECTION 79C

Section 79C and EP&A Act Checklist

The suitability of the site for the development:	The site is generally suitable for development.
The provisions of any environmental planning instrument and draft environmental planning instrument:	<p>The proposal has been assessed against the provisions of all relevant SEPP's and the development has been found to achieve an acceptable level of compliance.</p> <p>The proposal has been examined in detail against the provisions of SRLEP2013 and has been found to achieve an acceptable level of compliance</p> <p>All proposed lots are above the 700m2 minimum lot size within this area.</p> <p>The site is not located within the Lake Jindabyne Scenic Protection Area</p> <p>As approved by MA2016/002 part of the development encroaches into the adjacent RU1 zone adjacent, this further modification does not seek to exceed what was previously approved. It now reinstates a road that was in the original approval plan of subdivision.</p>
The provision of any development control plan:	<p>The application generally complies with the provisions of Council's relevant development control plans.</p> <p>The modification has been assessed against the</p>

	<p>relevant provisions of the SRDCP2013.</p> <p>Appropriate design considerations have been taken into account in the design of the proposed subdivision.</p> <p>The area is largely cleared land.</p> <p>The provision of services to the site will be in line with the pre-existing conditions for High view Estate, excepting the modification to conditions that relate to the provision of sewer infrastructure. These conditions are proposed to be amended to allow for the developer to either connect to Councils existing pump station no.6 and augment as required to facilitate the development or construct a new pump station that will service the development.</p> <p>Access to the proposed lots will be through newly construction public roads which will be required to be upgraded to the “collector” road standard as required in the original conditions of consent.</p>
Any matters prescribed by the regulations:	The application generally complies with the <i>EP&A Regulation 2000</i> .
The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality:	The adverse impacts of the modification are considered to be minor in nature. The development is consistently the same as that which was approved in 2007. A reduction in the number of residential lots, closer to that which was original approved in 2007 and the provision of a more rationalised and better function internal road system will provide for a better outcome socially for those living within the existing subdivision.
Any submissions made in accordance with the EP&A Act or the regulations:	The application was notified and advertised and 5 submissions were received. These are considered below .
The public interest:	The proposal is not contrary to the public interest, as it complies with the Council’s standards and will not contribute to creating an undesirable precedent.

SUBMISSIONS

The application was notified, in accordance with relevant DCP requirements and the relevant statutory regulations. Notification letters were sent out to adjoining landowners and exhibited for a period of “14” days.

The application was publicly advertised, in accordance with relevant DCP and the relevant statutory regulations.

Submission 1	Officer Response
<p>Objection to the application</p> <p>Barry Way exit is needed</p> <p>New plan shows only Jillamatong Street and Twynam Street as access to the subdivision</p> <p>Twynam Street is narrow and not suitable as a feeder road</p>	<p>This is a modification application that does not remove the access approved by the original consent for the Barry Way exit. It is acknowledged however that that plan provided with the modification does not show the exit as approved. A condition of consent will be included in the modified application to ensure that it is clear the exit is still required by condition 58.</p> <p>The further extension to Twynam Street is a wider road than the existing portion and it will be completed in stage 7C of the development as such the impact on the existing Twynam Street will be limited until that time.</p>
Submission 2	Officer Response
<p>Objection to the application</p> <p>Objection also lodged to DA4001/2018</p> <p>Planned extension of Twynam Street as a through road rather than ending at the current cul-de-sac</p> <p>Pedestrian and Open Space links on provided</p> <p>Assessment of traffic impacts from this development must take into account the scale of the development expected to occur on the subdivided lots.</p> <p>Concerns that the existing approval is not consistent with the DCP for High view Estate</p>	<p>Council cannot consider an objection to another application as part of the assessment of this modification however it is acknowledged that there are issues being raised as to the suitability of further traffic in Twynam Street</p> <p>The current cul-de-sac is a temporary treatment to allow for large vehicles to turn until the road is extended as approved by the original plan.</p> <p>It is difficult in situations where there is an existing staged consent being developed over many years to understand where the roads are to go permanently when a temporary treatment like the one referred to in the submission may be there for 10 years.</p> <p>Pedestrian and open space links are required under the approved plan and this modification does not impact on the provision of this infrastructure nor does it seek to remove the requirement for it.</p> <p>The traffic generation for the subdivision was assessed when the development application was originally approved. This modification does not seek to increase the number of lots within stage 7 and instead is reducing this number by</p>

	<p>one. As such the concerns with traffic generation overall within the subdivision cannot be considered as part of this modification.</p> <p>This modification cannot be used to reassess the entire subdivision. This modification cannot resinate an exit onto Gippsland Street as it was not approved as part of the original plan and the modification is merely realigning existing approved lots within stage 7.</p> <p>Council cannot make a change to condition 58 relating to the provision of an intersection with the Barry Way and Jillamatong Street as it is not increasing the traffic demand over and above what was taken into consideration in the drafting of the condition under a previous approval.</p>
Submission 3	Officer Response
<p>Direct access to the Barry Way from the subdivision</p> <p>Footpaths and pedestrian links and Parks</p>	<p>Access to the Barry Way via Jillamatong Street is still a requirement in the consent and will not be impacted by this modification.</p> <p>The footpaths, links and parks are already approved as part of the subdivision this modification deals only with changes to stage 7.</p> <p>The modified conditions of consent will ensure that any required footpaths are implemented in accordance with the revised stages and road layout. However they cannot be increased past what is already approved.</p> <p>The open space area shown in the objection is a zoned public open space as part of the original approval.</p>
Submission 4	Officer Response
<p>All cars have to leave the estate via Jillamatong St then onto Gippsland st, with little or no access apart from along Twynam St for some residents, which is a very narrow and congested street particularly when cars are parked both sides. Another 35 lots will only exacerbate the current situation.</p> <p>An exit via Barry way would help residents to leave easily, the Barry way tho already showing stress in winter is a much needed option to</p>	<p>The issues with the width of Twynam Street cannot be dealt with as part of this application as they are an existing part of the approval which this modification does not seek to change. Not approving this modification will not stop traffic from using Twynam Street as the approved plans shows the road extending past its current temporary end point.</p> <p>As discussed above the intersection in question has not been removed as part of this modification and will be a requirement in the</p>

<p>assist traffic flowing in and out of the Estate.</p> <p>The new road widening development on Kosciusko Rd west lane will help with Barry way gridlock and holdups in winter and it will be easier for High view residents to go straight out onto The Barry way rather than on Gippsland and then Reedy thus cutting further congesting traffic along these streets to then enter The Barry way</p>	<p>further development of the land.</p>
Submission 5	Officer Response
<p>Barry way intersection</p> <p>Road safety concerns Twynam Street</p> <p>Second access to the estate is required</p>	<p>As discussed above the intersection in question has not been removed as part of this modification and will be a requirement in the further development of the land.</p> <p>The issues with the width of Twynam Street cannot be dealt with as part of this application as they are an existing part of the approval which this modification does not seek to changes. Not approving this modification will not stop traffic from using Twynam Street as the approved plans shows the road extending past its current temporary end point.</p>

The application was notified and advertised and Council received 5 submissions in which the major concern was the traffic generation coming from the development, its impact on Twynam Street and the requirement for an additional access point to the development.

Under MA2016/0002 the applicant applied to Council to delete condition 58 which would remove the requirement for an intersection between the Barry Way and Jillamatong Street (as extended by the development) and for all traffic from the development would use Jillamatong Street to exit the subdivision. Council did not agree to the deletion of this condition and instead further delayed the requirement for construction of the intersection until the end of stage 8. As such this application cannot require this intersection to be constructed earlier than that required by condition 58 as it is not increasing traffic demand over that which was to be generated by the development up to and including stage 8.

Council officers investigated an option to not allow the continuation of road 1 (Twynam Street) into stage 7C by way of a cul-de-sac in the approximate location of the existing temporary treatment. Although contrary to the approved plan the proposal was taken to the applicant and preliminary drawings were drafted to see if this option was viable. It was determined that due to the area in which the cul-de-sac could be reasonably located due to topography it would still have increased the number of lots using Twynam Street for access and in the event of the Barry Way intersection being

constructed it would have forced all new traffic from these sites and the existing traffic back along Twynam Street giving only one access rather than if Road 1 was allowed to continue as previously approved.

Due to the sequencing of the stages (which must happen in order) it is not until stage 7C that a further impact would occur in Twynam Street with stages A and B using Jillamatong Street for access.

There is currently a proposal before Council which has been lodged for undeveloped R5-Large Lot Residential land within Highveiw Estate. This application (DA4001/2018) proposes to access using the lower portion of road 1 (called Rawson Street) as shown on the modified development plans. This would increase the traffic on Rawson Street over that which was approved for stages 7 and 8 it is the intention of the applicant to “borrow” traffic generated from lots within stage 7 to allow for the use of Rawson Street for access the rural residential estate. The effect that this would have would be that the contentious part of the modification (being the continuation of Twynam Street - stage 7C) would not be developed until an intersection was constructed or council had determined that one was not required (in compliance with condition 58 of the original approval). This is referenced in the correspondence from the applicant attached to this report.

Whilst it is recommended that this modification be approved as requested, when a further report is presented to Council for the rural residential subdivision (DA4001/2018) amendments can be made to DA0079/2006 to bring forward the requirement to construct an intersection between the Barry Way and Jillamatong Street to mitigate the impact of increased traffic from the new R5 lots.

CONCLUSION

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

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The issues raised by the community in relation to traffic impacts currently being felt on Twynam Street are an issue what will need to be further investigated when Council considers the applciaiton for the large lot residential subdivision currently lodged.

2. Environmental

The modification is not considered to have adverse environmental impacts. The changes to lot layout and road location will reduce the need for excavation of the site and minimise construction impact. The environmental impacts of the overall subdivision development were assessed as part of the original development application.

3. Economic

The developer is required to pay development contributions for the lots as prescribed in the development consent. Any associated infrastructure works are required to be paid for by the developer and installed and constructed to Councils specifications.

4. Civic Leadership

The original development application (DA0079/2007) was referred to Council due to the scale of the proposed development and as such it is appropriate to present this modification to Council for final determination as there were some community concerns with the application.

Draft Amended Conditions of Consent MOD4009/2018

All conditions proposed to be amended by this approval are highlighted in yellow

GENERAL MATTERS

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

The subdivision is to comply with DA0079/2007 as originally submitted to Council on 2/11/2006, except where varied by the following modifications MOD0067/2007, MOD0003/2008, MOD0016/2008, MOD0022/2009, MOD0013/2010, MOD0011/2012; MOD0028/2014; MOD0001/2016, MA2016/0002, MOD4009/2018 and the following amended plans and information, including:

- (a) Subdivision Plan prepared by Peter Burns Survey Plan, Dwg. No. SB01 B being Annexure 'B' to the Applicants notice of motion filed on the 13 April 2007 in Land and Environment Court Proceedings No. 11254 of 2006;
- (b) Development Plans prepared by Northrop Consulting Engineers, Job No. NW050042, Dwg. No's:
 - (i) C101 DA, Issue C, dated 05/04/2007;
 - (ii) C102 DA; Issue C, dated 05/04/2007;
 - (iii) C103 DA; Issue C, dated 5/04/2007;
 - (iv) C104 DA, Issue C, dated 05/04/2007;
 - (v) C113 DA; Issue B, dated 05/04/2007;
 - (vi) C114 DA; Issue B, dated 5/04/2007 (refer to conditions of the RTA),
 - (vii) Approved subdivision plan by Peter Williams Burns, dated 31/8/2007,
 - (viii) Approved subdivision plan (enlargement of proposed Public Reserve) by Peter Williams Burns, dated 31/8/2007, and
- (c) Landscaping Plan prepared by Moir Landscape Architecture, Dwg. No. LP01, Issue 2, dated April 2007,
- (d) Subdivision Plan prepared by AWP Group – Drawing No A01 rev D dated Nov 08.
- (e) Amended Staging Plan (Stages 3-8) A-01 Revision I dated November 08
- (f) Amended Staging Plan (Stages 4A-4C) A-01 Revision I dated November 08 (stamped by Council MOD0011/2012, 28/2/2012)
- (g) Amended stage 4C plan –overall site plan (C4C-02, dated 1/05/14)
- (h) Amended Stage 4C proposed lot layout (C4C-04, dated 25/03/14)
- (i) Amended Staging Plan and Layout for former Stage 8 (Proposed Stage 5) (C8 – L00, Dated 23/07/2015)
- (j) Amended Stage 5 (Former Stage 8) Lot Layout (C8-L01, Dated 25/06/2015)
- (k) Amended Staging Plan and Lot Layout showing all 12 stages C6_DA1 Rev 2 (dated 9/09/2016) (added by MA2016/0002)

- (l) Amended Staging Plan and lot layout for stages 6,7 and 8 C6_DA2 Rev3 (dated 13/09/2016) (added by MA2016/0002)
- (m) Review of Intersection Capacity and Requirements Highview Estate Jindabyne prepared by SECA Solution Dated 4/12/2015 (added by MA2016/0002).
- (n) Amended Staging Plan and lot layout for stage 7 (7A, 7B and 7C) NL0705153 S7-96 (1) 6.9.17 (Added by MOD4009/2018)
- (o) Amended Staging Plan showing all lots within Highview Estate NL070153 MP7(1) 7.9.17. MOD4009/2018 does not approve the deletion of the Barry Way intersection as shown on this plan or the lot layout for the rural residential subdivision (which is not part of this development application) this plan is stamped only to show the approved staging of the development (MOD4009/2018)

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

2. Sequence of stages and construction of infrastructure (Last Modified by MOD4009/2018)

Each stage of the subdivision is to proceed in ascending numerical order in accordance with AMENDED staging plans 2A & 2B SB01 (dated 18/7/2007) and C104 DA (Issue C, dated 05/04/2007) and stages 4A, 4B (Revision I, Dated Nov 08) and C (C4C-02 dated 1/05/2014),stages 5A & 5B (C8 - L00, Dated 23/07/2015), stages 6, 7A, 7B, 7C (S7-96 Revision 1 dated 6/09/2017) and 8 (C6_DA2 Revision 3 dated 13/09/2016) and stages 9, 10,11 and 12 (C6_DA1 Rev 2 dated 09/09/2016).

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

3. Interpretation (Amended MOD4009/2018)

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

The area shown as 'Rural Residential' on approved plan MP7 Revision 1 7/09/2017 does not form part of this development approval.

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

4. Building Industry Long Service Levy

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

5. Bond (Amended by MOD0013/2010 and MOD4009/2018)

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

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

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

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

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

These bonds may be in the form of a cash bond or unconditional bank guarantee and are refundable upon written application and subject to an inspection 12 months

after the works are accepted by Council as being "on-maintenance" for each stage.

The Bank Guarantee:

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

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

6. Stormwater Management Plan

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

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

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

7. Environmental Management Plan

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

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

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

- (i) Soil and water management
 - (ii) Dust suppression
 - (iii) Litter control
-

- (iv) Noise control
- (v) Waste management
- (vi) Dangerous/hazardous goods storage
- (vii) Emergency response and spill contingency.

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

8. Stormwater drainage – inter-allotment system

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

9. Easements for services

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

10. Footpath construction strategy

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

11. Soil classification

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

DURING CONSTRUCTION

12. Prior to commencing any subdivision construction works

Prior to commencing any subdivision construction works, the following provisions of the *Environmental Planning and Assessment Act 1979* are to be complied with:

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

13. Pre-works commencement meeting

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

14. Approved certified plans and specifications to be available

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

15. Compliance certificate & inspections

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

- (a) After placement of all signs in accordance with the approved Traffic Control Plan;
 - (b) After stripping of topsoil from roads and fill areas, all Soil and Water Management Plan controls shall be in place at this stage;
 - (c) After completion of road sub-grade;
 - (d) After placement of water service conduits prior to backfilling;
 - (e) After placement and compaction of each layer of gravel pavement material;
 - (f) During application of bitumen seal or asphaltic concrete wearing surface;
-

- (g) After laying and jointing of all stormwater pipelines prior to backfilling;
- (h) After laying and jointing of all water supply pipelines prior to backfilling;
- (i) After laying and jointing of all sewerage pipelines prior to backfilling;
- (j) During pressure testing of all water supply pipelines;
- (k) During pressure testing of all sewerage pipelines;
- (l) During testing of all sewer manholes;
- (m) After completion of works; and
- (n) As otherwise required to confirm that the works are satisfactorily executed and in conformity with environmental controls.

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

16. Owners Consent – neighbouring properties

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

17. Water sensitive urban design

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

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

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

18. Footpath construction (all stages)

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

- (a) Concrete pavement not less than 1.2 metres wide;
- (b) Minimum concrete thickness 75 mm; and
- (c) Minimum concrete strength grade 20 MPa.

19. **Road turning areas during stage completion (Last Modified by MA2016/0002 and MOD4009/2018)**

1. Suitable 10 metre radius bitumen sealed vehicle turning areas are to be provided at street ends which connect with future roads in later stages in accordance with Council's Development Design and Construction Specifications. Affected stages include:

- a) Stage 6a (x1);
- b) Stage 6b (x2); and
- c) Stage 7c (x1);

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

- a) Stage 3 (x2);
- b) Stage 5a (x1);
- c) Stage 7a (x1);
- d) Stage 7c (x1);
- e) Stage 9 (x2);
- f) Stage 10 (x2); and
- g) Stage 12 (x1).

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

20. Underground electricity servicing

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

21. Battleaxe Driveway (Single & Double)

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

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

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

22. Street lighting

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

23. Telephone servicing

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

24. Stormwater drainage – Council system

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

25. Public liability

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

26. Site notice

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

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

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

27. Public access, site security and safety

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

28a Independent services

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

28. Adjustment to public utility services

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

29. Requirements of public authorities

The applicant is to comply with the requirements of any public authorities (e.g. Country Energy, Telstra Australia, etc) in regard to the connection to, relocation

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

30. Traffic control plan

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

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

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

31. Roads – arterial road works

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

32. Compliance – traffic safety during construction works

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

33. Independent water and sewerage

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

34. Construction vehicle and machinery access

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

35. Construction – no removal of native vegetation

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

36. Temporary sanitary facilities

Toilet facilities are to be provided at, or in the close vicinity of the work site on each stage of the development at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

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

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

37. Amenity

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

38. Construction – hours of work

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

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

39. Erosion & sediment control

The developer is to ensure that where site works are undertaken including all excavations, land clearing and materials storage, all topsoil that is removed is stripped and stockpiled in an appropriate location for future revegetation works. The stockpiled area is to be encircled by a geofabric filter fence.

40. Erosion and siltation control measures

The developer is to ensure that erosion and siltation control measures are installed and maintained on the site for the entire length of the construction project. Erosion control measures are to include the placement of hay bales staked in the ground or the erection of geo-fabric filter fencing at the bottom of all areas where cut and fill is carried out and within any existing drainage areas from those cut and fill areas. These control measures are to be in accordance with the requirements of the consent authority and best management practices as outlined in the NSW Department of Housing *Soils and Construction, Managing Urban Stormwater 4th Edition, March 2004 – the Blue Book*.

41. Protection of trees

All street trees will be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction, will be replaced, to the satisfaction of Council.

42. Site management

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

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

43. Materials storage

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

44. Dust control measures

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

45. Revegetation works

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

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

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

46. Environmental – appropriate disposal of excavated or other waste

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

47. Aboriginal cultural heritage – uncovering relics

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

48. Subdivision – street lighting

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

49. Subdivision – fire hydrants

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

50. Signs – further development application required

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

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

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

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

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

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

SPECIFIC CONDITIONS APPLICABLE TO STAGES 3–12

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

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

54. Road construction (Access Road 7)

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

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

55. Road construction (Collector roads Pt1*,Pt2** 3, 4, 5 6, Pt 8, 9 & 11) (Amended by MOD0067/2007 & MOD0003/2008 & MA2016/0002 & MOD4009/2018)

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

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

- * provision of concrete edge strip in lieu of Barrier kerb for that section of Road 1 that adjoins the open space
- ** extension of Twynam Street where it continues to service stage 7C

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

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

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

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

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

- (a) Water Sensitive Urban Design principles incorporating layback kerb and gutter /edge restraints on one or both sides with a width of 8 metres between nominal kerblines are to be designed and installed in accordance with section 4.1 of Council's *Development Control Plan 1998, Circular H3, Highview Estate* as adopted by Council on 21 November 2006;
- (b) Stormwater and subsoil drainage works;
- (c) A bitumen sealed road pavement extending for the full width between the kerb and gutters or edge restraints (specifically for stage 4a – from the boundary of lots 25 and 26 to the boundary of lots 43 and 44, for stage 4b – from the boundary of lots 43 and 44 to the boundary of lots 33 and 34, for

- stage 4c – from the boundary of lots 33 and 34 to the boundary of lots 38 and 76;
- (d) Grassing of footway areas and the planting of street trees or alternative landscaping as approved by council;
 - (e) Provision of street lighting;
 - (f) Erection of road name signs. The road name must be approved by Council in advance and must be shown on the final plan of subdivision; and
 - (g) A dished concrete driveway pavement 3m wide for access to each lot must be provided (only on that side of the road that is provided with a dished drain). The pavement shall have a minimum concrete strength grade of 25 MPa, minimum thickness of 150mm and minimum reinforcement of SL72 mesh.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- a) construct the road intersection of Road 6 (Jillamatong Street) with Barry Way as required to the following specifications

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

OR

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

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

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

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

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

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

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

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

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

- (a) The junction of Kosciusko Road and the site access road shall be constructed as a full 'seagull' in accordance with the RTA Road Design Guide. For safety reasons, the left slip lane must be sufficiently separated
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- from the through-traffic lane at the junction to ensure that the driver decision making process for right turning vehicles utilising the junction is not compromised.
- (b) The applicant shall provide suitable direction signage to provide for the changed traffic conditions. The applicant shall submit a 'signs and marking plan' to the RTA for approval.
 - (c) Street lighting at the new junction shall be provided in accordance with Australian Standard AS/NZS1158.
 - (d) Safe Intersection Sight Distance (SISD) to the RTA's standards shall be available for all movements to and from Kosciusko Road. The applicant would be required to undertake any necessary earthworks to achieve SISD. Landscaping and fencing shall not restrict vehicular sight lines on Kosciusko Road.
 - (e) Geometric road design shall be in accordance with RTA Road Design Guide. Pavement design shall be in accordance with the AUSTROADS Pavement Design Guide. All design shall be for the existing speed zone.
 - (f) All roadworks associated with this development will be at no cost to the RTA and shall be completed prior to the issue of a Subdivision Certificate for Stage 9.
 - (g) The developer shall attain Section 138 Approval from Council with RTA concurrence for works within the Classified Road Reserve.
 - (h) The developer shall apply for a Road Occupancy Licence (ROL) from the RTA Traffic Operations Unit (TOU) prior to commencing work within the classified road reserve or within 100m of traffic signals. The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Direction to Restrict will also be required from the TOU. Please allow 2 weeks prior to commencement of work to process the Road Occupancy Licence.

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

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

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

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

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

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

The Developer shall construct at no cost to Council a sewage pumping station at the location shown on the amended Highview Staging plan titled "Proposed Lot Layout", drawing number C6_DA2 Revision 4 and provide to Council a sewer servicing plan to ensure that spare capacity is available in the existing gravity sewer mains discharging to and including sewage pumping station JSPS4. Should it be determined that there is insufficient spare capacity, then the means to achieve this must be demonstrated and provided for at no cost to Council.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

67b. Fencing (Stages 5a & 5b & 7c) (Added by MOD0001/2016 and amended by MA2016/0002 and MOD4009/2018)

To ensure that fencing is used in a way which enhances safety, the developer shall put in place a suitable 88B 'restriction' under the *Conveyancing Act 1919* to ensure that lots 5 – 8 and 14 – 19 (both lots inclusive) of proposed Stage 5 and lots 40-46 (inclusive) in proposed stage 7C, maintain rear fences that are predominantly open in design.

68. Excavation works (Stage 9)

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

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

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

69. Road access restriction (Stage 9)

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

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

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

- (a) The Right-of-Way is to benefit Lots 125, 126 & 194 only;
 - (b) A 'restriction' under section 88B of the *Conveyancing Act 1919* is to be created on the Titles of Lots 128 & 195 restricting access to Lots 128 & 195 from the Right-of-Way. Lots 125, 126 & 194 are to be the only beneficiaries of the restriction;
 - (c) There shall be no more than a single dwelling on each lot unless the Right- of- Way is upgraded to "Access Road" standard, as specified in the Highview Estate DCP Circular H3;
 - (d) Concrete pavement not less than 3.0 metres wide;
 - (e) Minimum concrete thickness 150mm;
 - (f) Minimum concrete strength grade 25MPa;
-

- (g) Minimum reinforcement SL72 steel mesh;
- (h) Concrete footpath crossover between kerbline and the road boundary;
- (i) Suitable stormwater drainage; and
- (j) Prior to the issue of a Subdivision Certificate, the section 88B of the *Conveyancing Act 1919* documentation described in this condition shall to be worded to the satisfaction of Council.

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

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

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

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

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

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

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

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

74. Application

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

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

75. Construction works completed

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

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

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

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

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

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

Stage 4A (6 lots)

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

Stage 4B (7 lots)

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

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

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

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

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

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

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

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

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

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

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

Stage 7A (12 lots) (Amended by MOD4009/2018)

a) Community facilities	=	6972
b) Regional Waste Management	=	\$8376
c) Bushfire	=	\$1716
Total	=	\$17064

Stage 7B (10 lots) (Amended by MOD4009/2018)

a) Community facilities	=	\$5810
b) Regional Waste Management	=	\$6980
c) Bushfire	=	\$1430
Total	=	\$14220

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

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

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

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

Stage 9 (26 lots including Lot 208)

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

Stage 10 (36 lots)

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

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

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

Stage 12 (13 lots)

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

Total = \$14,612

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

Note 2: The discounted contributions payable for this development are limited to the number of allotments as indicated on the approved plans. Any further subdivision creating additional allotments will be assessed and levied for contributions for all facilities and services applicable under the provision of the relevant Contributions Plans in force at that time.

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

~~Note 4: Stages 9 – 12 are those shown in Northrop's Plan No. C104 Issue C, dated 05/04/2007. Amended Plans for Stages 3 – 8 are those approved by MOD0011/2012 (prepared for the Urban Group, project no. HV, dated November 2008, A-01 revision 1). Amended Staging Plan and Layout are as shown in Northrop's Plan No. C8-L00, dated 23/07/2015 C6_DA1 Rev2 dated 09/09/16~~

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

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

77. Landscaping (Amended By MOD0001/2016)

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

77a. Landscaping (Added By MOD0001/2016)

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

78. Works-as-executed plans

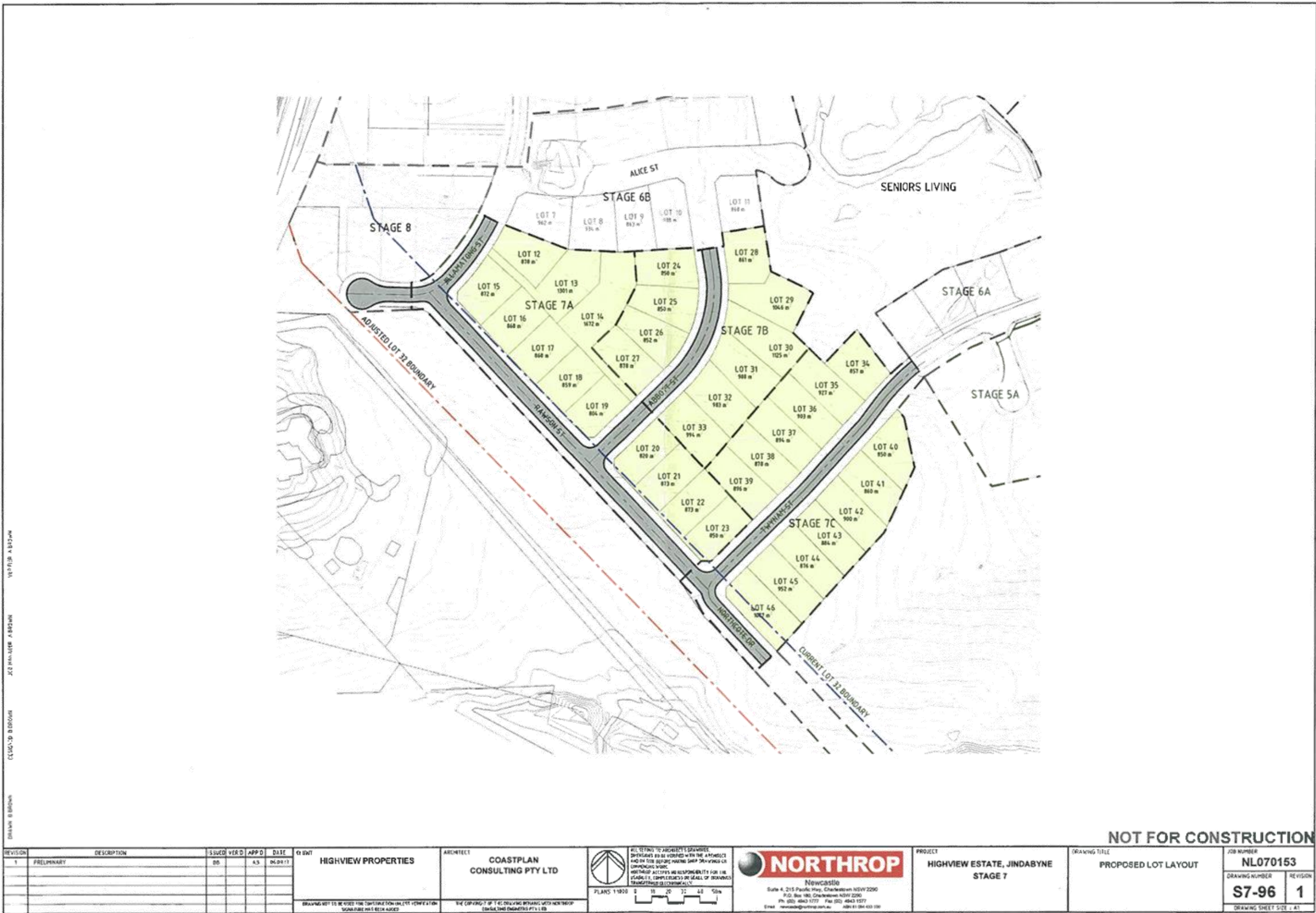
Upon completion of the subdivision works for each stage, the developer shall provide Council with a complete set of plans of the works as constructed, detailing all variations from the approved plans and to the acceptance of the Council's Director of Engineering and Operations or his nominee. The plans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

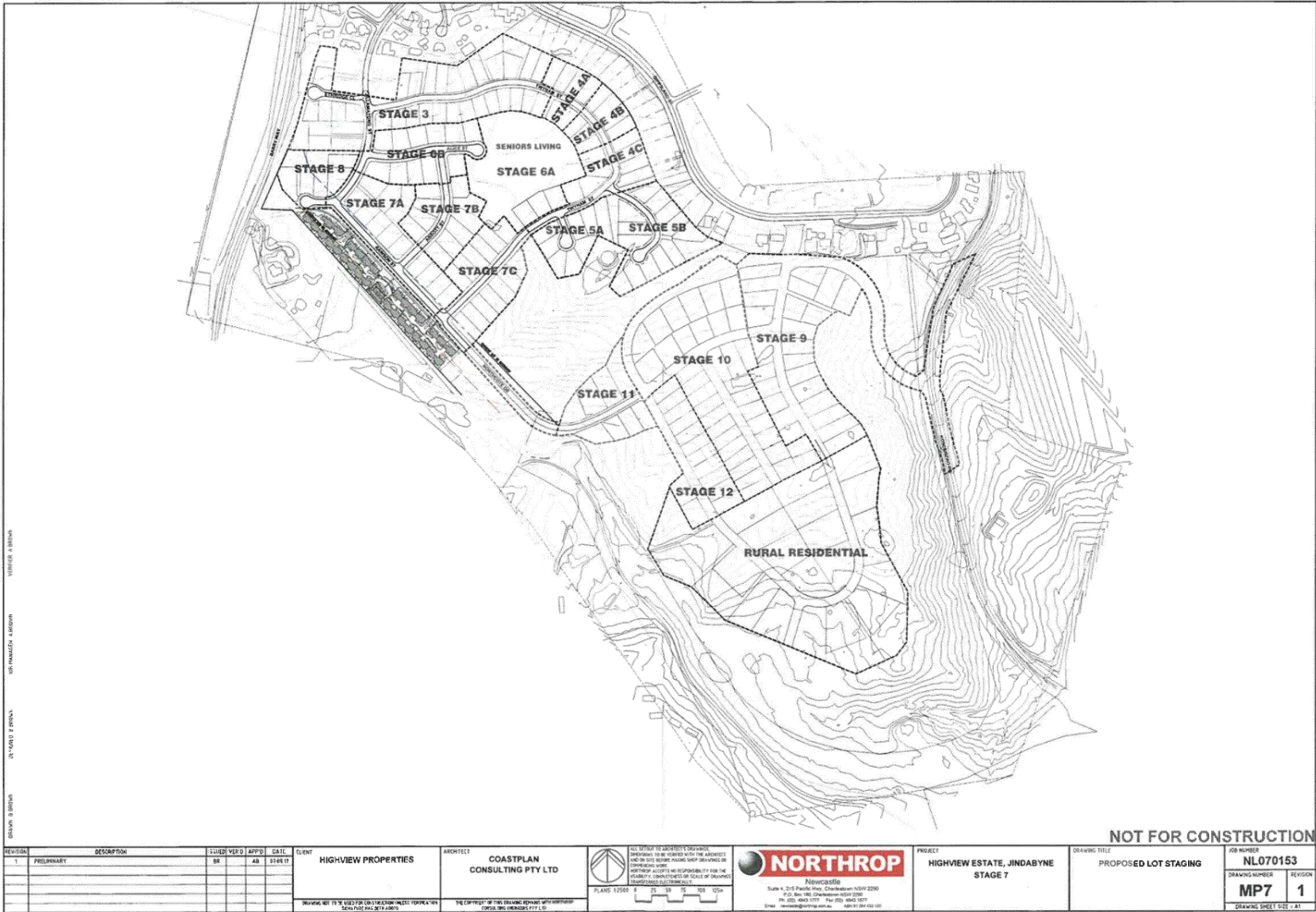
79. Easements to drain sewage

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

80. Property numbers / house numbers

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







coastplan
consulting

21 September 2017

Our ref. 6004

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

RECEIVED
29 SEP 2017

Attention: Sophie Ballinger

BY:

**Highview Estate - Development Consent 0079/2007 – Staged subdivision of Lot 28
DP 1106444 and Lot 11 DP 1035279 Gippsland Street, Jindabyne - S96 Application**

Dear Sophie

We have enclosed an application under Section 96(2) of the Environmental Planning and Assessment Act, 1979 to modify the abovementioned development consent. The modification is shown on plans prepared by Northrop Engineers which include the following drawings:

- Job No. NL070153 Dwg No. MP7 Rev 1
- Job No. NL070153 Dwg No. S7-96 Rev 1

The modification relates to Stage 7 of the development which is to include 3 stages, Stage 7A – 12 lots, Stage 7B – 10 lots and Stage 7C – 13 lots. The amended proposal will result in a reduction in the number of lots from 36 to 35. The main amendment to the layout relates to the relocation of Road 5 to the southwest to now connect to Road 1 to Jillamatong Street. This will result in significantly less cut and fill for the construction of the road, providing improved access to the proposed lots, due to the less steep terrain where the road is now to be constructed.

The amended proposal will be consistent with the requirements of the Snowy River Local Environmental Plan 2013 in that the proposed lots will all exceed the minimum lot size of 700m².

As with the currently approved Stage 7 of the development, part of the development is located on land that is currently within zone RU1 Primary Production. Under the provisions of Clause 5.3, development near zone boundaries of the LEP, flexibility can be allowed for a distance of 50m from any zone boundary shared with zoned RU1 Primary Production. This matter was dealt with by a previous Section 96 Application relating to the subdivision of the subject land.

The amended proposal will generally comply with the requirements of Chapter F7 Highview Estate of the Snowy River Development Control Plan 2013. The following information is provided in relation to the relevant provisions of the DCP.

2.1 Stormwater Management

The amended proposal will result in 1 less lot than the approved development. Whilst there will be a minor change in the road layout, the relocation of a number of roads will not result in any additional stormwater runoff from the subject site. Therefore, the stormwater will generally be in accordance with the approved stormwater plan for the current approved development.

Coastplan Consulting - Platinum Building - Suite 208 4 Ilya Av Erina - PO Box 6179 Kincumber NSW 2251
Phone: (02) 43674060 Email: tony.tuxworth@coastplan.com.au

ACN 109 272 853 ABN 95 109 272 853

Town & Environmental Planning - Development Applications - Rezoning
AMT Planning Consultants Pty Ltd - ABN 95109272853

Water Sensitive Urban Design

The Stormwater Management Plan prepared for the proposed development will be consistent with the requirements of the DCP in relation to water sensitive urban design and the amended proposal will not result in any change to the water quality leaving the site.

Landscaping

Landscaping provided within these streets will be consistent with the species indicated on the approved landscape plan.

Lot Layout

The amended proposal will improve the lot layout and street pattern within Stage 7 of the development. The relocation of the proposed road will respond more efficiently to the contours of the land and the lot design will facilitate a safe and efficient vehicular access. The lot sizes proposed within this stage of the development will provide an opportunity for a variety of housing sizes and types.

Pedestrian and Cycle Way Network

The amended proposal will not impact on the pedestrian and cycle network within the proposed subdivision.

Biodiversity and Natural Resource Management

The amended proposal will have the same footprint as the current proposed development.

Access, Traffic and Road Design

The amended road design will comply with the requirements of the DCP. It is noted that Rawson Street will have a carriageway width of 9m and road reserve width of 18m in accordance with the requirements of the DCP.

Utilities

The amended proposal will not change the provision of utilities within Stage 7 of the subdivision.

Public Safety

The amended proposal will not affect public safety within the proposed subdivision.

Archaeology

The amended proposal has the same footprint as the current proposal and is therefore unlikely to impact on any archaeological relics within the locality.

It is considered that Council should be satisfied that the proposed modified development is of minimal environmental impact as it only relates to a minor change in the lot configuration and size.

Further, it is considered that Council should be satisfied that the development proposal, as modified, will be substantially the same development as that for which development consent was originally granted.

Should you wish to discuss this matter further, please contact me.

Yours faithfully



Tony Tuxworth

Encl



19 December 2017

Our ref. 6004

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

Attention: Sophie Ballenger

**Development Consent 4001/2018 – 24 Lot Rural Residential Subdivision - Highview Estate and
S96 Application Mod 4009/2018 – Lot 40 DP 1156431 Ph Clyde, Jillamatong Road, Jindabyne**

Dear Sophie

I refer to our recent discussion in relation to the S96 application to modify the layout of Stage 7 of the proposed Highview Estate Subdivision and the application for the Rural Residential Subdivision.

During our discussion in relation to the S96 application, you suggested that a cul-de-sac turning head should be provided at the end of Twynam Street to prevent any future traffic from the rural residential subdivision and from Stage 10, 11 and 12 using Twynam Street to access Jillamatong Street.

As you are aware, Condition 58 of the Development Consent for the Highview Estate Subdivision requires the construction of the intersection Road 6 (Jillamatong Street) with the Barry Way or the undertaking of a comprehensive traffic study in consultation with Council's officer to determine what treatment, if any, is required to service current and future stages of the development. This has to occur prior to release of the subdivision certificate for Stage 9 or within 12 months of the date of approval of the Subdivision Certificate of Stage 8.

I suggest that one way of dealing with the provision of a cul-de-sac turning head, at the end of Twynam Street, as well as the intersection of the Barry Way and Jillamatong Street, is to deal with the Section 96 Application and the application for rural residential subdivision concurrently and modify Condition 58 of the Development Consent for the Highview Estate Subdivision which will now read:

Prior to the release of the Subdivision Certificate for Stage 7C, or within 12 months of the date of approval of the Subdivision Certificate for Stage 7B either

- a) construct the intersection Road 6 (Jillamatong Street) with Barry Way etc... or

- b) Undertake of a comprehensive traffic study in consultation with Council's officer to determine what treatment, if any, is required to service current and future stages of the development including options to minimise the traffic flow in Twynam Street as a result of traffic generated by the existing and future development within the Highview estate.

The proposed Stage 7A (12 lots), 7B (10 lots) and rural residential subdivision (23 lots) (Total 45 lots) will generate a similar number of lots to what was originally proposed in Stage 7 and 8 ie. 41 lots.

Should any delay occur in the assessment of the application for the rural residential subdivision and the S96 application was determined, Condition 58 could remain unchanged and when the application for the rural residential subdivision is determined, the development consent for the Highview Estate subdivision could be modified at the same time to modify condition 58 as outlined above under Section 80A(1)(b) of the Act without the need to submit a further Section 96 application .

Should you wish to discuss this matter further, please contact me.

