



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Minutes**

**Ordinary Council Meeting**

**20 December 2018**



**ORDINARY COUNCIL MEETING  
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630  
ON THURSDAY 20 DECEMBER 2018**

<b>MINUTES</b>
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**MINUTES OF THE ORDINARY COUNCIL MEETING  
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630**

**ON THURSDAY, 20 DECEMBER 2018  
COMMENCING AT 5.00PM**

**PRESENT:** Mayor John Rooney  
Deputy Mayor Linley Miners  
Councillor Peter Beer *left at 7.35pm*  
Councillor John Castellari  
Councillor Rogan Corbett  
Councillor Sue Haslingden  
Councillor John Last  
Councillor Anne Maslin  
Councillor Brian Old  
Councillor Bob Stewart

**APOLOGIES:** Councillor James Ewart

**Staff:** Peter Bascomb, General Manager  
Suneil Adhikari, Director Operations & Infrastructure  
Peter Smith, Director Environment & Sustainability  
Peter Cannizzaro, Director Corporate & Community Services  
Erin Donnelly, Secretary Council and Committees  
Nola Brady, Group Manager Governance  
Gnai Ahamat, Group Manager Water and Wastewater Services  
Rahul Patel, Team Leader Planning and Compliance

**Notes:** *The Mayor opened the meeting at 5.03pm, At 7.02pm the meeting adjourned for dinner, The meeting resumed at 7.35pm, Clr Beer departed the meeting at 7.35pm for the duration of the meeting, At 8.10pm the meeting adjourned for a short break, The meeting resumed at 8.20pm, At 8.58 pm the meeting was closed to the press and public, At 9.25 pm the Closed Session ended and the Council meeting continued in Open Session, There being no further business the Mayor declared the meeting closed at 9.28pm.*

The Mayor opened the meeting at 5.03PM

## 1. APOLOGIES

### COUNCIL RESOLUTION

564/18

That the apology from Clr Ewart be accepted and leave of absence be granted.

Moved Councillor Corbett

Seconded Councillor Maslin

CARRIED

## 2. CITIZENSHIP CEREMONY

Nil

## 3. PRESENTATIONS

### COUNCIL RESOLUTION

565/18

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

Moved Councillor Beer

Seconded Councillor Corbett

CARRIED

### 3.1 MONARO RAIL TRAIL INC - FEASIBILITY STUDY OF THE QUEANBEYAN - BOMBALA RAIL TRAIL

Mr Michael Daniels, of the Monaro Rail Trail Association, gave a presentation to Council on the Feasibility Study of the Queanbeyan to Bombala Rail Trail. Mr Daniels presented Council and update of what the Monaro Rail Trail has been doing over the past twelve months, and showed locations of current rail trails within New South Wales. Mr Daniels discussed some of the findings in the reports that the Government has written on the rail trails, as well as ideal plans to combine with rail way groups within New South Wales, Canberra and Victoria. Mr Daniels advised that there are a few projects coming up for the rail ways, which Monaro Rail Trail Association believes would be beneficial for drawing tourists from within Australia, and internationally, to our area.

### 3.2 MICHELAGO REGION COMMUNITY ASSOCIATION - MICHELAGO, THE FORGOTTEN VILLAGE

Mrs Kerry Rooney, of the Michelago Region Community Association, gave a presentation to Council on Michelago "The Forgotten Village". Mrs Rooney and residents of Michelago feel that they are the forgotten Village, and that this has been going on for several years, even as part of other Councils. Michelago residents are respectful of their area, and would love to have more exposure so people travelling through know that the town is there. Mrs Rooney advised, and Michelago is the 5<sup>th</sup> largest locality in the Snowy Monaro Region, with 562 people. However, there is no waste transfer station, no town water or town sewerage. Mrs Rooney advised Michelago needs a real main street that is a through road, and the town would like to have town water and sewerage, as well as waste collection, which would lead to some sort of a plan for the development of Michelago.

## 4. PUBLIC FORUM

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

### COUNCIL RESOLUTION

566/18

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

Moved Councillor Stewart

Seconded Councillor Old

CARRIED

#### **4.1 CHARLES KOLARNO - WERRALONG ROAD - HAS COUNCIL GOT IT RIGHT?**

Mr Charles Kolarno, resident of Werralong Road, addressed Council on Werralong Road – “Has Council yet got it right”. Mr Kolarno discussed the start of the subdivision of over 4000 acres beginning with Lots 16 and 61 DP 756680, and along what is now known as Werralong Road. Mr Kolarno advised this current view appears to differ from Council’s Business Paper 7 October 2008 (page 22) but appears to align with a signed memorandum by the special projects manager and received by Council which states in part “it is of significant concern that Council has approved the subdivision under DP 1052039 and preceding subdivision without properly addressing the inadequate legal status of Werralong Road”.

#### **4.2 MICHAEL FETT - STRATEGIC PLAN FOR MICHELAGO**

Mr Michael Fett, spoke to Council on Michelago showing a pattern in the region, and how Michelago is the gateway to the Snowy Mountains. A gateway like this will have developers to the area. However, there has been some confrontation with the community, unless there is a plan for the area including community involvement. Without a plan, Michelago will become a mess. There are also concerns about ending up with multiple systems. Michelago residents wish for Council to take its residents seriously.