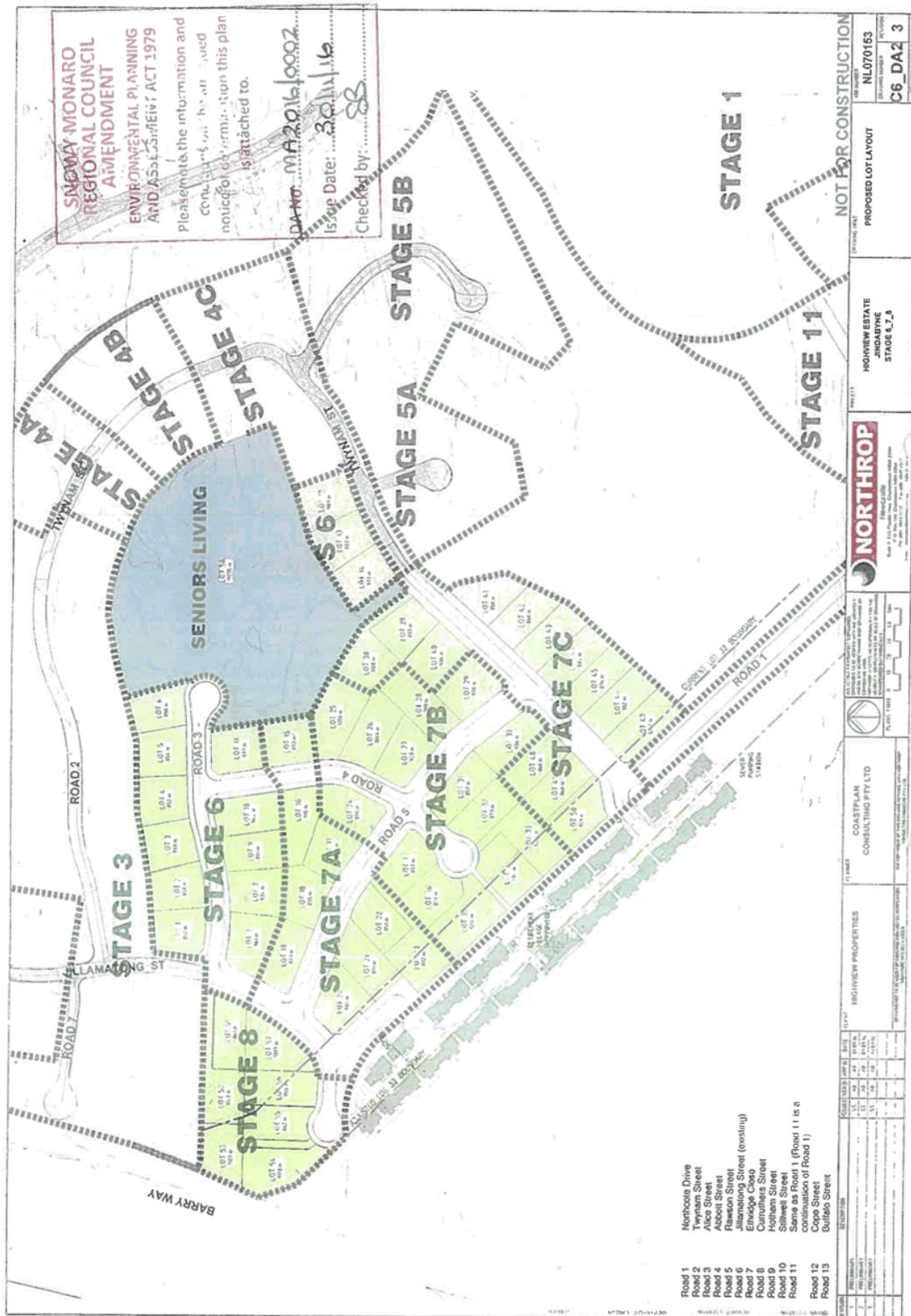
Yours faithfully



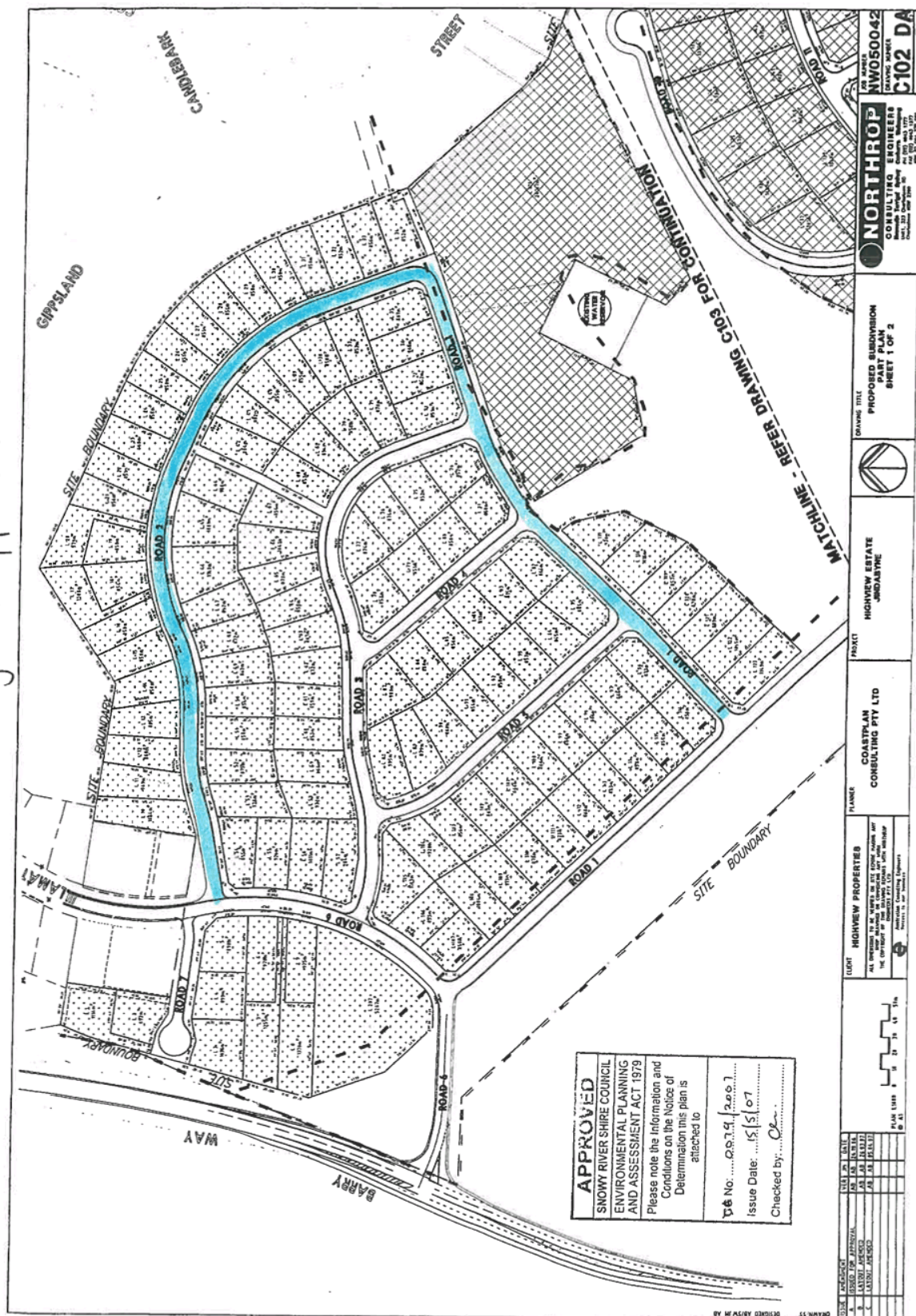

Tony Tuxworth

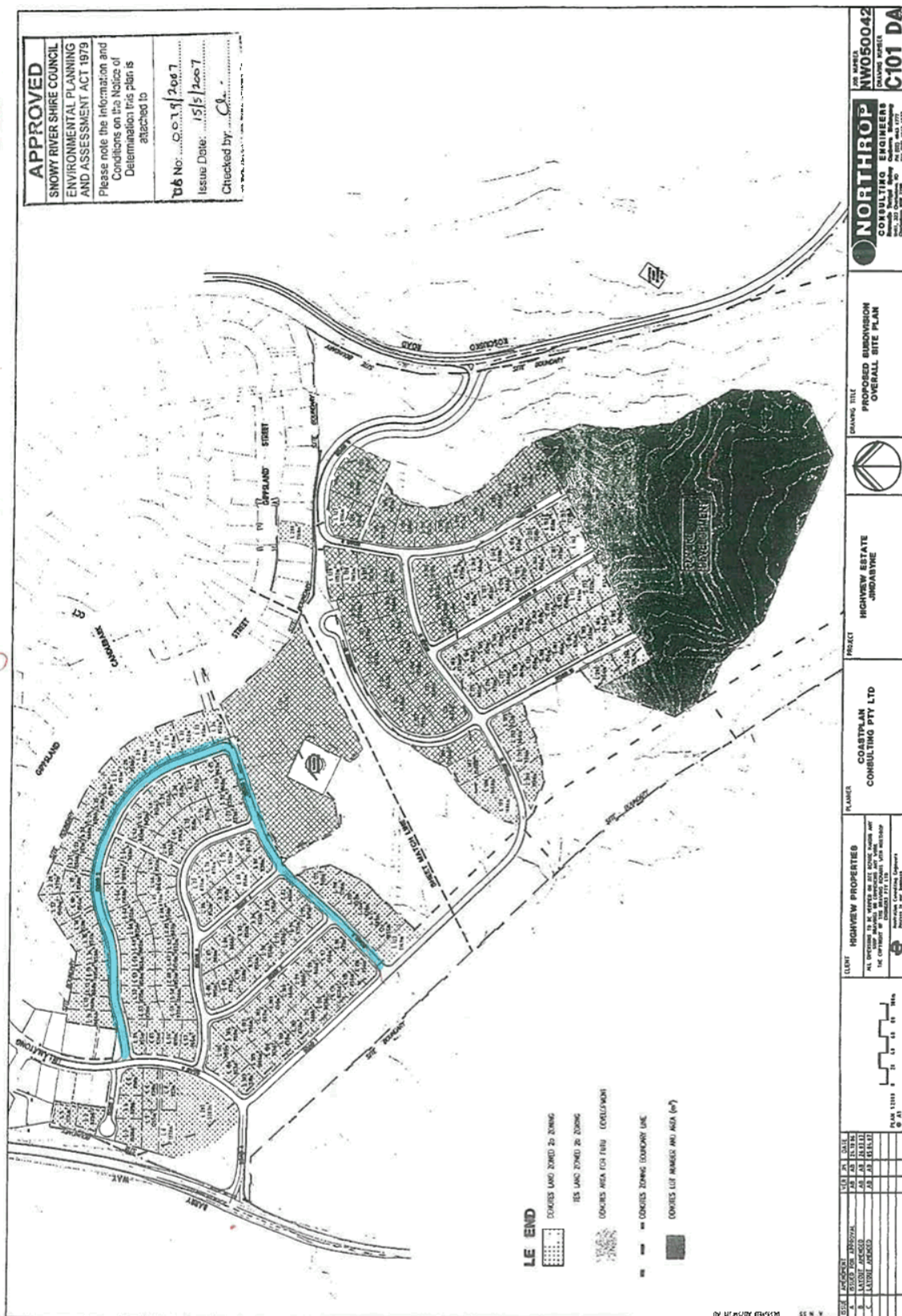
Encl

MA2016/2002 Lost modification



DA0079/2007 original approval





①

RECEIVED
31 OCT 2017

30 October 2017

Ref: Lot 40 DP 1156431 Ph Clyde

To: Sophie Ballinger

I am writing to you to formally object to the recent development application by Coastplan Consulting. Application # MOD4009/2018.

I fully support sustainable development of Highview estate and its original concept which included the access from Barry way adjacent to the Ups and Downs property. My wife and I made a large financial decision with this plan in mind and object to plans that delete the Barry way access to Highview estate. At build out, the new plan will use Jillamatong and Twynam streets as the only access to the estate.

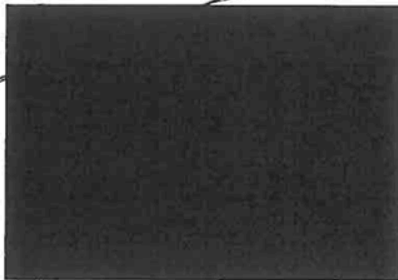
My concerns are that the road network, for the full build out of the Highview estate, from Reedy's Cutting, Gippsland and Jillamatong streets will not handle safely the added traffic into the estate. Currently the intersection of Gippsland and Jillamatong streets is sustaining high wear and tear (potholes). Extra traffic will only aggravate the problems.

Twynam street is only 8m wide and is classed as a residential street not a feeder road, car parking on either side of the street reduces the width of the road to one lane and is not suitable as a feeder road.

Access from Barry way is the only solution to the traffic issues into and out of the estate.

Your consideration of my concerns would be greatly appreciated.

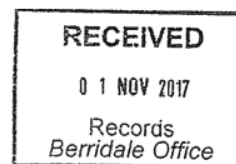
Regards



2.



Mr Joseph Vescio
General Manager
Snowy-Monaro Regional Council
P.O. Box 714; Cooma; NSW; 2630



October 29th 2017

Dear Sir,

I am contacting you to lodge a written objection to the proposed development Application Number MOD4009 / 2018 from *Coastplan Consulting*, with particular reference to traffic flow and safety in Twynam Street Jindabyne. In my previous submission to you I lodged a formal objection to the proposed Development Application DA4001/2018 and set out reasons why the planned extension of Twynam Street was both dangerous in terms of traffic flow in a narrow street and appeared to contravene your guidelines for development as stated in the Snowy River Development Control Plan 2013.

This development application to which I am responding indicates Twynam Street continuing as a through-road rather than ending in a cul-de-sac next to the water tower. Given my main objection to this Application MOD4009/2018 contains similar issues to the previous development application DA4001/2018, I will reiterate some of the points I made in my previous submission as they are also valid in relation to this application.

The quoted passages are from the Snowy River Development Control Plan 2013 - Highfield Estate Section.

"The development of the estate will maintain strong vehicle and pedestrian links within the estate and with the existing town and surrounding area." – No pedestrian links appear to be indicated in the proposal.

"Open space will be provided to further contribute to the amenity of the site and provide passive recreational opportunities for the residents of the area." – No open Space appears indicated in the proposal.

To provide a safe and efficient system of roads and pathways for vehicular, pedestrian and cycle movements. ♣ To provide strong pedestrian connections and view corridors to private open space within the development area. – Where are these corridors? Where is the commitment to safety by funnelling more traffic down the 8m wide carriageway of Twynam Street which already has difficulties handling LPG, Rubbish and delivery trucks?

"The subdivision pattern should present a clear urban structure with a legible road hierarchy to enhance pedestrian and traffic permeability, and provide significant open space corridors." Where are these corridors indicated?

"The development of the Highview Estate will generate additional traffic movements internal and external to the subdivision site itself. The assessment of traffic impacts from this development must take account of the scale of development expected to occur on the subdivided lots including dual occupancies, medium density and where permissible, commercial development, as the

subdivision provides the best opportunity for providing the standard of infrastructure necessary to service to expected pattern of occupation of this development."

"The principle that no additional traffic be directed onto the eastern section of Gippsland Street is central to avoiding unacceptable traffic impacts from this development. This requires that the land subject to this Draft Snowy River Development Control Plan 2013 22 Highview Estate F7 Development Control Plan does not have direct road access to Gippsland Street and that the amount of traffic directed to Jillamatong Street is minimized." – I find it surprising that the council would consider such a development proposal that runs counter to this clearly defined statement in the control plan. It appears that this MOD is exactly opposite to the above stated central principal so that instead of no additional traffic being directed onto the eastern section of Gippsland Street, all of it is directed there! I also note that with the current volume of traffic at the intersection of Gippsland and Jillamatong there are a large number of deep potholes which have been there for several weeks. This indicates that the current road pavement surface cannot handle the current volume of traffic – and yet more is proposed with this MOD.

"Access to the part of Highview Estate located to the north west of the Council water tank must be obtained from Barry Way by the construction of a new intersection conforming to all relevant Roads and Traffic Authority design standards and a suitable road connection to the estate. A suitable two lane road shall be established to connect between the north-western and south-eastern parts of the estate. This road shall follow along lot 11 DP 1035279 and shall be designed in a manner that would allow later construction of an additional two lanes as a separate carriageway." Where are the plans for this new connection to Barry Way? This MOD does not have access from Barry Way but rather through Gippsland Street and Jillamatong Street. There are clear and unambiguous statements here regarding connection via Barry Way and the need to minimise traffic flow along Jillamatong Street. This proposal also indicates that Twynam Street will be extended past the water tower allowing it to become a through street for traffic from this and future stages of the subdivision.

Table: Highview Estate Road Characteristics (Residential Development)

Road Type	Maximum Speed (km/hr)	Carriageway Width (m)	Parking Provisions within Road Reserve	Curbing (See Note 1)	Footpath Requirement (See Note 2)	Minimum Verge Width (m) (See Note 3)	Minimum Road Reserve Width (m)
Access Street	25	6.0 m	Permitted on both sides of Carriageway	Defined by drainage scheme	1.2m wide footpath to one side only	2.5 m	15 m
Local Street	40	8.0 m	Permitted on both sides of Carriageway	Defined by drainage scheme	1.2m wide footpath to one side only	2.5 m	15 m
Collector	50	9.0 m	Permitted on both sides of Carriageway	Upright curb for bus route, otherwise defined by drainage scheme	1.2m wide footpath to one side only	3.5 m	18 m

According to the above table Twynam is defined as a "Local Street" with an 8.0 m carriageway. Even under present traffic conditions with cars parked on each side of the street there is barely room for Rubbish Trucks or Construction vehicles to safely negotiate the road.

The proposal would change Twynam Street from being a "local Street" to a "collector road." My strongest request to council is that the connection of Jillamtong Street to Barry Way be constructed prior to Stage 7's commencement and that Twynam Street remain a no through road. Also the provisions for pedestrian, and cycle networks and green spaces need to be clearly laid out on the plan.

The alterations to the existing Snowy River Development Control Plan 2013 planning documents as mooted in this DP MOD4009/2018 appear to minimise green areas, cycle paths and safe traffic flow that was mandated as part of the original Highview Estate proposal. I look forward to your response to these concerns.



3.



29 October 2017

Mr Joseph Vescio, General Manager
Snowy Monaro Regional Council
PO Box 714
COOMA NSW 2630



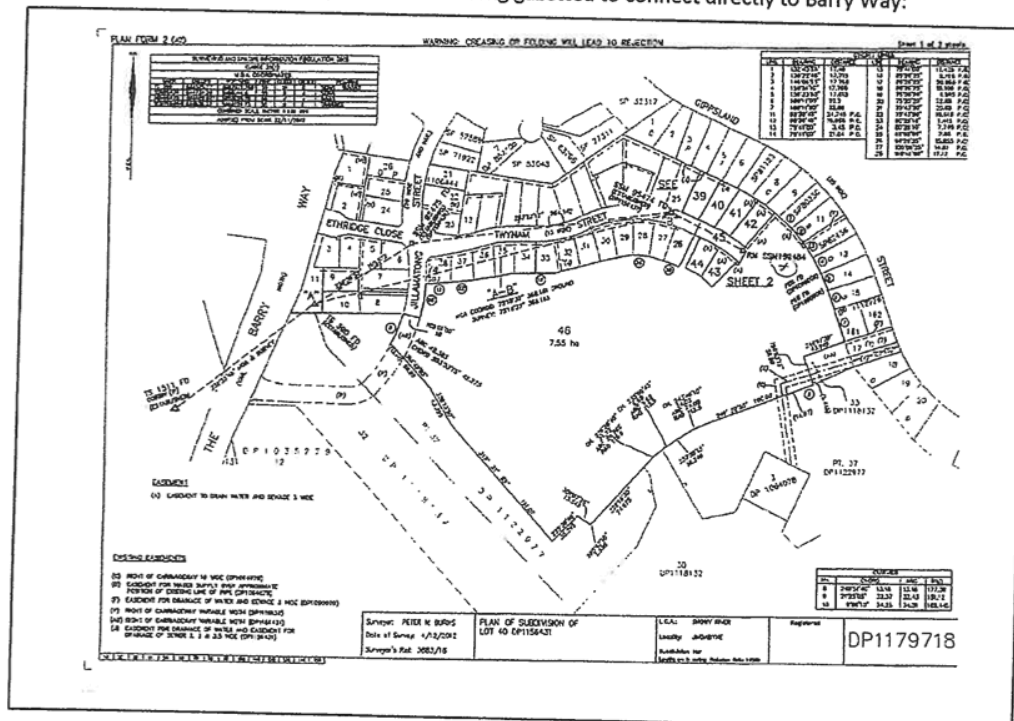
RE: MOD4009/2018 COASTPLAN CONSULTING, HIGHVIEW ESTATE, STAGE 7

Dear Mr Vescio

I have some objections to the above application, with the details and my reasons set out below. My husband and I purchased our block in 2014, and relied upon the *Snowy River Local Environmental Plan 2013* and *Snowy River Development Control Plan 2013* as well as the Council-approved plans supplied with our purchase contract. We have become increasingly concerned as it appears the Developer does not intend to deliver some of the essential elements included in those documents, and that the Council does not appear to be requiring him to do so.

Direct Access to Barry Way via Jillamatong Street

Part of our purchase contract for our land included the approved plans for Highview Estate, and a significant feature was the direct access to Barry Way via Jillamatong Street. The congestion already occurring seasonally in Gippsland Street through to Barry Way means another access point to major local roads will be required for Highview Estate. I dispute Developer's claim in the application letter, "... the development proposal ... will be substantially the same development as that for which development consent was originally granted." Please see the below diagram taken from earlier approved plans for the estate, which are part of our purchase contract. It clearly shows Jilamatong gazetted to connect directly to Barry Way:

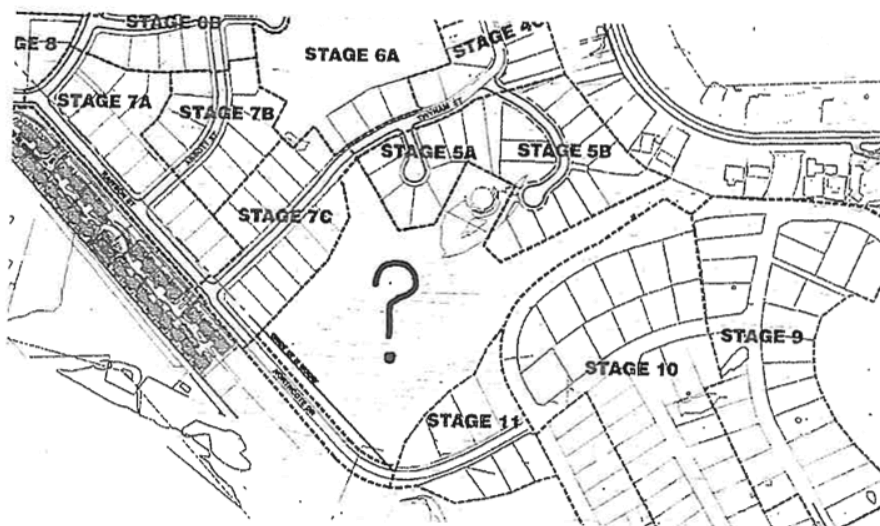


Footpaths, Pedestrian and Cycle Links and Corridors

Part of the advertised amenity of Highview Estate was an extensive network of links and corridors for pedestrians and cyclists. There were also supposed to be adequate footpaths provided for all of the streets and roads. I note with considerable frustration that there does not appear to be any plan to create a footpath on Jagungal Close. This must not be allowed to continue in the rest of Highview Estate; the Developer must create safe footpaths along all the rest of the streets and roads built in the subdivision.

It is difficult to see where (or if) any pedestrian and cycle links or corridors are to be placed in Stages 6 and 7 of this new application. Before it is approved, I would like to have this clarified and the position of the links or corridors gazetted as such on the plans. Presently, it looks like all the blocks all directly adjoin each other with no spaces left between any of them to create the network that has been promised.

Furthermore, with all the high-density housing being planned and permitted throughout all stages up to and including 7C, there are no designated parks or green areas for the children to play and residents to enjoy healthy outdoor activities together. It is looking like "old-fashioned urban sprawl" and is no credit to either the Council or the Developer. If the zone marked with the question mark below is to be a park, nature reserve, or similar, it needs to be gazetted as such and the links between it and the housing zones also gazetted.



4.

DEVELOPMENT PROPOSAL CONCERNS -MOD 4009/2018

I have concerns about the traffic flow and congestion in Highview estate's next development stage.

All cars have to leave the estate via Jillamatong St then onto Gippsland st ,with little or no access apart from along Twynam St for some residents ,which is a very narrow and congested street particularly when cars are parked both sides . Another 35 lots will only exacerbate the current situation.

A exit via Barry way would help residents to leave easily,the Barry way tho already showing stress in winter is a much needed option to assist traffic flowing in and out of the Estate .

The new road widening development on Koscuisko Rd west lane will help with Barry way gridlock and holdups in winter and it will be easier for Highview residents to go straight out onto The Barry way rather than on Gippsland and then Reedys thus cutting further congesting traffic along these streets to then enter The Barry way

thanks for this opportunity,

5.



30 October 2017

The General Manager,
Snowy Monaro Regional Council,
Shop 2, Razorback Plaza,
Gippsland Street,
Jindabyne,
NSW 2627.

Submission re Application No: MOD4009/2018

Dear Sir,

We hereby lodge a written submission to Council objecting to this development application and hereby declare that we have made NO reportable political donations or gifts by ourselves or any associate of us ever or within the period commencing 2 years before the submission is made and ending when the application is determined.

We are the owners of the property at [REDACTED] and wish to lodge our objection based on the following:

It would appear that the developer in this latest submission and in numerous previous amendments or modifications he has lodged with Council in the past is trying to avoid, or remove entirely, his obligation to provide a second point of access to High View Estate for the safety and wellbeing of the residents.

1. We purchased in Twynam Street because it was a new residential area and designed to carry low volumes of traffic only. It was if you like, a cul de sac, or a no thoroughfare road and not an interconnecting road. No indication to the contrary was provided when purchased.
2. As such, the street was built to purpose to be only 8m wide to cope with this low volume of residential traffic. However even now when cars are parked on either side of the road the gap in the middle is scarcely wide enough for a large car, let alone larger vehicles to get through without accident or injury, with this relatively low volume of traffic for most of the year in the existing development.
3. This is of even more concern during the Winter ski season where because of the number of dwellings, both single and dual or separate detached occupancies, coupled with council approvals for holiday lettings where perhaps 10 or more people each with a car makes the street a nightmare to travel on.

4. There is serious road safety concern for the large number of young children living in the estate with the restricted vision drivers have for even the current low volume of traffic in the street
5. It is only a matter of time before a child is badly injured or killed due to the traffic volume presently let alone in the future if there is no alternative major access road.
6. If there was a serious traffic accident in the street emergency vehicles would not have access to an incident further into the state.
7. A second access to Highview Estate is required.

We feel strongly about these concerns and believe that the developer must be required to provide a second means of access to the Highview Estate as a matter of priority to alleviate the concerns by the residents of Twynam Street.





30 October 2017

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Snowy Monaro Regional Council,
Shop 2, Razorback Plaza,
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We are the owners of the property at 23 Twynam Street and wish to lodge our objection based on the following:

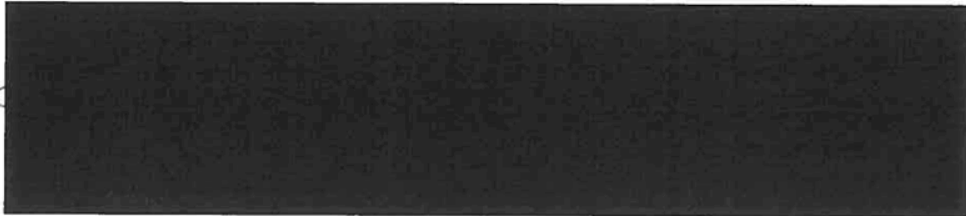
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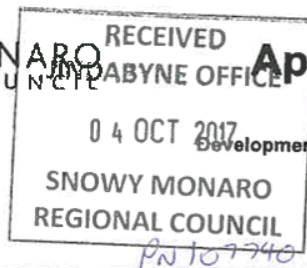
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SNOWY MONARO
REGIONAL COUNCIL



Application to Modify an Approval

Development Consent, Construction Certificate, Complying Development Certificate or Section 68 Approval

Office Use Only	
Number	MOD 4009/2018

MODIFICATION	
<input checked="" type="checkbox"/> Development Application	<input type="checkbox"/> Section 68 Approval
<input type="checkbox"/> Construction Certificate	<input type="checkbox"/> Complying Development Certificate
Application Number: DA79/2007	Issued Date: 15.5.2007
Description of Development: Staged Subdivision comprising 205 lots	
Note: It may also be necessary to modify the corresponding Construction Certificate approval (if one has been issued). Please contact Council's Town Planning Section if any clarification is required.	

APPLICANT	
Name/Company: Coastplan Consulting	Phone: 4367 4060
Contact Name (if Company): Tony Tuxworth	Fax:
Postal Address: PO Box 6179	Mobile: 0425 366 911
Town: Kincumber	State: NSW Postcode: 2251
Email: tony.tuxworth@coastplan.com.au	

OWNER	
Name/Company: Highview Estate Properties	Phone:
Contact Name (if Company): Erina Investments Holdings Pty Ltd	Fax:
Postal Address: 25 Prince St	Mobile: 0417020760
Town: WAMBERAL	State: NSW Postcode: 2260
Email: gherbert26@gmail.com	
Is the subject land Crown Land <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> → Please attach Authority	
OFFICE USE ONLY	NAR Numbers

LAND TO BE DEVELOPED (Please attach additional sheet if inadequate space provided)					
No:	Street:			Town:	
Lot: 28	Section:	DP/SP: 1166444	Lot:	Section:	DP/SP:
Lot: 11	Section:	DP/SP: 1035279	Lot:	Section:	DP/SP:
OFFICE USE ONLY	Parcel Numbers				

COST (including materials and labour)	
This is the estimated total cost of any construction, internal fit-out and demolition, including GST and labour. Council checks your estimate against current building cost indices. Developments with no construction work such as subdivisions or change of uses have a separate standard fee and no estimated cost is required.	
COST (including materials and labour):	\$ _____




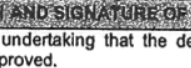


DESCRIPTION OF PROPOSED MODIFICATION	
For Development Applications Only (See Note 1):	
<input type="checkbox"/> To correct a minor error, mis-description, or miscalculation [Sec 96(1)] <input checked="" type="checkbox"/> Minimal environmental impact [Sec 96(1A)] <input checked="" type="checkbox"/> Other Modification [Sec 96(2)]	

For All Modifications:

Give details of manner and extent of modification sought (if insufficient space below attach details).

Reconfiguration of Stage 7 - see correspondence attached.

See attached correspondence.

POLITICAL DONATIONS AND GIFTS DISCLOSURE STATEMENT (Sec 147(4) EP&A Act)			
Have you or any person with a financial interest in this development application made a political donation or gift within the last 2 years?			
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – please complete and attach a Political Donations and Gifts Disclosure Statement (available from Council's website).			
Applicants Signature 		Name	Date
		TONY TUXWORTH	19-9-17
CONSENT OF ALL OWNERS			
All owners must sign this application form or provide written authority for the lodgement of the application.			
Note: Company Ownership			
In the case of a company ownership, in accordance in s127 of the Corporations Act 2001, please state in the signature/name area the authority of each signatory (Director/Secretary etc) (eg as Director of ABC Holdings Pty Ltd) OR attach further documentation as required.			
<input checked="" type="checkbox"/> Owners consent attached OR ↓			
As the owner/s of the above property described in this application I/we consent to its lodgement. I/we hereby permit any duly authorised officer of Snowy Monaro Regional Council to enter the land or premises to carry out inspections and surveys or take measurements or photographs as required for the administration the Act(s), Regulations, or Planning Instruments. We advise that as landowners we are not aware of any known hazards that may be of harm to officers visiting the site.			
Signature		Name	Date
		GRAHAM HERBERT	19/9/17
Signature		Name	Date
		Erina Investments Holdings	PL 19/9/17
Signature		Name	Date
		GRAHAM HERBERT	19/9/17
		Village Style Retirement Services	PL
DECLARATION AND SIGNATURE OF APPLICANT			
- Provide an undertaking that the development (as to be modified) will remain substantially the same development as was originally approved. In providing the following signatures the applicant/s certifies that the development as modified will remain substantially the same development.			
- I/we the undersigned hereby apply for approval of the development proposal as described and as per the plans and specifications and documents accompanying the Application. I/we undertake to develop in accordance with any approval granted by Council and conform with the provisions of the relevant Act(s), Regulations, codes and the Local Environmental Plan. I/we further undertake to pay any fee or charge assessed by Council in connection with development and indemnify Snowy Monaro Regional Council against all claims arising from negligence (or otherwise) resulting from work carried out in connection with the development within the road reserve.			
Signature		Name	Date
		TONY TUXWORTH	19-9-17
Signature		Name	Date
		TONY TUXWORTH	
SITE WORKS MUST NOT COMMENCE WITHOUT COUNCIL APPROVAL			
Construction materials purchased/work done/arrangements made prior to consent are at the owner/applicants' risk.			

Note 1 What type of Modification am I applying for?

Section 96 of the Environmental Planning & Assessment Act 1979 allows for a development consent to be modified under certain circumstances. The following information provides clarification on the type of Modification you are applying for:

- **Modifications involving minor error, misdescription or miscalculation [Sec 96(1)]**
This type of Modification would mean that the form of the development and notification would not be required. For example:
 - typing errors
 - changes to a condition of consent where Council has made an error
 - incorrect plan numbers
- **Modifications involving minimal environmental impact [Sec 96(1A)]**
This type of Modification would be used for minor amendments where there was no impact on privacy, height, overshadowing or scale of the building and notification would not be required. For example:
 - internal design changes

- amendments to external features such as landscaping or drainage design
- **Other modifications [Sec 96(2)]**
This type of Modification would where an environmental impact is possible and would require re-notification of neighbours. For example:
 - changes that involve the external design (eg window placement)
 - changes to floor levels or building heights
 - changes to roof designs

Note 2 Neighbour Notification

Applications for modification may be re-notified in accordance with Council's DCP unless the modification sought is only for a correction of a minor error, misdescription or miscalculation.

Note 3 Existing Conditions

Applicants should note that Council may, as a result of its considerations of Section 79C of the Act, delete or amend any existing conditions of consent, and/or include additional conditions, as may be necessary, following the required assessment.

15.7 DA0014/2016 21 LOT RESIDENTIAL SUBDIVISION RUSHES BAY AVENUE EAST JINDABYNE

Record No:

Responsible Officer:	Manager of Building & Compliance
Author:	Manager Development Assessment
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.2.1.1 Ensure that Council's land use planning and development policies enhance liveability.
Operational Plan Action:	OP6.11 Ensure development assessment is undertaken in accordance with adopted Local Environmental Plans, Development Control Plans, Council Policy and State and Federal legislation.
Attachments:	<ol style="list-style-type: none">1. DA0014/2016 Subdivision Plans <i>(Under Separate Cover)</i> ➡2. DA0014/2016 Statement of Environmental Effects <i>(Under Separate Cover)</i> ➡3. DA0014.2016 Visual Impact Statement <i>(Under Separate Cover)</i> ➡4. DA0014/2016 Traffic Documents and Information Requests <i>(Under Separate Cover)</i> ➡5. DA0014/2016 Flora and Fauna Assessment Trevor Hawkeswood (Part 1) <i>(Under Separate Cover)</i> ➡6. DA0014/2016 Flora and Fauna Assessment Trevor Hawkeswood (Part 2) <i>(Under Separate Cover)</i> ➡7. DA0014/2016 Flora and Fauna Assessment Abel Ecology pages 1- 48 <i>(Under Separate Cover)</i> ➡8. DA0014/2016 Flora and Fauna Assessment Abel Ecology pages 49-96 <i>(Under Separate Cover)</i> ➡9. DA0014/2016 Flora and Fauna Assessment Abel Ecology pages 97-144 <i>(Under Separate Cover)</i> ➡10. DA0014/2016 Flora and Fauna Assessment Abel Ecology pages 145-183 <i>(Under Separate Cover)</i> ➡11. DA0014/2016 Flora and Fauna Assessment Abel Ecology pages 184-219 <i>(Under Separate Cover)</i> ➡12. DA0014/2016 Correspondance from OEH and Council to Applicant regarding Flora and Fauna <i>(Under Separate Cover)</i> ➡13. DA0014.2016 Response from Abel Ecology to OEH <i>(Under Separate Cover)</i> ➡14. DA0014/2016 OEH Cultural Heritage Response <i>(Under Separate Cover)</i> ➡15. DA0014/2016 Objections <i>(Under Separate Cover)</i> ➡16. DA0014/2016 Applicants Response to Objections <i>(Under Separate Cover)</i> ➡17. DA0014/2016 Submission to Dec 2017 Council meeting from Jindabyne East Residents Committee <i>(Under Separate Cover)</i> ➡

18. DA0014/2016 Request from Applicant for Deferred Commencement (*Under Separate Cover*) ➡
19. DA0014.2016 Application Form (*Under Separate Cover*) ➡
20. DA0014/2016 Authority for Last and Maxwell Solicitors to act for Applicant (*Under Separate Cover*) ➡

Further Operational Plan Actions:

Applicant Number:	Da0014/2016
Applicant:	Bottomline Group Pty Ltd & Last and Maxwell Solicitors
Owner:	Bottomline Group Pty Ltd
DA Registered:	6/08/2015
Property Description:	Lot 17 DP 236151 Ph Jinderboine , 1A Jerrara Drive EAST JINDABYNE NSW 2627
Property Number:	101319
Area:	13.86 hectares
Zone:	E3 – Environmental Management
Current Use:	Dwelling house
Proposed Use:	21 lot subdivision for residential purposes
Permitted in Zone:	No – however land is subject to an Additional Permitted Use under the provisions of Schedule 1 of the Snowy River Local Environmental Plan 2013
Recommendation:	<p>That the application be refused for the following reasons:</p> <ol style="list-style-type: none">1. The subdivision lay out as presented in the application does not adequately mitigate, avoid or offset its negative impacts on the threatened species habitat and <i>the endangered ecological community of Snow gum woodland</i> located on site.2. The development has an unreasonable visual impact when viewed from nearby residences.3. The application has not adequately addressed how it will minimise the risk to residents from Bushfire.4. The site proposed within lot 17 to situate the 20 residential allotments is not suitable for this residential density.

EXECUTIVE SUMMARY

The purpose of this report is to seek determination of development application DA0014/2016 for a 21 lot residential subdivision of lot 17 DP236151. The property is zoned E3 – Environmental Management and is the subject of an additional permitted use provision under the Snowy River Local Environmental Plan 2013. The application was referred to the Office of Environment and Heritage for advice regarding the potential for threatened species onsite and the endangered ecological community found on the property.

The development site is highly constrained with environment, scenic protection and infrastructure issues some of which have not been adequately addressed by the applicant.

The application was notified and advertised and 20 submissions were received, the community through the Jindabyne East Residential Committee concerns with the development and the impact that it will have on the natural and built environment and the existing residential amenity of the surrounding neighbourhood.

The site is subject to an existing approval for a six lot subdivision which was commenced by the issuing a subdivision certificate in 2011 allowing for the further continuation of this approval.

Due to several deficiencies in the application it is considered that it does not comply with relevant provisions of the Snowy River LEP 2013 that need to be stratified prior to the issuing of a development consent and when assessed against the further provisions of s79C of the Environmental Planning and Assessment Act 1979 it fails to satisfy all relevant matters for consideration required for approval of a development application.

As such Pursuant to section 80(1)(a) of the Environmental Planning and Assessment Act 1979 it is recommended that the development application be refused and those that made submissions to the application be notified of Councils decision.

RECOMMENDATION

That

A. Pursuant to section 80(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that DA0014/2016 being a Twenty One (21) Lot Torrens Title Subdivision on Lot 17 DP 236151 Ph Jinderboine be refused for the following reasons:

1. The subdivision lay out as presented in the application does not adequately mitigate, avoid or offset its negative impacts on the threatened species habitat and *the endangered ecological community of Snow gum woodland* located on site.
2. The development has an unreasonable visual impact when viewed from nearby residences.
3. The application has not adequately addressed how it will minimise the risk to residents from Bushfire.
4. The site proposed within lot 17 to situate the 20 residential allotments is not suitable for this residential density.

B. That those persons who made a submission are advised of the determination.

BACKGROUND

The application was lodged with Council in August 2015, since that time a number of additional information requests have been issued by Council, with the applicant requesting further time to provide this information.

The proposal is for a 21 lot residential subdivision on a highly constrained lot in East Jindabyne. The land is zoned E3- Environmental Management under the Snowy River Local Environmental

Plan 2013 ('SRLEP2013) and is subject to an additional permitted use which allows the property to be subdivided for a maximum of 20 dwelling houses. This additional permitted use was the result of a rezoning of the land under the Snowy River Local Environmental Plan 1997 and requires that Council consider a number of matters before consenting to a development on the land. These matters, include the impact of the development on aboriginal cultural heritage, the visual impact of the development, the impact of the development with respect to stormwater runoff and bushfire risk. In addition the land is within the Lake Jindabyne Scenic Protection Area and has been mapped as having indicative biodiversity value.

Due to the site being mapped as having indicative biodiversity value the development application was referred to the Office of Environment and Heritage (OEH) for their expert comment in relation to flora and fauna impacts.

The applicant had already referred the application and commenced the process of gaining a Aboriginal Heritage Impact Permit (AHIP) from OEH with respect to the aboriginal cultural heritage found on site. This process was being carried out in parallel to the assessment of the DA.

The main deficiencies with the application relate to the impact of the development on native flora and fauna which included threatened species and an endangered ecological community found on the site. The applicant (and associated consultants) and representative of Council and the Office of Environment and Heritage (OEH) conducted an inspection of the site in June 2016.