#### **4.3 TONY ROBINSON - DEVELOPMENT IN MICHELAGO**

Mr Tony Robinson, resident of Michelago for 18 years, spoke to Council about his involvement in the community, and the interest in development around Michelago. Mr Robinson advised development needs to be responsible and sustainable, and matched with the increase of facilities. Mr Robinson believes that funds should be sought to develop a plan in consultation with the community. Mr Robinson also stressed that nothing significant has happened in Michelago for the last 10 years, and that the Council merger has slowed progress down.

#### **4.4 RICHARD SWAIN - WILD HORSE HERITAGE ACT 2018**

Mr Richard Swain, resident of Numerella, spoke to Council about the culture and heritage of the Snowy Monaro Region. For thousands of years, residents have made decisions based on the landscape. Mr Swain believes the region can do more to protect the environment, and would like to see Council embrace the full history and culture, and protecting the 30 plus endangered species within the area. Mr Swain asked Council to think about our connection to the land and the community, and consider things that are not heritage and damaging our natural resources.

#### **4.5 IVAN PASALICH - DA4127/18**

Mr Ivan Pasalich, Town Planning Consultant based in Jindabyne, addressed Council on Development Application 4127/18. Mr Pasalich discussed a report from the 213 LEP, and a concept plan for the subdivision was started about a year ago. The density work was agreed to by Council based on level servicing density, amenity and traffic access. Mr Pasalich showed Council diagrams of the area and the concept plan that he created. The DA does two things: it is for a masterplan of the whole development site, and it is for stage one which is the northern part of the site containing 30 lots. The further development in other areas will be subject to further application to Council.



#### 4.6 DAVID SHELLEY - DA4127/2018

Mr David Shelley, resident of High Country, addressed Council on Development Application 4127/18. Mr Shelley expressed his concerns with the population in a concentrated area. Mr Shelley has asked Council if they can confirm, based on historical records, the pumping station and treatment plant, and if it can support the development. Mr Shelley suggests the 3000m blocks do not blend, and stages 1 to 4 seek to cram the development. Mr Shelly advised if the development is bound by State and Local LEP's, that it is recommended that Council withdraw consent.

#### Note 1: Extension of Time for Public Forum

Clrs approved for an extension of time for a seventh speaker in Public Forum.

#### 4.7 MICHELLE FRANCIS - DA4127/18

Ms Michelle Francis, Ngarigo Traditional Owner, addressed Council on Development Application 4127/18. Miss Francis has been asked by local settlers to address the committee, and to ask if the burial site located in the area is protected. Miss Francis has concerns on the investigation that was carried out to check the area of the burial site, and wanted to know if it had ben documents, if there were any photos, videos and recordings of the investigation. Miss Francis and community members believe the burial sites are at least 7000 years old, if not more, and has asked if Council can complete a full investigation to stop the development moving forward.

### 5. DISCLOSURE OF INTEREST

Nil

### 6. MATTERS DEALT WITH BY EXCEPTION

#### Items by Exception

The Mayor requested that Councillors nominate any items listed in Corporate Business and Confidential Business that they wished to discuss.

#### COUNCIL RESOLUTION

567/18

A. That all items listed in Corporate Business both Open and Confidential be dealt with separately other than the following items which are moved by exception:

- 7.1 Ordinary Council Meeting held on 6 December 2018
- 7.2 Closed Session of the Ordinary Council Meeting held 6 December 2018
- 9.1 Minutes – Residential Aged Care Advisory Committee 30 October 2018
- 9.2 Minutes of the Local Traffic Committee Meeting held 29 November 2018
- 10.1 Michelago Community Petition
- 10.2 Monthly Funds Management Report – November 2018
- 13.1 Answers to Questions without Notice

B. That the Officer's Recommendations in the reports listed above are hereby adopted.

Moved Councillor Corbett

Seconded Councillor Maslin

CARRIED

## 7. ADOPTION OF MINUTES OF PREVIOUS MEETING

### 7.1 ORDINARY COUNCIL MEETING 6 DECEMBER 2018

<b>COUNCIL RESOLUTION</b>	<b>568/18</b>
THAT the minutes of the Ordinary Council Meeting held on 06 December 2018 are confirmed as a true and accurate record of proceedings.	
<b>Moved Councillor Corbett</b>	<b>Seconded Councillor Maslin</b>
	<b>CARRIED</b>

#### Note 2: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 565/18 above as there was no challenge by Councillors.

### 7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 6 DECEMBER 2018

<b>COUNCIL RESOLUTION</b>	<b>569/18</b>
THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 06 December 2018 are confirmed as a true and accurate record of proceedings.	
<b>Moved Councillor Corbett</b>	<b>Seconded Councillor Maslin</b>
	<b>CARRIED</b>

#### Note 3: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 567/18 above as there was no challenge by Councillors.

## 8. DELEGATE'S REPORT (IF ANY)

### 8.1 COUNCILLOR ROGAN CORBETT

Councillor Rogan Corbett attended a School presentation across the Monaro. Was great to see the smile on the kid's faces when they get their rewards and see the contribution. Clr Corbett commended the P&C on the work they do within the schools around the region.

### 8.2 DEPUTY MAYOR MINERS

Deputy Mayor Lynley Miners also attended the School presentations within the Monaro area along with Clr Corbett.

### 8.3 COUNCILLOR BRIAN OLD

Councillor Brian Old attended the Rosie O'Sullivan School of Dance concert supported by Council. Many kids participated with amazing talent, it was a general credit to the whole community, and a great event to be involved with, and is proud to have a high standard of performance in the area.

#### 8.4 MAYOR ROONEY

- Councillor John Rooney attended the Snowy Monaro Ability Day, which celebrated the achievements of people and their supports.
- Attended the Snowy Valleys Council Meeting which was a great opportunity to see our neighbouring Councils conduct themselves.
- Recently, there was the opening of a Showground in Dalgety, and wished to pass on thanks to the Councillors who attended the opening in the Mayor's absence.
- Along with Councillor Beer, opened a new solar heated dog pound in Berridale, and, opened the recently refurbished seating at Berridale Oval.
- Along with Councillors Corbett and Haslingden, attended the opening of the Cooma Rotary Oval Playground, as well as the Michelago Primary School Awards night.
- Attended the presentation at the Bombala Primary School, endorsing Councillor support for the School and recognising achievement of the local students.

#### COUNCIL RESOLUTION

570/18

That Council receive and note Delegate's Reports

Moved Councillor Corbett

Seconded Councillor Haslingden

CARRIED

### 9. ADOPTION OF COMMITTEE MINUTES/RECOMMENDATIONS

#### *Business Arising Out Of The Minutes*

#### Proceedings in Brief

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

#### 9.1 MINUTES - RESIDENTIAL AGED CARE ADVISORY COMMITTEE 30 OCTOBER 2018

Record No:

Responsible Officer: Director Corporate and Community Services

Author: Executive Assistant to Director Corporate and Community Services

Attachments: 1. Minutes - Residential Aged Care Advisory Committee 30 October 2018

#### EXECUTIVE SUMMARY

The first meeting of the Residential Aged Care Advisory Committee was held on 30 October 2018 in Cooma. The Minutes are presented for Council's information.

**COUNCIL RESOLUTION**

**571/18**

That Council receive and note the Minutes of the Residential Aged Care Advisory Committee held on 30 October 2018.

**Moved Councillor Corbett**

**Seconded Councillor Maslin**

**CARRIED**

**Note 4: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 567/18 above as there was no challenge by Councillors.

**9.2 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD 29 NOVEMBER 2018**

Record No:

Responsible Officer: Director Operations & Infrastructure

Author: Roads Safety Officer

Attachments: 1. Minutes - Local Traffic Committee meeting held 26 November 2018

**EXECUTIVE SUMMARY**

The Local Traffic Committee met on 29 November 2018 in the Vin Good Room, Cooma Library. The Committee's recommendations are presented for Council's consideration and adoption.

**COUNCIL RESOLUTION**

**572/18**

That the recommendations of the meeting of the Local Traffic Committee held on 29 November 2018 be adopted.

**Moved Councillor Corbett**

**Seconded Councillor Maslin**

**CARRIED**

**Note 5: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 567/18 above as there was no challenge by Councillors.

**10. CORPORATE BUSINESS - KEY THEME 1. COMMUNITY**

**10.1 MICHELAGO COMMUNITY PETITION**

Record No:

Responsible Officer: General Manager

Author: Group Manager Governance

Key Theme: 4. Leadership Outcomes

CSP Community Strategy: 12.3 Our community is empowered and supported in facilitating community outcomes

Delivery Program Objectives: 12.3.2 Council has two-way mechanisms in place to encourage people to maintain their involvement in the regions community planning and decision making

Attachments: 1. Michelago Petition

## EXECUTIVE SUMMARY

Council has received a petition from the Michelago Community and it is attached to this report for your information.

In accordance with section 26 (2) of Councils Code of Meeting Practice, the Chairperson must not permit discussion on the petition.

### 26 Petitions to be presented to Council

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

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

<b>COUNCIL RESOLUTION</b>	<b>573/18</b>
That Council receive and note the Michelago Community Petition.	
<b>Moved Councillor Corbett</b>	<b>Seconded Councillor Maslin</b>
	<b>CARRIED</b>

### Note 6: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 567/18 above as there was no challenge by Councillors.

## 10.2 MONTHLY FUNDS MANAGEMENT REPORT - NOVEMBER 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 30 November 2018.

Cash and Investments are \$89,264,134.

### Certification

I, Matt Payne, 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 this report have been 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.

### COUNCIL RESOLUTION

574/18

That Council

A. Receive and note the report indicating Council's cash and investments position as at 30 November 2018, and;

B. Receive and note the Certificate of the Responsible Accounting Officer.

**Moved Councillor Corbett**

**Seconded Councillor Maslin**

**CARRIED**

### Note 7: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 567/18 above as there was no challenge by Councillors.

## 10.3 PROPOSED ACQUISITION OF SHANNONS FLAT COMMUNITY HALL

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Land & Property Officer
Key Theme:	1. Community Outcomes
CSP Community Strategy:	3.1 Develop, maintain and promote safe spaces and facilities that are enabling, accessible and inclusive for all
Delivery Program Objectives:	3.1.1 Public and community spaces are regulated and managed to be safe and equitable for all abilities
Attachments:	1. Shannons Flat Community Hall 2. Lot 78 DP 750527
Cost Centre	Former Cooma Reserves

## EXECUTIVE SUMMARY

In September 2018, Council's Land and Property Manager and Land and Property Officer attended the meeting of the Section 355 Committee for Shannons Flat Community Hall at the Shannons Flat Hall. Cllr Corbett and Cllr Miners were also in attendance together with members of the Committee.