Subject Site



The development is proposed on a 13 hectare allotment of land within East Jindabyne which is accessed via both Rushes Bay Avenue and a road locally referred to as Old Cooma Road which is within the road reserve of Kosciuszko Road. The development is to be located in the northern

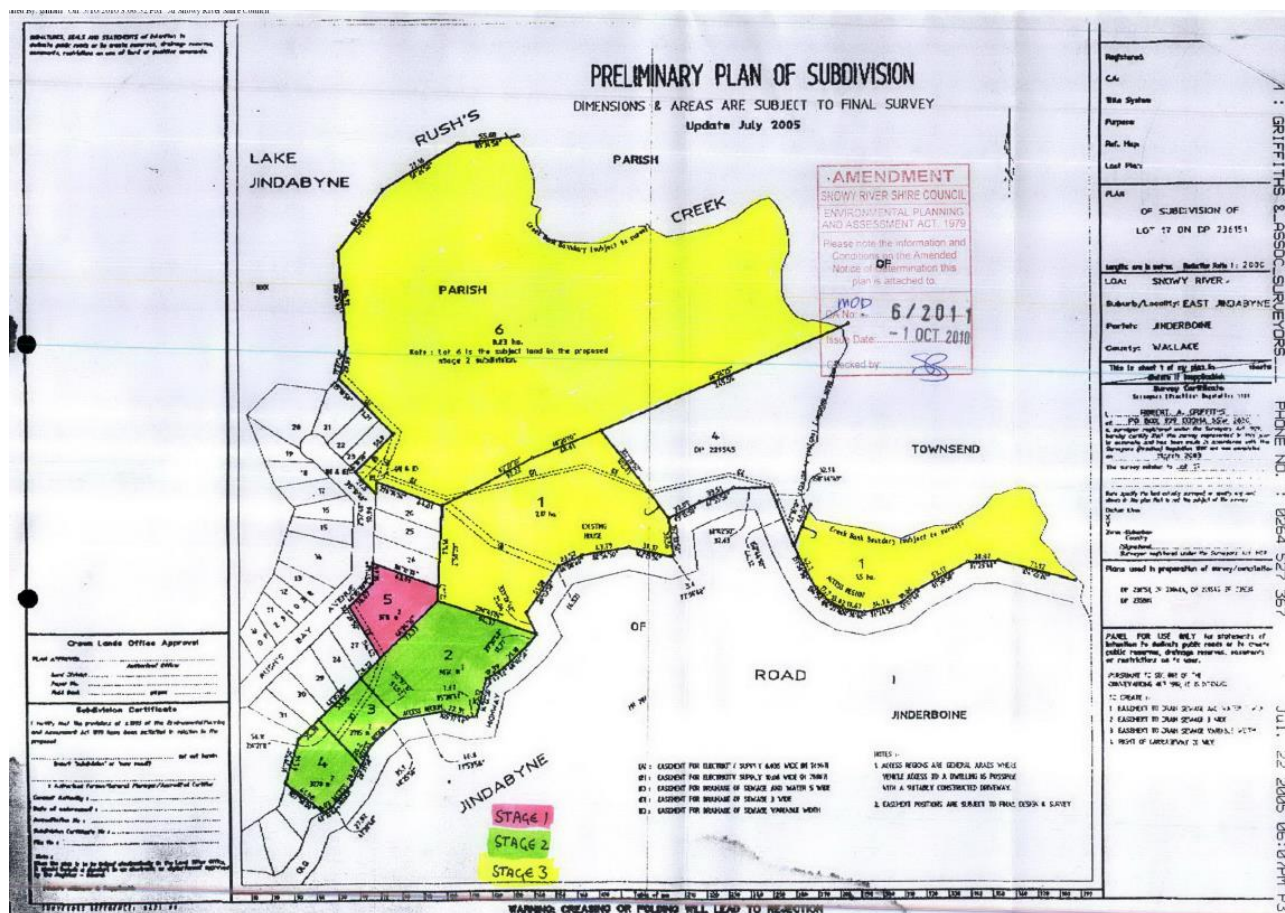
portion of lot 17 adjoining Lake Jindabyne and the only access proposed for the 20 allotments is via Rushes Bay Avenue. There are the remains of an approved dwelling to the south of the lot accessed via the unsealed Old Cooma Road. An approval has been issued for the replacement of this dwelling.

Past development applications

DA0003/2007	Subdivision - 16 lots (Subdivision of proposed Lot 6 in proposed subdivision of Lot 17 DP 236151)	Refused
DA0015/2016	Change of use shed to dwelling	Approved
DA0108/2015	Outbuilding	Approved
DA0132/2013	Subdivision	Withdrawn
DA4085/2017	Single Dwelling	Approved
MOD0006/2011	Modification - Stage proposed development into Stage 1 - Lot 5; Stage 2 - Lots 2, 3 & 4; Stage 3 - Lots 1 & 6	Approved
MOD0027/2010	staged development: stage 1 - Lots 3,4 & 5 stage 2 - remainder lots	Approved
DA0011/1999	Stage 1 = amend dwelling to form dual occupancy = home activity: skiing equipment workshop stage 2 = construct a new dwelling-house	Approved
DA0206/2003	8 allotment subdivision (approved for 6 lots)	Approved
SC0010/2011	Subdivision Certificate Stage 1	Approved

Existing approved 6 lot subdivision (DA0206/2003 and amended by MOD0027/2010 and MOD0006/2011)

15.7 DA0014/2016 21 LOT RESIDENTIAL SUBDIVISION RUSHES BAY AVENUE EAST JINDABYNE



DA0206/2003 is approved for a six (6) allotment subdivision of Lot 17 DP236151. It has been modified twice the last modification MOD0006/2011 was approved in 2010 restaging the development and allowing lot 5 to be subdivided first in order to activate the approval. A subdivision certificate was issued for stage one being lot 5 and a development lot incorporating the balance of the stages. The issuing of this subdivision certificate commenced DA0206/2003 allowing the DA not to lapse. Lot 5 whilst the final plan of subdivision has been issued has not yet been formally created by submission of the certificate and final plan to Land and Property Information (LPI). There is no time limit allocated by the LPI for this to occur and as such lot 17 DP236151 is still a un-subdivided whole allotment.

This subdivision consent (DA0206/2003) would be surrendered if DA0014/2016 were to be approved. If the recommendation for refusal of DA0014/2016 is adopted this consent for a six (6) lot subdivision would remain attached to the land and able to be continued with in accordance with the approved conditions of consent.

ASSESSMENT UNDER SECTION 79C

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

<p>State Environment Planning Policies (SEPPs)</p>	<p>State Environmental Planning Policy (Rural Lands) 2008.</p> <p>When assessing development for the purpose of subdivision for the purposes of a dwelling within Environmental Protection zones such as</p>
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	<p>E3 Council is required to consider the following matters:</p> <ul style="list-style-type: none"> (a) the existing uses and approved uses of land in the vicinity of the development, (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development, (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b), (d) if the land is not situated within a rural residential zone, whether or not the development is likely to be incompatible with a use on land within an adjoining rural residential zone, (e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d). <p>It is considered that due to the location of the property adjacent and adjoining existing rural residential development that the subdivision would meet the requirements of the SEPP.</p>
Local Environmental Plan (LEP) (including draft LEPs)	Snowy River Local Environmental Plan 2013 ('SRLEP2013')
Development Control Plans	Snowy River Development Control Plan 2013 ('SRDCP2013')

Section 79C and EP&A Act Checklist

The suitability of the site for the development:	<p>The site within lot 17 proposed to be developed for the 20 residential lots is not considered to be suitable for the residential density proposed. It is in an area of the lot which is most likely to impact on the surrounding properties, reducing the current residential amenity, impacting currently infrastructure and having the most impact on the EEC found on site.</p> <p>The additional permitted use does not limit the 20 dwellings to the northern area of the lot and there may be better locations of these lots to</p>
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	<p>be located that would go towards mitigating the impacts of the current proposal.</p> <p>The additional permitted use does not restrict the development to a 20 lot subdivision it states that no more than 20 dwellings be accommodated on the land as such the site may be more suited to larger lots which can accommodate dual occupancies rather than the 20 individual lots proposed by this application.</p>
The provisions of any environmental planning instrument and draft environmental planning instrument:	<p>The proposal has been assessed against the provisions of all relevant SEPP's and the development has been found to achieve an acceptable level of compliance.</p> <p>The proposal has been examined in detail against the provisions SRLEP 2013 and has been found not to achieve an acceptable level of compliance.</p> <p>Noncompliance is discussed below.</p>
The provision of any development control plan:	<p>The application generally complies with the provisions of Council's relevant development control plans however its noncompliance with the LEP is discussed below.</p>
Any matters prescribed by the regulations:	<p>The application generally complies with the <i>EP&A Regulation 2000</i>.</p>
Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F:	<p>Does not apply to this application</p>
The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality:	<p>The likely impacts of the development have been appropriately considered as part of this application and it is considered based on advice from OEH that the development will have an unreasonable impact on the flora and fauna found on the site and the applicant has not adequately addressed how these impacts will be avoided, mitigated or offset.</p> <p>Further consideration of this noncompliance is provided below.</p>
Any submissions made in accordance with the EP&A Act or the regulations:	<p>The application was notified and advertised. Details of notification and 20 submissions were received within the submission period and two</p>

	additional submissions have been received post notification. These submissions have been included as an attachment to this report with consideration of the issues raised below.
The public interest:	It is considered that the development is not in the public interest in its current form as it has impacts on threatened species, an endangered ecological community, surrounding properties, existing infrastructure and has received a considerable amount of submissions raising concern from the community.

Further Consideration of areas of noncompliance

s79C(1)(a)(i) of EP&A Act 1979 ('the Act') any environmental planning instrument (Snowy River Local Environmental Plan 2013)

The development is proposed on land zoned E3- Environmental Management which has a minimum lot size for subdivision of 40 hectares. The subdivision is permissible only if the Council is satisfied that the subdivision and the dwellings proposed on site will be design to meet the provisions of Schedule 1 (1) which is an additional permitted use specific to lot 17.

Schedule 1 – Additional Permitted Use (excerpt Snowy River LEP 2013)

1 Use of certain land at Rushes Bay Avenue and Old Kosciuszko Road, East Jindabyne

- (1) This clause applies to land at Rushes Bay Avenue and Old Kosciuszko Road, East Jindabyne, being Lot 17, DP 236151.*
- (2) Development for the purposes of a subdivision and the erection of not more than 20 dwelling houses on the land is permitted with development consent, if the consent authority is satisfied that the subdivision and the dwellings are designed:*
- (a) to minimise the impact of the development on Aboriginal archaeological heritage, and*
 - (b) to minimise the visual impact of the development as viewed from nearby residences and Lake Jindabyne, and*
 - (c) to minimise stormwater run-off, and*
 - (d) to minimise the risk to residents from bush fire.*

The application has been submitted for a 21 lot subdivision which is non-compliant with the requirements of the additional permitted use, as it states that a subdivision for not more than 20 dwelling houses is permitted. In this case the applicant has argued that the property has an existing entitlement for a dwelling which was erected on the site (it has since burnt down and an approval issued for a replacement building) and that the clause was written whilst this dwelling existed on site and as such the 20 dwellings are 20 additional to that which already exists. This is not clearly the intent of the clause and it would be reasonable to assume that the existing dwelling form one of the 20 dwellings described in the LEP. As such it would not be permitted to have the subdivision approved in its current configuration of 21 lots and one lot would need to be amalgamated to allow for the development to comply. The requirement of the additional permitted use for not more than 20 dwellings would preclude any purchaser of the proposed lots to erect a dual occupancy on the land. As such a restriction on the use of the land accompanied by

a condition of consent would restrict these lots to only one dwelling (should the development be approved).

The development does not minimise visual impact when viewed from nearby residencies it condenses all twenty lots to the north of lot 17 in close proximity to the existing dwellings. This increases the area of light shed from the new residences and the street lighting required for such a development. Whilst the development is screened from Lake Jindabyne by natural vegetation if this is to be removed for dwellings to be built on site then further visual impact could occur however topography would lessen the impact. The special provision requires that Council consider not only the design of the subdivision but the design of the dwellings to ensure they minimise visual impact. No plans for the proposed dwellings or an indication of the architectural styles proposed was submitted with the application or as part of the visual impact statement.

Whilst the land is not mapped as being bushfire prone the special provision requires that the applicant consider the impact on fire risk to residents. Limited information was provided in the Statement of Environmental Effects in this regard with only a statement which argues that "bushfire risk will be greatly reduced as vegetation will be cleared to make way for dwellings and APZ areas will be created and managed". No information was provided as to where and what dimension these asset protection zones (APZ) were intended to be.

As such it is considered that the development does not satisfy the 1(2)(b) and (d) and is not permitted under the provisions of the SRLEP2013.

Lake Jindabyne Scenic Protection clause 7.6 of the SRLEP2013

The whole of lot 17 is mapped with the Lake Jindabyne Scenic Protection Area and as such any development must consider clause 7.6 of the SRLEP2013. The statement of environmental effects provided with the application does not address how the development complies with the provision of this clause which states that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) the development will not have an unacceptable visual impact on the scenic quality of the area when viewed from the relevant lake at its full supply level or from a public place, and*
- (b) the development has been designed to prevent any intrusion into the view from the lake at its full supply level.*

And in deciding whether to grant development consent to development on any land to which this clause applies, the consent authority must consider:

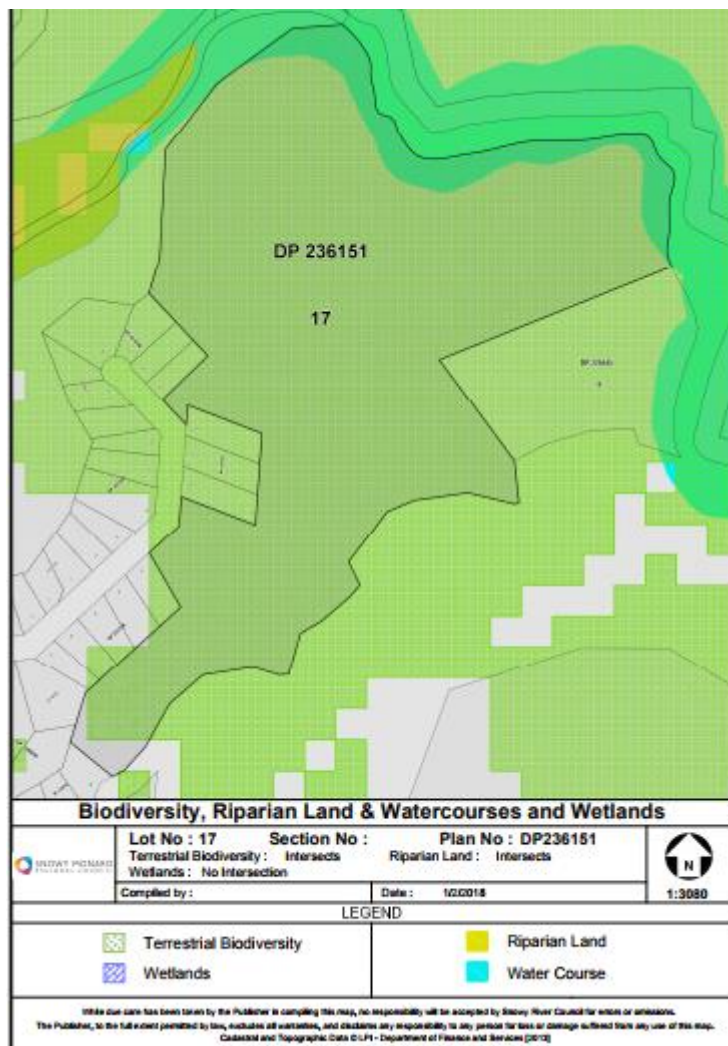
- (a) the visual impact of the development when viewed from the relevant lake at its full supply level or from a public place, and*
- (b) whether the design and construction of any new buildings (including ancillary development) prevent any intrusion into the view from the lake and minimises any adverse impacts on the view from the lake and surrounding areas, and*
- (c) the number, type and location of existing trees and shrubs that are to be retained and the extent of landscaping to be carried out on the site, and whether provision has been made for the planting of appropriate native species where the planting would visually screen the development.*

The development as proposed has taken into consideration to some degree the impact of the development when viewed from Lake Jindabyne in the Visual Impact Statement. Due to the

topography of the land the location of the development is minimised to some degree however the density within in area which currently heavily treed would be visible when viewed from the lake.

The visual impact statement does not include any information of trees to be removed or retained.

Areas of Mapped Biodiversity Value clause 7.2 of the SRLEP 2013



The property is mapped as having areas of indicative terrestrial biodiversity and as such the development application will need to comply with clause 7.2 of the SRLEP 2013. Clause 7.2 requires that before determining a development application for development on land to which this clause applies, the consent authority must consider whether the development is likely to have:

- (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
- (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
- (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
- (iv) any adverse impact on the habitat elements providing connectivity on the land, and

(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

And that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

It was considered that the information provided with the application and the additional information received in relation to these matters was not sufficient for Council to be satisfied that the development was designed sited and will be managed to avoid any significant adverse environmental impact. Especially when an EEC is located on the subject property. The applicant has not provided adequate measures for the avoiding the impact nor have they sought to amend the lot layout when these issues were raised. It is considered that in the case of the subject subdivision the impact can be minimised due to the large area of the lot that is not being used for development which has within it areas of land with less biodiversity value. As such it is considered that the development cannot be approved as the clause states that the consent authority must be satisfied of these requirements for approval to be granted.

In order to ensure that Council was adequately assessing the impact of the development in relation to this clause and the requirement under s79C(1)(b) of the EP&A Act 1979 Council referred the application to the NSW Office of Environment and Heritage for specialist advice in interpreting the flora and fauna assessments provided with the application. Further discussion as to the issues raised by OEH and the inadequacy of the information provided by the applicant are discussed below.

s79C(1)(b) of EP&A Act 1979 ('the Act') The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality:

Environmental Impacts – Natural Environment

The office of Environment and Heritage (OEH) has provided feedback on this application in four responses on 5/07/2016, 16/09/2016, 20/12/2016 and 1/09/2017 which were provided to Council and the applicant (these letters are attached) and have carried out a site inspection with Council officers and the applicant in June 2016.

OEH have consistently advised the applicant and Council that the information provided including assessments by Trever Haweswood and most recently from Abel Ecology do not adequately address the impact of the development on the endangered ecological community (EEC) of Tablelands Snow Gum Woodland and the threatened species likely to be present on site.

Council received a final response from the OEH in January 2018 stating that

OEH does not consider the amended information adequately addresses the impacts of the subdivision on the endangered ecological community located on site. The information provided to date by the proponent and their consultant, has not demonstrated that the impact of the proposed

development on threatened species habitat and the endangered ecological community of Snow gum woodland has been adequately avoided or offset.

We have explained this in our letter dated 1 September 2017 – our reference DOC17/369272-2.

As such it is considered that the likely impacts of the development on the natural environment are to a degree that precludes Council from being able to approve this development application lest it be in contravention with the requirements of s79C of the Act

SUBMISSIONS

The application was notified and publicly advertised for 30 days, in accordance with relevant DCP requirements and the relevant statutory regulations and 20 objections were received within the submission period. The submissions have been summarised below with consideration of the issues raised following.

Two further submissions were received after the submission period and they have been included in the attachments to this report. The issues in these submissions have been included in the considerations below. One submission was in the form of a presentation to Council in December 2017 by the Jindabyne East Residents Committee. This submission requested clarification to a number of points a response to these has been included below.

Whilst it is acknowledged that these submissions raised similar issues this would be expected as the development does have several impacts that would be consistently felt by surrounding residents. Under the requirements of s79C of the Environmental Planning and Assessment Act 1979 (the 'Act') Council is required to consider these submissions when assessing a development application. The applicant was provided a copy of the submissions received within the submission period and was provided an opportunity to respond. This response is included as an attachment to this report.

1	Object	<ul style="list-style-type: none">Increased traffic on Rushes Bay Avenue – risk to motorists, cyclists and pedestrians. No footpaths on Rushes Bay Avenue. Intersection between Rushes Bay Avenue and Jerrara Drive and dangerous.Improvements in infrastructure would be required.Impact against need, already plenty of residential land available in the area.
2	Object	<ul style="list-style-type: none">Inappropriate locationIntersection with Rushes Bay Ave and Jerrara Drive is dangerousQuiet street with no footpaths safety issuesRoad is at its limit, no potential available to widen the roadLand is of significant natural beauty and is visible as it is high and sloping.20 lots with dual occupancy not appropriate for this locationExtra street lightingMany blocks available at the other end of East Jindabyne, East Jindabyne should grow through Kunama Ridge and Alpine Sands and Tyrolean not in this direction.Plenty of land for sale

3	Object	<ul style="list-style-type: none"> • Intersection between Rushes Bay Avenue and Jerrara Drive and dangerous. • Rushes Bay Avenue is narrow and winding with no footpaths • Verges are steep and inaccessible making widening of the road unsuitable. • Due to the nature of the existing lots on Rushes Bay Avenue children use the road currently which is a cul-de-sac as a play space for bikes, skateboards. • Other more accessible areas to develop in East Jindabyne and Tyrolean Village
4	Object	<ul style="list-style-type: none"> • Councils urban land release strategy does not include this land for development. • The development is in an inappropriate location and number of dwellings proposed is excessive. • Ample existing lots in East Jindabyne and Tyrolean Village and additional land areas zoned • Traffic impact assessment in SEE is inadequate • Existing road is narrow and winding no verges and was not designed to allow for the additional traffic 20 dwellings would create. • Intersection with Rushes Bay Ave and Jerrara Drive is dangerous and not suited to construction traffic. • LEP requires that the development minimise impact on visual impact, aboriginal cultural heritage, minimise storm water runoff and fire risk to residents. • Access to the gorge will be blocked by the development as it is currently being accessed through the property. • Areas is used for recreational purposes. • Drainage is not adequately addressed and will have an impact on Rushes Bay having the potential to cause pollution • The development would be at risk from bushfire and issues surrounding potential for evacuation in the event of a fire. • Increase in light glare at night • Changes the semi natural backdrop in Rushes Bay • Reduced property values
5	Object	<ul style="list-style-type: none"> • Traffic assessment provided in the SEE is inappropriate • Rushes Bay Ave the only proposed access to the development it is narrow and winding and the increase in traffic will pose a risk to pedestrians and motorists. • Children use the road to access a bus stop with no footpaths • Intersection with Rushes Bay Ave and Jerrara Drive is dangerous

		<ul style="list-style-type: none"> • The increase in traffic will have noise impacts • No scope to enlarge the road • Increased risk in the event of an emergency • Loss of property values • Area not identified in Councils urban land release strategy • No demonstrated need for the development • Noncompliance with the Snowy River LEP • Street lighting and nighttime glare • Removal of tree cover for structures and hazard reduction • Site is identified as scenic protection • No drainage features proposed • Fire risk • Deficient in the LEP that it does not require development to minimise the impacts of increased traffic or whether existing infrastructure can meet the demand. • No slope analysis in the SEE • Access will be removed through the subject site to Rushes Bay Gorge • No consultation with residents about this proposal for over 10 years and Council must meet and speak with residents as part of the consideration of the proposal • The DA information is not on the website only council offices
6	Object	<ul style="list-style-type: none"> • Increased traffic • Intersection between Rushes Bay Avenue and Jerrara Drive and dangerous. • Rushes Bay Avenue is narrow and winding with no footpaths • Speed limit not always observed and no traffic calming • Increase in the number of children using the road • Extra wear and tear on the road • Construction traffic impacts • Traffic issues not sufficiently addressed in the SEE • Land is zoned E3 and not identified as an area for development there are more appropriately zoned areas elsewhere. • Aboriginal cultural heritage study not included with application • Area is gazette Scenic Protection and cost of the existing tree cover will be removed as part of the development of the site.

		<ul style="list-style-type: none"> • Increase in light glare at night • Impacts of stormwater and no details of stormwater filtration and the impact on Rushes Bay • Access will be removed through the subject site to Rushes Bay Gorge • Increased traffic noise • reduced property values • No demonstrated need • Capacity of existing infrastructure • No consultation with residents about this proposal for over 10 years and Council must meet and speak with residents as part of the consideration of the proposal • The DA information is not on the website only council offices
7	Object	<ul style="list-style-type: none"> • Increased traffic • Intersection between Rushes Bay Avenue and Jerrara Drive and dangerous. • Rushes Bay Avenue is narrow and winding with no footpaths • No scope to enlarge the road • Traffic noise • reduced property values • Councils urban land release strategy does not identify this land for development. • No demonstrated need • Ample existing approved lots in East Jindabyne and Tyrolean Village and additional land areas zoned for residential development all these are more appropriate areas for development • Area is gazette Scenic Protection and most of the existing tree cover will be removed as part of the development of the site. • Increase in light glare at night • Impacts of storm water on Rushes Bay • Fire risk • Deficient in the LEP that it does not require development to minimise the impacts of increased traffic or whether existing infrastructure can meet the demand. • No slope analysis in the SEE • Access will be removed through the subject site to Rushes Bay Gorge • No consultation with residents about this proposal for over 10 years and

		<p>Council must meet and speak with residents as part of the consideration of the proposal</p> <ul style="list-style-type: none"> • The DA information is not on the website only council offices
8	Object	<ul style="list-style-type: none"> • Noncompliance with the Snowy River LEP • existing tree cover will be removed as part of the development of the site. • Street lighting and night time glare • Area is gazette Scenic Protection • No drainage features proposed to mitigate impacts of storm water on Rushes Bay • Fire risk • Deficient in the LEP that it does not require development to minimise the impacts of increased traffic or whether existing infrastructure can meet the demand. • No slope analysis in the SEE • Councils urban land release strategy does not identify this land for development. • Traffic assessment provided in the SEE is inadequate • Intersection between Rushes Bay Avenue and Jerrara Drive and dangerous. • Rushes Bay Avenue is narrow and winding with no footpaths • No scope to enlarge the road • Traffic noise • Increased risk for emergency evacuation • Loss of property values • Access will be removed through the subject site to Rushes Bay Gorge • No consultation with residents about this proposal for over 10 years and Council must meet and speak with residents as part of the consideration of the proposal
9	Object	<ul style="list-style-type: none"> • Inadequate access to the site via Rushes Bay Avenue • Winding narrow road terminating in cul-de-sac • Rushes Bay Ave is currently too narrow for two lane traffic to pass safely increase in traffic volume would exacerbate situation and there are bottle necks to traffic flow on the road. • Intersection of Rushes Bay Ave and Jerrara Drive problematic • Rushes Bay Ave unsuitable for construction traffic

		<ul style="list-style-type: none"> • No footpath • Cars parked on road verge • Children catching school bus need to walk within the road proper • Existing driveways are steep onto the road. • Increased traffic would have negative residential amenity impacts • Reduction in property value • SEE and flora and Fauna report indicate the land is of poor value for native flora and fauna – this is not the case • Call into question the depiction of the land as former farmland with poor native flora and fauna and limited environmental value • Land is teeming with native wildlife • Many species of creek wildlife and water birds have been seen in the area • The area is one of the few remaining bush land areas that provided access to the lake and provide a vital corridor for native fauna • Area in question is a vital bridge between two large bush land areas surrounding the lower and upper Snowy River valley areas, the proposed development would block this corridor and break the link • Negative impact on rushes Creek from runoff, pollution, human activity . effecting water quality, driving away native fauna. • Impact on trout spawning could be impacted • Issues with the content of the FFS and the SEE • Request that the FFS be assessed independently and that a second environmental impact assessment be commissioned by SRSC. • Planned number of residences exceeds that stipulated in the SRLEP2013 • Land is zoned E3 this contradicts the use of the land for subdivision • Question the process for rezoning of the land and what consultation was undertaken • Concerns with access to documents relating to land use zoning, environmental plans or aboriginal cultural heritage assessment • Large availability of land better suited to this development in the area
10	Object	<ul style="list-style-type: none"> • Rushes Bay Ave and its intersection with Jerrara Drive is dangerous • Traffic assessment provided in the SEE is inadequate • Existing road is not adequate for new development • School bus cannot come down Rushes Bay Ave, children need to walk on the road to the bus stop

		<ul style="list-style-type: none"> • Traffic noise • Bushfire risk with only one access point • Loss of property values • Councils urban land release strategy does not include this land for development • Ample land available in the area • No pollution controls for the development • Abundance of wildlife in Rushes Bay gorge • Lack of DA information on the website
11	Object	<ul style="list-style-type: none"> • No traffic impact assessment in SEE • Traffic issues with Rushes Bay Ave • Lots of amenity and usability of roads • Loss of property values • Ample approved lots in East Jindabyne and Tyrolean, no demonstrated need for development • SEE understates impacts of the development • Site contains habitat areas and there is fauna that is known in the location that is not mentioned in the SEE and detailed report. • Noncompliance with LEP • Visual impacts - much of existing tree cover will be removed, street lighting and intrusive night time glare. • Site is a scenic protection area, development would not achieve the requirement to preserve visual integrity. • No drainage features provided • Fire risk • Deficient in the LEP that it does not require development to minimize the impacts of increased traffic or whether existing infrastructure can meet the demand. • No slope analysis in the SEE development cannot meet the requirements of development on slopes >18% • Blocks traditional access to a local recreation and environmental resource • SEE does not provide measures to protect the gorge from the impacts of residential development such as weed invasion and domestic animals. • Proposal is larger than that put forward in 2005 • Concentrates the pact of the development on Rushes Bay Ave and does not

		<p>make use of the upper half of the land.</p> <ul style="list-style-type: none"> • What will the upper area used for the in the future, cumulative impacts of the current proposal and future development need to be considered • Capacity of existing infrastructure • Land is suitable for lower density development should utilise the upper section of Jerrara Drive for access.
12	Object	<ul style="list-style-type: none"> • Increased traffic and associated risks • Intersection between Rushes Bay Avenue and Jerrara Drive and dangerous. • Rushes Bay Avenue is narrow and winding with no footpaths • No scope to enlarge the road • Traffic noise • reduced property values • Council's urban land release strategy does not identify this land for development. • No demonstrated need • Noncompliance with LEP • Area is gazette Scenic Protection and most of the existing tree cover will be removed as part of the development of the site. • Increase in light glare at night • Impacts of storm water on Rushes Bay • Fire risk • Deficient in the LEP that it does not require development to minimise the impacts of increased traffic or whether existing infrastructure can meet the demand. • No slope analysis in the SEE • Access will be removed through the subject site to Rushes Bay Gorge
13	Object	<ul style="list-style-type: none"> • Traffic assessment provided in the SEE is inappropriate • Rushes Bay Ave the only proposed access to the development it is narrow and winding and the increase in traffic will pose a risk to pedestrians and motorists. • Children use the road to access a bus stop with no footpaths • Intersection with Rushes Bay Ave and Jerrara Drive is dangerous • The increase in traffic will have noise impacts • No scope to enlarge the road • Increased risk in the event of an emergency

		<ul style="list-style-type: none"> • SEE understates impacts of the development • Flora and Fauna assessment does understates the impact of the development on threatened species and the EEC present on site. • Issues with Cultural Heritage Assessment • Visual impact of tree removal and street lighting and development is within a scenic protection area • No drainage features presented to mitigate the impacts of stormwater • Fire risk impacted by only one exit • Deficient in the LEP that it does not require development to minimise the impacts of increased traffic or whether existing infrastructure can meet the demand. • No slope analysis in the SEE development cannot meet the requirements of development on slopes >18% • Blocks traditional access to a local recreation and environmental resource Rushes Gorge • SEE does not provide measures to protect the gorge from the impacts of residential development such as weed invasion and domestic animals. • Land is suitable for lower density development should utilise the upper section of Jerrara Drive for access. If lower density development approved, then conditions of consent should allow of retention of public access to Rushes Creek and no street lighting
14	Object	<ul style="list-style-type: none"> • Increased traffic and associated risks and reduced amenity • Intersection between Rushes Bay Avenue and Jerrara Drive and dangerous. • Rushes Bay Avenue is narrow and winding with no footpaths • No scope to enlarge the road • Traffic noise • Councils urban land release strategy does not identify this land for development. • No demonstrated need • No assessment in regard to Aboriginal cultural Heritage • Negative visual impacts when structures and vegetation removed • No study of how runoff into rushes bay swimming area will be managed • Bushfire risk • No drainage features proposed to mitigate stormwater runoff • Deficient in the LEP that it does not require development to minimise the impacts of increased traffic or whether existing infrastructure can meet the demand.

		<ul style="list-style-type: none"> No slope analysis in the SEE development cannot meet the requirements of development on slopes >18% Blocks traditional access to a local recreation and environmental resource Rushes Gorge Capacity of existing infrastructure No consultation with residents about this proposal for over 10 years and Council must meet and speak with residents as part of the consideration of the proposal
15	Object	<ul style="list-style-type: none"> Suitability of the land under the LEP Issues for road users including road damage road noise request to divert traffic along Old Cooma Road and away from Rushes Bay Ave for an alternative access to the site. Will conditions of consent require sealing of Old Cooma Road Pedestrian access and footpaths Updated environmental study, archeological study, soil study, social study required. Is undeveloped land to be reserved for community access Erosion issues Study required for impact of development on property values Overdevelopment in East Jindabyne
16	Object	<ul style="list-style-type: none"> Issues surrounding proposed sewerage pumping station including noise and location and visual impact Disturbance to community while construction takes place Traffic and road issues Removal of trees Devalue properties Environmental impacts on wildlife and birdlife Access road through existing houses potentially hazardous
17	Object	<ul style="list-style-type: none"> Rushes Bay Avenue inadequate for existing traffic would not cope with additional traffic Rushes Bay Avenue is narrow with no footpaths Vehicles park on the road shoulders Access into lots is difficult due to slope Intersection dangerous

		<ul style="list-style-type: none"> Access to the new development should be from Old Jindabyne Road
18	Object	<ul style="list-style-type: none"> Impacts of the development on adjoining agricultural activities Building envelopes required on certain lots Visual impact of infrastructure
19	Object	<ul style="list-style-type: none"> Traffic assessment inadequate Increased traffic and associated risks and reduced amenity Intersection between Rushes Bay Avenue and Jerrara Drive and dangerous. Rushes Bay Avenue is narrow and winding with no footpaths No scope to enlarge the road Visual impact of development Stormwater impacts Steep slopes Address of development Development unsuitable for land
20	Object	<ul style="list-style-type: none"> Traffic assessment inadequate Increased traffic and associated risks and reduced amenity Intersection between Rushes Bay Avenue and Jerrara Drive and dangerous. Rushes Bay Avenue is narrow and winding with no footpaths No scope to enlarge the road Visual impact of development Stormwater impacts Council's urban land release strategy does not identify this land for development. No demonstrated need No slope analysis in the SEE development cannot meet the requirements of development on slopes >18% Blocks traditional access to a local recreation and environmental resource Rushes Gorge

As there were similar issues raised in the submissions, the response to the submissions will be grouped into issues rather than individually responded to.

Traffic

It is acknowledged that the current state of Rushes Bay Avenue including where it intersects with Jerrara Drive would require upgrades to facilitate the development of additional lots using these

roads for access. It would not be reasonable for a development to be approved in this location without further works occurring on the road.

A revised traffic assessment was provided by the applicant after requests from Council. This assessment was provided to Councils Development Engineer who determined that there could be an engineering solution with respect to upgrading of Rushes Bay Avenue. Such a solution would be conditioned on any development consent and would require any upgrade works to be borne by the developer to service the subdivision.

Appropriateness of Development

Whilst the land is zoned E3- Environmental Management with a minimum lot size of 40 hectares Lot 17 is subject to an additional permitted use under SRLEP2013 which allows for the lot to be subdivided for no more than 20 lots which could accommodate no more than 20 dwellings. This does not include dual occupancy development. For dual occupancies to be approved the subdivision could not be more than 10 lots.

Whilst the land may not form part of an “Urban Release Strategy” it was rezoned by Council to allow for no more than 20 dwellings (once subdivided). Consultation was undertaken by Council at the time of the rezoning and it is not appropriate to revisit this as part of the assessment of this development application. Dual occupancies would not be permitted on any of the 20 subdivided lots as the maximum density for lot 17 is 20 dwellings. It is acknowledged that there are several subdivisions currently approved and ready for development in the East Jindabyne area. This land supply is a matter related to competition in a market place and not one that Council considers when assessing an application on land that is zone for this purpose.

With respect to the use of the land for recreational purposes and for access to the gorge this access was over private land without the permission of the land owner disallowing development on land for this reason is not reasonable if the land is zoned and able to be developed for another purpose. Maintaining an access through the land to the lake could be required by Council in the approval of such a subdivision. Consultants associated with the development have indicated that they would be designing a public access within the subdivision. This however was not shown in the development plans. Reduction in property values is not considered a relevant consideration in the assessment of an application as no evidence has been provided to support this. The impact of the development on the residential amenity of the surrounding properties has been considered in the assessment of the application against the provisions of s79C and is an issue with the proposal. The area of land on which the proposal is to be located is considered unsuitable for the number of dwellings/lots proposed.

Non-conformity to LEP – Special Provision

It is acknowledged in the report that there is non-compliance with the provisions of the additional permitted use for lot 17 in Schedule 1 of the SRLEP2013. The areas of noncompliance are discussed above under the s79C assessment section of the report. The areas of noncompliance with the LEP include:

Scenic and visual impacts - Whilst the applicant has provided a visual impact statement for the development it was limited and did not adequately consider all impacts. There was some limited slope analysis however there was no detail of trees to be removed for APZs, dwelling houses and associated subdivision infrastructure. The removal of vegetation will have a visual impact when viewed from Lake Jindabyne and surrounds. The applicant did not consider in the SEE or the visual impact assessment the impact of street lighting other than to state it will not be intrusive. No

information on the lighting was provided to evidence the statement that street lighting (and lighting of the premises within the development site) would not have an adverse visual impact on the surrounding environs.

The applicant did provide preliminary engineering drawings (to staff during meetings regarding the application) which dealt with stormwater management on site. Whilst the development application is deficient in this respect it is considered that there would be an appropriate engineering solution to stormwater runoff that could be dealt with, with suitable conditions of consent.

The applicant has not adequately addressed bushfire risk whilst, the land is not mapped as bushfire prone under council's bushfire prone land map it is a matter for consideration as part of the special use provision which allows the subdivision to be carried out in this location. The applicant should have addressed this in greater depth to demonstrate what mitigation measures were to be implemented.

The number of residences planned is 21 which does exceed the special provision, this is discussed above in greater detail.

The applicant has provided the necessary Aboriginal cultural heritage assessments directly to OEH for the provision of an AHIP which can be dealt with outside of the development application process.

Native Flora and Fauna

Council referred all information relating to native flora and fauna impacts from the development to OEH. The department are not satisfied that the information provided is sufficient to ensure that the impacts can be avoided, mitigated or offset. The concerns raised in the submission regarding the impact of the development on the natural environment of the site have been taken into consideration in the composition of the recommended reasons for refusal.

Additional Issues

The limited capacity of existing infrastructure can be dealt with by appropriate upgrades that would need to be undertaken at the expense of the developer to service the subdivision. Should the existing water and sewer and stormwater infrastructure need to be upgraded to facilitate the development it would be done so with the cost borne by the developer.

Council is currently working towards providing more information pertaining to development applications on council's website. Council has undertaken consultation for this application in accordance with the Act, any prior lack of consultation is not relevant for the assessment of this application.

Responses to specific enquires made in a submission by the Jindabyne East Residents Committee at the December 2017 Council Meeting:

1. DA0014/2016 is not the subdivision of proposed lot 6 under DA0203/2006) it is a subdivision of lot 17 and does not relate to the previous approval. Proposed lot 1 in DA0014/2016 has a large area with several parts.
 2. DA0203/2006 is still an active consent as it was commenced by the release of subdivision certificate for lot 5 prior to the lapsing date of the consent.
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3. There is no legal requirement for documents accompanying a DA to be prepared by persons independent of the applicant. It is not unusual for the applicant to prepare all associated documents themselves.
4. Last and Maxwell provided to Council authorisation from the applicants to allow them to correspond with Council on their behalf with respect to the application.
5. Council provided to OEH the original FFS and OEH requested further information from the applicant, this resulted in the document authored by Abel Ecology. Council did not appoint an independent assessor however all information relating to flora and fauna was provided to OEH for their comment and guidance due to their technical expertise. This included any new assessments provided by the applicant.
- 6-11 The environmental impacts of the development and Council and OEHs response to these impacts is addressed elsewhere in this report as is the suitability of the area within lot 17 to develop. It is considered that the development as it is proposed would have an undesirable impact on native flora and fauna and is therefore being recommended for refusal.
12. there is no infrastructure proposed for the development within 40m of the watercourse and as such no controlled activity approval was required from the Office of Water.
13. the impact of the development with respect to stormwater could be managed through various means, however it is agreed that this was not well addressed by the applicant and it is further reason to refuse the development application.
14. it is considered that the applicant did not adequately address the scenic impact of the development
- 15 – 17 the land was rezoned under the SRLEP97 and the additional use was transferred into the SRLEP2013 as such the additional permitted use exists and the application must be assessed against this. The process that was carried out develop this additional permitted use is not relevant to the assessment of this development application. The details of the process can be found in Councils file relating to the rezoning.
- 18-21 traffic issues and their potential for resolution have been addressed above in the response to submissions. The proposed roads within the subdivision are to be public roads.

CONCLUSION

It is considered that the proposed development does not generally comply with the relevant provisions of Section 79C of the Act, LEP, DCPs, Codes and Policies.

In conclusion, it is considered that the proposal has an unacceptable level of impact aesthetically, socially and environmentally having regard to the surrounding natural and built environment and comments from relevant state agencies (OEH). Accordingly, refusal is recommended subject to the reasons provided above.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The application received a number of objections on the grounds that the development would negatively impact the lifestyle of the surrounding residents and have an unacceptable impact on access road to the site. Whilst there would be engineering solutions to the traffic and road infrastructure impacts the cost of which to implement would be borne by the developer the social impacts of the loss of residential amenity felt by the adjoining residents is more difficult to mitigate with the existing lot layout. The development in its current form and location would impact negatively on the surrounding properties in both visual impact of light shed from houses, street lighting and the removal of trees. These social impacts whilst not the only reason to refuse the application do contribute towards the determination that the area the subdivision is to be developed is unsuitable for the residential density proposed.

2. Environmental

The environmental impacts of the development have been discussed at length in the body of the report. It is the opinion of Council officers and the officers from the Office of Environment and Heritage that the environmental impacts of the development are significant enough to warrant the recommended refusal of the application.

3. Economic


The economic impacts of the development on Council would be minimal as the works required to upgrade any existing infrastructure including, roads, water and sewerage reticulation and the like would be borne wholly by the developer.