During the meeting, the ownership and responsibility for the building and the cost of the power associated with the building were discussed. The landowner of the property (lot 78 DP 750527), has been paying for the power for many years and he now finds that he cannot sustain this practice.

The possibility of transferring ownership of the hall to Council was discussed. During the meeting and following a number of follow-up meetings with Council staff, The landowner concluded that the best option would be for the hall and land immediately surrounding the hall (approx. 800m<sup>2</sup>) to be gifted to Council and classified as “community land” with Council to bear all costs for the transfer including survey, legal costs and registration of the plan.

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

**COUNCIL RESOLUTION**

**575/18**

That Council

- A. Agree to accept the gift of Shannon’s Flat Community Hall and approximately 800m<sup>2</sup> of land surrounding the hall.
- B. Classify the property as “community land” upon transfer to Council.
- C. Engage the services of a surveyor to survey lot 78 DP 750527 and create a plan of subdivision of the land to excise the hall and surrounding land within the immediate fence line.
- D. Agree to bear all costs associated with the subdivision and registration of the plan including any legal costs.
- E. Fund the costs of approximately \$8,000 from former Cooma Reserves.

**Moved Councillor Corbett**

**Seconded Deputy Mayor Miners**

**CARRIED**

**Note 8: Adjournment of Meeting**

At 7.02pm the meeting adjourned for dinner.

**Note 9: Resumption of Meeting**

The meeting resumed at 7.35pm

**Note 10: Attendance of Councillor Beer**

Clr Beer departed the meeting at 7.35pm for the duration of the meeting.

**11. CORPORATE BUSINESS - KEY THEME 2. ECONOMY**

Nil

**12. CORPORATE BUSINESS - KEY THEME 3. ENVIRONMENT**

**12.1 DA4127/2018 - STAGED SUBDIVISION CONCEPT APPROVAL AND STAGE 1 (30 LOTS)**

Record No:

Responsible Officer: Group Manager Development & Building Certification

Author: Manager Development Assessment

Key Theme: 3. Environment Outcomes

CSP Community Strategy: 8.1 Plan for rural, urban and industrial development that is sensitive to the region’s natural environment and heritage

Delivery Program Objectives: 8.1.2 Land use is optimised to meet the social, environment and economic needs of the region

- Attachments:
1. Draft Conditions of Consent
  2. Statement of Environmental Effects
  3. Concept Master Plan
  4. Concept Landscaping Plans
  5. Stage 1 Subdivision Plans
  6. Response from Natural Resource Access Regulator (formally Office of Water)
  7. Response from OEH
  8. Response to OEH from Applicant including revised Due Diligence Assessment
  9. Further Advice from OEH regarding Aboriginal Cultural Heritage Requirements
  10. Submissions
  11. Response from Applicant to Submissions
  12. Application Form

Further Operational Plan Actions:

Applicant Number:	DA4127/2018
Applicant:	Dabyne Planning Pty Ltd
Owner:	Mr Luie Wehbe, Mr Raymond J Wehbe, Mr John J Wehbe, Mr Joseph J Wehbe, Mr Raymond Hkeik
DA Registered:	27/02/2018
Property Description:	Lot 50 DP 756686 Ph Clyde, Lot 95 DP 756686 Ph Clyde, Lot 111 DP 756686 Ph Clyde, Lot 140 DP 756686 Ph Clyde, Lot 142 DP 756686 Ph Clyde
Property Number:	104035
Area:	78.7 hectares
Zone:	R5 – Large Lot Residential & E3 – Environmental Management
Current Use:	Farm Land
Proposed Use:	Residential Subdivision
Permitted in Zone:	Yes
Type of Development	Integrated
Recommendation:	That the development be approved with conditions

**EXECUTIVE SUMMARY**

The purpose of this report is to seek Concept Development Approval for a 111 lot, Large Lot Residential Subdivision and Development Approval for Stage 1 of the subdivision being thirty (30) lots.

The applicant is seeking to carry out the development with a 'concept approval' for the land and the approval of Stage one of the subdivision. This is a result of the land being within an urban release area as mapped by the Snowy River Local Environmental Plan 2013. The SRLEP requires that the developer prepare a development control plan for sites within these urban release areas to ensure that the land is



developed in a cohesive manner taking into consideration the future infrastructure and linkages within the site. Section 4.23 of the Environmental Planning and Assessment Act allows for the preparation of a concept plan which includes consideration of the matters required by Part 6 of the SRLEP in lieu of the required for a development control plan.

A Concept Development Approval is permitted under S4.22 of the Environmental Planning and Assessment Act 1979 and allows for an applicant to apply for both a concept approval and Stage 1 of the development in one application. In assessing the application Council is required to consider the concept at a broader scale whilst assessing the finer detail of Stage 1. Future Stages will require separate development consent.

Any development consent issued for a Concept Development Approval will include general conditions relating to the overall concept and then specific conditions relating to only Stage 1.

The application was publicly advertised and notified, and Council received seven (7) submissions.

It is recommended that the application be approved as per the recommendations below and the attached draft conditions of consent.

NOTE: If Council decides to make a determination other than as included in the recommendation, it must follow the procedure adopted through resolution 18/18 on 15 February 2018.

**COUNCIL RESOLUTION**

**576/18**

That:

- A. Pursuant to section 4.22 of the *Environmental Planning and Assessment Act 1979 (as amended)* consent be granted for a Concept Approval of a 111 lot subdivision in accordance with DA4127/2018 on Lot 50 DP 756686, Lot 95 DP 756686, Lot 111 DP 756686, Lot 140 DP 756686, Lot 142 DP 756686 subject to the conditions attached as amended;
- B. Pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* consent be granted for Stage 1 being a thirty (30) lot subdivision in accordance with DA4127/2018 on Lot 50 DP 756686, Lot 95 DP 756686, Lot 111 DP 756686, Lot 140 DP 756686, Lot 142 DP 756686 subject to the conditions attached;
- C. The developer be required to construct both of the new access roads and intersections with the Barry Way as part of Stage 1; and
- D. Any person who made a submission is notified according to the Regulations.

**Moved Councillor Old**

**Seconded Councillor Last**

**CARRIED**

**Record of Voting**

*Councillors For: Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Last, Councillor Maslin, Deputy Mayor Miners, Councillor Old, Mayor Rooney and Councillor Stewart.*

*Councillors Against: Nil.*

**Note 11: Amendment to Original Motion**

The above recommendation was an amendment to the original motion. The amendment on being put to the vote was carried and became the substantive motion.

The original motion Moved: Clr Castellari, Seconded: Clr Corbett was:

*“ That*

- A. *Pursuant to section 4.22 of the Environmental Planning and Assessment Act 1979 (as amended) consent be granted for a Concept Approval of a 111 lot subdivision in accordance with DA4127/2018 on Lot 50 DP 756686, Lot 95 DP 756686, Lot 111 DP 756686, Lot 140 DP 756686, Lot 142 DP 756686 subject to the conditions attached;*
- B. *Pursuant to section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) consent be granted for Stage 1 being a thirty (30) lot subdivision in accordance with DA4127/2018 on Lot 50 DP 756686, Lot 95 DP 756686, Lot 111 DP 756686, Lot 140 DP 756686, Lot 142 DP 756686 subject to the conditions attached;*
- C. *Any person who made a submission is notified according to the Regulations.*

**Note 12: Draft Conditions of Consent**

**DRAFT CONDITIONS OF CONSENT DA4217/2018**

**INTEGRATED APPROVAL BODIES**

Pursuant to Section 4.50 of the Act

NSW Natural Resources Access Regulator

**REASONS FOR DECISION**

Pursuant to Schedule 1 cl 20(1)(c)

The reasons for the decision were:

1. The proposal adequately satisfies the application provisions and objectives of the Snowy River LEP 2013 and the Snowy River DCP 2013
2. The proposed development adequately satisfies the relevant State Environment Planning Policies including SEPP 55 – Remediation of Land, SEPP (infrastructure) 2007
3. The proposed development, subject to the conditions below, will have no unacceptable adverse impacts on the natural or built environments including the nearby local heritage items, the local waterways or drainage systems or the operation of the local road system. Further it is considered that developments of the subject site does not prevent future reasonable development of adjoining allotments
4. The application was notified to adjoining landowners and publicly advertised in accordance with the Snowy River DCP 2013 and the relevant statutory regulations. The proposal received seven (7) submissions.
5. In consideration of conclusions 1 – 6 above it is considered the proposed development is a suitable and planned use of the site and approval of the proposal is in the public interest.

**CONDITIONS**

**ADMINISTRATIVE CONDITIONS**

Approved Plans and Documentation

1. The developer is to ensure that the development complies fully with DA4127/2018 as submitted to Council on the 23/02/2018 with supporting documentation including, but not limited to the development plans being:

Reference/Dwg No	Title/Description	Prepared By	Date/s
59-17	Statement of Environmental Effects. Concept Plan & Stage 1 DA for a Large Lot Residential Subdivision 415 & 417 Barry Way Jindabyne Lots 50,95,111,140 & 142 DP756686	Dabyne Planning	February 2018
17HNG_8450	Flora and Fauna Assessment	Eco Logical	22/2/2018
17HNG_8450	Aboriginal Due Diligence Assessment	Eco Logical	21/2/2018
17HNG_8450	Revised Aboriginal Due Diligence Assessment	Eco Logical	21/6/2018
17HNG_8450	Statement of Heritage Impact	Eco Logical	21/2/2018
Rev 1.0	Engineering Infrastructure Report	RS&A and CLM Civil	22/02/2018
Sheet 1 of 2	Concept Plan – Sheet 1	CLM Civil Engineering	21/02/2018
Sheet 2 of 2	Concept Plan – Sheet 2	CLM Civil Engineering	21/02/2018
Sheet 1 of 2	Concept Plan – Staging - Plan Sheet 1	CLM Civil Engineering	20/02/2018
Sheet 2 of 2	Concept Plan – Staging - Plan Sheet 2	CLM Civil Engineering	20/02/2018
Sheet 1 of 2	Concept Plan – Transport Movement - Plan Sheet 1	CLM Civil Engineering	22/02/2018
Sheet 2 of 2	Concept Plan – Transport Movement - Plan Sheet 2	CLM Civil Engineering	22/02/2018
Sheet 1 of 2	Concept Plan – Stormwater - Plan Sheet 1	CLM Civil Engineering	22/02/2018