4. Civic Leadership

It is considered that due to the number submissions received, the concerns raised by the Office of Environment and Heritage and the community concern over the project that the application be reported to Council for determination.

16.1 REVIEW OF COUNCILS DELEGATION REGISTER

Record No:

Responsible Officer:	General Manager
Authors:	Secretary Council & Committees Administration Assistant
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. Delegation Register (<i>Under Separate Cover</i>) 
Cost Centre	3120

EXECUTIVE SUMMARY

Council is required to review its delegations within the first 12 months of each term of office, as per [Section 380 of the Local Government Act](#). At its meeting on 27 September 2017 Council approved Delegations to the General Manager and requested a report be brought to Council on the updated Delegations Register.

The following review and recommendations are in line with [Section 377 of the Local Government Act](#) General Power of the Council to Delegate.

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

OFFICER'S RECOMMENDATION

That Council

1. In order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities, in accordance with Council's resolution hereby delegates, pursuant to Section 377 of the Local Government Act, 1993, to the person holding the position of General Manager, and from time to time, holding the aforementioned position in an acting capacity, the exercise of Council's powers, functions, duties and authorities arising from the Act and all other acts, regulations and Council policies, subject to the limitation specified in Section 377 (1) of the Local Government Act.
 2. Note the General Manager may sub delegate any of the functions of the General Manager, as detailed in Section 378 of the Local Government Act, subject to the limitation prescribed in Section 377 of The Local Government Act; as listed in the Delegations Register: Part A Delegations granted to the General Manager and sub delegated to staff.
 3. Note the General Manager is restrained from carrying out any of those functions of Council
-

- excluded from delegation by operation of section 377(1) of the Act;
4. Note the General Manager is entitled to carry out any functions delegated to the Council by the Departmental Chief Executive or the Minister, subject to any express limitations imposed by the Departmental Chief Executive or Minister;
 5. Note the delegation to the General Manager is limited in accordance with Council's adopted policies in force from time to time.
 6. Note if a function is conferred or imposed on an employee of the Council under any other legislation, the function is deemed to be conferred or imposed on the Council and is delegated to the General Manager.
 7. Confirm other delegations as listed in the Delegations Register: Part B Delegations granted to non-staff.
 8. Endorse the acquisition of the LGL delegations software.

BACKGROUND

A review of the delegations to the General Manager has been undertaken. Staff contacted all NSW Councils to confirm their delegations to the General Manager.

In all, 33 Councils provided feedback on their delegations, including any restrictions to delegations of the General Manager. This confirmed the majority of Councils do not have restriction on the General Managers instrument of delegations other than those functions that cannot be delegated under the Act. The resolution to Council articulates those limitations.

The delegations register has been updated to reflect current legislation changes as well as recent organisational structure changes within Council.

In addition the review also investigated options of administering our delegations register. It is an ongoing challenge to ensure the delegations register remains up to date with legislative compliance and effectively reflects the organisation structure.

The two systems predominantly noted were the Local Government Legal (LGL) database and the Local Government Software Solutions database (LGSS). From the responses we received Local Government Legal seems to be the favored of the two.

An initial request for costings was received from LGL and LGSS, ranging from \$5,000 to \$10,000 per annum; further information on both of these systems will be sought during the coming weeks with the aim of implementing a software solution for Councils delegations in the coming months.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Delegations are a required function that enables internal control and are subject to the powers, authorities, duties and functions of Council:

- Reserved to the Council by Section 377 and [Section 379 of the Local Government Act 1993](#);
- Which are required by any legislation or instrument to be performed by the Council;
- Delegated to the General Manager by Council resolution from time to time

The General Manager may delegate any of the functions of the General Manager, other than this power of delegations and may sub delegate a function to any person or body (including another employee of the council).

Delegations granted to Non-Staff including those to the Mayor, RFS, SES and committees have remained as per Part B of the current register.

Having an up-to-date register the community can be confident that Council Officers are acting within their authority, as well the delegations granted to staff provide the General Manager with oversight as to how the organisation is managed.

2. Environmental

There are a number of delegations that relate to protection of the environment as well as giving the General Manager the ability to manage the organisation in accordance with the principles of sustainability.

3. Economic

By conducting a comprehensive review of both systems and implementing software that specifies in the administration, maintenance and continued updates to legislation (when changed) the process for staff will be streamlined, significantly reducing management of the register updates, and will potentially reducing error rates.

4. Civic Leadership

The General Manager may, unless restricted by the Council, sub-delegate any function. Written delegations are in place from the General Manager to specific Officers to give effect to the implementation of actions.

The Council is required to maintain a register of all delegations given both by the Council and the General Manager. The register is available for public inspection at all times during normal office hours.

16.2 REVIEW OF THE OLG - DRAFT MODEL CODE OF MEETING PRACTICE

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:	DP7.1.1.1 Ensure that legislative obligations are met throughout all Council departments.
Operational Plan Action:	OP7.2 Completion of Financial statutory and regulatory reports in accordance with specified requirements.
Attachments:	1. OLG- Draft Model Code of Meeting Practice ↓ 2. Draft Code of Meeting Practice Feedback Stocktake from Snowy Monaro Regional Council – Non Mandatory Clauses ↓
Cost Centre	3120

EXECUTIVE SUMMARY

Office of Local Government overview

The Office of Local Government (OLG) is consulting with councils and other stakeholders on the new Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code).

Refer attached document: 1. OLG- Draft Model Code of Meeting Practice

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

OFFICER'S RECOMMENDATION

That Council agree to the officers recommendation for the draft submission on the Model Code of Meeting Practice, specifically:

- A. The mandatory clauses in the draft submission be agreed;
- B. That Council, with the exception of clauses 5.21, 17.10 and 19.12, adopt these non-mandatory clauses following release of the final version Model Code of Meeting Practice by the OLG as part of the SMRC Code of Meeting Practice.
- C. That Snowy Monaro Regional Council seek clarification from the OLG in the submission regarding non-mandatory clauses 5.21, 17.10 and 19.12 as detailed in the stocktake; and
- D. Following the release of the final version of the Model Code of Meeting Practice by the OLG, Council meet to determine the specific parameters required for the clauses.

BACKGROUND

OLG Overview

The document contains mandatory provisions (indicated in black font) that reflect the existing meetings provisions of the Act and adapt those currently contained in the Regulation. The existing

meetings provisions of the Regulation have been updated and supplemented to reflect contemporary meetings practice by councils and to address ambiguities and areas of confusion in the existing provisions based on feedback from councils.

It also contains non-mandatory provisions (indicated in red font) that cover areas of meetings practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances.

The Model Meeting Code has been designed to achieve a range of outcomes, namely:

- promoting, as the principal object of meetings, the making of decisions by the governing bodies of councils that are in the best interests of the council and the community as a whole*
- promoting more accessible, orderly, effective and efficient meetings and to provide councils with the tools to achieve these outcomes*
- prescribing principles to inform the way in which meetings are conducted and to prescribe meeting rules that are consistent with these principles*
- codifying areas of common practice across councils in a way that is clear, efficient, leads to better informed and more effective decision making and that is consistent with the requirements of the Act*
- promoting greater consistency between councils across the state in key areas of meetings practice without losing the ability to allow some variation in practice to meet local needs or expectations*
- allowing greater flexibility in the conduct of meetings to accommodate a range of potential scenarios that are not addressed by the current meeting rules*
- simplifying the language currently used to make the prescribed meeting rules more accessible and easier to understand*
- modernising the rules to accommodate current and emerging technologies (e.g. electronic notice, electronic voting systems and webcasting).*
- A response to the draft has been prepared, initially for Council.*
- Following feedback from Council the draft response would be submitted to the OLG and also to the CBRJO.*

The Draft Code of meeting practice review

Having reviewed the OLG - Draft Model Code of Meeting Practice, Snow Monaro Regional Council staff have no submission comments for the mandatory changes (black font) and support the adoption of these sections in the draft format as mandatory.

With regard to the non-mandatory provisions (in red font), a stocktake of the clauses has been undertaken in attachment 2: Draft Code of Meeting Practice Feedback Stocktake from Snowy Monaro Regional Council – Non-Mandatory Clauses

With the exception of clauses 5.21, 17.10 and 19.12, Snow Monaro Regional Council staff have no submission comments and recommend that Council adopt these clauses following release of the final version Model Code of Meeting Practice by the OLG as part of the SMRC Code of Meeting Practice.

With regard to clauses 5.21, 17.10 and 19.12 we seek clarification from the OLG in the submission request as listed in the attachment.

All other recommendations contained within the stocktake are specific to Council determining parameters outlined within the clauses. We recommend this be undertaken in a meeting with Councillors once the final version of the Code is released by the OLG.

Submissions are due to the OLG by 16 March 2018

Following the submissions and the

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Ensuring Council has a clear and transparent Code of Meeting Practice, that meets legislative obligations, will ensure our community members are able to engage with Council effectively at Council meetings.

2. Environmental

There are no environmental impacts identified associated with the draft Model Code of Meeting Practice review.

3. Economic

Any financial impacts associated with the implementation of a new Model Code of Meeting Practice will be assessed when the final version is released following submissions.

4. Civic Leadership

Providing submissions on draft Code and Policy documents is a responsibility undertaken by Council to ensure these Codes and Policies are effective for our community, staff and Council.

MODEL CODE OF MEETING PRACTICE

for Local Councils
in NSW

December 2017



CONSULTATION DRAFT

CONSULTATION DRAFT

MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW

December 2017

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Model Code Of Meeting Practice for Local Councils in NSW

1 Introduction

December 2017

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under section 360 of the *Local Government Act 1993 (the Act)* and the *Local Government (General) Regulation 2005 (the Regulation)*.

This code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

The provisions of the Model Meeting Code that are not mandatory are indicated in red font.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

2 Meeting Principles

December 2017

2.1 Council and committee meetings should be:

Transparent	Decisions are made in a way that is open and accountable.
Informed	Decisions are made based on relevant, quality information.
Inclusive	Decisions respect the diverse needs and interests of the local community.
Principled	Decisions are informed by the principles prescribed under Chapter 3 of the Act.
Trusted	The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.
Respectful	Councillors, staff and meeting attendees treat each other with respect.
Effective	Meetings are well organised, effectively run and skilfully chaired.
Orderly	Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

Model Code Of Meeting Practice for Local Councils in NSW

3 Before the Meeting

Timing of ordinary council meetings

- 3.1** The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Extraordinary meetings

- 3.2** If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.2 reflects section 366 of the Act.

- 3.3** The mayor or the general manager, in consultation with the mayor, may call an extraordinary meeting without the need to obtain the signature of two councillors to consider urgent business.
- 3.4** For the purpose of clause 3.3, urgent business is any matter that, in the opinion of the mayor or the general manager, requires a decision by the council before the next scheduled ordinary meeting of the council.

Notice to the public of council meetings

- 3.5** The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.5 reflects section 9(1) of the Act.

- 3.6** For the purposes of clause 3.5, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be:

- a) published on the council's website, and
- b) published:
 - i) where practicable, in a local newspaper or in a newspaper circulating throughout the state (or both), as determined by the council, or
 - ii) in such other manner as is determined by the council, with the object of bringing notice of the meeting to the attention of as many people as possible.

- 3.7** For the purposes of clause 3.5, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.8** The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.8 reflects section 367(1) of the Act.

- 3.9** The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.9 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

- 3.10** Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.10 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.11** A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted **[council to specify notice period required]** business days before the meeting is to be held.

- 3.12** A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

- 3.13** A councillor may submit no more than **[number to be specified by the council]** notices of motion to be considered at each ordinary meeting of the council.

- 3.14** If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may either:

- (a)** prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council, or
- (b)** by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such

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a date specified in the notice,
pending the preparation of such a
report.

- 3.15** A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:

- (a) prepare a report on the availability of funds for implementing the motion if adopted, or
- (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.16** A councillor may, by way of a notice submitted under clause 3.11, ask a question for response by the general manager about the performance or operations of the council.
- 3.17** A councillor is not permitted to ask a question with notice under clause 3.16 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.18** The general manager or their nominee may respond to a question with notice submitted under clause 3.16 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.19** 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.
- 3.20** The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to be put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.11.
- 3.21** Nothing in clause 3.20 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.22** 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.

3.23 Where the 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, the general manager must ensure that the agenda of the meeting:

- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.23 reflects section 9(2A)(a) of the Act.

3.24 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of agenda and business papers to the public

3.25 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.25 reflects section 9(2) and (4) of the Act.

3.26 Clause 3.25 does not apply to the business papers for items of business that the general manager has identified under clause 3.23 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.26 reflects section 9(2A)(b) of the Act.

3.27 For the purposes of clause 3.25, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.27 reflects section 9(3) of the Act.

3.28 A copy of an agenda, or of an associated business paper made available under clause 3.25, may in addition be given or made available in electronic form.

Note: Clause 3.28 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.29** The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.30** Despite clause 3.29, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency.
- 3.31** A motion moved under clause 3.30(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.32** Despite clauses 10.19–10.27, only the mover of a motion moved under clause 3.30(a) can speak to the motion before it is put.
- 3.33** A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.30(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.34** Prior to each ordinary meeting of the council, the general manager will arrange a pre-meeting briefing session to brief councillors on the items of business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.35** Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.36** The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.37** Councillors (including the mayor) are to make all reasonable efforts to attend pre-meeting briefing sessions.
- 3.38** Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.39** Councillors (including the mayor) must disclose and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do at a council or committee meeting.

Model Code Of Meeting Practice for Local Councils in NSW

4 Public Forums

December 2017

- 4.1** The council will hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2** Public forums are to be chaired by the mayor or their nominee.
- 4.3** To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by **[date and time to be specified by the council]** before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.4** A person may apply to speak on no more than **[number to be specified by the council]** items of business on the agenda of the council meeting.
- 4.5** Nominated candidates at federal, state or local government elections and serving councillors are not permitted to speak at a public forum.
- 4.6** Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.7** The general manager or their delegate may refuse an application to speak at a public forum.
- 4.8** No more than **[number to be specified by the council]** speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.9** If more than the permitted number of speakers applies to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.10** Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than **[number to be specified by the council]** days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.11** The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.12** Each speaker will be allowed **[number to be specified by the council]** minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.13** Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to so digress. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.14** A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.

- 4.15** Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to **[number to be specified by the council]** minutes.
- 4.16** Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.17** The general manager or his or her nominee may, with the concurrence of the chairperson, address the council for up to **[number to be specified by the council]** minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.18** Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.19** When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.20** If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.21** Clause 4.20 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.22** Where a speaker engages in conduct of the type referred to in clause 4.19, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.23** Councillors (including the mayor) must disclose and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do at a council or committee meeting.
- Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council.**

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5 Coming Together

Attendance by councillors at meetings

- 5.1** All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.
- 5.2** A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.
- 5.3** Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.4** A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.5** The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.6** A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because he or she has been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.6 reflects section 234(1)(d) of the Act.

- 5.7** A councillor who intends to attend a meeting of the council despite having been granted leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.8** The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.
- Note: Clause 5.8 reflects section 368(1) of the Act.**
- 5.9** Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.
- Note: Clause 5.9 reflects section 368(2) of the Act.**
- 5.10** A meeting of the council must be adjourned if a quorum is not present:
- (a)** within half an hour after the time designated for the holding of the meeting, or
 - (b)** at any time during the meeting.
- 5.11** In either case, the meeting must be adjourned to a time, date and place fixed:
- (a)** by the chairperson, or
 - (b)** in his or her absence, by the majority of the councillors present, or
 - (c)** failing that, by the general manager.

5.12 The general manager must record in the council's 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 the council, together with the names of the councillors present.

5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and using such other means as will bring notice of the cancellation to the attention of as many people as possible.

5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered at an extraordinary meeting called under clause 3.3.

Entitlement of the public to attend council meetings

5.15 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.15 reflects section 10(1) of the Act.

5.16 Clause 5.15 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

5.17 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council 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.

Note: Clause 5.17 reflects section 10(2) of the Act.

Note: If adopted, clauses 15.13 and 15.14 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.13 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.14 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

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Webcasting of meetings

- 5.18** All meetings of the council and committees of the council are to be webcast.
- 5.19** Clause 5.18 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 5.20** At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.

Audio recording of meetings

- 5.21** Audio recordings are to be made of all meetings of the council and committees of the council for the dominant purpose of assisting with the preparation of the minutes for meetings.

Attendance of the general manager and other staff at meetings

- 5.22** The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.22 reflects section 376(1) of the Act.

- 5.23** 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.

Note: Clause 5.23 reflects section 376(2) of the Act.

- 5.24** The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.24 reflects section 376(3) of the Act.

- 5.25** The attendance of other council staff at a meeting, (other than as members of public) shall be with the approval of the general manager.

6 The Chairperson

The chairperson at meetings

- 6.1** The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

- 6.2** If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3** If no chairperson is present at a meeting of the 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.
- 6.4** The election of chairperson must be conducted:
- (a)** by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
 - (b)** by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5** If, at an election of a chairperson, two (2) 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.

- 6.6** For the purposes of clause 6.5, 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 so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7** The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

- 6.8** Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9** When the chairperson rises or speaks during a meeting of the 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.

7 Modes of Address

December 2017

- 7.1** If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2** Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3** A councillor is to be addressed as 'Councillor [surname]'.
- 7.4** A council officer is to be addressed by their official designation.

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8 Order of Business for Ordinary Council Meetings

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8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.

8.2 The general order of business for an ordinary meeting of the council shall be:
[councils may adapt the following order of business to meet their needs]

- 01 Opening meeting
- 02 Acknowledgement of country
- 03 Prayer
- 04 Apologies and applications for leave of absence by councillors
- 05 Confirmation of minutes
- 06 Disclosures of interests
- 07 Mayoral minute(s)
- 08 Reports of committees
- 09 Reports to council
- 10 Notices of motions/questions with notice
- 11 Confidential matters
- 12 Conclusion of the meeting

Note: Councils must use either clause 8.1 or 8.2.

8.3 The order of business as fixed under clause [8.1/8.2] **[delete whichever is not applicable]** may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: If adopted, Part 13 allows council to deal with items of business by exception.

8.4 Despite clauses 10.19-10.27, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

9 Consideration of Business at Council Meetings

December 2017

Business that can be dealt with at a council meeting

9.1 The council must not consider business at a meeting of the council:

- (a) unless a councillor has given notice of the business, as required by clause 3.11, and
- (b) unless notice of the business has been sent to the councillors in accordance with clause 3.8 in the case of an ordinary meeting and clause 3.10 in the case of an extraordinary meeting.

9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:

- (a) is already before, or directly relates to, a matter that is already before the council, or
- (b) is the election of a chairperson to preside at the meeting, or
- (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
- (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.

9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency.

9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.19–10.27, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.

9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

9.6 If the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of council, or of which the council has official knowledge.

9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.

9.8 A recommendation made in a mayoral minute put by the mayor is, insofar as it is adopted by the council, a resolution of the council.

9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity.

Staff reports

- 9.10** A recommendation made in a staff report is, insofar as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.11** The recommendations of a committee of the council are, insofar as they are adopted by the council, resolutions of the council.
- 9.12** If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.13** A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.11 and 3.16.
- 9.14** A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.15** A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.16** A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.17** The councillor must put every such question directly, succinctly and without argument.
- 9.18** The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10 Rules of Debate

Motions to be seconded

- 10.1** Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2** A councillor who has submitted a notice of motion under clause 3.11 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3** If a councillor who has submitted a notice of motion under clause 3.11 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4** In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the 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 the council at which the motion can be considered.

Chairperson's duties with respect to motions

- 10.5** It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6** The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7** Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8** Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been rejected.

Motions requiring the expenditure of funds

- 10.9** A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10** An amendment to a motion must be moved and seconded before it can be debated.
- 10.11** An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12** The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13** If an amendment has been rejected, a further amendment can be moved to the motion to which the rejected amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14** While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15** If the amendment is carried, it becomes the motion and is to be debated. If the amendment is rejected, debate is to resume on the original motion.

Foreshadowed motions

- 10.16** A councillor may propose a foreshadowed motion without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.17** Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.18** Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.19** A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and to any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.20** 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.
- 10.21** 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 an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.22** Despite clauses 10.19 and 10.20, 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 (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.23** The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.22. A seconder is not required for such a motion.
- 10.24** 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 their right of reply under clause 10.19.
- 10.25** 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.
- 10.26** All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.27** Once the debate on a matter is closed and a matter has been dealt with, the chairperson must not allow further debate on the matter.

11 Voting

Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at council meetings

- 11.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

- 11.5 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.

- 11.6 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.

- 11.7 When a division on a motion is called, 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 recorded in the council's minutes for the meeting.

- 11.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.

- 11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

- 11.10 All voting at council meetings must be recorded in the minutes of the meeting with the names of councillors who voted for or against a motion or amendment being recorded as if a division had been called under clause 11.6.

Voting on planning decisions

- 11.11** The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.12** For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.13** Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.14** Clauses 11.11–11.13 apply also to meetings that are closed to the public.

Note: Clauses 11.11–11.14 reflect section 375A of the Act.

12 Committee of the Whole

December 2017

- 12.1** The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

- 12.2** All the provisions of this code relating to meetings of the council, insofar as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.19–10.27 limit the number and duration of speeches.

- 12.3** The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

- 12.4** The 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.

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13 Dealing with Items by Exception

December 2017

- 13.1** The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2** Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson is to list the items of business to be adopted and ask councillors to identify any of the individual items of business listed by the chairperson that they wish to speak on.
- 13.3** The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they wish to speak on.
- 13.4** Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5** A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6** Items of business adopted under clause 13.1 are to be taken as having been unanimously adopted.
- 13.7** Councillors must ensure that they disclose and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

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14 Closure of Council Meetings to the Public

December 2017

Grounds on which meetings can be closed to the public

14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (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,
- (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 the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

14.2 The council or a committee of the council 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.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (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.

Note: Clause 14.3 reflects section 10B(1) of the Act.

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(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.

Note: Clause 14.4 reflects section 10B(2) of the Act.

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), 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 other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

14.6 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:

- (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.

Note: Clause 14.6 reflects section 10B(4) of the Act.

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

14.8 Part of a meeting of the council, or of a committee of the council, 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 under clause 3.23 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 a matter referred to in clause 14.1, and
- (b) the council or committee, after considering any representations made under section 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

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Representations by members of the public

14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

14.11 Where the matter has been identified in the agenda of the meeting under clause 3.23 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by **[date and time to be specified by the council]** before the meeting at which the matter is to be considered.

14.12 The general manager (or their delegate) may refuse an application made under clause 14.11.

14.13 No more than **[number to be specified by the council]** speakers are to be permitted to make representations under clause 14.9.

14.14 If more than the permitted number of speakers applies to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.

14.15 The general manager (or their delegate) is to determine the order of speakers.

14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.23 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than **[number to be specified by the council]** speakers to make representations in such order as determined by the chairperson.

14.17 Each speaker will be allowed **[number to be specified by the council]** minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers are to confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to so digress. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

14.19 If any such person, after being notified of 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 person from that place and, if necessary restrain that person from re-entering that place.

Information to be disclosed in resolutions closing meetings to the public

14.20 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. 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) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.20 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

14.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

14.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.

15 Keeping Order at Meetings

Points of order

- 15.1** A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2** A point of order must be taken immediately it is raised. The chairperson must suspend business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.3** 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.
- 15.4** 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.
- 15.5** The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.6** The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.7** A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.8** 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 agenda and proceed with it in due course.
- 15.9** Despite any other provision of this code, 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.

Acts of disorder

15.10 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:

- (a) contravenes the Act or any regulation in force under the Act or this code, or
- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (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 the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into contempt.

15.11 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.10(a) or (b), or
- (b) to withdraw a motion or an amendment referred to in clause 15.10(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.10(d) and (e).

How disorder at a meeting may be dealt with

15.12 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

15.13 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

Note: Councils may use either clause 15.13 or clause 15.14.

15.15 Clause [15.13/5.14] **[delete whichever is not applicable]**, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

- 15.16** A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.11. 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.
- 15.17** A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.18** Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.19** If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, 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 councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place.

Use of mobile phones and the unauthorised recording of meetings

- 15.20** Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.21** A person must not use a tape recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.22** Any person who makes a recording or attempts to make a recording of a meeting of the council or a committee of the council in contravention of clause 15.21, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.23** If any such person, after being notified of 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.

16 Conflicts of Interest

December 2017

- 16.1** All councillors and, where applicable, all other persons, must disclose and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct.

17 Decisions of the Council

Council decisions

- 17.1** 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.

Note: Clause 17.1 reflects section 371 of the Act.

- 17.2** Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3** A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.11.

Note: Clause 17.3 reflects section 372(1) of the Act.

- 17.4** If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

- 17.5** If a motion has been rejected by the council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.11.

Note: Clause 17.5 reflects section 372(3) of the Act.

- 17.6** A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been rejected by the council, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was rejected.

Note: Clause 17.6 reflects section 372(4) of the Act.

- 17.7** If a motion to alter or rescind a resolution has been rejected, or if a motion which has the same effect as a previously rejected motion is rejected, no similar motion may be brought forward within three (3) months of the meeting at which it was rejected. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

- 17.8** The provisions of clauses 17.5–17.7 concerning rejected motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9** A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.12 with the consent of all signatories to the notice of motion.

- 17.10** A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than **[council to specify the period of time]** after the meeting at which the resolution was adopted.

17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council

Note: Clause 17.11 reflects section 372(6) of the Act.

17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a)** a notice of motion signed by three councillors is submitted to the chairperson, and
- (b)** a motion to have the motion considered at the meeting is passed, and
- (c)** the chairperson rules the business that is the subject of the motion is of great urgency.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.19–10.27, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting to correct any error, ambiguity or imprecision in the council's resolution.

17.16 In seeking the leave of the chairperson under clause 17.15 to move to recommit a resolution adopted at the same meeting, the councillor is to propose alternative wording for the resolution.

17.17 The chairperson must not grant leave under clause 17.15, unless he or she is satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.19–10.27, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.

17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

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18 Time Limits on Council Meetings

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- 18.1** Meetings of the council and committees of the council are to conclude no later than **[council to specify the time]**.
- 18.2** If the business of the meeting is unfinished at **[council to specify the time]**, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3** If the business of the meeting is unfinished at **[council to specify the time]**, and the council does not resolve to extend the meeting, the chairperson must adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4** Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5** Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
- (a)** individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b)** publish the time, date and place at which the meeting will reconvene:
 - (i)** on the council's website, and
 - (ii)** by using such other means that will bring notice of the time, date and place at which the meeting will reconvene to the attention of as many people as possible.

19 After the Meeting

December 2017

Minutes of meetings

- 19.1** The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

- 19.2** At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) details of each motion moved at a council meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

- 19.3** The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

- 19.4** Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 19.5** When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

- 19.6** The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed.

- 19.7** The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8** The council and committees of the council 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.

Note: Clause 19.8 reflects section 11(1) of the Act.

- 19.9** Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10** Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11** Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12** The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 Council Committees

December 2017

Application of this Part

- 20.1** This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2** The council may, by resolution, establish such committees as it considers necessary.
- 20.3** A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4** The quorum for a meeting of a committee of the council 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.

Functions of committees

- 20.5** The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Notice of committee meetings

- 20.6** The general manager must send to each councillor regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7** Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 20.8** A committee member (other than the mayor) ceases to be a member of a committee if the committee member:
- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's 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 member's absences.
- 20.9** Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

20.11 The chairperson of each committee of the 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 the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

20.13 If neither the chairperson nor the deputy chairperson of a committee of the 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.

20.14 The chairperson is to preside at a meeting of a committee of the 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 nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise.

20.16 Without limiting clause 20.15, 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.

20.17 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

20.19 If a committee of the 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 make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is webcast.

Disorder in committee meetings

20.21 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

20.22 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) details of each motion moved at a meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

20.23 All voting at meetings of committees of the council must be recorded in the minutes of the meetings with the names of councillors who voted for or against a motion or amendment being recorded as if a division had been called under clause 11.6.

20.24 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

20.25 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

20.26 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

20.27 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed.

20.28 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 Irregularities

December 2017

21.1 Proceedings at a meeting of a 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 committee member, or
- (c)** any defect in the election or appointment of a councillor or committee member, or
- (d)** a failure of a councillor or a committee member to disclose a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e)** a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

21 Definitions

December 2017

the Act	means the <i>Local Government Act 1993</i> .
act of disorder	means an act of disorder as defined in clause 15.10 of this code.
amendment	in relation to an original motion, means a motion moving an amendment to that motion.
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales.
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code; and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code.
this code	means the council's adopted code of meeting practice
committee of council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1.
council official	has the same meaning as in the Model Code of Conduct for Local Councils in NSW and includes councillors, administrators, council staff, council committee members and delegates of the council.
day	means calendar day.
division	means a request by two councillors under clause 11.6 of this code requiring the recording of the names of the councillors who voted both for and against a motion.
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.17 of this code during debate on the first amendment.
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.16 of this code during debate on an original motion.
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means.
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 2A of Part 6 of that Act.

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performance improvement order	means an order issued under section 438A of the Act.
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting.
the Regulation	means the <i>Local Government (General) Regulation 2005</i>
tape recorder	includes a video camera and any electronic device capable of recording speech, whether a magnetic tape is used to record or not.
year	means the period beginning 1 July and ending the following 30 June.



Draft Code of Meeting Practice Feedback Stocktake from Snowy Monaro Regional Council – Non Mandatory Clauses			
Section		Part	Comment
1	INTRODUCTION		No suggested changes
2	MEETING PRINCIPLES		No suggested changes
3	BEFORE THE MEETING	3.11	<p>3.11 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted [council to specify notice period required] business days before the meeting is to be held.</p> <p>Current SMRC Code of meeting practice requires 14 days prior to the meeting : refer Section 15 (1) (a) Recommend – maintain at 14 Days per current code.</p>
		3.13	<p>3.13 A councillor may submit no more than [number to be specified by the council] notices of motion to be considered at each ordinary meeting of the council.</p> <p>Current SMRC Code does not specify a number. Recommend – adopting clause 3.13 as draft for SMRC Code and specify maximum number of notices as 3 per Councillor per meeting.</p>
		3.14	<p>3.14 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may either:</p> <p>(a) prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council, or</p> <p>(b) by written notice sent to all councillors with the business papers for the meeting for which the notice of</p>

			<p style="color: red;">motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.</p> <p>Currently the General Manager provides feedback to Council I the event of implications identified from the notice of motion presented.</p> <p>Recommend: adopting clause 3.14 as draft for SMRC Code.</p>
		3.15	<p style="color: red;">3.15 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:</p> <ul style="list-style-type: none"> (a) prepare a report on the availability of funds for implementing the motion if adopted, or (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report. <p>Recommend – adopting clause 3.15 as draft for SMRC Code.</p>
		3.34 – 3.39	<p style="color: red;">Pre-meeting briefing sessions</p> <p style="color: red;">3.34 Prior to each ordinary meeting of the council, the general manager will arrange a pre-meeting briefing session to brief councillors on the items of business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.</p> <p style="color: red;">3.35 Pre-meeting briefing sessions are to be held in the absence of the public.</p> <p style="color: red;">3.36 The general manager or a member of staff</p>

			<p>nominated by the general manager is to preside at pre-meeting briefing sessions.</p> <p>3.37 Councillors (including the mayor) are to make all reasonable efforts to attend pre-meeting briefing sessions.</p> <p>3.38 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.</p> <p>3.39 Councillors (including the mayor) must Disclose and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do at a council or committee meeting.</p> <p>Recommend: Adopt clauses 3.34 to 3.39 as draft for SMRC Code.</p>
4	PUBLIC FORUMS	4.1 – 4.23	<p>4.1 The council will hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.</p> <p>4.2 Public forums are to be chaired by the mayor or their nominee.</p> <p>4.3 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by [date and time to be specified by the council] before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.</p> <p>4.4 A person may apply to speak on no more than [number to be specified by the council] items of business on the agenda of the council meeting.</p> <p>4.5 Nominated candidates at federal, state or local government elections and serving</p>

			<p>councillors are not permitted to speak at a public forum.</p> <p>4.6 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.</p> <p>4.7 The general manager or their delegate may refuse an application to speak at a public forum.</p> <p>4.8 No more than [number to be specified by the council] speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.</p> <p>4.9 If more than the permitted number of speakers applies to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.</p> <p>4.10 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than [number to be specified by the council] days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.</p> <p>4.11 The general manager or their delegate is to determine the order of speakers at the public forum.</p> <p>4.12 Each speaker will be allowed [number to be specified by the council] minutes to address the council. This time is to be strictly enforced by the chairperson.</p> <p>4.13 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to</p>
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			<p>direct the speaker not to so digress. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.</p> <p>4.14 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.</p> <p>4.15 Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to [number to be specified by the council] minutes.</p> <p>4.16 Speakers at public forums cannot ask questions of the council, councillors or council staff.</p> <p>4.17 The general manager or his or her nominee may, with the concurrence of the chairperson, address the council for up to [number to be specified by the council] minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.</p> <p>4.18 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.</p> <p>4.19 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.</p> <p>4.20 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.</p>
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			<p>4.21 Clause 4.20 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.</p> <p>4.22 Where a speaker engages in conduct of the type referred to in clause 4.19, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.</p> <p>4.23 Councillors (including the mayor) must disclose and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do at a council or committee meeting.</p> <p>Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council.</p> <p>Recommend: Adopt clauses 4.1 to 4.23 as draft for SMRC Code.</p> <p>Council to determine the following:</p> <p>4.3 – Date and time for notification to speak for public forum.</p> <p>4.4 – number of items a public member can speak on per meeting.</p> <p>4.8 – Number of speakers permitted for any individual agenda item to be specified – current code refers to 3 for and 3 against section 27 (1) (f).</p> <p>4.10 – Number of days speakers are required to submit material and equipment needs to be specified</p> <p>4.12 – Time per speaker to be specified – current code refers to limit of 5 min section 27 (1) (d).</p> <p>4.15 – Time for a speaker to respond to Councillor question if able to be specified.</p> <p>4.17 – Time for GM or delegate to respond following public submission to be specified.</p>
5	COMING TOGETHER	5.13 – 5.14	<p>5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the</p>

			<p>meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and using such other means as will bring notice of the cancellation to the attention of as many people as possible.</p> <p>5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered at an extraordinary meeting called under clause 3.3.</p> <p><i>Recommend:</i> Adopt clauses 5.13 – 5.14 as draft for SMRC Code</p>
		5.21	<p>Audio recording of meetings</p> <p>5.21 Audio recordings are to be made of all meetings of the council and committees of the council for the dominant purpose of assisting with the preparation of the minutes for meetings.</p> <p>If Clause 5.18 requires all meetings of the Council Committees to be Webcast then an audio recording is already captured. Therefore clause 5.21 is not required.</p> <p>Recommend – seek clarification from the OLG On how long the recordings are required to be maintained by Council?</p>
6	THE CHAIRPERSON		No suggested changes
7	MODES OF ADDRESS		No suggested changes
8	ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS	8.1 & 8.2	<p>8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.</p> <p>8.2 The general order of business for an ordinary meeting of the council shall be: [councils may adapt the following order of business to meet their needs]</p> <ul style="list-style-type: none"> 01 Opening meeting 02 Acknowledgement of country 03 Prayer 04 Apologies and applications for leave of absence by councillors 05 Confirmation of minutes

			<p>06 Disclosures of interests</p> <p>07 Mayoral minute(s)</p> <p>08 Reports of committees</p> <p>09 Reports to council</p> <p>10 Notices of motions/questions with notice</p> <p>11 Confidential matters</p> <p>12 Conclusion of the meeting</p> <p>Note: Councils must use <u>either</u> clause 8.1 <u>or</u> 8.2.</p> <p>Recommend : Council adopt clause 8.2 with amendment to remove section 3 Prayer – based on Council decision Sep 2017</p>
9	CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS		No suggested changes
10	RULES OF DEBATE	10.9	<p>Motions requiring the expenditure of funds</p> <p>10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/ or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.</p> <p>Recommend: Adopt clauses 10.9 as draft for SMRC Code</p>
11	VOTING	11.10	<p>11.10 All voting at council meetings must be recorded in the minutes of the meeting with the names of councillors who voted for or against a motion or amendment being recorded as if a division had been called under clause 11.6.</p> <p>Recommend: Adopt clauses 11.10 as draft for SMRC Code</p>
12	COMMITTEE OF THE WHOLE		No suggested changes
13	DEALING WITH ITEMS BY EXCEPTION		<p>13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda</p>

			<p>together by way of a single resolution.</p> <p>13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson is to list the items of business to be adopted and ask councillors to identify any of the individual items of business listed by the chairperson that they wish to speak on.</p> <p>13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they wish to speak on.</p> <p>13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.</p> <p>13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.</p> <p>13.6 Items of business adopted under clause 13.1 are to be taken as having been unanimously adopted.</p> <p>13.7 Councillors must ensure that they disclose and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.</p> <p>Recommend: Adopt clauses 13.1 – 13.7 as draft for SMRC Code and provide feedback to OLG that these clauses should be considered as Mandatory.</p>
14	CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC	14.11, 14.13, 14.16, 14.17,	<p>14.11 Where the matter has been identified in the agenda of the meeting under clause 3.23 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by</p>

			<p>[date and time to be specified by the council] before the meeting at which the matter is to be considered.</p> <p>14.13 No more than [number to be specified by the council] speakers are to be permitted to make representations under clause 14.9.</p> <p>14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.23 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than [number to be specified by the council] speakers to make representations in such order as determined by the chairperson.</p> <p>14.17 Each speaker will be allowed [number to be specified by the council] minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers are to confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to so digress. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard</p> <p>Council to determine the required specifications (in red) for mandatory clauses 14.11, 14.13, 14.16, and 14.17</p>
15	KEEPING ORDER AT MEETINGS		<p>Expulsion from meetings</p> <p>15.13 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the</p>

			<p style="color: red;">purposes of section 10(2)(b) of the Act.</p> <p style="color: red;">15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.</p> <p style="color: red;">Note: Councils may use <u>either</u> clause 15.13 <u>or</u> clause 15.14.</p> <p style="color: red;">15.15 Clause [15.13/5.14] [delete whichever is not applicable], does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2) (a) of the Act.</p> <p>Council to determine if preference on the inclusion of clause 15.13 or 15.14.</p> <p>Recommend: Following that determination we recommend that clause 15.15 be included as draft with reference to the specific clause agreed.</p>
16	CONFLICTS OF INTEREST		No suggested changes
17	DECISIONS OF THE COUNCIL	17.10	<p style="color: red;">17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than [council to specify the period of time] after the meeting at which the resolution was adopted.</p> <p>Recommend: Seeking clarification from OLG :</p> <p>That this clause contradicts Legal advice SMRC received regarding the ability to rescind a development application once the developer had been advised of an approval. Advice received suggested that if the Developer was in the Public gallery for Council and was advised by attendance that the resolution for the DA had passed then the resolution could not be rescinded following that notification.</p> <p style="color: red;">17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the</p>

			<p>council may be moved at the same meeting at which the resolution was adopted, where:</p> <ul style="list-style-type: none"> (a) a notice of motion signed by three councillors is submitted to the chairperson, and (b) a motion to have the motion considered at the meeting is passed, and (c) the chairperson rules the business that is the subject of the motion is of great urgency. <p>17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.19–10.27, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.</p> <p>17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).</p> <p>Recommitting resolutions to correct an error</p> <p>17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting to correct any error, ambiguity or imprecision in the council’s resolution.</p> <p>17.16 In seeking the leave of the chairperson under clause 17.15 to move to recommit a resolution adopted at the same meeting, the councillor is to propose alternative wording for the resolution.</p> <p>17.17 The chairperson must not grant leave under clause 17.15, unless he or she is satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.</p> <p>17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.19–10.27, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.</p> <p>17.19 A motion of dissent cannot be moved against</p>
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			<p>a ruling by the chairperson under clause 17.15.</p> <p>17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.</p> <p>Recommend: Adopt clauses 17.12 – 17.20 as draft for SMRC Code</p>
18	TIME LIMITS ON COUNCIL MEETINGS		<p>18.1 Meetings of the council and committees of the council are to conclude no later than [council to specify the time].</p> <p>18.2 If the business of the meeting is unfinished at [council to specify the time], the council or the committee may, by resolution, extend the time of the meeting.</p> <p>18.3 If the business of the meeting is unfinished at [council to specify the time], and the council does not resolve to extend the meeting, the chairperson must adjourn the meeting to a time, date and place fixed by the chairperson.</p> <p>18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.</p> <p>18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:</p> <ul style="list-style-type: none"> (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and (b) publish the time, date and place at which the meeting will reconvene: <ul style="list-style-type: none"> (i) on the council's website, and (ii) by using such other means that will bring notice of the time, date and place at which the meeting will reconvene to the attention of as many people as possible. <p>Recommend: Adopt clauses 18.1 – 18.5 as draft for SMRC Code</p> <p>Council to specify times for clauses 18.1 – 18.3</p> <p>Support these inclusions in SMRC Code because of WH&S obligations and Duty of Care.</p>

19	AFTER THE MEETING	19.12	<p>Implementation of decisions of the council</p> <p>19.12 The general manager is to implement, without undue delay, lawful decisions of the council.</p> <p>Note: Clause 19.12 reflects section 335(b) of the Act.</p> <p>Recommend: Seeking clarification from the OLG</p> <p>Whether the lawful decision applies based on the formal adoption of the minutes? Or the resolution at the Council meeting – which may not be until the following Council meeting – does waiting for the adoption of the minutes cause undue delay?</p> <p>Does this affect the timing for timing for a rescission notice to be submitted – is it within 3 months from the Council meeting resolution date or 3 months from the adoption of the minutes from the Council resolution date.</p>
20	COUNCIL COMMITTEES	20.23	<p>20.23 All voting at meetings of committees of the council must be recorded in the minutes of the meetings with the names of councillors who voted for or against a motion or amendment being recorded as if a division had been called under clause 11.6</p> <p>Recommend: Adopt clauses 20.23 as draft for SMRC Code.</p> <p>Recommend: alignment to decision for clause 11.10</p>
21	IRREGULARITIES		No suggested changes
22	DEFINITIONS		No suggested changes

16.3 DRAFT SNOWY MONARO 2040 COMMUNITY STRATEGIC PLAN

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:	DP7.4.1.3 Coordinate and initiate community engagement processes that facilitate participation in Council activities and decision making, and keep residents informed on local events, issues and planning.
Operational Plan Action:	OP7.34 Support and encourage public engagement methods which invite comment from community and informs the decision making.
Attachments:	1. Draft Community Strategic Plan (<i>Under Separate Cover</i>) ⇒
Cost Centre	3120
Project	IP&R

EXECUTIVE SUMMARY

The Draft Snowy Monaro 2040 Community Strategic Plan (CSP) details the region's long term and high level aspirations and goals for now and extending beyond 20 years into the future.