Sheet 2 of 2	Concept Plan – Stormwater - Plan Sheet 2	CLM Civil Engineering	22/02/2018
Sheet 1 of 2	Concept Plan – Water & Sewer Plan Sheet 1	CLM Civil Engineering	22/02/2018
Sheet 2 of 2	Concept Plan – Water & Sewer Plan Sheet 2	CLM Civil Engineering	22/02/2018
Sheet 1 of 3	Stage 1 Plan	CLM Civil Engineering	19/02/2018
Sheet 2 of 3	Stage 1 Plan – Sheet 1	CLM Civil Engineering	19/02/2018
Sheet 3 of 3	Stage 1 Plan – Sheet 2	CLM Civil Engineering	20/02/2018
Sheet 1 of 1	Stage 1 Stormwater concept plan	CLM Civil Engineering	20/02/2018
Sheet 1 of 1	Stage 1 Plan – Transport Movement	CLM Civil Engineering	20/02/2018
Sheet 1 of 1	Stage 1 Water and Sewer Concept	CLM Civil Engineering	20/02/2018
3494-P1 A	Landscape concept design – Locality Plan and Cover	DSB Landscape Architects	23/02/2018
3494-P2 A	Concept Masterplan	DSB Landscape Architects	23/02/2018
3494-P3 A	Stage 1A and Stage 1B Concept Landscape Masterplan	DSB Landscape Architects	23/02/2018
3494-P7 A	Typical Open Space Corridor	DSB Landscape Architects	23/02/2018
3494- P5 A	Typical Riparian Buffer Section	DSB Landscape Architects	23/02/2018
3494-P8 A	Entry Road Concept Plan	DSB Landscape Architects	23/02/2018
3494-P4 A	Typical Road Sections	DSB Landscape Architects	23/02/2018
3494-P6 A	Typical Bio-Retention Basin Treatment	DSB Landscape Architects	23/02/2018
3494-P9 A	Typical Road/Street	DSB Landscape Architects	23/02/2018

	Intersection		
3494-P10 A	Tree Species	DSB Landscape Architects	23/02/2018

as stamped by the Snowy Monaro Regional Council and attached to this Notice, except where amended by the following conditions of consent (and as amended in red by Council):

Inconsistency between documents

2. In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

Concept Approval

3. Stages 2, 3 and 4 are part of the concept approval and require further development consent.
4. The final design of stages 2, 3 & 4 has not been approved as part of this development application and requires the further approval of Council.
5. No works relating to stages 2, 3 & 4 are approved as part of this consent and as such no works can commence without further approval Development Applications being lodged and approved.

Impact on Aboriginal Cultural Heritage

6. No harm can occur to any Aboriginal objects unless an Aboriginal Heritage Impact Permit (AHIP) has been issued by the Office of Environment and Heritage (OEH).
7. In the event that any Aboriginal object, or potential Aboriginal objects, are uncovered in the area, any works must cease immediately and OEH contacted for advice. Contact South East Region Planning Team – (02) 6229 7188 or email: [rog.southeast@environment.nsw.gov.au](mailto:rog.southeast@environment.nsw.gov.au).

Landscaping Concept Plan

8. The developer shall ensure that the development is landscaped in accordance with the Approved Landscape Concept Plan.

Pathway in Crown Road

9. This application does not grant approval for the any works within a crown road reserve as such the “potential future shared path in Crown road reserve” as referenced on the development plans is not approved as part of this development consent.

**CONDITIONS APPLICABLE TO STAGE 1**

Staged Development

10. The development will be carried out in the following stages:  
Stage 1A: lots 1– 22, 22 lots for residential purposes  
Stage 1B: lots 23 – 30, 8 for residential purposes and residue lots (incorporating future stages 2-4) and lot incorporating open space buffer.

Shared Pathways in open space corridor stage 1A and 1B

11. The developer shall construct a shared trail within the open space corridor shown on concept plan sheet 1 (extending from road 3 to the Crown road reserve) in accordance with Councils requirements for a shared pedestrian pathway. Consultation with Councils Recreation Planner shall be undertaken to determine the specifications of the pathway. The pathway is to be completed prior to the issue of the subdivision certificate for stage 1B.

Shared Pathway in open space buffer/residue lot 3 stage 1B

12. The developer shall construct a shared trail within the land referred to as the "Open Space Buffer/Residue lot 3" on the proposed subdivision plans for stage 1. This trail shall be completed prior to the issue of the subdivision certificate for stage 1B and will include the construction of a pedestrian /cycle bridge across Cobbin Creek. The location and construction of this trail and bridge shall be undertaken in consultation with Councils Recreation Planner. The works shall be finalised prior to the release of the subdivision certificate for stage 1B.