This CSP has been developed through extensive consultation undertaken with the community during April and July 2017; consideration of Federal and State governments requirements and aligned to regional development strategies affecting the Snowy Monaro. It also meets the Integrated Planning and Reporting requirements stipulated by the Office of Local Government.

By its very nature the CSP is intentionally high level, and aspirational. Achievement of the detailed community goals are the responsibility of all levels of government; individual organisations and members of our community.

Further Details of Council's responsibility and what it can do to contribute to achieving these goals will be articulated in the development of the 2018-21 Delivery Program and 2018-19 Operational Plan.

This report recommends Council resolve to approve the Draft CSP be placed on public exhibition and invite the Snowy Monaro community to provide feedback via the detailed community engagement process presented at the Councillor workshop on 1 February 2018.

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

OFFICER'S RECOMMENDATION

That

- A. The Draft Snowy Monaro 2040 Community Strategic Plan is placed on public exhibition from 19 February to 25 March 2018.
- B. Public submissions be invited from the community during the above dates
- C. A report be provided to Council on completion of the public exhibition period.

BACKGROUND

The NSW *Local Government Act 1993* requires all Councils to facilitate on behalf of the community a Community Strategic Plan. The Plan is to be at least for the duration of 10 years and in local government areas that also responsible for water management, 20 years in duration.

When Councils' facilitate the development of the Community Strategic Plan on behalf of the community they are required to adhere to a number of essential elements. The Plan should:

- Be developed in partnership with community members and considering input from other levels of government
- Cover a broad range of issues relevant to the whole community
- Consider available state and regional plans and strategies
- Consider requests for services levels to be given due consideration
- Include a community vision statement
- Incorporate an assessment method for determining whether key strategies are being met.

Once the community has had the opportunity to comment on the consultation draft, Council will consider all feedback prior to completion of the final Plan.

Following the review of the community consultation and discussion with internal Council staff and Councillors the Draft CSP Themes, Outcomes and Strategies were developed;

- 4 Themes
- 12 Community Outcomes
- 32 Community Strategies

These Themes, Outcomes and Strategies are included in the Draft CSP attached to this report, in addition to a broad selection of community feedback comments.

COMMUNITY

Theme Descriptor: Our communities are welcoming, inclusive and safe; our lifestyle needs are actively considered and planned for; and opportunities exist to enhance our health and social wellbeing.

Our health and wellbeing needs are met

- Quality health and well-being services that support the changing needs of the community through
- All stages of the lifecycle are provided through government and non-government organisations.
- High quality community support and residential aged care services are available and accessible to residents across the region
- Recreation, sporting and leisure facilities encourage all ages to live an active and healthy lifestyle.
- Youth in the region are supported to reach their maximum potential.

Our region's diverse cultural identity is preserved, and we foster creative expression and spaces

- Our culturally diverse heritage is preserved and celebrated for the richness it brings to our regional identity.
- Support and promote the arts recognising the broad and diverse contribution it makes to community identity and wellbeing.

We are a safe and caring community

- Develop, maintain and promote safe spaces and facilities that are enabling, accessible and inclusive for all.
- Positive social behaviours (including law and order) are fostered and encouraged to maintain our safe, healthy and connected community

ECONOMY

Theme Descriptor: We are a vibrant and prosperous community providing opportunities for growth and learning.

Our region is prosperous with diverse industry and opportunities

- Attract diverse businesses and industries to the region, supporting their establishment and retention
- Foster and support adaptive, sustainable industries
- Capitalise on the region's proximity to Canberra and bordering NSW and Victorian regions to attract industry and investment

Our community has access to a range of diverse lifelong learning opportunities

- Advocate for and promote diverse education and lifelong learning opportunities
 - Promote and provide access and spaces both physical and mobile where people can learn and connect
-

Our residents and visitors connect with our region's welcoming and iconic attractions

- The Snowy Monaro region is a destination that offers a variety of quintessential year-round experiences, attractions and events
- Encourage and promote vibrant towns and villages, acknowledging and celebrating the unique heritage and character of each town
- Further promote and develop the regions visitor accommodation, product and recreational infrastructure

ENVIRONMENT

Theme Descriptor: Our iconic natural environment and heritage is preserved and enhanced for future generations whilst balancing the needs for regional development and growth.

Our natural environment is protected and sustainable

- Protect, value and enhance the existing natural environment
- Water, waste, sewer and stormwater management practices are contemporary and efficient

Our built environment and infrastructure is attractive and fit for purpose

- Planning for rural, urban and industrial development is sensitive to the region's natural environment and heritage
- Improve and maintain our public owned infrastructure and assets and facilities to a high standard
- Advocate for a range of suitable housing and accommodation is available for the changing needs of our community

Our community is connected through efficient transportation networks, technology and telecommunication services

- Transportation corridors throughout the region are improved and maintained
- Transportation initiatives are aligned to State and neighbouring local government area plans
- Our region has access to effective technology and telecommunication infrastructure and services.

LEADERSHIP

Theme Descriptor: We have contemporary civic leadership and governance that fosters trust and efficiency.

Our Council is strategic in their planning, decision making and resource allocation

- Planning and decision making is holistic and integrated and has due regard to the long term and cumulative effects.
 - Sound governance practices direct Council business and decision-making.
-

- Advocate and work with other levels of government, community and industry to improve outcomes.

Our Council delivers best value to the community

- Public services and processes are delivered reliably and efficiently in response to community needs.
- Council utilises sound fiscal management practices, pursues and attracts other sources of revenue.

Our Community informed and engaged in decision making

- Our community has multiple opportunities to be consulted and engaged in the development of plans, services and policies that affect the region
- Residents have access to timely, relevant and accurate information on issues that affect them.
- Our community is empowered and supported in facilitating community outcomes.

CONCLUSION

Public exhibition of the draft Snowy Monaro 2040 Community Strategic Plan follows a period of extensive community visioning engagement. This insight, along with consideration of State and regional plans has informed the development and articulation of the key strategic Outcomes and Strategies for the next 20 years.

Further feedback received during the public exhibition period will enable the plan to be finalised and also assist in informing the development of Council's Delivery Program 2018-2021 and subsequent Operational Plans.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Snowy Monaro 2040 Community Strategic Plan ensures the regions social needs will be continue to be addressed now and into the future.

2. Environmental

Snowy Monaro 2040 Community Strategic Plan ensures the regions environmental needs will be continue to be addressed now and into the future.

3. Economic

Snowy Monaro 2040 Community Strategic Plan ensures the region's economic sustainability and prosperity will be continue to be addressed now and into the future.

4. Civic Leadership

The development of the Snowy Monaro 2040 Community Strategic Plan by Council provides a clear picture for the future and how as a region we are going to get there.

16.4 BOMBALA PLAYGROUND LOCATION - COMMUNITY SURVEY

Record No:

Responsible Officer:	Executive Manager Innovation & Business Development
Author:	Project Manager
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:	OP7.1 Achieve a stronger, more efficient Council through a successful merger.
Attachments:	Nil
Cost Centre	3130
Project	Stronger Communities Fund – Major Projects Program (MPP)
Further Operational Plan Actions:	7.4.1.31 Support and encourage public engagement methods which invite comment from the community and informs the decision making

EXECUTIVE SUMMARY

There are two options for the construction of the new playground within Bombala. The survey provided a table which detailed both options including benefits and obstacles.

The community was surveyed via the 'Your Say' platform to identify the communities preferred location for the Playground.

The results were:

- Option 1: Therry St – 20.3%
- Option 2: Ginger Leigh Park – 79.7%

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

OFFICER'S RECOMMENDATION

That Council:

- A. Receives and notes the community survey results, showing the majority of community support for Ginger Leigh Park Area; and
- B. Confirms the location of the new Bombala Playground to be delivered as part of the Stronger Communities Fund Major Project Program to be located within the Ginger Leigh Park Area.

BACKGROUND

Under the Stronger Communities Fund Major Projects Program funding has been approved to construct a new playground in Bombala.

This playground will be designed as an 'all-abilities' facility.

There are 2 options available for the location of this playground, and we are asked the community to complete a short survey to determine the most suitable location.

Analysis	Option 1: Therry St	Option 2: Ginger Leigh Park
Benefits	<ul style="list-style-type: none"> • Closer to the commercial centre of Bombala • Will create additional economic development for the local Businesses. • Location adjacent to public toilet facilities. • Established car parking space adjacent to the facility. 	<ul style="list-style-type: none"> • Extension of existing facility. • Existing BBQ and toilet facilities available. • Adjacent to the Caravan park, so may lead to increase utilisation of both facilities.
Obstacles	<ul style="list-style-type: none"> • Will see a reduction of car parking spaces outside the Swimming Pool Complex. • Development Application required because of Zone restrictions. 	<ul style="list-style-type: none"> • Car parking area will need to be upgraded. • Development Application may be required because of Zone restrictions. • No direct link to the Bombala CBD.
Risk	<ul style="list-style-type: none"> • Limited space available for future expansion of the facilities. Creates an additional playground location to be maintained. 	<ul style="list-style-type: none"> • Reduced improvement to business economic development for Bombala CBD businesses. Concentrates playground facilities in Bombala.
Opportunities	<ul style="list-style-type: none"> • Create an additional community space in conjunction with the proposed Therry St Development / upgrade and the Platypus Viewing platform. • Improve the visual amenity on the south eastern side of the Bombala River Bridge. 	<ul style="list-style-type: none"> • Will create one larger playground space that has the ability to grow if additional funds become available. • Existing facility is worn and needs to be upgraded. • Upgrade existing pedestrian path to provide link to CBD.

Preferred Location

There are two options for the construction of the new playground within Bombala. As per the table at the front of this survey, both options have equal benefits and obstacles.

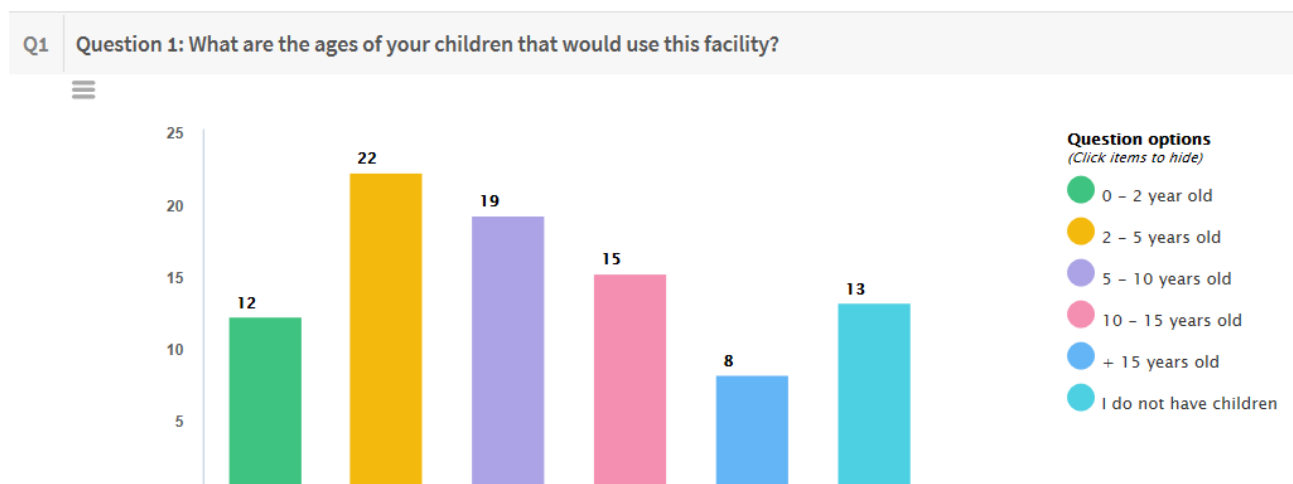
Option 1: Therry St - The playground would be constructed in northern half of the existing car park in Therry St adjacent to the Swimming Pool. This will create an additional playground facility in Bombala, and a destination for local and tourist close to the Bombala CBD.

Option 2: Ginger Leigh Park - The playground would be constructed adjacent to the existing facility. This would greater one larger space, including the existing BBQ facilities and tables. This area would have great opportunity to expand in the future, and including the extension of the walking track to create a link to the bridge leading to the Bombala CBD.



Results

A total of 162 visits to the survey platform, and 64 submissions received.

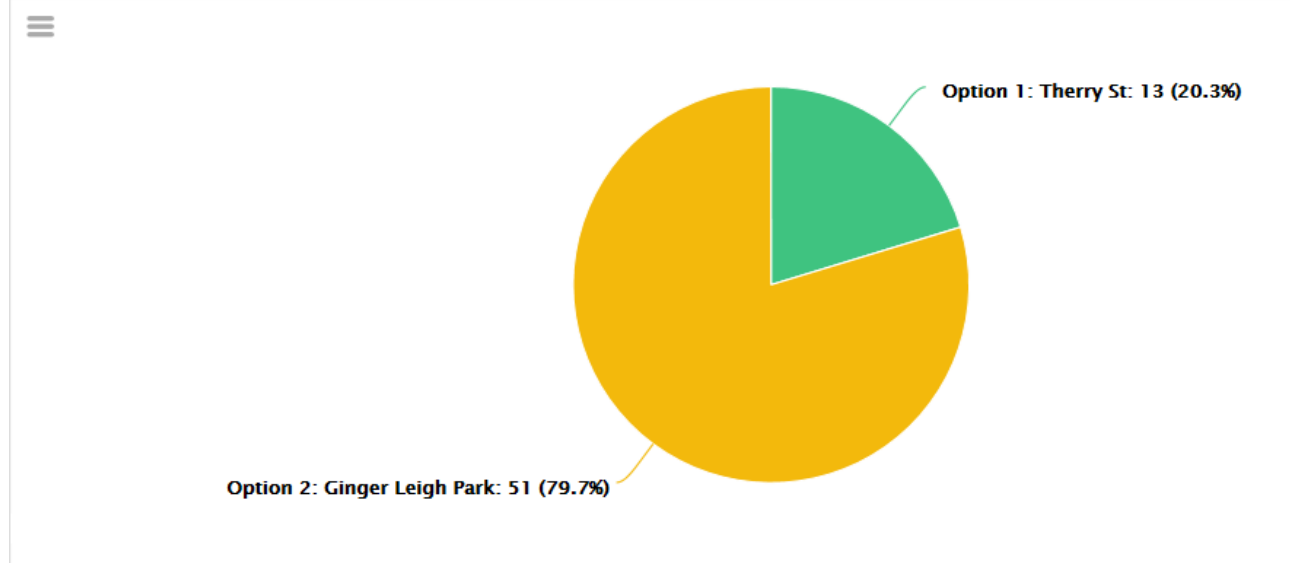


16.4 BOMBALA PLAYGROUND LOCATION - COMMUNITY SURVEY

Q2 Question 2: How important are the following items to you?



Q3 Question 3: What is your preferred location for the new Bombala Playground?



Other Comments

Option 1 seems it's more for tourist not us 😊
Upgrade of toilet facilities at Ginger Leigh Park a necessity
Shade sails are a must, the equivalent gets incredibly hot! Would be great to see activities for younger children/toddlers as there is currently very little. It's a very unsafe park for my toddler with epilepsy!
Truck parking, will put more on the highway, they need parking closer to town then on the other side of the river. In summer the parking in Therry is normally packed with cars, with the exception of this year. we need to keep the parking
I would like to see COUNCIL buy the old Bombala Hotel and Furniture shop located at the Roundabout in the Main Street, demolish them, and put some green space, parking and playground there. The surrounding buildings of the entry to the CBD are a disgrace
Make use on the space between the current park and the public toilets that are already there. The Merimbula all abilities park is nowhere near the CBD it works. Would be more cost effective to be near the existing bbq toilets park.
The playground needs to be fully fenced as both areas are near high traffic areas. My suggestion is next to the skate park, makes it more suitable for all ages in one area
This questionnaire seems to be constructed to be persuasive towards option 2
Children with disabilities should NOT have a separate playground; they are segregated as it is! There is nothing wrong with the existing park (except for the new fence which has a couple of places where children can get through - to the main road!).
There should be no discrimination, between disabled and non-disabled children.
The Therry St site is absolutely ridiculous, where are the trucks, vans etc going to park ??? Not to mention people who use the pool and gym , upgrade the ginger Leigh park , beautiful location plus away from the main road
My concern is if we go with option 1, the existing park will be neglected and will be another eyesore for visitors coming into town.
Locating the playground close to the existing toilet block which has easy access is important.
As this is a NEW "All Abilities Playground" it needs to be seen have disabled toilets nearby which Therry Street has. I believe that Therry Street can also be expanded in the future.
Children's playgrounds should always have all facilities available to most benefit the parents and the children together.
I believe that option one would create issues of safety for users due to traffic flows and hinder any future development of vacant land along Therry st
I think the Ginger Leigh Park option is the best. There is already not enough parking close to town and to take some would be detrimental. Also a great looking park would have the kids encouraging parents to stop in the town.
Def Ginger Leigh Park, there would finally be something that looked nice on the way into Bombala
Age Of kids irrelevant as we have to consider this project of tourists as much as locals. Hopefully this is the last survey we are asked to submit, as all of this is wasting valuable time. Most people in Bombala don't really mind which location
The other option would be near the skate park
How about Delegate the park out here is very outdated
After the park, maybe consider a facelift for the roundabout entrance to the CBD so it's not such an eyesore for tourists.
This is a great opportunity to develop this area for the whole community and visitors close to the caravan park and bbq facilities. to upgrade the existing toilet block and add a disabled toilet. The fence around the current playground could be extended.
Community consultation needs to extend beyond online survey to truly gauge locals opinions
All abilities park proposed for Bombala should not be portrayed as childrens playground - purpose built park area for all ages. Access to disabled toilets not just toilets critical
As a user of the walking track i see that the barbecue area and the play equipment really complement each other especially on weekends.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The construction of a new playground in the Bombala area will create an important community social space. The playground will be designed and constructed to encourage usage by community members and visitors of all abilities, ages and needs.

2. Environmental

The design of the playground will integrate into the existing environment and complement the natural surroundings.

3. Economic

The delivery of this project is funded by the Stronger Communities Fund Major Project Program.

4. Civic Leadership

The survey was created to allow the community to have influence in selecting the preferred location for the Bombala Playground to be delivered as part of the Stronger Communities Fund Major Project Program. The results of the survey are presented to Council to assist with the decision making process for the location of this important community infrastructure asset.

16.5 WASTE AND RECYCLABLES COLLECTION AND MANAGEMENT CONTRACTOR LEVEL OF CONTRACT COMPLIANCE

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Group Manager Resource & Waste Management
Key Direction:	1. Sustaining Our Environment for Life
Delivery Plan Strategy:	DP1.4.1.1 Provide an integrated waste management service that is socially, economically and environmentally responsible.
Operational Plan Action:	OP1.18 Efficient operation of Domestic and Commercial Recycling collection services.
Attachments:	Nil
Cost Centre	2200 Waste Management
Project	Waste Contract Management
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Council requested a report regarding the level of compliance with the contract awarded to Remondis Australia Pty Ltd for the Waste Services provided to Snowy Monaro Regional Council. This report has been prepared in response to the Council request.

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 Waste and Recyclables Collection and Management Contractor Level of Contract Compliance.

BACKGROUND

At the 14 December 2017 Ordinary Council Meeting Cllr Last requested a report on the level of compliance that the Waste and Recyclables Collection and Management Contractor, Remondis Australia Pty Ltd, has with the Waste services contract. Following on from this request Council officers have reviewed the requirements set out in the contract to identify how compliant the contractor has been to date.

During May 2017, contract number 06/2017 Waste and Recyclables Collection and Management, was awarded to Remondis Australia Pty Ltd after the completion of a competitive tender process had been undertaken. Snowy Monaro Regional Council entered into a formal contract with Remondis on 9 June 2017. The services provided within the contract commenced from 1 July 2017 for a period of five years with the option to provide 2 x 1 year extensions, allowing a maximum of seven years for the term of the contract.

Prior to commencement of services the contractor attended contract meetings with senior SMRC staff. During these meetings the contractor furnished the required documents to SMRC, including management plans, insurance certificates of currency, bank guarantees, copies of licences, plant details and a draft collection schedule. A timetable was provided which indicated when each site would receive the skips prior to the commencement of services on the 1 July.

SMRC was advised of the depot arrangements that Remondis proposed to enter into. A permanent site had been identified in Cooma which would be subject to DA approvals. As an interim measure Remondis entered into an agreement to establish a temporary depot in Bombala until such time that the approvals had been granted for their proposed site in Cooma. Remondis advised SMRC in November 2017 that the DA process had been completed and their permanent depot had been established. Council officers inspected the depot during December 2017.

Final transition arrangements were discussed and agreed to at these meetings. The new contract required a change in how collections were undertaken in the Bombala/Delegate area. All kerbside waste collections would be undertaken using mobile garbage bins (MGB's). This type of collection is more efficient than the crates which had previously been utilised for the collection of kerbside recyclables. Timelines were established for SMRC to supply the new MGB's with interim collection arrangements agreed to until the arrival and delivery of the new bins.

Council staff attend scheduled monthly contract meetings with the contractor. These meetings provide both parties an opportunity to discuss issues as they arise, review contractor service performance, review key waste/recycling data, collaborate on education programs and provide an update on the vehicle design competition. The meetings also cover any complaints which have been received, ensuring that responses have been provided within the nominated time frames. Remondis have attended to complaints in a timely manner, and have provided responses to SMRC staff in accordance with the contract requirements.

The review of the contractor performance has identified the following items which still need to be addressed:

- Contractor Employees are to be inducted onto site. This occurred at the onset of services. The contractor has engaged additional employees since service commencement. Not all employees have been inducted. Council officers are attending to this requirement as it is the responsibility of SMRC.
- Customer Satisfaction Surveys. SMRC is responsible for undertaking customer satisfaction surveys. This has not occurred to date.
- Inventory of Plant in Use. This is required to be detailed on an annual basis, so will be linked to the first anniversary of the contract.
- Collection Vehicle Appearance and Signage. This item is still to be completed. SMRC is currently undertaking a design competition with the local schools in Bombala and Delegate. Based on the outcome of the competition the contractor will be advised of the winning design which will be placed on the kerbside collection vehicle.

Council officers do not believe that the above items have had any adverse impact on the delivery of services by the Contractor.

As with any contract for services there are clauses within the contract which can only be implemented if another trigger event within the contract occurs. To date no such clauses have been actioned. A number of these clauses will relate to the exit arrangements undertaken at the

completion of the contract. Council staff will continue to monitor contractor performance as part of the contract management process to ensure that requirements are addressed at the required time.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The establishment of the Waste and Recyclables Collection and Management contract services has improved the level of waste services which SMRC provides to the community. Kerbside collections in the former Bombala council area are being done using a more efficient collection method. There has been a significant increase in the volume of co-mingled recyclables collected in the region through a targeted education campaign to the community. This has raised the community's awareness on what materials can be recycled through the new kerbside bins which have been provided.

2. Environmental

The services are provided to ensure Council meet their requirements and obligations under environmental management. The contract requires the contractor to regularly report on the recycling outputs of the material collected. There has been an increase in recycling in the former Bombala council area. This has a positive impact on the environment through the reduction of waste to landfill.

3. Economic

The development of this council report has not resulted in a direct cost to Council. Indirectly council staff have been required to review the current contractual obligations which have been set out in the Waste and Recyclables Collection and Management contract. The costs associated to do this work have been accounted for through the Waste Management cost centre 2200.

4. Civic Leadership

Council is showing civic leadership by addressing concerns raised within the community on the level of performance the Waste Service contractor is providing to SMRC.

16.6 DONATIONS AND SPONSORSHIPS REVIEW AND FEBRUARY DONATION 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 February 2018 ↓ 2. Applications for Donations and Sponsorship February 2018 ↓ 3. Donations and Sponsorship Review Feb 2018 ↓
Cost Centre	3120
Project	Donations and Sponsorships Review

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 February 2018.

- This document contains a summary of requests for February 2018 Council. Total value requested by community members in Table A is \$16,005.00.
- The officer has not made a recommendation on value, only presented the requested amounts for Council to consider.
- In addition extraordinary requests for events associated with Australia day 2018 received after the December Council meeting have been itemised in Table B & C. The total value of these requests approved under Mayor delegation are \$6,662.00.

2. Applications for Donations and Sponsorship February 2018.

- This document contains the original submission detail received from each submission for February including the Australia Day weekend submissions.

In addition to the submissions for February, a review of Donations and Sponsorships to identify recurring submissions and values is attached for review. A recommendation is included proposing a revised process for Donations and Sponsorships, for Council adoption, to commence in the 2019 financial year.

The details of this review are contained in the attached document;

3. Donation and Sponsorship Review February 2018

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

OFFICER'S RECOMMENDATION

1. That Council
 - a) Determine the value to approve for each of the submissions numbered 1A to 8A, Table A In attachment - Requests for Donations and Sponsorship for submission to Council February 2018.
 - b) Receive and note Donations approved under Mayors Delegation 2.001 02.001.050 numbered 1B to 7B, Table B and 1C, Table C in attachment - Requests for Donations and Sponsorship for submission to Council February 2018.
 - c) Agree to recurring sponsorship of Primary and Secondary Schools, Major Show events, Major Race Days and Australia Day as listed in Section 1 of attachment 3 for 2019, 2020 and 2021 Financial years;
 - e) Agree to the proposed Sponsorship and Donation process outlined in section 2 of attachment 3;
 - f) Agree to hold a Councillor workshop before the March 2018 Council meeting to determine budget allocations for the 2019FY for all categories of Sponsorships and Donations, and a Councillor subcommittee to review submissions.

BACKGROUND

Sponsorship Budget Reconciliation

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

Current year-to-date expenditure for the 2018 FY following the December Council is \$47,335.55.

In addition, under Mayors delegation an additional \$6,662.00 has been approved in January 2018.

Current expenditure for 2018 FY is \$53,997.55.

The balance for the 2018 FY available from current budget is \$8,502.45

Total value of requests for Council to consider for this submission is \$16,005.00

If Council were to approve the current submissions in total value this would create a budget deficit for donations of (\$7,502.55).

Additional sourcing of budget would be required to offset this allocation in addition to sponsorship requests for the remainder of the 2018 FY.

Extraordinary Requests for January 2018.

Extraordinary requests for events associated with Australia day 2018 were received after the December Council meeting the total value of these requests are \$6,662.00.

Mayoral Delegation 2.001 02.001.050 states:

Meeting Recess

To deal (with the General Manager) with matters requiring determination between the last Ordinary Meeting of the Council for the year and the first Ordinary Meeting of Council for the following year:

- a) which do not justify the calling of an Extra Ordinary Meeting of Council.*
- b) authorise any work which in the Mayor's opinion, is urgent and does not exceed \$10,000.*

Delegation is subject to the provision that the delegation in relation to development applications which cannot be approved under officer's delegation is to be exercised only if at least four other Councillors concur to the approval or refusal of the subject development application.

Any decision made under delegation to be reported to the Council at its first meeting of the New Year.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

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 Community will recognise additional economic benefit as a result of the support to initiatives outlined through these submissions.

4. Civic Leadership

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 February 2018

TABLE A

#	Organisation	Request Summary	Requested Value	Recommendation	Comment
1A	Bombala Historic Engine & Machinery Society Inc	Assistance with costs for development of shed.	\$7500		Request covers additional out of pocket expenses due delayed processing of development application plus some added costs. DA 10.2017.76.1
2A	Rotary Club of Bombala	DA fee waiver for bi-annual Bombala market.	\$285 max, will confirm fee on application		Seeking a new DA to run this event again in 2018.
3A	Snowy Mountains Bowmen	Funds to erect a building in which to store tools and equipment required on the grounds.	\$1000		No funding received from Council to date.
4A	Colin Shingles - Louis Mould Fundraiser	Requesting \$500 towards the cost of holding a fundraiser plus Colin would also like the cost of the hall hire covered for the event.	\$500 (towards event costs) + \$570 (hall hire) \$1070 total		Fundraiser is for a young Cooma boy who received spinal damage in a trampoline accident and is now in Westmead Children's hospital. Colin will pay the \$300 refundable deposit.
5A	Snowy Mountains Photographic Club	Support for their inaugural Easter Art Show "The Character of the Snowy Monaro".	\$800		This is a new club aiming to promote the Snowy Monaro region through photography and art.
6A	AAA – Elite Energy Pty Ltd	Support for their 3 rd Jindabyne / Charlotte Village Triathlon / Trail Run .	\$4000		Already have over 300 people registered, hoping to get to 500. Entry fees are charged and the committee is aiming to make this a long term viable project.
7A	Snowy Mountains Readers Writers Festival Inc	Support in running their annual Literary Festival in Cooma, in particular session with award winning author Jack Heath.	\$350		Since 2012 the SMRWF have facilitated numerous adult and children's Literary Festivals in the Snowy Monaro.

#	Organisation	Request Summary	Requested Value	Recommendation	Comment
8A	Bombala Exhibition Society	Support in running the annual Bombala show.	\$1000		Provided \$800 in 2017 towards this event.
Total Donation Value for February 2018:			\$16,005.00	Council Endorsement:	

Summary of requests for Donation and Sponsorship for submission to Council February 2018

TABLE B

Australia Day Requests – Reimbursement to requested value endorsed by Mayor under delegation due to timing of events

#	Organisation	Request Summary	Requested Value	Recommendation	Comment
1B	Bombala Exhibition Society / Australia Day Committee	Sponsorship to support Australia Day activities in Bombala	\$300		Has been sent to Accounts Payable for payment.
2B	Jerangle Progress Association	Australia Day Community Breakfast, purchase of goods	\$300 (up to this figure, depending on final receipts)		John has asked that payment be made on receipts, he doesn't think that he will spend this much.
3B	Bredbo Progress Association	Sponsorship to support the Bredbo Community Australia Day Event	\$200		Has been sent to Accounts Payable for payment
4B	Jindabyne Lions Club	Sponsorship to support Jindabyne's Australia Day Event	\$200		Has been sent to Accounts Payable for payment
5B	Numeralla Countegany Volunteer Bushfire Brigade	Sponsorship to support Numeralla and District's Australia Day Event	\$200		Has been sent to Accounts Payable for payment
6B	Nimmitabel Lions Club	Sponsorship to support Nimmitabel's Australia Day Breakfast	\$200		Forms for payment forwarded to requester
7B	Michelago Region	Sponsorship to support	\$200		Forms for payment forwarded to requester

16.6 DONATIONS AND SPONSORSHIPS REVIEW AND FEBRUARY DONATION REQUESTS
ATTACHMENT 1 REQUESTS FOR DONATIONS AND SPONSORSHIP FOR SUBMISSION TO COUNCIL FEBRUARY 2018

	Community Assoc (MRCA)	Australia Day activities in Michelago			
Total Donation Value for February 2018:			\$1,600.00	Council Endorsement:	

Summary of requests for Donation and Sponsorship for submission to Council February 2018

TABLE C

Numeralla Folk Festival - Endorsed by Mayor under delegation due to timing of event.

#	Organisation	Request Summary	Requested Value	Recommendation	Comment
1C	Numeralla Folk Festival	Support in kind for running the Numeralla Folk Festival.	\$5062.00		Due to late submission and previous years support this was approved as an extraordinary request.
Total Donation Value for February 2018:			\$5,062.00	Council Endorsement:	





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)	BOMBALA HISTORIC ENGINE & MACHINERY SOCIETY INC
2. Location/address:	MAHRATTA STREET BOMBALA NSW LOT 4 DP 1219995
3. Date of establishment or inauguration:	7TH JUNE 1995
4. Is your organisation registered for GST? Yes <input checked="" type="radio"/> No <input type="radio"/>	No
5. Amount of funding requested:	\$ 7,500 - 00.
6. Brief description of the nature and objectives of applicant/recipient organisation:	FUND OUT OF POCKET EXPENSES DUE TO DELAYED PROCESSING OF DEVELOPMENT APPLICATION PLUS ADDED COSTS
7. Purpose for which assistance is sought:	COMPLETE DEVELOPMENT OF SHED. APPLICATION 10.2017.76.1
<input 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?	

9. Financial details of project or program for which assistance is sought:	ATTACHED DOCUMENT
10. Total cost of project or program:	\$70,000 - 00
11. Details of other funding received from Council if any:	NIL
12. Details of other financial assistance sought or obtained:	BOCO ROCK WIND FARM GRANT STRONGER COMMUNITY FUND GRANT
13. How will Council funding be acknowledged eg logo or signage	LOGO & SIGNAGE DISPLAYED IN NEW SHED.
14. Details of Office Bearers or other involved parties:	BARRY CROUCH - PRESIDENT
15. What services or activities will the recipient provide to SMRC residents?	TOURISM PROMOTION
<p>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).</p> <p>Are these attached? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	
<p>17. What services or activities will the recipient provide to SMRC residents?</p> <p>DISPLAY OF RESTORED STATIONARY ENGINES AND MACHINERY AND ARTIFACTS DATING BACK TO EARLY 1900'S</p>	

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

Signature:	
Name:	BARRY T. CROUCH
Office held / Position	PRESIDENT
Postal Address:	92 WELLINGTON STREET BOMBALA
Telephone Number/s	
Date:	30TH January 2018.

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:



**NAB Business
Cheque Account**

For further information call 13 22 65 for Personal
Accounts or 13 10 12 for Business Accounts.



019/009496



BOMBALA HISTORICAL ENGINE SOCIETY INC
PO BOX 225
BOMBALA NSW 2632

Account Balance Summary

Opening balance	\$39,891.98	Cr
Total credits	\$176.47	
Total debits	\$580.41	
Closing balance	\$39,488.04	Cr

Statement starts 1 December 2017
Statement ends 29 December 2017

Outlet Details

Bombala
155 Maybe St, Bombala NSW 2632

Account Details

BOMBALA HISTORICAL ENGINE AND MACHINERY SOCIETY
BSB number [REDACTED]
Account number [REDACTED]

Transaction Details

Date	Particulars	Debits	Credits	Balance
1 Dec 2017	Brought forward			39,891.98 Cr
4 Dec 2017	Cash Deposit		82.10 ✓	39,974.08 Cr
11 Dec 2017	Cash Deposit		93.45 ✓	40,067.53 Cr
14 Dec 2017	001103	29.11 ✓		
	001105	385.40 ✓		39,653.02 Cr
20 Dec 2017	001106	36.90 ✓		39,616.12 Cr
22 Dec 2017	001093	77.00 ✓		
	001104	52.00 ✓		39,487.12 Cr
29 Dec 2017	Interest		0.92 ✓	39,488.04 Cr

Summary of Government Charges

	From 1 July to date	Last year to 30 June
Government		
Withholding tax	\$0.00	\$0.00
Bank Account Debit (BAD) tax	\$0.00	\$0.00
Bank Accounts Debits (BAD) Tax or State Debits Duty has been abolished for all states & territories effective 1/7/2005. Any amount shown on this statement applies to debits processed on or before 30/06/2005.		
For further information on any applicable rebates, fees or government charges, please refer to the NAB's 'A Guide to Fees & Charges' booklet. Please retain this statement for taxation purposes		

Explanatory Notes

Please check all entries and report any apparent error or possible unauthorised transaction immediately.
We may subsequently adjust debits and credits, which may result in a change to your account balance to accurately reflect the obligations between us.
For information on resolving problems or disputes, contact us on 1800 152 015, or ask at any NAB branch.

360/778/05/NAB009496/0013914/0231327



Wagga Wagga, Toowoomba,
Hamilton, Tamworth
Phone 1300 655 383
www.proway.com.au

ORDER CONFIRMATION

A.B.N.: 64 071 312 804
A.C.N.: 071 312 804

Date: 21/08/2017

Bill To:

BHEMS
22 Wellington Street
BOMBALA
NSW 2632

Ship To

BHEMS
22 Wellington Street
BOMBALA
NSW 2632

Description	Qty	Amount	GST	Total incl. GST
Option No 1				
roof only shed	1			
Gable section 21.6m L x 7.5m W x 3.48m H				
roof only shed	1			
Skillion Section 21.6m L x 4m W x 2.8m H				
		27,876.10	2,787.61	30,663.71
Option No 2				
Construction of Roof Only Shed (Gable) - Custom Size	1			
Construction of Roof Only Shed (combined Gable & skillion sections) 21m x 11.5m				
Excludes cost of digging footings and readymix concrete. Client should allow 4m3 of 25mPa readymix concrete.				
Client to supply bobcat borer (or similar) for hole digging & telehandler (or suitable forks) to stand rafters.				
		7,166.65	716.66	7,883.31

Your Order:	Sale Amount	35,042.75
Terms: Payment prior to delivery	GST	3,504.27
GST Rate: 10	Total Incl GST	38,547.02
Bank Details BSB: 112-879	Applied	3,066.37
Account No: 429769630	Balance Due	35,480.65

All correspondence to ProWay Livestock Equipment Wagga Head Office, PO Box 85, Wagga Wagga NSW 2650
ABN 64 071 312 804 Phone 1300 655 383 Fax 02 6931 8410 Email information@proway.com.au

Increased Construction & material
Costs have blown our original
budget due to the processing
and approval of the project which
has dragged out over almost
2 years plus an added cost
of storm water disposal

It would be much appreciated
if Council can ease our burden

Regards





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) <i>ROTARY CLUB OF BOMBALA</i>
2. Location/address: <i>P O BOX 223 BOMBALA NSW 2632</i>
3. Date of establishment or inauguration: <i>1956</i>
4. Is your organisation registered for GST? <input checked="" type="radio"/> Yes <input type="radio"/> No
5. Amount of funding requested: <i>\$140 OR IF DIFFERENT ACTUAL FEE AMOUNT</i>
6. Brief description of the nature and objectives of applicant/recipient organisation: <i>ROTARY CLUB OF BOMBALA 'SERVICE ABOVE SELF'</i>
7. Purpose for which assistance is sought: <input 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 checked="" 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?

9. Financial details of project or program for which assistance is sought:
COVER DA FEE FOR MARKET EVENT
10. Total cost of project or program:
\$500
11. Details of other funding received from Council if any:
—
12. Details of other financial assistance sought or obtained:
—
13. How will Council funding be acknowledged eg logo or signage
LOGO ADDED TO PROMO FLYER.
14. Details of Office Bearers or other involved parties:
MICHAEL DYER - ROTARY PRESIDENT HELEN STEPHENSON, GERALDINE DYER, SHIRLEY BADENITZ, TANYA INGRAM.
15. What services or activities will the recipient provide to SMRC residents?
ANY ENJOYABLE COMMUNITY EVENT EITHER AS A STALLHOLDER, SHOPPER OR BROWSER.
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? <input checked="" type="radio"/> Yes <input type="radio"/> No
17. What services or activities will the recipient provide to SMRC residents?
FURTHER TO THE ABOVE THE EVENT WILL BRING THE COMMUNITY TOGETHER

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

Signature:	<div style="border: 1px solid black; width: 150px; height: 20px; margin: 0 auto;"></div>
Name:	MICHAEL DYER
Office held / Position	ROTARY PRESIDENT
Postal Address:	P O BOX 223 BOMBALA 2632
Telephone Number/s	<div style="border: 1px solid black; width: 480px; height: 20px; margin: 0 auto;"></div>
Date:	22/12/17

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:



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) Snowy Mountains Bowmen
2. Location/address: C/- 40 Kiah Avenue Cooma NSW 2630
3. Date of establishment or inauguration: Approximately 2002
4. Is your organisation registered for GST? No
5. Amount of funding requested: \$1000.00
6. Brief description of the nature and objectives of applicant/recipient organisation: Sporting organisation, archery, bushwalking
7. Purpose for which assistance is sought: <input checked="" type="checkbox"/> In kind support <input type="checkbox"/> <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
<p>8. Which category does the event fit within Council's Delivery & Operations Program? Community activity, sporting event likely to increase tourism due to the growing popularity of the sport throughout Australia.</p> <p>In time the club will be hosting State and National events</p>
<p>9. Financial details of project or program for which assistance is sought: The club requires a building in which we can store tools and equipment that is used by the club for ground and facility maintenance</p>
<p>10. Total cost of project or program: We estimate the cost to be around \$1,000.00.</p>
<p>11. Details of other funding received from Council if any: Nil to date</p>
<p>12. Details of other financial assistance sought or obtained: We have in the past been granted small funds, these have complimented membership fees that have allowed us to improve the facilities on the range</p>
<p>13. How will Council funding be acknowledged eg logo or signage Council may choose some form of signage</p>
<p>14. Details of Office Bearers or other involved parties: President Michael Fairbairn Treasurer Peter Kornek Secretary Iris Kornek Range Marshall Todd McCabe Training Officer Luke van der Plaat</p>
<p>15. What services or activities will the recipient provide to SMRC residents? SMRC residents are welcome to attend official range days (held on last Saturday of every month) visitors will be given an introduction to the sport and provided with training</p>
<p>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</p>

help SRSC assess your financial position (eg bank statements).

Are these attached? Yes

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

SMRC residents are welcome to attend official range days (held on last Saturday of every month)

visitors will be given an introduction to the sport and provided with training

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

Signature:	<input type="text"/>
Name:	Peter Kornek
Office held / Position	Treasurer
Postal Address:	40 Kiah Avenue, Cooma NSW 2630
Telephone Number/s	<input type="text"/>
Date:	19 th January 2018

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:






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) Colin Shingles 17 Kiah Avenue COOMA NSW 2630 BY:
2. Location/address: Multi function centre Cooma Showground Cooma
3. Date of establishment or inauguration: Saturday 3 March 2018
4. Is your organisation registered for GST? No
5. Amount of funding requested: Cost of hiring the multi function for night of 3/3/18 plus \$500 towards event costs. Bank A/c Details: BSB 032 720 A/c NO: 221975
6. Brief description of the nature and objectives of applicant/recipient organisation: Please refer to letter advising of fund raising event being held on behalf of the community for Louis Mould a young Cooma boy who has major spinal injuries as result of a trampoline accident. The fund raising is to assist with equipment and ongoing medical costs.
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 checked="" 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? Community Services
9. Financial details of project or program for which assistance is sought: Project is for a fund raising event for Louie Mould Food \$5000 Alcohol \$6,000 Printing and Advertising \$2,000 Decorations \$1000 Entertainment \$2,000
10. Total cost of project or program: Expected outlay of fund raising event is \$16,000 (some of the costs will come hopefully from donations from other community members and organisations)
11. Details of other funding received from Council if any: NIL
12. Details of other financial assistance sought or obtained: Donations have been made for a silent auction and possibly some alcohol. Yet to be confirmed.
13. How will Council funding be acknowledged eg logo or signage In advertising and ticket sales
14. Details of Office Bearers or other involved parties: Louis Mould fundraising committee: Tanya Ward Chris Mould Colin Shingles Raylin Fletcher

15. What services or activities will the recipient provide to SMRC residents? N/a	
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?	No
17. What services or activities will the recipient provide to SMRC residents? As at 15.	

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

Signature:	
Name:	Colin Shingles
Office held / Position	Committee Member
Postal Address:	
Telephone Number/s	
Date:	11/1/18

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:



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)	Snowy Mountains Photography Club
2. Location/address:	P.O. Box 508 JINDABYNE
3. Date of establishment or inauguration:	31/7/2017
4. Is your organisation registered for GST? Yes <input type="radio"/> No <input checked="" type="radio"/>	
5. Amount of funding requested:	
6. Brief description of the nature and objectives of applicant/recipient organisation:	A Photographic club for the Snowy-Monaro Region. We feel that the region needs to have an arts based group to promote what our region has to offer. No such group exists which is a huge shame. Our region is so beautiful and full of people.
7. Purpose for which assistance is sought:	<input 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 checked="" type="checkbox"/> Fee waiver eg, DA / hall hire fees <input checked="" type="checkbox"/> Promotion via print media, Council website etc PHOTOGRAPHIC EXHIBITION - AUSTRALIA DAY - "THE CHARACTER OF THE SNOWY MONARO"
8. Which category does the event fit within Council's Delivery & Operations Program?	Please see over → P70

Key direction 3: STRENGTHENING OUR LOCAL ECONOMY

3.1 - supporting emerging opportunities based on our regions natural assets

- Expanded tourism sector (ARTS/PHOTOGRAPHY galleries)
- Learning / education opportunities.

- There are no galleries promoting the beauty, ~~for~~ culture and heritage of our region apart from The Raglan Gallery in Cooma (general art) and a couple of private photographic galleries (Ray Miller, Berridale and Mike Edmondson, Indubye)
- Lots of photographs on the web and facebook but Nothing that visitors can physically go and see and spend time in - with a variety of genres - history, culture, people, landscape of our area.

DP 3.1.3.1

- Support strategies to establish and grow creative industries within the region
- Identify local initiatives to broaden our economy
- Develop and implement regional events - increase local and visitor participation

KEY DIRECTION 4 - CREATING A SAFER, HEALTHIER AND THRIVING COMMUNITY

- Ensure our unique cultural heritage of our region is celebrated.



- cultural diversity
- Enhance events + tourism
- Community relationships

4.1.1.3 • SUPPORT DELIVERY OF ARTS AND CULTURE across the Region

This Last Point : The region focuses on SPORT
But very little on ARTS + CULTURE!

9. Financial details of project or program for which assistance is sought:	- AUSTRALIA DAY EXHIBITION: "THE CHARACTER OF THE SNOWY MONARO"
10. Total cost of project or program:	- VENUE "THE BERRIDAL INN" - Signage, promotion, MATERIALS FOR HANGING AND DISPLAYING PHOTOS - ALSO PRINTING PHOTOS - WANT HOPING TO USE THE ASSISTANCE OF BERRIDALE LOCAL PHOTOGRAPHER - RAY KILLEN.
11. Details of other funding received from SRSC if any:	N/A.
12. Details of other financial assistance sought or obtained:	
13. How will Council funding be acknowledged eg logo or signage	Signage + on SOCIAL MEDIA OF THE CLUB.
14. Details of Office Bearers or other involved parties:	The SNOWY MOUNTAINS PHOTOGRAPHIC GROUP has been inaugurated by local residents - Wanda Lach and Lisa Hogben. Our group now has 41 members.
15. What services or activities will the recipient provide to SRSC residents?	A group open to all residents to promote the beauty, industry and character of the region.
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). At this stage the group is up and running as a community group.	Are these attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
17. What services or activities will the recipient provide to SRSC residents?	See 15 above.

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

Signature:	
Name:	WANDA LACH
Office held / Position	PRESIDENT / FOUNDER
Postal Address:	PO Box 508, JINDABYNE
Telephone Number/s	 (02) 6321 1234 (HOME SERVICE)
Date:	31/10/17

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:



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) Tracey Emerton Elite Energy PTY Ltd 90 North Street, Nowra, NSW 2541 ABN 75 089 098 126
2. Location/address: Event: Jindabyne/ Charlotte Village
3. Date of establishment or inauguration: Elite Energy set up 2003 but this event will be in its 3 rd year
4. Is your organisation registered for GST? Yes
5. Amount of funding requested: \$4,000
6. Brief description of the nature and objectives of applicant/recipient organisation: Elite Energy runs sporting events in predominately triathlon and running. The aim is to make events memorable. Offering a variety of distances and locations we aim to get the whole family involved in our events from competing to supporting and volunteering on the day. We aim to bring visitors to regional areas and encourage tourism around our events and outside by showcasing the area, things to do and it as an active lifestyle place.
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) Y Fee waiver eg, DA / hall hire fees Y Promotion via print media, Council website etc
<p>8. Which category does the event fit within Council's Delivery & Operations Program?</p> <p>We will help enhance the active lifestyle and a healthier community through our events. We will utilise the National Park within the region and highlight this area to outside visitors in the quieter summer months (not in peak snow season) helping the local economy, through our participants and their families/ friends staying at local accommodation, eating at local restaurants and enjoying other attractions (climbing to Kosciuszko, enjoying walks in the national parks etc.)</p> <p>Currently we have over 300 registered, with each participant needing a 'handler' to assist with the event, We have a compulsory race briefing and registration on Friday evening in Jindabyne and will have a breakfast presentation on Sunday morning, with event day on Saturday, meaning most will stay a minimum 2 nights. Several are planning to travel from far away to complete this iconic event. We already have registered participants from VIC, QLD, NSW and ACT as well as for the trail runs from US, Argentina and New Zealand.</p>
<p>9. Financial details of project or program for which assistance is sought:</p> <p>The AAA event previously has only included triathlons. This year we have added two trail runs, which have proven to be pretty popular. We have over 300 registered in the event so far with an expectation to get this closer to 500 people. They each bring supporters with them. Previous year we have had around 150 competitors. Our expenses will go up (provisions for each competitor, more staff needed) however our entry fees (income) will also increase. We hope to make this a long term viable project and hold this event in future years including the trail runs.</p>
<p>10. Total cost of project or program:</p> <p>\$40,000 approx. Changed a few things this year to encourage extra participants, which will also increase the costs of the event from staffing longer hours to provision for competitors, food etc.</p>
<p>11. Details of other funding received from SRSC if any:</p> <p>None</p>
<p>12. Details of other financial assistance sought or obtained:</p> <p>None</p>

13. How will Council funding be acknowledged eg logo or signage
Through logos on our website, in participant information emails and also on the event weekend via banners, flags and anything else you have available. We can also add the logo onto participant race bibs and in any social media/ marketing promotion prior to the event.
14. Details of Office Bearers or other involved parties:
Elite Energy CEO- Mark Emerton and Financial Controller- Cindy Pretious
15. What services or activities will the recipient provide to SRSC residents?
There will be an opportunity for local individuals, clubs and charities to raise money for their club/ charity by volunteering at our event (To distribute water to participants, help with course directions, competitor parking and cutting up fruit/ making soup for competitors who have completed the event) They can watch the event and also locals can provide any services- entertainment, food & beverages to the visiting participants and their supporters.
There will be a small Expo with local business showcasing their wares for participants and visitors.
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 No
Budget for event attached
17. What services or activities will the recipient provide to SRSC residents?
Repeated question 15.?

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

Signature:	<div style="border: 1px solid black; width: 200px; height: 30px;"></div>
Name:	TRACEY EMERTON
Office held / Position	OFFICE MANAGER
Postal Address:	<div style="border: 1px solid black; width: 450px; height: 30px;"></div>

Telephone Number/s	<div style="border: 1px solid black; width: 150px; height: 25px;"></div>
Date:	11-1-18

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?

AAA Budget (sample)

Income		
Total event fees received	37,814	
Expenses		
Advertising and Marketing		946.5
General Repairs & Maintenance		19.09
Event equipment		333.94
Stationary		38.15
Provisions for competitors		8436.4
(Inc Merchandise, wristbands)		
Food for crew/ competitors		187.16
ODRM		943.19
Accommodation		3,277.27
Administation		129.55
Sanctioning/ Councils		2,636.56
Hire of equipment		415.8
Hire of cars/ Trucks		893.72
Subcontractors		1,570.91
Timing		3,000
Volunteers		2,401.70
Traffic		2,274.18
Wages & Salaries expenses EE		4,736.00
Travel, Accom Expenses		574.55
Food		514.55
Motor vehicle fuel/ oil		484.78
Total Expense		33814
Net Profit/ Loss	4,000	



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>Snowy Mountains Readers Writers Festival Inc. PO Box 240 Jindabyne NSW 2627</p>
<p>2. Location/address:</p> <p>Hon. Secretary, PO Box 240 Jindabyne NSW 2627 Festivals held in various locations with Snowy Monaro Region</p>
<p>3. Date of establishment or inauguration:</p> <p>Established in 2011 and became an Incorporated Association in 2012. Incorporation number INC 9897492</p>
<p>4. Is your organisation registered for GST?</p> <p>No</p>
<p>5. Amount of funding requested:</p> <p>We are asking for a cash donation of \$350 which will fund the session to be presented at the festival by award winning author Jack Heath. This session is aimed at High School students and will build on the session Jack presented to the local high schools in March 2017. These sessions are extremely popular with students and young adults and help develop their love and understanding of story writing.</p>
<p>6. Brief description of the nature and objectives of applicant/recipient organisation:</p> <p>The Objects of the Snowy Mountains Readers Writers Festival are to:</p> <ul style="list-style-type: none">• Develop cultural networks and opportunities• Engage the whole of the community in the art and craft of books and writing, images and illustrations• Celebrate the words, ideas, and language that reflect the literary heritage of the Snowy Mountains and surrounding environment• Enhance the cultural well being of our community into the future

7. Purpose for which assistance is sought:

Financial support is sought to engage an award-winning author to provide a literary session for High School and young adult persons at our upcoming Cooma Literary Festival in March. Cost of a session is \$350, travel and other author expenses will be borne by the association.

- ☐ 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 festival fits within the Arts and Culture segment of Council's 'Vibrant Communities'

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

Budget	\$3,000
Writing materials, consumables etc.	\$100
Venue Hire	\$350
Accommodation-Authors	\$150
Session Fees-Authors- at \$350 per session	\$1,050
Travel Fees-Authors-ATO mileage rate	\$300
Meals -Authors	\$80
Printing-Blizzard Print	\$400
Advertising-local papers, Canberra Times, ABC Radio, 2XL	\$480
Contingency	\$90

10. Total cost of project or program:

Total cost of festival is estimated at \$3000, based on previous experience.


\$2000 will be provided by the Snowy Mountains Readers Writers Festival Inc. from accumulated funds, we are seeking local support for the balance of required funds.

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

No other funding received for this festival, but a grant from the Community Grants program was received in 2017 for our highly successful Childrens' Festival in Jindabyne. Festivals prior to 2017 have all received support in kind or financial from the previous Snowy River Shire Council.

<p>12. Details of other financial assistance sought or obtained:</p> <p>Support has been sought from local business houses and service clubs.</p> <p>There has been no support confirmed to date.</p>
<p>13. How will Council funding be acknowledged eg logo or signage</p> <p>Council will be acknowledged in various promotional material:</p> <ul style="list-style-type: none">• Program• Flyers• Posters• Sponsorship Banner in author session• Media releases (newspaper and radio)
<p>14. Details of Office Bearers or other involved parties:</p> <p>President Graham West</p> <p>Vice President Noeline Dahlen</p> <p>Secretary Helen Besestri</p> <p>Treasurer Julian Besestri</p> <p>Publicity Noel Braun</p> <p>Committee Tanya West</p> <p>Committee Pam Veiss</p>
<p>15. What services or activities will the recipient provide to SMRC residents?</p> <p>Our festivals provide quality literature to children, young adults and adults in a rural area that does not have the access to award winning authors, illustrators and poets that is available in larger centres. We encourage children and adults to develop a love of books, writing and illustration, through interactive and outstanding activities in a relaxed and stimulating atmosphere.</p>
<p>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).</p> <p>Are these attached? Yes Bank Statement and 2016/2017 Balance Sheet</p>

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

Signature:	
Name:	Julian Besestri
Office held / Position	Treasurer
Postal Address:	PO Box 240 Jindabyne NSW 2630
Telephone Number/s	02 64562078 0418251465
Date:	20/01/2018

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:

Snowy Mountains Readers Writers Festival Inc.



Hon Secretary
PO Box 240
Jindabyne NSW 2627

The General Manager
Snowy Monaro Regional Council

18th January 2018

Dear Mr Vescio,

I am writing on behalf of the Snowy Mountains Readers Writers Festival Inc (SMWRF).

SMWRF was formed in 2011 by a group of likeminded individuals with the aim of organising stimulating and varied literary and art events involving authors, poets, artists and illustrators. The events engage various age groups and cover a wide range of topics, including those that reflect our multicultural society, aboriginal heritage and iconic region.

Since 2012 the SMWRF has facilitated a series of highly successful adult and childrens' Literary Festivals based in the Snowy Monaro Region. As well as our major one or two day Literary Festivals we have organised and presented a host of other literary events, including book launch luncheons and dinners, and a region wide childrens' story writing competition which runs biennially. Previously we have held our festivals predominantly in the former Snowy River Shire area, encompassing Jindabyne, Berridale, Adaminaby and Thredbo. In 2018 we will present our annual Literary Festival, a full day event, in Cooma on March 18th as an acknowledgement of the expanded council area.

We have a line up of award winning authors presenting sessions on the day, including Jack Heath and Sulari Gentill. As well as the author presentations we are planning to have an interactive panel group discussion on the development of the Snowy Monaro Region with a number of local identities. This will cover from the early settlement of the area and on to the Snowy Scheme to present day. Adults and children of our region have limited access to award winning authors and associated literary events. Our 2018 Cooma Festival aims to address this shortcoming by providing quality authors who will encourage and assist participants to develop a love of books, writing and illustrating.

SMWRF is a not for profit association and we need financial support in order to bring high quality authors to the area. Authors such as these charge \$350 per session, plus travel, accommodation and meal costs. Our first Cooma festival will be a smaller than usual event to test the waters, and as such does not require the level of funding of our larger festivals. I invite you to sponsor an author session, or simply make a 'one off' donation towards the festival. Session sponsors will have their name logo on all promotional material, e.g. programs, posters, flyers and session banners. Smaller donations, which will be highly appreciated as well, will have names added to a sponsor list on promotional material.

Should you wish to discuss further please contact me,

Regards,



Secretary, Snowy Mountains Readers Writers Festival Inc.

02 64562078 0491 042 136 helen@snowy.net.au

Readers Writers Festival Inc. Balance Sheet 2016/2017 Financial Year

	\$		
Opening Balance July 1, 2016	527.46		
<u>Receipts</u>		<u>Payments</u>	
Interest	\$3.70	Insurance	\$429.02
Donations	\$2,025.00	Website	\$239.10
Membership	\$40.00	Printing	\$726.00
BBQ	\$663.30	Venues	\$964.00
Grant	\$9,575.00	Authors	\$6,245.62
		Meals/Accommodation	\$2,238.89
		Advertising	\$137.19
		Fair Trading	\$156.00
	<u>\$12,307.00</u>		<u>\$11,135.82</u>
	\$		
Balance June 30, 2017	1,698.64		



Electronic Statement

Statement Period
31 July 2017 - 31 October 2017

Westpac Community Solutions One

Account Name
SNOWY MOUNTAINS READERS
WRITERS FESTIVAL INCORPORATED

Customer ID
[REDACTED] SNOWY MOUNTAINS
READERS WRIT..

BSB
[REDACTED] Account Number
[REDACTED]

Opening Balance	+ \$1,968.64
Total Credits	+ \$20.62
Total Debits	- \$100.00
Closing Balance	+ \$1,889.26

TRANSACTIONS

Please check all entries on this statement and promptly inform Westpac of any possible error or unauthorised transaction

DATE	TRANSACTION DESCRIPTION	DEBIT	CREDIT	BALANCE
31/07/17	STATEMENT OPENING BALANCE			1,968.64
09/08/17	Withdrawal/Cheque 200035	100.00		1,868.64
31/08/17	Interest Paid		0.32	1,868.96
29/09/17	Interest Paid		0.14	1,869.10
27/10/17	Deposit 271017		20.00	1,889.10
31/10/17	Interest Paid		0.16	1,889.26
31/10/17	CLOSING BALANCE			1,889.26

CONVENIENCE AT YOUR FINGERTIPS

Use Online, Mobile or Tablet Banking to pay bills, transfer funds, check your account balances and much more

Bombala Exhibition Society Inc



The Friendly Country Show

Email: bombalashow@gmail.com

PO Box 72

Bombala NSW 2632

RECEIVED
22 JAN 2018
BY: _____

16 January 2018

General Manager
Snowy Monaro Regional Council
Bombala Office
PO Box 105
BOMBALA NSW 2632

Dear Sir/Madam

**RE: DONATION REQUEST FOR BOMBALA EXHIBITION SOCIETY INC IN SUPPORT OF OUR MAJOR
EVENT -- THE BOMBALA SHOW 2018**

The 140th Bombala Show will be held on Saturday, 17 March 2018. Bombala Exhibition Society Inc. would like to thank the former Bombala Council for its ongoing valuable support of the Bombala Show over many years. Council's financial support not only assists to ensure the viability of the Show, but helps us create an interesting and fun day out for all of our community, especially families, to attend. This event is also a vehicle to showcase the great talent in our community and the excellent produce and services provided by local producers and business, to the many out of area patrons and exhibitors attending on show day.

Last year the former Bombala Council very kindly donated \$800 towards the general running of the show and we wish to ask Snowy Monaro Regional Council for their support for this long standing event by donating \$1000.00, or any amount it considers fair, towards the 2018 Show. We would like to acknowledge any support by Council in our show schedule with a half page complimentary advertisement, however we are due to print in early February 2018 and would need to know by then if Council approves to support this activity.

Thank you for taking the time to consider our request. Please forward your response regarding Council's intentions to: Donna Shelley, Bombala Show Secretary, Bombala Exhibition Society, PO Box 72, Bombala NSW 2632 or email to: bombalashow@gmail.com. Please do not hesitate to contact me if you have any queries regarding our request on 0409 556 813.

Thanking you in anticipation.

Yours faithfully,



Donna Shelley
Bombala Show Secretary



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)
BOMBALA EXHIBITION SOCIETY INC
2. Location/address:
PO Box
3. Date of establishment or inauguration:
140 years established.
4. Is your organisation registered for GST?
Yes <input type="radio"/> No <input checked="" type="radio"/>
5. Amount of funding requested:
\$1000.00
6. Brief description of the nature and objectives of applicant/recipient organisation:
Effective organisation of annual Show Day.
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?
3. Strengthening local Economy 4. Creating a safer, healthier & thriving community.

9. Financial details of project or program for which assistance is sought:
10. Total cost of project or program:
11. Details of other funding received from SMRC if any: n/a
12. Details of other financial assistance sought or obtained: local business small sponsorships
13. How will Council funding be acknowledged eg logo or signage signage if required
14. Details of Office Bearers or other involved parties: Coken McCoy Donna Shelley President Secretary
15. What services or activities will the recipient provide to SMRC residents? A successful annual show !
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? <input checked="" type="radio"/> Yes No

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

Signature:	<div style="border: 1px solid black; width: 150px; height: 25px;"></div>
Name:	DONNA SHELLEY
Office held / Position	SECRETARY
Email Address: *MANDATORY	<div style="border: 1px solid black; width: 350px; height: 35px;"></div>
Postal Address:	PO BOX 72 BOMBALA 2632
Telephone Number/s	<div style="border: 1px solid black; width: 150px; height: 25px;"></div>
Date:	31/1/18.

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:

FW: 2018 01 23 - Bombala Exhibition Society Inc - Donation Request for Bombala S... Page 1 of 2



Open with Lumin PDF

Gmail

COMPOSE

FW: 2018 01 23

Inbox (104)

Starred

Important

Sent Mail

Drafts

Categories

Social

Promotions (2)

Updates (5)

Forums

Bombala Show Email...

Bombala

No Hangouts contacts

Find someone

Frances Ki
to me

Hi Donna

Attached is

If you need

Cheers

Frances

From: Bon
Sent: Tue
To: Frances
Subject: F

Hi Frances,
registered h

Bombala E
PO Box 72
BOMBALA

E: bombala
P: 6458 52

WARNING: This
message may be

----- End

Bombala Exhibition Society Inc
Statement of Financial Position as at 16 January 2018

Opening cash balance 5 December 2017		\$ 33,423.98	cr
Plus income/receipts		\$ 500.00	
Sponsorship	\$ 500.00		
less expenditure		-\$ 124.75	
T & J Murphy Transport & Building Supplies	\$ 14.80		
Bombala Electrical & Hardware - keys cut	\$ 9.95		
Australia Post - stamps	\$ 100.00		
Anticipated Bank balance		\$ 33,799.23	cr

Bank balance as per bank statement 16 January 2018		\$ 33,799.23	cr
less outstanding cheques		\$ -	
plus undeposited funds		\$ -	
To be banked			
Anticipated Bank Balance		\$ 33,799.23	cr

16.6 DONATIONS AND SPONSORSHIPS REVIEW AND FEBRUARY DONATION REQUESTS
ATTACHMENT 2 APPLICATIONS FOR DONATIONS AND SPONSORSHIP FEBRUARY 2018 **Page 481**

FW: 2018 01 23 - Bombala Exhibition Society Inc - Donation Request for Bombala S... Page 2 of 2

Treasurer Report.pdf

Open with Lumin PDF

Bombala Exhibition Society Inc
Statement of Financial Position as at 16 January 2018

Opening cash balance 5 December 2017		\$ 33,423.98	cr
Plus Income/receipts		\$ 500.00	
Sponsorship	\$ 500.00		
less expenditure		-\$ 124.75	
T & J Murphy Transport & Building Supplies	\$ 14.80		
Bombala Electrical & Hardware - keys cut	\$ 9.95		
Australia Post - stamps	\$ 100.00		
Anticipated Bank balance		\$ 33,799.23	cr

Bank balance as per bank statement 16 January 2018		\$ 33,799.23	cr
less outstanding cheques		\$ -	
plus undeposited funds		\$ -	
To be banked			
Anticipated Bank Balance		\$ 33,799.23	cr



SNOWY MONARO
REGIONAL COUNCIL
Stronger together Better together

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)
NIMMITABEL LIONS CLUB C/- MT EMERALD, 570 OLD BEGA RD, NIMMITABEL
2. Location/address:
NIMMITABEL
3. Date of establishment or inauguration:
1971
4. Is your organisation registered for GST?
Yes <input type="radio"/> No <input checked="" type="radio"/>
5. Amount of funding requested:
\$200.00
6. Brief description of the nature and objectives of applicant/recipient organisation:
TO PROVIDE BREAKFAST FOR THE CITIZENS OF NIMMITABEL ON AUSTRALIA DAY 2018
7. Purpose for which assistance is sought:
<input 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?
UNSURE

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

N/A

10. Total cost of project or program:

ABOUT \$300.00

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

N/A

12. Details of other financial assistance sought or obtained:

N/A

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

N/A

14. Details of Office Bearers or other involved parties:

MEMBERS OF NIMMITABEL LIONS CLUB

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

BREAKFAST

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

No

N/A

17. What services or activities will the recipient provide to SRSC residents?

BREAKFAST

2018 0123(2)

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

Signature:	
Name:	ISABEL HARRINGTON
Office held / Position	TREASURER
Postal Address:	
Telephone Number/s	
Date:	22/1/18

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:

Bombala Exhibition Society / Australia Day Committee

1st December 2017

Snowy Monaro Regional Council
Caveat Street
Bombala NSW 2632

Dear Councillors,

2018 is fast approaching and the committee are working hard to ensure that next years event is as entertaining and successful as past years have been.

Sadly, with the amalgamation of the local councils that has taken place, our event has not been exempt of effect. The presentation of the official Australia Day Council Citizenship Awards will only take place at one Shire event this year, which in 2018 will be in Cooma. Our committee has decided though that they will present their own Local Citizen/Young Citizen/Sportsperson/Local Event or Community Group Appreciation awards, to celebrate those local residence who put so much in to our community to make it so great. Candidates will be nominated by locals and the nominations voted upon by a specially selected group of individuals.

So, that being said, the committee is intent on ensuring that our Day of Celebration continues on into its 62nd year with as much excitement as every other year. Despite the changes to official proceedings we are hoping to still have an Australia Day Ambassador visit our event, sharing their experiences that they have had throughout their life journey and we will of course be standing for the National anthem that I know we are all so proud of.

The 2018 event will be held on Saturday the 27th of January, at the Bombala Exhibitions Grounds and we would like to express our continued gratitude to all that have been able to provide some sort of support and/or financial assistance over the years, without question the continued support from our local community and businesses has contributed to making the day the huge success we have seen for many years now.

This event continues to be so important to not only our local area and community but also to an industry that thrives here, working to help fine tune the skills of competitors who come from far and wide to compete against one another, to be the best in their class, something which can only be a plus when it comes to shearing time on any farm. The event not only attracts shearers from all over to compete, but helps to attract new shearers to the industry, and none of this would be possible without the help of the financial contributions we receive each year from our local farmers and businesses.

Any contribution you may be able to offer is very much appreciated, not matter how big or small it may seem. As in past years however, if you wish to secure a place on our ever so popular shearing singlets worn by competitors on the day and offered for sale to the public, a minimum sponsorship amount of \$300 is required.

*Mailing Address: P.O. Box 77, Bombala NSW 2632
Phone: BH (02) 6459 5000
AH (02) 6458 7111*

*President: Dave Murphy
Secretary: Nicole Murphy
Treasurer: Rebel Brownlie*




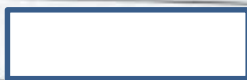
Application for Financial Assistance (Donation) from Snowy Monaro Regional Council

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

1. Applicant (include address and ABN if applicable)
JERANGLE PROGRESS ASSOCIATION
2. Location/address:
JERANGLE
3. Date of establishment or inauguration:
?
4. Is your organisation registered for GST?
Yes No
5. Amount of funding requested:
AROUND \$300. *
6. Brief description of the nature and objectives of applicant/recipient organisation:
CELEBRATE AUSTRALIA DAY WITH A COMMUNITY BREAKFAST (GOURMET) AT THE JERANGLE CWA ROOMS, BETWEEN 8AM - 10AM
7. Purpose for which assistance is sought:
<input 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?
GOOD WILL

9. Financial details of project or program for which assistance is sought:
BUY FOOD FOR THE EVENT
10. Total cost of project or program:
AROUND \$300. LAST YEAR COUNCIL PROVIDED \$200 AND I SUBSIDISED THE EVENT THE REST. I WILL DO THE SAME
11. Details of other funding received from SRSC if any:
THIS YEAR.
12. Details of other financial assistance sought or obtained:
I WILL MAKE UP THE SHORT FALL
13. How will Council funding be acknowledged eg logo or signage
MENTION AT THE EVENT.
14. Details of Office Bearers or other involved parties:
JOHN PHILLIPS - PRESIDENT + COOK
15. What services or activities will the recipient provide to SRSC residents?
NONE
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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
17. What services or activities will the recipient provide to SRSC residents?

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

Signature:	
Name:	JOHN PHILLIPS
Office held / Position	PRESIDENT
Postal Address:	3773 BEAK VIEW RD JERRAWOOLE 2630
Telephone Number/s	
Date:	6/1/18

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:







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)	Bredbo Community Progress Assoc Inc
2. Location/address:	Bredbo c/- Bredbo PO. Bredbo 2626
3. Date of establishment or inauguration:	2011 ?
4. Is your organisation registered for GST? Yes <input type="radio"/> No <input checked="" type="radio"/>	
5. Amount of funding requested:	In the past, the former Council approved an amount up to \$200 upon receiving receipts.
6. Brief description of the nature and objectives of applicant/recipient organisation:	Bring Community together
7. Purpose for which assistance is sought: <input 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	upon receiving of receipts, a reimbursement of \$200
8. Which category does the event fit within Council's Delivery & Operations Program?	N/A

9. Financial details of project or program for which assistance is sought:
Community Australia Day Event to be held on 26/1/18
10. Total cost of project or program:
Approx \$1000
11. Details of other funding received from SRSC if any:
N/A
12. Details of other financial assistance sought or obtained:
N/A
13. How will Council funding be acknowledged eg logo or signage
N/A
14. Details of Office Bearers or other involved parties:
Muriel Stockheim Treasurer
15. What services or activities will the recipient provide to SRSC residents?
Sausage Sizzle Jumping Castle Face Painting Games etc
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 <input checked="" type="radio"/> No <input type="radio"/> N/A
17. What services or activities will the recipient provide to SRSC residents?

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

Signature:	
Name:	Muriel Stockheim
Office held / Position	Treasurer
Postal Address:	
Telephone Number/s	
Date:	14 Dec 2017
Email:	

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

OFFICE USE ONLY:

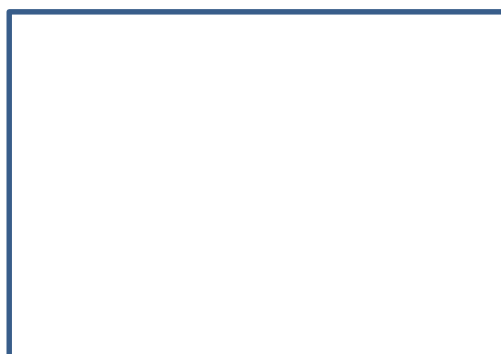
Date application received:

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:





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) Jindabyne Lions Club
2. Location/address: PO Box 59 Jindabyne 2627
3. Date of establishment or inauguration: 1968
4. Is your organisation registered for GST? No
5. Amount of funding requested: \$200
6. Brief description of the nature and objectives of applicant/recipient organisation: Funds to go toward the Jindabyne Australia Day event 26 Jan
7. Purpose for which assistance is sought: <input 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?
9. Financial details of project or program for which assistance is sought:

10. Total cost of project or program: We will spend the full 200 on promotional material. Lions will cover the BBQ costs
11. Details of other funding received from SRSC if any:
12. Details of other financial assistance sought or obtained:
13. How will Council funding be acknowledged eg logo or signage SMRC has been acknowledged on any promotional material both printed and verbal
14. Details of Office Bearers or other involved parties: President Jack van Dongen, Treasurer Brian Phillips, Secretary Brian farmer, Nira Windeatt media and communication
15. What services or activities will the recipient provide to SRSC residents? Coordinate the Australia Day event in Jindabyne

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

Signature:	<div style="border: 1px solid black; width: 200px; height: 30px;"></div>
Name:	Nira Windeatt

Office held / Position	Board Member – media and Communications
Postal Address:	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
Telephone Number/s	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
Date:	15 Jan 2018

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:



SNOWY MONARO
REGIONAL COUNCIL
Stronger together Better together

20 17 JAN 2018
BY:

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)	Numeralla County Volunteer Bushfire Brigade. ABN 93 902 532 715
2. Location/address:	Numeralla County Volunteer Bushfire Brigade Shed 6 Numeralla St Numeralla 2630
3. Date of establishment or inauguration:	Greater than 60 years
4. Is your organisation registered for GST?	<input checked="" type="radio"/> Yes <input type="radio"/> No
5. Amount of funding requested:	About \$200 - reimbursement of costs for conducting the Numeralla and District Australia Day Community Breakfast
6. Brief description of the nature and objectives of applicant/recipient organisation:	As above. Have been doing the cooking for the Australia Day community function for about 9 years. To develop a sense of community. - Breakfast is 'Bacon and egg rolls', and juice.
7. Purpose for which assistance is sought:	<input checked="" type="checkbox"/> Reimbursement of costs - excludes labour. <input 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?	Previously was conducted under the Australia Day events.

9. Financial details of project or program for which assistance is sought: To be reimbursed for ^{food} costs for conducting the Aust. Day to community breakfast
10. Total cost of project or program: About \$200.
11. Details of other funding received from SRSC if any: NIL
12. Details of other financial assistance sought or obtained: NIL.
13. How will Council funding be acknowledged eg logo or signage Council organises the Australia Day media
14. Details of Office Bearers or other involved parties: President of NCVBFB - Regina Roach. Secretary: Jen McKnight. Treasurer: Adela Roach Breakfast Organiser: Bruce English.
15. What services or activities will the recipient provide to SRSC residents? None, but to Snowy Monaro Regional Council. - people and can participate in the Australia Day community breakfast. NCVBFB provides the labour so this community event can happen.
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 <u>No</u>
17. What services or activities will the recipient provide to SRSC residents? This is the same question as No 15.

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

Signature:	
Name:	REGINA ROACH
Office held / Position	PRESIDENT NCVBFB
Postal Address:	
Telephone Number/s	
Date:	16-1-2018.

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:



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)	NIMMITABEL LIONS CLUB C/- MT EMERALD, 570 OLD BEGA RD, NIMMITABEL
2. Location/address:	NIMMITABEL
3. Date of establishment or inauguration:	1971
4. Is your organisation registered for GST? Yes <input type="radio"/> No <input checked="" type="radio"/>	
5. Amount of funding requested:	\$200.00
6. Brief description of the nature and objectives of applicant/recipient organisation:	TO PROVIDE BREAKFAST FOR THE CITIZENS OF NIMMITABEL ON AUSTRALIA DAY 2018
7. Purpose for which assistance is sought:	<input 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?	UNSURE

9. Financial details of project or program for which assistance is sought:	N/A
10. Total cost of project or program:	ABOUT \$300.00
11. Details of other funding received from SRSC if any:	N/A
12. Details of other financial assistance sought or obtained:	N/A
13. How will Council funding be acknowledged eg logo or signage	N/A
14. Details of Office Bearers or other involved parties:	MEMBERS OF NIMMITABEL LIONS CLUB
15. What services or activities will the recipient provide to SRSC residents?	BREAKFAST
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 <input checked="" type="radio"/> No N/A	
17. What services or activities will the recipient provide to SRSC residents?	BREAKFAST

2018 0123(2)

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

Signature:	
Name:	ISABEL HARRINGTON
Office held / Position	TREASURER
Postal Address:	
Telephone Number/s	
Date:	22/1/18

2631

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:






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)	Michelago Region Community Assoc. (MRCOA) ABN: 69 045 806 574 INC: 9884198
2. Location/address:	Ryne St MICHELAGO NSW 2620
3. Date of establishment or inauguration:	15 Aug 2005
4. Is your organisation registered for GST? Yes <input type="radio"/> No <input checked="" type="radio"/>	
5. Amount of funding requested:	\$200 Reimbursement for Aust Day.
6. Brief description of the nature and objectives of applicant/recipient organisation:	fundraising for local community projects.
7. Purpose for which assistance is sought:	<input 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 <input checked="" type="checkbox"/> Reimbursement.
8. Which category does the event fit within Council's Delivery & Operations Program?	

9. Financial details of project or program for which assistance is sought:	Profit + loss statement attached.
10. Total cost of project or program:	\$200.00
11. Details of other funding received from SRSC if any:	Spring fair donation Previous Aust Day Reimbursements.
12. Details of other financial assistance sought or obtained:	N/A
13. How will Council funding be acknowledged eg logo or signage	Social media advertising
14. Details of Office Bearers or other involved parties:	Ronney Kelly (President) 0428 297514. Kerry Rooney (Treasurer) 0417 208 076.
15. What services or activities will the recipient provide to SRSC residents?	Breakfast, tea/coffee.
<p>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).</p> <p>Are these attached? <input checked="" type="radio"/> Yes <input type="radio"/> No</p>	
17. What services or activities will the recipient provide to SRSC residents?	

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

Signature:	
Name:	Romney Kelly
Office held / Position	President
Postal Address:	
Telephone Number/s	 0
Date:	25 January 2018.

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 eskies 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

Major recurrent expenses for year ending Feb 2017

Electricity	742
Insurance	841
Fundraising costs and supplies (exc Mayfair)	1,044
Tennis Coaching (paid from grant)	3,910
Total	6,537

Major capital expenditure for year ending Feb 2017

Playground Equipment	\$13,681
Court fence (paid from grant funding)	\$10,470
Court surface	\$21,798
Total	\$45,949

Financial Statements are tabled to provide detail on MRCA's financial performance:

- Balance Sheet as at 23 February 2017
- Mayfair 2016
- Projected Cash Flow for the year ending 23 February 2018
- MRCA Grants Register
- Cash Flow for year ending 23 February 2017
- Profit and Loss Statement for year ending 23 February 2017
- Bendigo Bank Account statement of balance

Michelago Region Community Association

Balance Sheet

As at 23 February 2017

Assets	\$
Petty Cash	601.30
Cash at Bank	15,140.69
Term Deposit Accounts Closed	nil
Accounts receivable – tennis fees	200.00
Total assets	15,941.99
Liabilities	
Participation Grant	6,765.00
DSS Grant project	4,196.85
Accounts Payable: Sprockets Electricals	550.00
Accounts Payable: NSW Fair Trading Fees	357.24
Total Liabilities	11,825.09
Net Assets	4,116.90

MICHELAGO REGION COMMUNITY ASSOCIATION

2016 MAYFAIR

Profit and Loss Statement

Revenue

Stallholder fees Direct Debits/Chqs	1090.00
Sponsorship	1700.00
Fundraising activities	4428.70
Gate	369
Chocolate Wheel	1199
Pulled pork, chilli con carne	615
Local produce	385
Devonshire teas	196
Bar	274
Canteen	96
Beau's kid's activities	74
Face-painting	53
Chess	29
Stallholders cash on day	180
EFTPOS cash/sales approx.....	308
Cash float	650
Total Revenue	7218.70

Expenses

Cash float for MRCA stalls	650.00
Food and supplies (mainly pork, chilli, canteen)	1622.15
Entertainment: Wood-chopping	500.00
Entertainment: Beau's kids activities	300.00
Marquee Hire	150.00
Council DA fee	285.00
Advertising	49.98
EFTPOS fees	2.94
Stallholder refunds	50.00
Total Expenses	3610.07
Net Profit/loss	3608.63

MRCA Projected Cash Flow 12 months ending February 2018													
Cash Inflow	March	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	TOTAL
Membership	300												300
Donations									500				500
Spring Fair									2000				2000
Driver Reviver			50	50	50	50	50						250
BBQ Bunnings							2000						2000
Court Hire													
TOTAL INFLOW	300		50	50	50	50	2050		2500				5050
CASH OUTFLOW													
Railway Station Rent		550											550
Electricity/Gas			200			200			200			200	800
Public Liability Insurance			900										900
Fair Trading Fees*	357												357
Website		100											100
Administration		200					300						500
Hall rental	110												110
Fundraising costs							100	400	500				1000
Court maintenance			300		50		50	100	50		50	50	650
Clubhouse**	550		100			100			100			500	1350
TOTAL OUTFLOW	1017	850	1500		50	300	450	500	850		50	750	6317
OPENING CASH***	4179	3462	2612	1162	1212	1212	962	2562	2062	3712	3712	3662	-1267
NET SURPLUS(DEFECIT)	-717	-850	-1450	50		-250	1600	-500	1650		-50	-750	-1267
CLOSING CASH	3462	2612	1162	1212	1212	962	2562	2062	3712	3712	3662	2912	
*Back payment for four years plus normal fee of \$44 for lodgement of this year's financial statements													
**\$550 cheque for Sprockets Electricals													
***Of the \$15140 actual cash balance at the bank, \$10961 is quarantined for two grant projects, leaving \$4,179 available for routine expenditure													

MRCA Grant Register

Grant	Ref No	Purpose	\$s granted	\$s spent	Acquittal Due Date	Actual Date of Acquittal or Status	Who Acquitted for MRCA
COMMUNITY BUILDING PARTNERSHIP – NSW Government	15608	Clubhouse for sports oval	30,000.00	30,000.00		Acquittal approved 01-04-2016	Ingrid Penberthy
SPORT FACILITY PROGRAM – NSW Government		Tennis court fence and lighting	16,500.00	18,606.51	19-07-2016	Variation agreed. Final acquittal submitted	Romney Kelly
FOUNDATION FOR RURAL AND REGIONAL RENEWAL – NGO Bendigo	21389	Renovating Railway Station for Golden Oldies	7,134.00	7,134	June 2016	Project complete. Final acquittal submitted	Kerry Rooney
WAR MEMORIAL – Department of Veterans Affairs – Australian Government		Construct a cenotaph for war veterans	1,960.00	3,410.00		Project complete	
Office of Communities Sport and Recreation Participation Project - NSW Government		Tennis participation grant	10,000	3,910.00		Started spending this grant in 2016	
Volunteer Grants, Department of Social Security	4-3701700	Esky, megaphone	4196.85			Yet to be spent	

Numeralla & District Activities
Incorporated
PO Box 1323
COOMA NSW 2630
NumerallaDAInc@gmail.com

19 December 2017

The General Manager
Snowy Monaro Regional Council
81 Commissioner Street
Cooma NSW 2630

Request for Council Assistance for the Numeralla Folk Festival 2018

Dear Sir,

Over the years, our local Council has provided assistance in various forms to the Numeralla community to facilitate the running of the Numeralla Folk Festival. The Numeralla community seeks Snowy Monaro Regional Council assistance to run the 44th consecutive Festival, to be held next year on 25–28 January 2018.