**APPROVALS FROM STATE AGENCIES**

General Terms of Approval from the NSW Natural Resources Access Regulator

13.	GT0009-00010	<b>Design of works and structures</b> Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Natural Resources Access Regulator, and obtained, for a controlled activity approval under the Water Management Act 2000.
	GT0002-00469	<b>Plans, standards and guidelines</b> A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application 4127/2018 provided by Council to DPI Water.  B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Natural Resources Access Regulator, Nowra Office, must be notified in writing to determine if any variations to the GTA will be required.
	GT0010-00006	All documents submitted to Natural Resources Access Regulator as part of an application for a controlled activity approval must be prepared by a suitably qualified person.
	GT0012-00004	Any proposed controlled activity must be carried out in accordance with plans submitted as part of a controlled activity approval application, and approved by Natural Resources Access Regulator.
	GT0030-00006	The application for a controlled activity approval must include plans prepared in accordance with Natural Resources Access Regulator's guidelines located on the website

	<a href="https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities">https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities.</a>
GTA0032-00019	The application for a controlled activity approval must include the following document(s): A. Plan showing the demarcation of waterfront land. B. Design details of all works proposed on waterfront land. C. A Vegetation Management Plan for the proposed Cobbin Creek Riparian Corridor. D. Construction Management Plan for waterfront land including but not limited to a schedule and sequence of works, erosion and sediment control measures and site rehabilitation

#### OTHER APPROVALS

##### Separate Section 138 Permit – Roads Act 1993

14. Notwithstanding the issue of this development consent, separate consent from Council under Section 138 of the Roads Act 1993, must be obtained prior to any works taking place on a public road including the construction of a new driveway access (or modification of access) or intersection or traffic control devices. Applications for consent under Section 138 must be submitted on Council's standard application form and be accompanied by the required attachments and prescribed fee.

#### SUBDIVISION ENGINEERING

##### Construction Certificate

15. Construction of subdivision works (including clearing, earthworks, demolition or other works) must not commence until a Construction Certificate for those works has been issued in conformity with the relevant provisions of the Environmental Planning and Assessment Act and related Regulations.

##### Pre-commencement Meeting

16. Prior to the commencement of subdivision works for each stage of development, 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 his representative shall make arrangements with Council for this meeting not less than seven days in advance.

##### Compliance Certificate Inspections (For information only - this is NOT a condition of consent)

The developer must obtain a Compliance Certificate, either from Council to demonstrate that all subdivision works have been completed. The subdivision works must be inspected by Council's inspector 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 in 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 subgrade.

- d) During field density testing, string line checking and proof rolling of the finished subgrade.
- e) After placement of water service conduits prior to backfilling.
- f) After placement and compaction of each layer of gravel pavement material.
- g) During field density testing, string line checking and proof rolling of each finished gravel pavement layer.
- h) During application of bitumen seal or asphaltic concrete wearing surface.
- i) Prior to concrete pour and after boxing and placement of reinforcement has been completed of all concrete driveways including battle-axe driveways within properties.
- j) After laying and jointing of all storm water pipelines prior to backfilling.
- k) After completion of all storm water pits.
- l) After laying and jointing of all water supply pipelines prior to backfilling and after installation of all water meters.
- m) After laying and jointing of all sewerage pipelines prior to backfilling.
- n) During pressure testing of all water supply pipelines.
- o) During pressure testing of all sewerage pipelines.
- p) During testing of all sewer manholes.
- q) After completion of works prior to acceptance and commencement of “on-maintenance” period.
- r) During the “off-maintenance” period inspection.
- s) 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 the endorsement of a Subdivision Certificate.

#### Traffic Control

17. The developer shall ensure that traffic control measures are implemented for all works within public roads in conformity with Traffic Control Plans prepared and approved by a competent person accredited by Roads and Maritime Services. A traffic control plan prepared and approved by a competent person accredited by the Roads and Maritime Services must be submitted to Council for each stage of development if working on a public road prior to the issue of an approved construction certificate.

#### Planting of Street Trees

18. The developer shall consult with Councils Water and Sewer Section on the location and type of trees to be planted in the road reserve, to ensure that any street trees will not cause damage to Council infrastructure.

#### Water Servicing

19. The developer shall provide all necessary water supply reticulation works, property connections and associated facilities to service every lot in conformity with Council’s “Snowy River” Development Design and Construction Specifications.
20. The developer shall relocate the 375mm diameter trunk water main away from the proposed rural residential lots in Stage 1 (to within future public road reserves (in appropriately sized verges) and or Council reserves and or other



public land). Alternatively, the developer shall amend the proposed lot layout to ensure that a 6m wide public reserve is created and centrally located over the existing 375mm diameter trunk water main. The 6m wide reserve must be accurately determined by survey.

#### Sewerage Servicing

21. Prior to the issue of the construction certificate for the Stage 1A subdivision works the developer shall undertake a capacity assessment of the peak load for both the current and the future development of the existing sewerage pump station (JWWPS 5) catchment located in Lot 4 DP 864386. The developer shall upgrade any deficiencies resulting from this development as identified in the capacity assessment report for pumping station (JWWPS 5) at no cost to Council.
22. The developer shall provide all necessary sewerage reticulation works, property connections and associated facilities to service every lot in conformity with Council's "Snowy River" Development Design and Construction Specifications.
23. A gravity sewerage system will only be permitted and such system shall service every lot in this development. A pumped sewerage system will not be permitted. The connection point for the gravity sewerage main shall be Council's pumping station (JWWPS 5) located on Lot 4 DP864986.
24. Prior to the approval of any construction certificate, the Developer must demonstrate that the existing easement to pump sewage 4 wide (within Lot 1 DP 864986) is able to accommodate (legally and physically) the gravity sewerage main from the development to Council's pumping station (JWWPS 5 located on Lot 4 DP864986). Alternatively (prior to the approval of any construction certificate), a new 5m wide sewerage easement shall be created by the Developer at no cost to Council within Lot 1 DP 864986 with the consent of the owner of Lot 1 DP 864986.
25. The developer shall at no cost to Council relocate the existing rising sewerage main away from the proposed rural residential lots in Stage 1 (to within future public road reserves (in appropriately sized verges) and or Council reserves and or other public land) in such a manner that will not compromise the operation and performance of Council's pumping station (JWWPS 5 located on Lot 4 DP864986).