The following is a list of areas of assistance provided previously, and sought once again in 2018.

- Opening up of the lower Badja Reserve for Festival campers and placement of any necessary barriers by CoB 19 January 2018
 - Special event speed zoning for the Badja Reserve Campground
- Garbage and Recycling (Waste Watch)
 - Former administrator Dean Lynch made an undertaking at the waste management forum at Numeralla in 2016 that the Festival would not incur any fees for waste management, and it has not done so before or since
- Cleaning and management of Numeralla public toilets
- Septic tank pump-outs
- Grass mowing
- Filling of water tanks

There have been issues with campers' uncontrolled dogs in recent years. We would like to further request that a Council Ranger visit the Numeralla Folk Festival campgrounds during the Festival in order to ensure that all dogs are under control.

Please note that the Numeralla community only has control over the Hall precinct via its liquor licence and has no authority over the public lands in and around the village. We do however assist Council at the Badja Campground by providing a couple of portaloos.

Yours Faithfully



Steve Donkers
Secretary

Snowy Monaro Regional Council Donations and Sponsorships review.

Executive Summary

Prior to amalgamation the three Councils had different processes for managing Sponsorship and Donation requests, this included variations in the values endorsed to the community groups.

During the last six months we have been providing Council with a report summary of donation requests as they are received for approval, requesting Councillors to determine an appropriate contribution.

Current Challenges:

- Requests are being received too close to event dates for Council to review appropriately.
- In kind requests require further investigation to determine actual cost of delivery, and organisation of services.
- Appropriate time to assess requests against available budget is limited.
- Many organisations have an expectation that donation requests will be a formality and ongoing annually.

At the November 2017 Council meeting a request was made for a review of recurring donations and sponsorships.

This document provides:

Section 1 - Detail of current recurring sponsorships that were consistent across the prior three Council areas and a recommendation for consideration.

Section 2 - Detail of a proposed process to manage Donation and Sponsorship requests in two reviews per year from the 2019 Financial Year and a recommendation for consideration.

Section 1 - Recurring Donations

Each of the former three Councils supported the following organisations on a recurring basis:

Schools

- Primary and Secondary Schools have received a contribution for their end of year presentation days. Value ranged from \$50 to \$150 per school in previous years. In 2017 each school was provided \$100
 - From time to time schools will request additional funds for special anniversaries or sponsorship of students attending events.
-

School	2017 Value
Adaminaby Public	\$100
Berridale Public	\$100
Bombala Public	\$100
Bredbo Public	\$100
Cooma Public	\$100
Cooma North Public	\$100
Dalgety Public	\$100
Delegate Public	\$100
Jerangle Public	\$100
Jindabyne Central School - Junior	\$100
Michelago Public	\$100
Nimmitabel Public	\$100
Snowy Mountains Christian School - Junior	\$100
Snowy Mountains Grammar School - Junior	\$100
St Joseph's Bombala	\$100
St Patrick's Cooma - Junior	\$100
Bombala High	\$100
Jindabyne Central School - Senior	\$100
Monaro High	\$100
Snowy Mountains Christian School - Senior	\$100
Snowy Mountains Grammar School - Senior	\$100
St Patrick's Cooma - Senior	\$100
Total value	\$2200

Major Show Events

- Cash donations have been provided to shows to cover a range of activities.
- In kind sponsorship has been provided to some events for waste management by way of bins, collections, disposal fees and staffing at events for waste management – this has been estimated at between \$700 and \$4000 per event depending on the

request but has not been specifically allocated to the Sponsorship budget in prior years.

- In addition DA fees and facility hiring fees have been waived for some events.

Name	Monetary Value	In-Kind Support in addition to cash funding
Bombala Show	\$800	Waste Management
Cooma Show	\$1000	Waste Management
Dalgety Show	\$1500	Waste Management
Delegate Show	\$1000	Waste Management
Nimmitabel Show	-	Waste Management
Estimate of total value per year to support these shows including in kind support costs on average:		\$5,000 - \$10,000

Major Race days

- Cash donations have been provided to Race Days to cover a range of activities.
- In kind sponsorship has been provided to some events for waste management by way of bins, collections, disposal fees and staffing at events for waste management – this has been estimated at between \$700 and \$4000 per event depending on the request but has not been specifically allocated to the Sponsorship budget in prior years.

Name	Monetary Value	In-Kind Support in addition to cash funding
Adaminaby Race Day	\$1000 - \$2000	Waste Management and compost
Bombala Race Day	\$1000	Waste Management
Cooma Race Day	\$1000	Waste Management
Estimate of total value per year to support these shows including in kind support costs on average:		\$3,000 - \$6,000

Australia Day Celebrations

- Cash reimbursement of between \$200 and \$300 per request to local community Australia Day celebrations such as community breakfasts and BBQ's.

- A total of 8 requests were received for the 2018 Australia Day events to a value of \$1600
- This does not include the costs for the centralised Australia Day awards event.

Total estimated value for the category of recurring sponsorships per financial year would range from \$11,800 to \$19,800 over the past 3 years.

Anzac Day

- Support has been provided to the RSL Sub Branches in prior years to facilitate Anzac services through traffic control and signage, maintenance of the surrounding lawn areas, monuments and streetscape immediately prior to the event.
- Fees and charges for associated applications.
- Wreaths to be laid at services by Council.

**** Although submissions are received from Sub Branches for support, ideally this event management could be co-ordinated as an independent event management to incorporate all sub branches within Council and listed separately in the Budget annually, rather than submissions for Sponsorship.**

Recommendation for the recurring sponsorships

1. That Council
 - a) Agree to recurring sponsorship of Primary and Secondary Schools as listed in the report for their presentation Days annually for 2019, 2020 and 2021 Financial years;
 - b) Agree to recurring Sponsorship of Major Show events as listed in the report annually for 2019, 2020 and 2021 Financial years;
 - c) Agree to recurring Sponsorship of Major Race days as listed in the report annually for 2019, 2020 and 2021 Financial years;
 - d) Agree to recurring Sponsorship of Australia Day Community celebrations annually for 2019, 2020 and 2021 Financial years;
 - e) Determine the value of the sponsorship to be provided for each category a), b), c), d) that will include all in kind costs for the 2019 Financial Year and authorise inclusion in the budget.

Section 2 – Other Donation and Sponsorship requests.

There are numerous sponsorship requests from the public that we believe could be managed effectively through a process of biannual submissions. This would incorporate all other Community groups and events.

Proposed Sponsorship and Donation Process

- Council determines an Annual Budget for Sponsorships in addition to the agreed recurring budget value from Section 1.
- The budget is split across two submission rounds per year.
- Council would advertise twice a year for submissions from the public for sponsorship/donations.
- A committee of Councillors would review and evaluate the submissions and submit recommendations to Council for endorsement.
- Round One will be open for submissions from 1 April to 31 May for July to December events and activities.
- Round Two will be open for submissions from 1 September to 31 October for January to June events and activities.
- No submissions would be accepted outside of these times except for hardship requests that would be considered from a separate contingency budget.
- Council determine what criteria or restrictions apply to submissions for example:
 - Eligibility Criteria:**
 - Not for Profit group/event
 - Fit within Councils Delivery & Operations Program
 - Targeted to Local community
 - Located within the Snowy Monaro LGA
 - Provide a budget (income & expenditure)
- This process would capture all in kind requests which would be required to be valued by the relevant servicing department.
- A communication strategy would be undertaken to advise and educate the community about the new process.
- An application is required to be submitted with each submission.
- An acquittal process is established to reconcile the sponsorship funds to ensure proper use.

The following events and community groups have sought and been provided sponsorship from Council in the recent years. It is proposed that these groups would access the bi annual submission process for consideration.

- **Miscellaneous**
 - Bombala Bike Show
 - Jindabyne Rodeo
 - Cooma Rodeo
 - Cooma Motor Fest
 - Jindabyne Flowing (Bi-Annual)
 - Dalgety Team Penning
-

-
- Perisher Peak Festival
 - Pony Clubs
 - Adaminaby Easter Fair
 - Snowy Mountains Trout Festival
 - Cooma Billy Kart Derby
 - Cooma Busking Championships
 - Snowy Ride
 - Michelago Spring Fair
 - Berridale Lions Easter Fair
 - Berridale Lions Spring Fair
 - Daffodil Fete (Anglican Women)

 - **Arts & Culture**
 - South East Region Arts
 - Jindabyne Lake Light Festival
 - Snowy Monaro Arts
 - Cooma District Band
 - Multi-Cultural Community Festival
 - Numeralla Folk festival
 - Snowy Monaro Readers Writers Festival
 - Tim Draxl Performing Arts Fund
 - Raglan Gallery

 - **Tourism**
 - Le Tape
 - SnowTunes
 - Water Ski Championships
 - Charmed Events Christmas (JER)

 - **Community Groups**
 - Lions club (Berridale; Bombala; Cooma; Jindabyne; Nimmitabel)
 - Rotary
 - Masonic Lodge (Bombala, Cooma)
 - RSL (Adaminaby; Bombala; Cooma; Snowy River Berridale)
 - Probus
 - CWA (Adaminaby; Berridale; Bredbo; Cooma; Dalgety-Numbla Vale; Jerangle-Peak View; Jindabyne; Nimmitabel)
 - Snowy Monaro Neighbourhood Centre
 - Chambers of Commerce - all regions
 - Monaro High Girls Group – Project O

 - **Other**
 - Monaro Education
 - Cooma University Centre
-

- 355 Committees – Event days and unexpected maintenance

An overview of the sponsorship ranges for these groups from the prior Councils are:

- Arts & Culture: Lake Light Sculpture; South East Region Arts; Readers Writers Festival; Tim Draxl Performing Arts etc.
Requests include monetary values; fee waivers for hire of facilities or application fees. Amounts varied from \$300 to \$16,000
- Tourism: L'Etape; Water Ski Championships; Tourism Snowy Mountains etc.
Requests include monetary values; fee waivers for hire of facilities or application fees. Amounts varied up to \$20,000
- Community Groups - CWA; Lions; Rotary; RSPCA etc.
Requests include monetary values; fee waivers for hire of facilities or application fees. Amounts varied from \$200 to \$20,000
- Miscellaneous Requests - Local Fairs; Festivals; Rodeos; Individuals requesting support to attend exchange programs etc.
Requests include monetary values; fee waivers for hire of facilities or application fees. Amounts are variable from \$100 to \$7,000.
- 355 Committees – Amounts varied up to \$2,500 – we believe these should be in a separate budget to be assigned each year for contingencies outside of insurance claims etc.

If Council agree to endorse the proposed process a Policy would be submitted to Council in March 2018 for approval.

In addition the supporting procedures, forms and communication strategy for the Community would be developed so that the process could commence for effect in the 2019 Financial Year.

Although the 2018 Financial Year Budget allocation for Donations and Sponsorships is allocated at \$62,500, the total spend for the 2017 year for Donations and Contributions was \$161,857.

TOTALS: Donations: \$42,694
Contributions: \$119, 163

Perpetual Pre-Approved Donations and Sponsorship from the previous three Councils

We have identified some pre-approved perpetual donations and sponsorships where groups believe they have been given approval for ongoing support for waiver of fees or rates, however not all of these can be verified.

We would suggest that the community communication strategy advise all groups to provide a submission under the proposed process to have these submissions reassessed for the term of the Council.

Currently there are two pre-approved events with end dates:

1. L'Etape approved for three years
 End of event support is December 2018

Sponsorship in 2016 \$9,500

Sponsorship in 2017 \$9,500

These amounts are made up of:

- Jindabyne Memorial Hall Fee waiver 100% - \$6200
- Waste Management \$3,330

The Council resolution for the event in year 3 for 2018 approved 50% fee waiver for hall hire and no waivers after 2018.

There is no provision in the Administrators resolution for the event beyond 2018 and L'Etape will have to apply for further sponsorship.

2. Nation Water Ski Championships expires January 2019 after the event.

Sponsorship in 2017 \$1,282

Sponsorship in 2018 \$1,282

Approved Sponsorship in 2019 \$1,282

3 year total **\$3,315**

These amounts are made up of:

- DA Fee Waiver @ \$140 per year
- Banner Fee Waiver @42 per year
- DA Advertising Fee @ \$1100 per year

Recommendation for the ongoing Sponsorship and Donation request process:

2. That Council
 - a) Agree to the proposed Sponsorship and Donation process outlined in section 2 of this report;
 - b) Determine the value to be allocated for Sponsorships and Donations for the 2019 FY Budget;
 - c) Seek nominations from Councillors to form a Sponsorship and Donations subcommittee to evaluate submissions bi annually.

- d) Agree to determine a contingency budget value to manage adhoc hardship requests that may arise outside of the formal process.

16.7 CIVIC RECEPTIONS

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Executive Assistant to Director Corporate and Community Services
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:	Nil
Cost Centre	3020.340.620
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Council receives several requests each financial year to host Civic Receptions. They are typically held to welcome dignitaries of affiliated local clubs or visitors to our region.

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

OFFICER'S RECOMMENDATION

That Council allocates \$2,000 per annum to hold Civic Receptions.

BACKGROUND

The former Cooma-Monaro Shire Council typically held several Civic Receptions over a financial year period. Some examples include:

1. The District Governor of the Rotary Club
 2. The District Governor or the Lions Club.
 3. ANU Medical Students come to Cooma in August and March each financial year as part of an ANU Medical School Rural Week. The medical students are exposed to life in a rural area and it is hoped that some of them may return to practice in the region once their studies are completed.
 4. A Delegation of Teachers and Students from Yamaga, Japan make a biennial visit to Cooma as part of the Yamaga Sister City Exchange Program. A Delegation from Cooma visits Yamaga the following year. This visit is important to promote a "sister city" relationship between Yamaga and Cooma and encourages a cultural and educational experience for the students.
-

Other Civic Receptions were considered on a case by case basis.

At the Administrator Delegations meeting on 7 August 2017, the Administrator approved the following recommendation:

18.1 CIVIC RECEPTIONS

COMMITTEE RECOMMENDATION

ADA129/17

That Council review its participation in Civic Receptions and a report be provided to the new Council for their consideration.

Approved by Administrator Lynch

QUADRUPLE BOTTOM LINE REPORTING

1. Social

By hosting Civic Receptions, Council is seen to support local projects and the community as a whole.

2. Environmental

There are no detrimental impacts on the environment.

3. Economic

Civic Receptions do have an economic impact on Council.

During the 2016/17 Financial Year, Snowy Monaro Regional Council expended a total of \$1957.48 on catering including food and beverages.

There are also staff costs to be taken into account. One staff member prepares, sends out invitations and records RSVPs. On the day of the Civic Reception two staff members spend approximately 4 hours each shopping, setting up Chambers to the Civic Reception layout, serving food and beverages during the Civic Reception, packing up and returning Chambers to a meeting layout. The Civic Receptions are held after normal Council Office working hours.

Approximately 25-60 people attend Civic Receptions including visitors, community representatives, Councillors and Council staff.

A breakdown of the costs for catering each of the Civic Receptions held in the 2016/17 financial year are as follows:

Date	Group/Club	Expenditure
20/07/16	District Governor, Lions Club	\$258.73
15/08/16	ANU Medical Students	\$1013.27 *
10/10/16	Renew Cooma Project	\$227.37
12/10/16	District Governor, Rotary Club	\$62.06
07/11/16	Yamaga Exchange Students	\$230.07

16.7 CIVIC RECEPTIONS

20/03/17	ANU Medical Students	\$165.98
Total		\$1957.48

*The ANU Civic Reception was held at the Ex-Services Club as the Council Chambers was booked for an alternative meeting which was held over several days.

The former Snowy River Shire Council did not hold a Civic Reception during the 2015/2016 financial year.

The former Bombala Shire Council rarely held Civic Receptions. During the 2015/2016 financial year they hosted one for the Men from Snowy River Re-Enactment March at a cost of \$1,000.00 which covered catering and staff wages.

4. Civic Leadership

Civic Receptions promote the region as a destination to visit or live and further good relationships.

16.8 SECTION 404 REPORT FOR THE PERIOD JULY TO DECEMBER 2017

Record No:

Responsible Officer:	Executive Manager Innovation & Business Development
Author:	Project Specialist Innovation & Business Development
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1 Ensure that legislative obligations are met throughout all Council departments.
Operational Plan Action:	OP7.2 Completion of reporting requirements in accordance with legislation.
Attachments:	1. Operational Plan - July to December 2017 - Action and Task Progress Report (<i>Under Separate Cover</i>) ➡
Cost Centre	Corporate Governance
Project	IPR Legislative Reporting Requirements
Further Operational Plan Actions:	Nil

EXECUTIVE SUMMARY

Under Section s404(5) of the Local Government Act 1993 (the Act), the General Manager must ensure that regular progress reports are provided to the council with respect to the principal activities detailed in the delivery program. Progress reports must be provided at least every six (6) months.

This report covers the period between 01 July 2017 and 31 December 2017 and is the first progress report for the 2017/18 Snowy Monaro Regional Council Operational Plan.

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

OFFICER'S RECOMMENDATION

That Council receive and note the Operational Plan Progress – Action and Task Progress Report

BACKGROUND

CAMMS Global Collaboration tool was first introduced for the 2016/17 Operational Plan. This tool has enabled the Integrated Planning and Reporting (IPR) strategic documents to be reported, monitored and managed through an automated system. The system has created greater efficiency in delivering these reports and is an encouraging step towards Council achieving its vision by demonstrating the values; innovative, accountable and together.

Section 428 of the Act states that Council's Annual Report includes the achievements in implementing the Delivery Program and the effectiveness of the principle activities undertaken to work towards the objectives in the Community Strategic Plan.

Accordingly, the Section 404(5) reports presented to Council will form part of the Annual Report, a copy of which is submitted to the Minister for Local Government in November each year.

The attached Section 404 report provides an overview of all activities undertaken between July and December 2017 and will be published separately to this report as part of Council's commitment to providing the community with current information on our progress towards achieving the Delivery Plan.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Council's community engagement prior to developing the adopted IPR plans promote access and equity in an effort to ensure they best reflected the community's goals and aspirations. The Section 404 Report provides information on progress that Council has made towards the stated overarching goals in the Community Strategic Plan.

2. Environmental

Through the quadruple bottom line reporting mechanism stated in the integrated planning and reporting framework, all council actions, projects or recommendations must consider the impact on the environment prior to being undertaken or commenced.

3. Economic

Preparation of the s404 report for the period of July to December 2017 has been undertaken by Innovation & Business Development (IBD) Unit as the administrators of the business intelligence tool for performance monitoring.

4. Civic Leadership

This report promotes accountability and is a mechanism used to ensure that Council and the community are aware of progress towards achieving the agreed outcomes. Timely reporting also provides confidence that we are conducting our business in accordance with legislative and statutory requirements.

16.9 MONTHLY FUNDS MANAGEMENT REPORT - DECEMBER 2017

Record No:

Responsible Officer:	Chief Financial Officer
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 31 December 2017.

Cash and Investments are \$82,229,660.

Certification

I, Jacqueline Sullivan, 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 Policy.

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 cash & investments position as at 31 December 2017.
- B. Receive and note the Certificate of the Responsible Accounting Officer.

BACKGROUND

Council's Cash and Investments 31 December 2017:

Cash at Bank	Investments	Total
1,755,463	80,474,197	82,229,660

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 the recommendations contained herein will not have any environmental impacts.

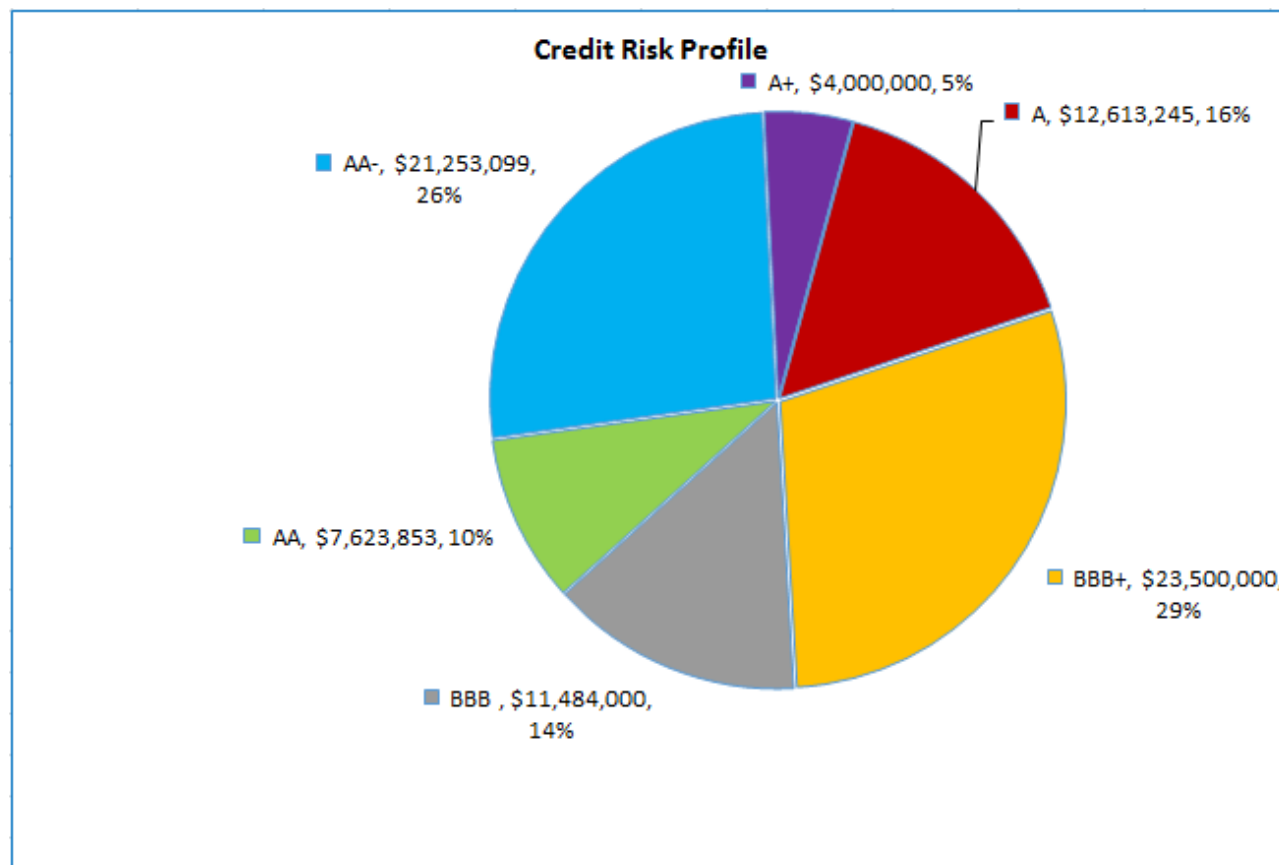
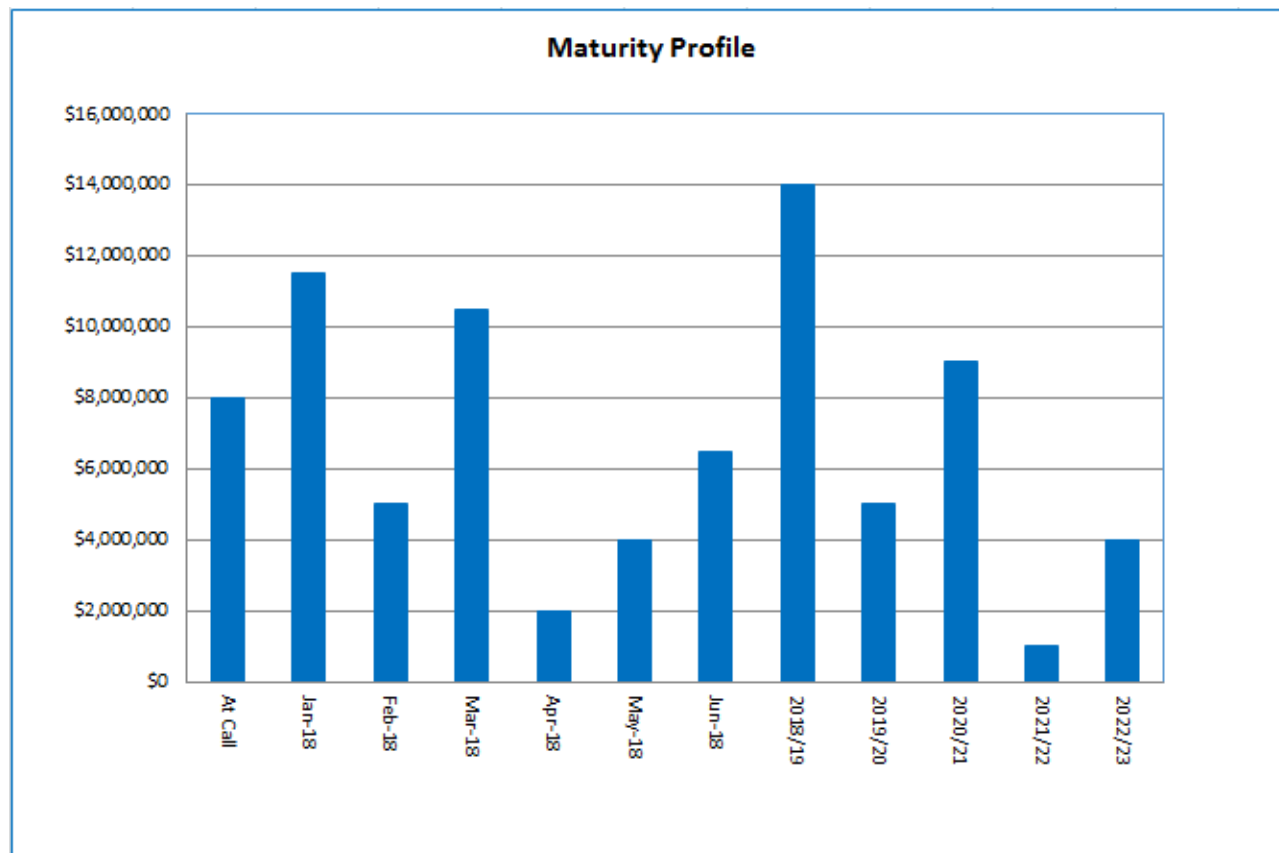
3. Economic

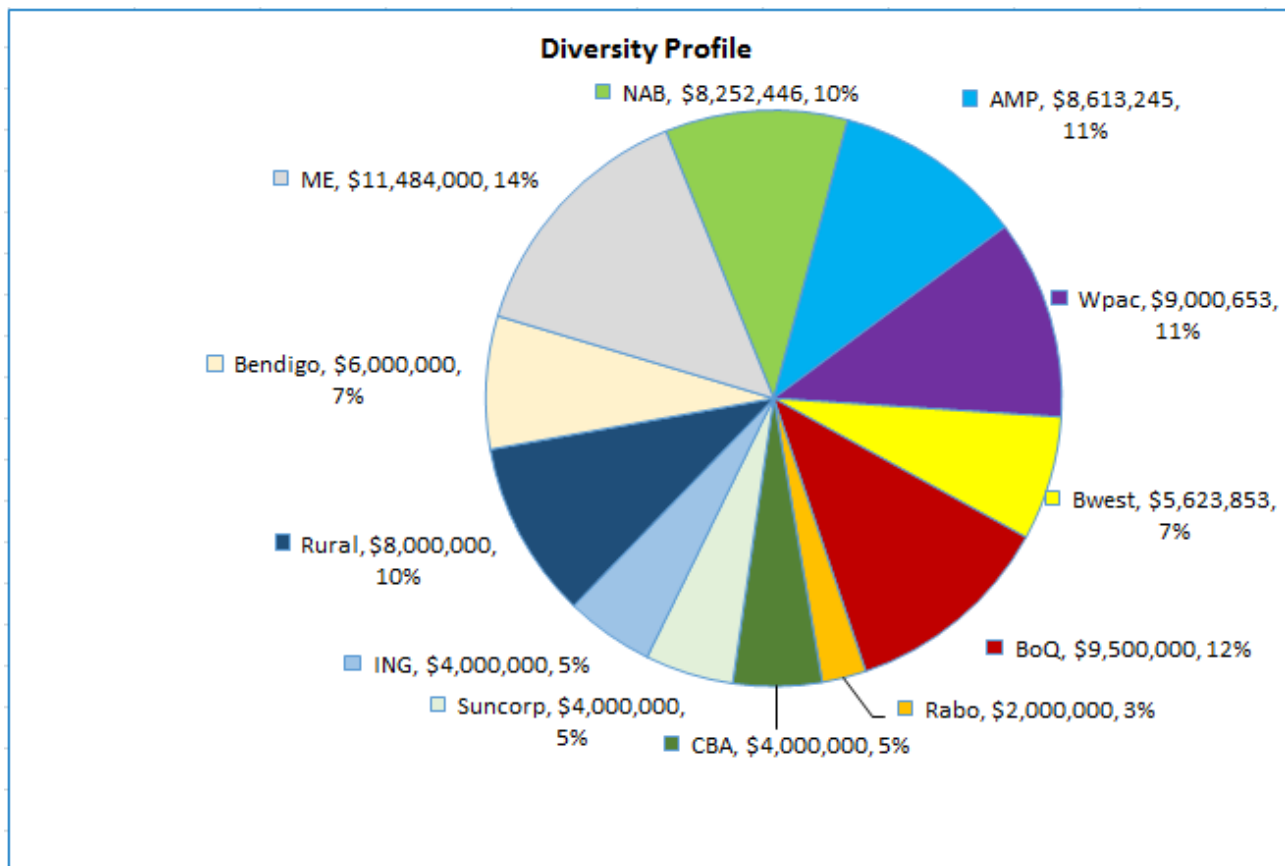
Total investments for Snowy Monaro Regional Council were \$80,474,197 on 31 December 2017.

Investment Register – 31 December 2017:

DATE INVESTED	FINANCIAL INSTITUTION	Short- Term Rating	Long- Term Rating	TYPE	CURRENT INVESTMENT	INTEREST RATE	MATURITY
n/a	National Australia Bank - At Call*	A1+	AA-	At Call	532,837	Variable	At Call
n/a	National Australia Bank - At Call*	A1+	AA-	At Call	1,219,609	1.10%	At Call
n/a	AMP Bank - At Call	A1	A	At Call	1,521,288	2.05%	At Call
n/a	Westpac Bank - At Call	A1+	AA-	At Call	653	0.70%	At Call
n/a	Bankwest	A1+	AA	At Call	3,623,853	2.00%	At Call
n/a	AMP Bank - 31 days Notice Account	A1	A	31 days	1,091,957	2.15%	31 days
12-Sep-14	RaboDirect	A1+	AA	TD	2,000,000	4.10%	11-Sep-18
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	2.90%	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
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
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
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
11-Jul-17	Bank of Queensland	A2	BBB+	TD	1,000,000	2.65%	08-Jan-18
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
19-Sep-17	ME Bank	A2	BBB	TD	1,984,000	2.50%	20-Mar-18
20-Sep-17	National Australia Bank	A1+	AA-	TD	2,500,000	2.60%	20-Mar-18
03-Oct-17	Suncorp Bank	A1	A+	TD	1,000,000	2.35%	03-Jan-18
16-Oct-17	ME Bank	A2	BBB	TD	9,500,000	2.42%	15-Jan-18
23-Oct-17	Bank of Queensland	A2	BBB+	TD	1,000,000	2.55%	23-Oct-18
10-Nov-17	National Australia Bank	A1+	AA-	TD	2,000,000	2.52%	09-Nov-18
05-Dec-17	Suncorp Bank	A1	A+	TD	1,000,000	2.61%	04-Jun-18
18-Dec-17	Bank of Queensland	A2	BBB+	TD	1,500,000	2.60%	18-Jun-18
21-Dec-17	Bankwest	A1+	AA	TD	1,000,000	2.50%	20-Apr-18
					80,474,197		

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. As no Council Meeting was held in January 2018, the December 2017 report is presented at the Council Meeting in February 2018.

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.

16.10 MONTHLY FUNDS MANAGEMENT REPORT - JANUARY 2018

Record No:

Responsible Officer:	Chief Financial Officer
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 31 January 2018.

Cash and Investments are \$82,114,008.

Certification

I, Jacqueline Sullivan, 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 Policy.

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 cash & investments position as at 31 January 2018.
- B. Receive and note the Certificate of the Responsible Accounting Officer.

BACKGROUND

Council's Cash and Investments 31 January 2018:

Cash at Bank	Investments	Total
1,677,181	80,436,827	82,114,008

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 the recommendations contained herein will not have any environmental impacts.

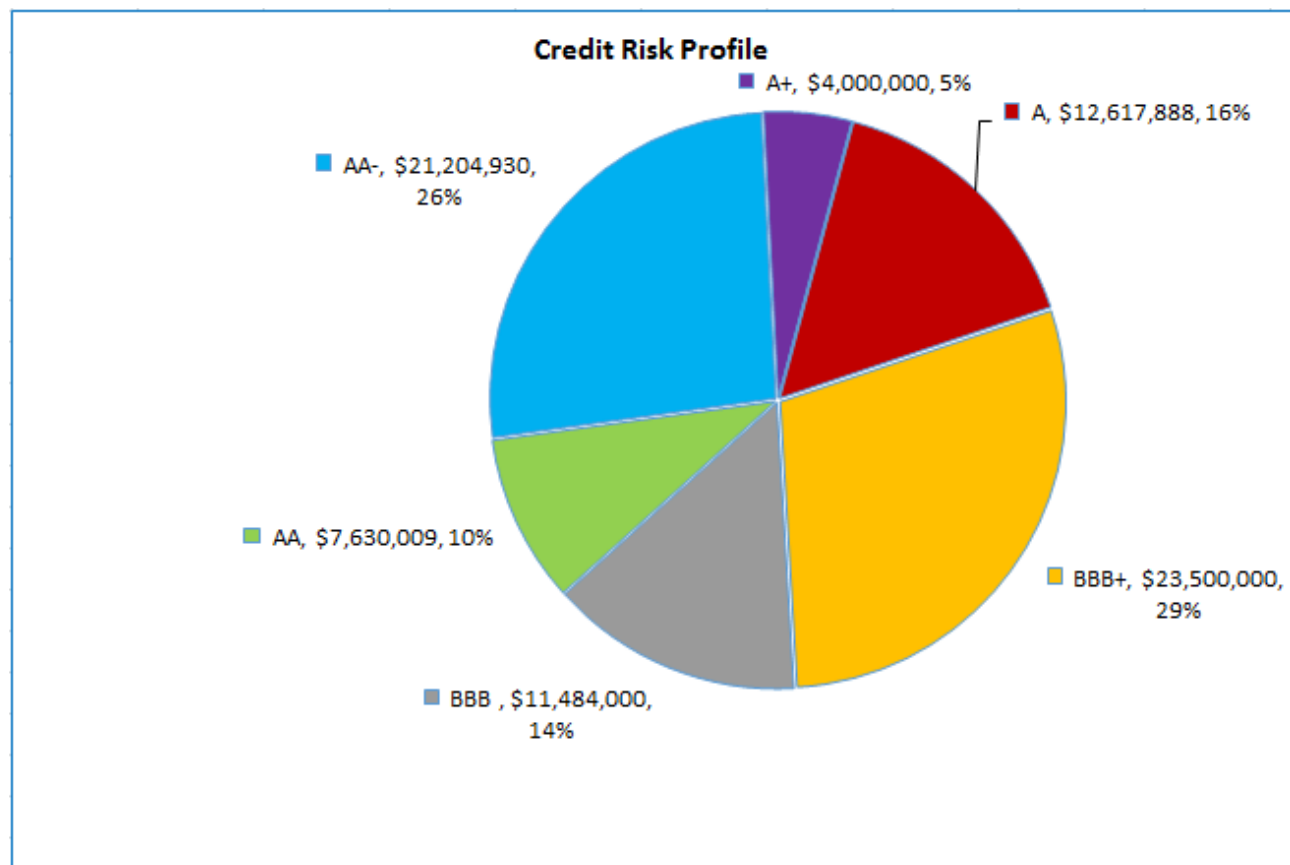
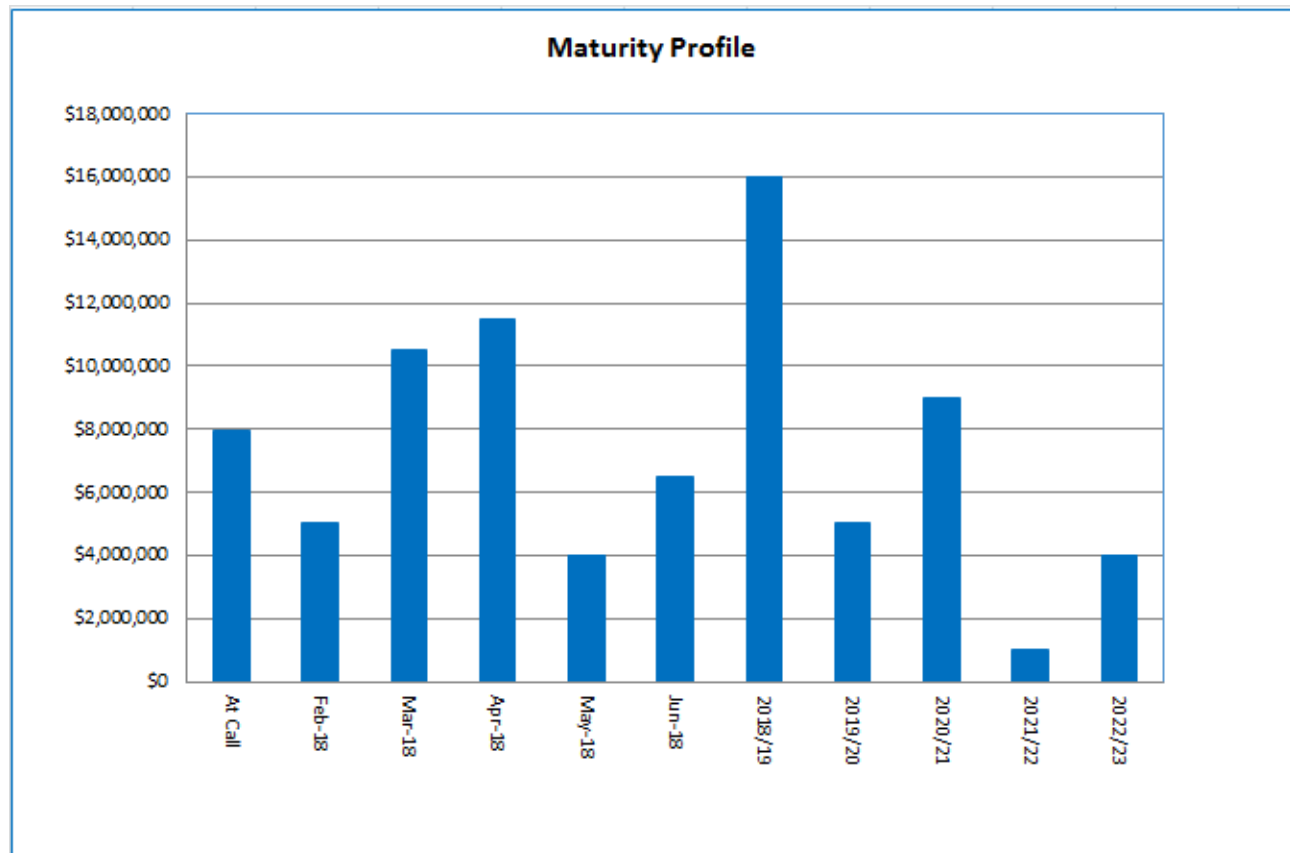
3. Economic

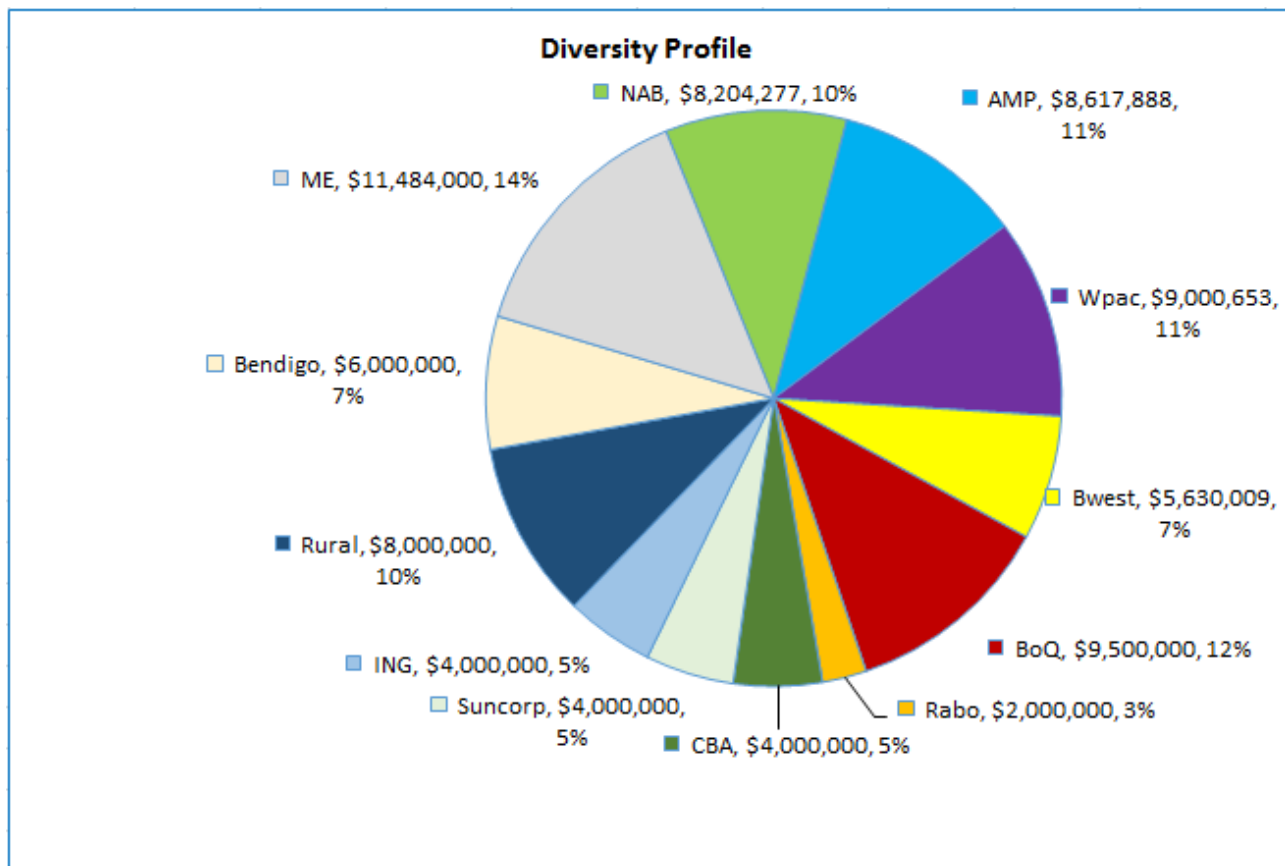
Total investments for Snowy Monaro Regional Council were \$80,436,827 on 31 January 2018.

Investment Register – 31 January 2018:

DATE INVESTED	FINANCIAL INSTITUTION	Short-Term Rating	Long-Term Rating	TYPE	CURRENT INVESTMENT	INTEREST RATE	MATURITY
n/a	National Australia Bank - At Call*	A1+	AA-	At Call	533,318	Variable	At Call
n/a	National Australia Bank - At Call*	A1+	AA-	At Call	1,170,959	1.10%	At Call
n/a	AMP Bank - At Call	A1	A	At Call	1,523,937	2.05%	At Call
n/a	Westpac Bank - At Call	A1+	AA-	At Call	653	0.70%	At Call
n/a	Bankwest	A1+	AA	At Call	3,630,009	2.00%	At Call
n/a	AMP Bank - 31 days Notice Account	A1	A	31 days	1,093,951	2.15%	31 days
12-Sep-14	RaboDirect	A1+	AA	TD	2,000,000	4.10%	11-Sep-18
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	2.90%	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
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
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
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
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
19-Sep-17	ME Bank	A2	BBB	TD	1,984,000	2.50%	20-Mar-18
20-Sep-17	National Australia Bank	A1+	AA-	TD	2,500,000	2.60%	20-Mar-18
23-Oct-17	Bank of Queensland	A2	BBB+	TD	1,000,000	2.55%	23-Oct-18
10-Nov-17	National Australia Bank	A1+	AA-	TD	2,000,000	2.52%	09-Nov-18
05-Dec-17	Suncorp Bank	A1	A+	TD	1,000,000	2.61%	04-Jun-18
18-Dec-17	Bank of Queensland	A2	BBB+	TD	1,500,000	2.60%	18-Jun-18
21-Dec-17	Bankwest	A1+	AA	TD	1,000,000	2.50%	20-Apr-18
03-Jan-18	Suncorp Bank	A1	A+	TD	1,000,000	2.45%	02-Jul-18
08-Jan-18	Bank of Queensland	A2	BBB+	TD	1,000,000	2.60%	09-Jul-18
15-Jan-18	ME Bank	A2	BBB	TD	9,500,000	2.50%	16-Apr-18
					80,436,827		

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.

16.11 DECEMBER 2017 QUARTERLY BUDGET REVIEW STATEMENT (QBR)

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Financial Accountant
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1 Ensure that legislative obligations are met throughout all Council departments.
Operational Plan Action:	OP7.3 Completion of Financial statutory and regulatory reports in accordance with specified requirements.
Attachments:	1. Quarterly Budget Review - December 2017 ↓
Cost Centre	4010 Financial Services
Project	Quarterly Budget Review Statements
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Council adopted its 2018 Operational Plan on the 28 June 2017, including details of Estimated Income and Expenditure.

The quarterly budget review statement (QBR) for the period ended 30 September 2017 was adopted on 16 November 2017.

The QBR for the period ended 31 December 2017 is now reported to Council.

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

OFFICER'S RECOMMENDATION

That Council

- A. Adopt the quarterly budget review statement (QBR) for the period ended 31 December 2017
- B. Authorise the adjustments to the Council's budgeted Income and Expenditure as shown in the QBR.

BACKGROUND

Clause 203 (1) of the *Local Government (General) Regulation 2005* (the Regulations) requires a council's responsible accounting officer to prepare and submit a QBR to the governing body of council.

The QBR must show, by way of reference to the estimated income and expenditure that is set out in the operational plan adopted by council for the relevant year, a revised estimate of income and expenditure for that year.

The Regulations also requires the QBR include a report by the responsible accounting officer as to whether or not they consider the statement indicates council to be in a satisfactory financial

position (with regard to its original budget) and if not, to include recommendations for remedial action.

Over the period of the budget year, council has an opportunity to review and approve variances to the original budget. These variances are generally recommended as part of council's quarterly budget review process.

Any change to the budget must be approved by council and councillors need to be aware that by resolving to accept the QBRS, they are approving the changes as proposed.

The changes proposed are referenced in the attached QBRS and commentary is provided.

The QBRS also includes details of previously approved changes to the budget, including Carry Forward (revotes*) budgets from the 2017 financial year and other changes approved by Council prior.

*revotes refers to an authorisation of expenditure which does not lapse at year end (refer to Clause 211 of the *Local Government (General) Regulation 2005*)

QUADRUPLE BOTTOM LINE REPORTING

1. Social

This report provides a snapshot of the Council's Financial Performance which is a tool to identify improvements necessary to sustain Council's financial health to be able to deliver services to the community and achieve community goals.

2. Environmental

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

3. Economic

The impact on budget is the subject of this report and as such is contained in the attachments.

4. Civic Leadership

Council's operational plan sets out its achievements, goals and revenue policy, including estimated income and expenditure. The QBRS plays an important role in monitoring council's progress against the plan and the ongoing management of Council's annual budget.

The 2018 budget was adopted under Council resolution 131/17 (28/06/2017)

The September 2017 Quarterly Budget Review Statement was adopted under Council resolution 261/17 (16/11/2017)

Snowy Monaro Regional Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

31 December 2017

It is my opinion that the Quarterly Budget Review Statement for Snowy Monaro Regional Council for the quarter ended 31/12/17 indicates that Council's projected financial position at 30/6/18 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:



date: 5/02/2018

Jacqueline Sullivan
Responsible Accounting Officer

Snowy Monaro Regional Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Income & Expenses Budget Review Statement

Budget review for the quarter ended 31 December 2017

Income & Expenses - Council Consolidated

(\$000's)	Original Budget 2017/18	Approved Changes					Revised Budget 2017/18	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBR	Sep QBR	Dec QBR	Mar QBR					
Income											
Rates and Annual Charges	30,358						30,358			30,358	26,280
User Charges and Fees	13,368						13,368			13,368	4,638
Interest and Investment Revenues	1,707						1,707			1,707	858
Other Revenues	1,309			130			1,439	(52)	1	1,387	691
Grants & Contributions - Operating	20,416	215	410	567			21,608	(1,159)	2	20,449	5,741
Grants & Contributions - Capital	3,835	1,050	2,363	10			7,258	(2,664)	3	4,594	546
Net gain from disposal of assets	966						966			966	335
Share of Interests in Joint Ventures	-						-			-	
Total Income from Continuing Operations	71,959	1,265	2,773	707	-	-	76,704	(3,875)		72,829	39,089
Expenses											
Employee Costs	27,429	50		36			27,515			27,515	14,117
Borrowing Costs	392						392			392	106
Materials & Contracts	16,181	744	461	34			17,420	(59)	4	17,361	5,896
Depreciation	18,062						18,062			18,062	
Other Expenses	9,072	142	59	5			9,278	(457)	5	8,821	3,859
Total Expenses from Continuing Operations	71,136	936	520	75	-	-	72,667	(516)		72,151	23,978
Net Operating Result from Continuing Operation	823	329	2,253	632	-	-	4,037	(3,359)		678	15,111
Discontinued Operations - Surplus/(Deficit)							-			-	
Net Operating Result from All Operations	823	329	2,253	632	-	-	4,037	(3,359)		678	15,111
Net Operating Result before Capital Items	(3,012)	(721)	(110)	622	-	-	(3,221)	(695)		(3,916)	14,565

Snowy Monaro Regional Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Income & Expenses Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	Other Revenues Reduction - Bombala Service NSW original budgeted commission income by (\$52k)
2	Grants & Contributions - Operating Increase - Public Reserves Management Funding (PRMF) for Crown Reserves vegetation management \$107k Increase - State Emergency Services Grant - Bombala building improvements \$65k Increase - Youth Opportunities Grant \$28k Increase - Science Show Grant \$3.8k Reduction - Transport Infrastructure grant funding to align with revised works program (\$900k) Reduction - Internal adjustment former Monaro Regional Library Joint Venture contributions not required (\$463) (offsets with reduction to other expenses)
3	Grants & Contributions - Capital Reduction - Transport Infrastructure grant funding to align with revised works program (\$2.7m)
4	Materials & Contracts Increase - Public Reserves Management Fund (PRMF) expenses for Crown Reserves vegetation management \$107k Increase - Customer Satisfaction Survey \$30k Increase - Expenses for grant funded Snowy Monaro Youth Leadership Program (\$28k) Increase - Expenses in relation to Science Show Grant (3.8k) Decrease - Reduction to operating expenses for duplicate budget for grant funded Bridge Inspections (\$231k)
5	Other Expenses Reduction - Internal adjustment former Monaro Regional Library Joint Venture contributions not required (\$463) (offsets with reduction to operating contribution income)

Snowy Monaro Regional Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Capital Budget Review Statement

Budget review for the quarter ended 31 December 2017

Capital Budget - Council Consolidated

(\$000's)	Original Budget 2017/18	Approved Changes					Revised Budget 2017/18	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBR	Sep QBR	Dec QBR	Mar QBR					
Capital Expenditure											
- Plant & Equipment	6,783	1,334					8,117	86	1	8,203	844
- Land & Buildings	4,930	1,203	2,461	70			8,664	65	2	8,729	537
- Roads, Bridges, Footpaths	11,656	1,634					13,290	165	3	13,455	1,214
- Water & Sewer	12,064	2,667					14,731			14,731	752
- Other Infrastructure	4,145	932	120	25			5,222			5,222	117
Total Capital Expenditure	39,578	7,770	2,581	95	-	-	50,024	316		50,340	3,464
Capital Funding											
Rates & Other Untied Funding							-			-	
Capital Grants & Contributions	3,835	1,050	2,363	10			7,258	(2,599)	4	4,659	546
Restricted Cash Reserves	34,777	6,310	218	85			41,390	2,915		44,305	
Receipts from Sale of Assets											
- Plant & Equipment	966	410					1,376			1,376	335
- Land & Buildings							-			-	
Total Capital Funding	39,578	7,770	2,581	95	-	-	50,024	316		50,340	881
Net Capital Funding - Surplus/(Deficit)	-	-	-	-	-	-	-	-		-	(2,583)

Snowy Monaro Regional Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	- Plant & Equipment Increase - Installation of security access controls system Cooma Chambers \$16k Increase - Estimated library book purchase not in original budget \$70k
2	- Land & Buildings Increase - State Emergency Services Grant - Bombala building improvements \$65k
3	- Roads, Bridges, Footpaths Increase - Transport Infrastructure to align with revised works program \$165k
4	Grants & Contributions - Capital Reduction - Transport Infrastructure grant funding to align with revised works program (\$2.7m) Increase - State Emergency Services Grant - Bombala building improvements \$65k

Snowy Monaro Regional Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Cash & Investments Budget Review Statement

Budget review for the quarter ended 31 December 2017

Cash & Investments - Council Consolidated

(\$000's)	Original Budget 2017/18	Approved Changes					Revised Budget 2017/18	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRs	Sep QBRs	Dec QBRs	Mar QBRs					
Externally Restricted ⁽¹⁾											
Developers Contributions	3,835						3,835			3,835	3,835
Water Supplies	8,763	(1,447)					7,316			7,316	11,871
Sewerage Services	9,853	(725)					9,128			9,128	14,453
Domestic Waste Management	2,732	(225)	(120)				2,387			2,387	3,809
Unexpended Grants	1,189	(238)					951			951	1,188
Snowy River Hostel Accomodation Bonds	793						793			793	793
Yallambee lodge accomodation bonds	2,480						2,480			2,480	2,480
Crown land reserves	21						21			21	21
Jindabyne beautification special rate	96						96			96	96
Crown land - holiday parks	1,140						1,140			1,140	921
Home and community care	369						369			369	369
Boco Rock community reserve	145		(40)				105			105	145
Kamoto-cooma friendship scholarship fund	191		(6)				185			185	191
Other External	8						8			8	8
Total Externally Restricted	31,615	(2,635)	(166)	-	-	-	28,814	-		28,814	40,180
(1) Funds that must be spent for a specific purpose											
Internally Restricted ⁽²⁾											
Employee Leave Entitlement	3,343						3,343			3,343	3,343
Plant & Vehicle Replacement	2,611	(739)					1,872			1,872	3,243
HACC Vehicle Replacement	153						153			153	153
Uncompleted Works	3,232	(3,232)					-			-	3,232
Waste	999						999			999	963
Desposits, Retentions & Bonds	682						682			682	682
Yallambee Lodge Building & Equipment	1,522						1,522			1,522	1,632
Quarry Operations	528						528			528	96
Stronger Communities Fund	362		(48)				314			314	14,362
Merger Implementation Fund	1,025						1,025			1,025	3,112
Former Bombala LGA	2,645		(10)	(15)			2,620			2,620	3,270
Former Cooma LGA	523		(523)				-			-	890
Former Snowy LGA	678		(59)				619			619	906
Other Internal	848						848			848	1,478
Total Internally Restricted	19,151	(3,971)	(640)	(15)	-	-	14,525	-		14,525	37,362
(2) Funds that Council has earmarked for a specific purpose											
Unrestricted (ie. available after the above Restricti	-	(835)	478	552	-	-	195	(3,675)		7,290	4,687
Total Cash & Investments	50,766	(7,441)	(328)	537	-		43,534	(3,675)		50,629	82,229

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Cash & Investments Budget Review Statement

Investments

Investments have been invested in accordance with Council's Investment Policy.

Cash

The Cash at Bank figure included in the Cash & Investment Statement totals \$1,755

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of this bank reconciliation is 02/01/18

Reconciliation Status

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

\$ 000's

Cash at Bank (as per bank statements)

1,755

Investments on Hand

80,474

less: Unpresented Cheques

(Timing Difference)

less: Identified Deposits (not yet accounted in Ledger)

(Require Actioning)

Reconciled Cash at Bank & Investments

82,229

Balance as per Review Statement:

82,229

Difference:

-

Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes Details

--	--

Snowy Monaro Regional Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Contracts Budget Review Statement

Budget review for the quarter ended 31 December 2017
Part A - Contracts Listing - contracts entered into during the quarter

Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)	Notes
Bucher Municipal Pty Ltd	Replacement of Council recycle truck	390,655	16/11/17	N/A	Y	

Snowy Monaro Regional Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	224,909	Y
Legal Fees	253,162	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

16.12 RESTRICTED CASH

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Chief Financial 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:	1. Internally Restricted Cash ↓
Cost Centre	4010 Financial Services
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

At the Extraordinary Council meeting held of 27 November 2017 a request was made for information to be furnished regarding the internally restricted cash of the Snowy Monaro Regional Council and also for each of the former Council's.

Details of internally restricted cash for each of the former Council's for the financial year ended 12 May 2016 and for Snowy Monaro Regional Council for the financial year ended 30 June 2017 are attached to this report.

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

OFFICER'S RECOMMENDATION

That Council receive and note the information provided in the report Restricted Cash.

BACKGROUND

In a broader context restricted cash is held for a specific purpose and therefore not available to Council for immediate or general use. Restricted cash is categorised in Note 6c of the General Purpose Financial Statements into External Restrictions and Internal Restrictions.

External Cash Restrictions are funds held by Council where there is a statutory obligation to use the funds for purposes for which they were paid to Council. Under section 409(3) of the *Local Government Act 1993* they are of three categories:

- a) money that has been received as a result of the levying of a special rate or charge which may not be used other than for the purpose for which the rate or charge was levied, and
- b) money that is subject to the provisions of the Local Government Act or any other Act (being provisions that state that the money may be used for a specific purpose).
- c) money that has been received from the Government or from a public authority by way of a specific purpose advance or grant may not, except with the consent of the Government or public authority.

Internal Cash Restrictions are funds set aside or restricted by resolution of Council for a particular purpose. If the purpose for which the restriction was established does not eventuate or Council changes its priorities, these funds may be reapplied for a different purpose by resolution of Council.

Unrestricted Cash is available to be used to cover unexpected or emergency expenses not provided for in the annual budget and not covered by an available internal restriction.

Under Clause 32 of the *Local Government (Council Amalgamations) Proclamation 2016*, the assets, rights and liabilities of the former councils were transferred to the new council.

The cash assets of the three former councils were transferred to Snowy Monaro Regional Council on the 12th May 2016.

On the 14th August 2017 by way of Council resolution 167/17, Council adopted the balances of the cash restrictions as at 13th May 2016 for the new Council, these balances are included in the attached document.

The internal components of restricted cash of the former Councils as at 12 May 2016 and that of the Snowy Monaro Regional Council as at 13 May 2016 are tabled below. Comprehensive detail can be found within the attachment to this report.

Internal Restricted Cash - Category	Bombala @ 12/5/2016	Cooma-Monaro @ 12/5/2016	Snowy River @ 12/5/2016	Total @ 12/5/2016	SMRC @ 13/5/2016
Employee Leave Entitlement	650	1,553	890	3,093	3,093
Plant & Vehicle Replacement	266	1,229	1,245	2,740	3,129
HACC Vehicle Replacement			197	197	197
Quarry Operations		32	33	65	65
Uncompleted Works	1,355	40	378	1,773	1,773
Waste			1,815	1,815	1,815
Deposits, Retention & Bonds	76			76	682
Yallambee Lodge Building & Equipment		1,632		1,632	1,632
Former Bombala LGA	3,642			3,642	3,270
Former Cooma-Monaro LGA		915		915	890
Former Snowy River LGA			1,504	1,504	906
Total Internal Restricted Cash	5,989	5,401	6,062	17,452	17,452

Adjustments made to the internally restricted cash as at 13 May 2016 are:

- a) additional contribution toward the Plant & Vehicle Replacement restriction for the former Bombala LGA of \$372,000 and former Snowy LGA of \$17,000; and
- b) additional cover for Deposits, Bonds and Retentions the former Cooma Monaro LGA of \$25,000 and former Snowy River LGA of \$581,000.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The report is for information only.

2. Environmental

The report is for information only.

3. Economic

The report is for information only.

4. Civic Leadership

The restricted cash balances are included in the annual audited financial statements as Note 6c.

Snowy Monaro Regional Council adopted the internal restricted cash balances as at 13 May 2016 on 14 August 2017 - references ADA131/17 and CR167/17.

Snowy Monaro Regional Council adopted the internal restricted cash balances as at 30 June 2017 on 6 September 2017 - references ADA141/17 and CR191/17.

IR = Infrastructure Replacement
SRWI = Snowy River Way Interest

18.1 NOTICE OF MOTION CR HASLINGDEN FEB 2018 - RESTRICTED FUNDS

Record No:

Responsible Officer: General Manager
Author: Councillor Sue Haslingden
Attachments: 1. Notice of Motion Cr Haslingden Feb 2018 Restricted Funds [↓](#)

Councillor Suzanne Haslingden has given notice that at the Ordinary Meeting of Council on 15 February 2018, she will move the following motion.

MOTION

That Council review whether the funding allocations in restricted funds, as identified at 12 May 2016 at the time of the merger, and detailed in report from CFO in this paper –

- a) Remain as allocated
- b) Be combined with the Stronger Community Funds for greater project delivery outcomes; or
- c) To be reallocated to urgent ageing infrastructure, in related areas, as determined by the Asset Management Strategy

BACKGROUND

At the time of merger, each of the Council's had prepared financial reports. These included reserve allocations as determined by the then Council's. These allocations are identified to be spend in the areas they were 'raised'.

With the merger, there was then funding from Government to be spent on:

1. Community grant program, allocating up to \$1 million in grants of up to \$50,000 to incorporated not-for-profit community groups, for projects that build more vibrant, sustainable and inclusive local communities.
2. Major projects program, allocating all remaining funding to larger scale priority infrastructure and services projects that deliver long term economic and social benefits to communities.

More information available from: <https://www.strongercouncils.nsw.gov.au/funds/>

These projects have been determined and are now being managed and will begin to be rolled out.

Council needs to consider if there is a benefit to consolidating some of these individual reserves to appropriate projects to enhance the delivery of the project and therefore more benefit to the community.

Yet, we still have all areas with aging infrastructure that direly needs upgrading and funding. Council needs to decide whether it would be more of a benefit to reallocate all, or some, of the

reserves to either assist with works, or partner as co funding for grants to receive the desired outcomes of upgrading this aging infrastructure.

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.*

Notice of Motion



Submitted for Meeting of. **Snowy Monaro Regional Ordinary Council**

(Council or name of Committee)

Date of Meeting **15 February 2018**

Submitted by **Councillor Sue Haslingden**

(Councillor Name)

Motion:

Council to review whether the funding allocations in restricted funds, as identified at 12 May 2016 at the time of the merger, and detailed in report from CFO in this paper –

- a) Remain as allocated
- b) Be combined with the SCF for greater project delivery outcomes; or
- c) To be reallocated to urgent ageing infrastructure, in related areas, as determined by the Asset Management Strategy

Background Information:

At the time of merger, each of the Council's had prepared financial reports. These included reserve allocations as determined by the then Council's. These allocations are identified to be spend in the areas they were 'raised'.

With the merger, there was then funding from Government to be spent on:

1. Community grant program, allocating up to \$1 million in grants of up to \$50,000 to incorporated not-for-profit community groups, for projects that build more vibrant, sustainable and inclusive local communities.
2. Major projects program, allocating all remaining funding to larger scale priority infrastructure and services projects that deliver long term economic and social benefits to communities.

More information available from: <https://www.strongercouncils.nsw.gov.au/funds/>


These projects have been determined and are now being managed and will begin to be rolled out.

Council needs to consider if there is a benefit to consolidating some of these individual reserves to appropriate projects to enhance the delivery of the project and therefore more benefit to the community.

Yet, we still have all areas with aging infrastructure that direly needs upgrading and funding. Council needs to decide whether it would be more of a benefit to reallocate all, or some, of the reserves to either assist with works, or partner as co funding for grants to receive the desired outcomes of upgrading this aging infrastructure.

Dated this 1 day of Feb (year) 2018

Sue Haslingden
Name of Councillor


Signature of Councillor

Peter BEER
Name of Councillor


Signature of Councillor

Council's Code of Meeting Practice provides as follows:

21.1 It is the duty of the Chairperson at a meeting of Council to receive and put to a meeting any lawful motion that is brought before the meeting.

21.2 The Chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.

21.3 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 In the absence if 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 243 of the Regulation)

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18.2 NOTICE OF MOTION CR HASLINGDEN FEB 2018 BOMBALA SEWERAGE

Record No:

Responsible Officer: General Manager

Author: Councillor Sue Haslingden

Attachments: 1. Notice of Motion Cr Haslingden Feb 2018 Bombala Sewerage [↓](#)

Councillor Suzanne Haslingden has given notice that at the Ordinary Meeting of Council on 15 February 2018, she will move the following motion.

MOTION

That Council consider the rationality and economics of upgrading the existing Bombala Sewerage Plant in its present site, next to the Bombala River, or rebuilding and moving the plant to a new site away from the river.

BACKGROUND

The current Bombala Sewerage plant is over 50 years old. It is a dinosaur. It is positioned within 200-300 metres of the Bombala River, a sensitive system that eventually feeds into the Snowy River.

Not only does it often smell, affecting all those living near it, driving past it and the High School nearby, the Bombala Storm Water system during heavy rain events inundates the plant excessively with overflow storm water resulting in the plant being unable to 'do its job' and thus providing events that concern the EPA. The EPA have issues with the incidents that result in Bombala river contamination.

The EPA and other agencies are continually tightening their measurable in an effort to protect the environment. As they tighten their measurable, so must the infrastructure be adapted to meet these guidelines. This is often costly, as most works are.

There is a site less than 1km away, on the corner of the saleyard road that could be used for a new system that is 21st century compliant, or one potentially further out of town and near the Mill that could be used. Both sites need to be investigated for suitability.

Systems can literally be brought in containers and installed. They use either less water, or are completely new innovative methods of managing wastes. This could also be applied to the other systems in the region.

Parkes Council in western NSW has implemented a new plant: The new Sewage Treatment Plant (STP) is nearing construction completion, and is already providing Parkes with improved sewage services.

It is currently in the commissioning phase as the treatment processes transition from the old site to the new facilities.

The \$27.5m facility will ensure that Council provides reliable, robust and energy efficient sewage treatment for Parkes.

The NSW State Government's Country Towns Water Supply and Sewerage Program contributed over \$9 million towards the project, representing 38% of the cost for the STP.

<https://www.parkes.nsw.gov.au/new-sewage-treatment-plant/>

Of course Parkes has an estimated population of 14,000 people. Economies of scale can be applied in our case, to determine that the cost of a new plant might not be an inhibitive as we think, especially with funding.

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.*

Notice of Motion



Submitted for Meeting of. **Snowy Monaro Regional Ordinary Council**

(Council or name of Committee)

Date of Meeting **15 February 2018**

Submitted by **Councillor Sue Haslingden**

(Councillor Name)

Motion:

That Council consider the rationality and economics of upgrading the existing Bombala Sewerage Plant in its present site, next to the Bombala River, or rebuilding and moving the plant to a new site away from the river.

Background Information:

The current Bombala Sewerage plant is over 50 years old. It is a dinosaur. It is positioned within 200-300 metres of the Bombala River, a sensitive system that eventually feeds into the Snowy River.

Not only does it often smell, affecting all those living near it, driving past it and the High School nearby, the Bombala Storm Water system during heavy rain events inundates the plant excessively with overflow storm water resulting in the plant being unable to 'do its job' and thus providing events that concern the EPA. The EPA have issues with the incidents that result in Bombala river contamination.

The EPA and other agencies are continually tightening their measurable in an effort to protect the environment. As they tighten their measurable, so must the infrastructure be adapted to meet these guidelines. This is often costly, as most works are.

There is a site less than 1km away, on the corner of the saleyard road, that could be used for a new system that is 21st century compliant, or one potentially further out of town and near the Mill that could be used. Both sites need to be investigated for suitability.

Systems can literally be brought in containers and installed. They use either less water, or are completely new innovative methods of managing wastes. This could also be applied to the other systems in the region.

Parkes Council in western NSW has implemented a new plant: The new Sewage Treatment Plant (STP) is nearing construction completion, and is already providing Parkes with improved sewage services.

It is currently in the commissioning phase as the treatment processes transition from the old site to the new facilities.

	Issue Date:	Revision Date:	Page 1 of 3
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The \$27.5m facility will ensure that Council provides reliable, robust and energy efficient sewage treatment for Parkes.

The NSW State Government's Country Towns Water Supply and Sewerage Program contributed over \$9 million towards the project, representing 38% of the cost for the STP.

<https://www.parkes.nsw.gov.au/new-sewage-treatment-plant/>

Of course Parkes has an estimated population of 14,000 people. Economies of scale can be applied in our case, to determine that the cost of a new plant might not be an inhibitive as we think, especially with funding.

Dated this 1 / Feb day of 2018 (year)

Sue Councillor
Name of Councillor

[Signature]
Signature of Councillor

Anne Masli
Name of Councillor

[Signature]
Signature of Councillor

Council's Code of Meeting Practice provides as follows:

21.1 It is the duty of the Chairperson at a meeting of Council to receive and put to a meeting any lawful motion that is brought before the meeting.

21.2 The Chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.

21.3 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 In the absence if 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 243 of the Regulation)

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18.3 NOTICE OF MOTION CR CASTELLARI FEB 2018 REVERSE VENDING MACHINE JINDABYNE

Record No:

Responsible Officer: General Manager
Author: Councillor John Castellari
Attachments: 1. Notice of Motion Cr Castellari Feb 2018 Reverse Vending Machine Jindabyne [↓](#)

Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 15 February 2018, he will move the following motion.

MOTION

That Council staff meet with interested community groups to identify a site for a reverse vending machine in Jindabyne.

BACKGROUND

Councillor Castellari will sign the attached motion on his return from leave. A copy of his request to submit the motion is below. The Notice of motion form is attached to this report.

From: John Castellari

Sent: Monday, 15 January 2018 9:50 AM

To: Erin Donnelly

Subject: Motion - reverse vending machine

Hi Erin

Could you please add this motion to the 15 February meeting?

Thanks

J ☺

Motion on notice for Ordinary Council Meeting 15 February 2018

Mover: John Castellari

That Council staff meet with interested community groups to identify a site for a reverse vending machine in Jindabyne.

John Castellari
SMRC Councillor



PO Box 714
COOMA NSW 2630

Phone 1300 345 345
Fax (02) 6456 3337

snowymonaro.nsw.gov.au

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.*

Notice of Motion



Submitted for Meeting of. **Snowy Monaro Regional Ordinary Council**
(Council or name of Committee)

Date of Meeting **15 February 2018**

Submitted by **Councillor John Castellari**
(Councillor Name)

Motion:

That Council staff meet with interested community groups to identify a site for a reverse vending machine in Jindabyne.

Background Information:

Dated this _____ day of _____ (year) _____

Name of Councillor

Signature of Councillor

Name of Councillor

Signature of Councillor

Issue Date:

Revision Date:

Page 1 of 2

Council's Code of Meeting Practice provides as follows:

21.1 It is the duty of the Chairperson at a meeting of Council to receive and put to a meeting any lawful motion that is brought before the meeting.

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21.3 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)

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- b) The Chairperson may defer the motion until the next meeting of Council at which the motion can be considered (cl 243 of the Regulation)

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18.4 NOTICE OF MOTION CR MASLIN FEB 2018 PLATYPUS VIEWING PLATFORM

Record No:

Responsible Officer: General Manager
Author: Councillor Anne Maslin
Attachments: 1. Notice of Motion Cr Maslin Feb 2018 Platypus Viewing Platform
[↓](#)

Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 15 February 2018, she will move the following motion.

MOTION

That Councillors receive a full report regarding the design and construction of the Riverside Platform in Bombala; and

- A. The Report is to include the design process, compliance obligations considered, cost so far, and the process undertaken to select building materials for the structure; and
- B. Further, that a professionally trained landscape architect and engineer be commissioned to complete the platform so that it can be used by the community.

BACKGROUND

The aim of this Motion is to ensure that the failure of planning we have witnessed in the Bombala Riverside Platform, cannot happen again with other projects.

The Platform was built without being Safety compliant, without being engineering compliant, and without stakeholders, e.g. Chamber of Commerce and Community seeing the design of the structure (which ignored the input of ideas from stakeholders).

The timber used in the structure appears to be starting to split, so it is unclear as to the quality of timber that was approved.

The first anyone in the community knew of the final design, was when it was being constructed. Given that the Chamber of Commerce secured the grant funding for the project, it seems extraordinary that no one in the Chamber or wider community were shown designs before the project was constructed.

To date it is unclear to councillors and to stakeholders, what the cost is so far, and the project is still unfinished, although under the terms of the grant, it was supposed to be completed in May 2017.

This is a failure of planning that Council must avoid in future.

Unfortunately the newly elected council has inherited this failed project, even though it was already underway prior to the election.

Sadly the people of Bombala have not been able to make use of this platform at any point during the Summer Holidays.

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.*

Notice of Motion



Submitted for Meeting of. **Snowy Monaro Regional Ordinary Council**

(Council or name of Committee)

Date of Meeting **15 February 2018**

Submitted by **Councillor Anne Maslin**

(Councillor Name)

Motion:

That Councillors receive a full report regarding the design and construction of the Riverside Platform in Bombala.

The Report is to include the design process, compliance obligations considered, cost so far, and the process undertaken to select building materials for the structure.

Further, that a professionally trained landscape architect and engineer be commissioned to complete the platform so that it can be used by the community.

Background Information:

The aim of this Motion is to ensure that the failure of planning we have witnessed in the Bombala Riverside Platform, cannot happen again with other projects.

The Platform was built without being Safety compliant, without being engineering compliant, and without stakeholders, e.g. Chamber of Commerce and Community seeing the design of the structure (which ignored the input of ideas from stakeholders).

The timber used in the structure appears to be starting to split, so it is unclear as to the quality of timber that was approved.

The first anyone in the community knew of the final design, was when it was being constructed. Given that the Chamber of Commerce secured the grant funding for the project, it seems extraordinary that no one in the Chamber or wider community were shown designs before the project was constructed.

To date it is unclear to councilors and to stakeholders, what the cost is so far, and the project is still unfinished, although under the terms of the grant, it was supposed to be completed in May 2017.


This is a failure of planning that Council must avoid in future.

Unfortunately the newly elected council has inherited this failed project, even though it was already underway prior to the election.


Sadly the people of Bombala have not been able to make use of this platform at any point during the Summer Holidays.

Dated this _____ day of _____ (year) _____

See Haslingder
Name of Councillor


Signature of Councillor

Anne S. Maslin
Name of Councillor


Signature of Councillor

Council's Code of Meeting Practice provides as follows:

21.1 It is the duty of the Chairperson at a meeting of Council to receive and put to a meeting any lawful motion that is brought before the meeting.

21.2 The Chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.

21.3 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 In the absence if 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 243 of the Regulation)

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18.5 NOTICE OF MOTION CR MASLIN FEB 2018 DESIGN AND CONSTRUCT

Record No:

Responsible Officer: General Manager

Author: Councillor Anne Maslin

Attachments: 1. Notice of Motion Cr Maslin Feb 2018 Design and Construct [↓](#)

Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 15 February 2018, she will move the following motion.

MOTION

That Council agree, for all major projects requiring design and construct, a step by step procedure must be followed including:

- a. Step 1: Design by a qualified architect, ensuring all relevant compliances including Safety and Engineering.
- b. Step 2: Councilors review of designs.
- c. Step 3: There is an opportunity for Community and stakeholders to view the completed design for 5 days. This includes showing the design to any potential vendors of land identified by the Council strategy as necessary for the project. In this way vendors are more likely to agree to sell land if they have seen what Council recommend to construct.
- d. Step 4: A qualified building contractor or in-house council builder is engaged to construct the project.

BACKGROUND

This motion is proposed to mitigate the risk of the issues identified with the implementation of the Platypus viewing platform.

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.
-

Notice of Motion



Submitted for Meeting of. **Snowy Monaro Regional Ordinary Council**
(Council or name of Committee)

Date of Meeting **15 February 2018**

Submitted by **Councillor Anne Maslin**
(Councillor Name)

Motion:

That for all major projects requiring design and construct, a step by step procedure must be followed including:

- Step 1: Design by a qualified architect, ensuring all relevant compliances including Safety and Engineering.
- Step 2: Councilors review of designs.
- Step 3: There is an opportunity for Community and stakeholders to view the completed design for 5 days. This includes showing the design to any potential vendors of land identified by the Council strategy as necessary for the project. In this way vendors are more likely to agree to sell land if they have seen what Council recommend to construct.
- Step 4: A qualified building contractor or in-house council builder is engaged to construct the project.

Background Information:

This motion is proposed to mitigate the risk of the issues identified with the implementation of the Platypus viewing platform.

Dated this 11 day of Feb (year) 2018

Sue Haslingden.
Name of Councillor

[Signature Box]
Signature of Councillor

Anne A. Maslin.
Name of Councillor

[Signature Box]
Signature of Councillor

Council's Code of Meeting Practice provides as follows:

21.1 It is the duty of the Chairperson at a meeting of Council to receive and put to a meeting any lawful motion that is brought before the meeting.

21.2 The Chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.

21.3 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 In the absence if 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 243 of the Regulation)

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18.6 NOTICE OF MOTION CR MASLIN FEB 2018 BOMBALA TOILET BLOCK

Record No:

Responsible Officer: General Manager

Author: Councillor Anne Maslin

Attachments: 1. Notice of Motion Cr Maslin Feb 2018 Bombala Toilet Block [↓](#)

Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 15 February 2018, she will move the following motion.

MOTION

That Council commission an architect to draft a design for the toilet block project in Maybe Street Bombala, with a brief that

- a. The building be compatible with the existing heritage facades of the street frontage.
- b. Given time constraints, that the design be submitted to council no later than end of April 2018.

BACKGROUND

The Berridale toilet facility was designed by local architect, Jeff Robinson, and after approval by Councillors and community, a builder was engaged to construct it.

It is important that the Bombala project be architect designed in the same process, as there is community concern that a "generic" cement block style construction should not be built.

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.*
-

Notice of Motion



Submitted for Meeting of. **Snowy Monaro Regional Ordinary Council**
(Council or name of Committee)

Date of Meeting **15 February 2018**

Submitted by **Councillor Anne Maslin**
(Councillor Name)

Motion:

That council commission an architect to draft a design for the toilet block project in Maybe Street Bombala, with a brief that the building be compatible with the existing heritage facades of the street frontage. Given time constraints, that the design be submitted to council no later than end of April 2018.

Background Information:

The Berridale toilet facility was designed by local architect, Jeff Robinson, and after approval by councillors and community, a builder was engaged to construct it. It is important that the Bombala project be architect designed in the same process, as there is community concern that a "generic" cement block style construction should not be built.

Dated this 11 day of Feb (year) 2018

Sue Haslingder
Name of Councillor

[Signature]
Signature of Councillor

Anne Maslin
Name of Councillor

[Signature]
Signature of Councillor

Council's Code of Meeting Practice provides as follows:

21.1 It is the duty of the Chairperson at a meeting of Council to receive and put to a meeting any lawful motion that is brought before the meeting.

21.2 The Chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.

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18.7 NOTICE OF MOTION DEPUTY MAYOR MINERS FEB 2018 ROAD REPORT

Record No:

Responsible Officer: General Manager
Author: Deputy Mayor Lynley Miners
Attachments: 1. Notice of Motion Deputy Mayor Miners Feb 2018 Roads
Expenditure Report [↓](#)

Councillor Lynley Miners has given notice that at the Ordinary Meeting of Council on 15 February 2018, he will move the following motion.

MOTION

That Councillors receive a concise report on expenditure for roads in this Financial Year.
Report to include: Overall budget for roads, including new roads, and maintenance and repair, and a prioritised list of roadwork's to be carried out by end of June 2018.

BACKGROUND

The Roads workshop for councillors, scheduled for January 31, 2018, was postponed. Therefore it is necessary for Councillors to have a concise overview of roadwork's budget and planned tasks. Councillors receive many requests from ratepayers for information on proposed road maintenance, across Snowy Monaro Council, and it is important for Councillors to be fully informed.

The notice of motion form is attached – Deputy Mayor Miners will provide a signed form prior to the meeting.

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.*
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 - (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



Submitted for Meeting of. **Snowy Monaro Regional Ordinary Council**

(Council or name of Committee)

Date of Meeting **15 February 2018**

Submitted by **Deputy Mayor Lynley Miners**

(Councillor Name)

Motion:

That Councillors receive a concise report on expenditure for roads in this Financial Year.

Report to include: Overall budget for roads, including new roads, and maintenance and repair, and a prioritised list of roadwork's to be carried out by end of June 2018.

Background Information:

The Roads workshop for councillors, scheduled for January 31, 2018, was postponed.

Therefore it is necessary for Councillors to have a concise overview of roadwork's budget and planned tasks. Councillors receive many requests from ratepayers for information on proposed road maintenance, across Snowy Monaro Council, and it is important for Councillors to be fully informed.

Dated this _____ day of _____ (year) _____

Name of Councillor

Signature of Councillor

Name of Councillor

Signature of Councillor

Council's Code of Meeting Practice provides as follows:

21.1 It is the duty of the Chairperson at a meeting of Council to receive and put to a meeting any lawful motion that is brought before the meeting.

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21.3 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 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 243 of the Regulation)

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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 General Manager's Contract of Employment

Item 22.1 is confidential in accordance with s10(A)(2)&(3) and s10B of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and 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 prevent the relevant confidentiality, privilege or security of such information and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

22.2 Design and Construction of Playgrounds - Stronger Communities Fund Major Project Program

Item 22.2 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.

22.3 Rental Proposal for Tender of General Practitioner Services at Snowy River Health Centre Jindabyne

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

22.4 Replacement of Council's Street Sweeper Plant Number 9056

Item 22.4 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.

22.5 Extension of Contract 2014/002 for the Provision of Street, Shopping Centre & Toilet Cleaning Services in Jindabyne

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 Potential Joint Project with the Department of Education - Cooma

Item 22.6 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.

22.7 Potential Joint Project with the Department of Education - Jindabyne

Item 22.7 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.

22.8 Proposed Purchase of Lot 1 DP 1141425 in Hawkins Street Cooma

Item 22.8 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.

22.9 Highview Estate, Jindabyne Gravity Trunk Sewer Main

Item 22.9 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.

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.