#### Note:

- i. The developer shall liaise with the owner of Lot 1 DP864986 for any matters in relation to Lot 1 DP 864986.
- ii. The developer shall obtain approval from the Natural Resources Access Regulator prior to commencing any works within a crown waterway or within a set distance from a crown waterway

#### Storm Water Drainage – Council System

26. The developer shall construct storm water drainage infrastructure to service each lot in the development in conformity with the standards set out in Council's Development Design and Construction Specifications.
27. The plan of subdivision shall include the creation of inter-allotment drainage

easements as necessary to allow every lot to discharge storm water runoff from roof and paved areas to a public road or a Council controlled drainage system. The plan of subdivision shall include the creation of easements to drain water not less than 3.0 metres wide in favour of Council to provide for storm water drainage within the subdivision and generally as shown in the Approved Development Plan. 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. Appropriate mitigation measures shall be implemented prior to the discharge to Cobbin Creek to the satisfaction of Council. All bio retention/sedimentation basins shall be designed to the satisfaction of Council and the Natural Resources Access Regulator.

Note: Approval from the Natural Resources Access Regulator shall be obtained prior to commencing any works within a crown waterway or within a set distance from a crown waterway

#### Excavation

28. The developer is to ensure that at all times all excavations and backfilling associated with the development is executed safely and in accordance with professional standards.
29. The developer is to ensure that all excavations are properly guarded and protected at all times to prevent them from being a danger to life or property.
30. The owner of the adjoining allotment of land is not liable for any part of the cost of the work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

An **allotment of land** includes a public road and any other public place.

#### Easement to Drain Sewage

31. The plan of subdivision and Section 88B instrument shall establish suitable easements not less than 3.0 metres wide in favour of Council to contain all sewerage mains within lots in the subdivision.

#### Electricity Servicing

32. Each allotment in the proposed subdivision shall be serviced with underground electricity at no cost to Council. A letter from Essential Energy advising that its requirements have been met (eg each proposed lot in the subdivision will be provided with an electricity connection at no cost to Council and no cost to the future lot owner) shall be sufficient to establish compliance with this condition.

#### Telecommunications Servicing

33. The developer shall make arrangements for the provision of telecommunications services to each proposed lot in the subdivision at no cost to Council and no cost to the future lot owner. Prior to the endorsement of a subdivision certificate, 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.

#### Maintenance Period for Subdivision Works

34. The developer shall carry out any maintenance works required to the completed

subdivision works (including landscaping as required by the concept landscaping plan for stages 1A and 1B) and shall rectify any defects becoming apparent within a period of twelve months after the date that Council accepts that the works have reached practical completion.

Prior to the release of the Subdivision Certificate, the developer shall provide Council with financial security (cash bond or unconditional bank guarantee) for compliance with this condition in an amount of five percent of the value of the subdivision works.

The developer shall pay to Council a Bond Administration Fee in accordance with Council's Fees and Charges.

#### Soil and Water Management

35. The developer shall prepare and implement an effective Soil and Water Management Plan in conformity with Council's Development Design and Construction Specifications prior to the commencement of any works on site and shall maintain the control measures until after the effective stabilisation and revegetation of the site.

No Construction Certificate shall be issued for this development until the certifying authority (Council or accredited certifier) is satisfied that the Soil and Water Management Plan satisfies this condition.

#### Owners Consent - Neighbouring Properties

36. 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.

#### Completion of Engineering Works

37. The developer shall complete all engineering works in accordance with the conditions of this consent together with any necessary work to make the construction effective. The costs of all engineering works shall be fully borne by the applicant/developer and any damage to Council's assets shall be made good, prior to the issue of the Subdivision Certificate or commencement of the development.

#### Intersection treatment – CHR/AUL North (Stage 1A)

38. The intersection of proposed Road 1 with Barry Way at the northern end of the development site shall be designed and constructed to satisfy the minimum standards for a CHR/AUL intersection treatment as set out in the Austroads "Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections", including the requirement for Safe Intersection Sight Distance for a 100 km/hr design speed in Barry Way.

#### Intersection treatment – CHR/AUL South (Stage 1A)

39. The intersection of proposed Road 1 with Barry Way at the southern end of the development site (in accordance with the location shown on the Concept Master Plan) shall be designed and constructed to satisfy the minimum standards for a CHR/AUL intersection treatment as set out in the Austroads "Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections",

including the requirement for Safe Intersection Sight Distance for a 100 km/hr design speed in Barry Way.

Road construction – rural standard Road 1 (Stage 1A)

40. The plan of subdivision shall include the dedication of the proposed Road 1 as a public road, not less than 20.0 metres wide as shown on the Approved Development Plan. This road shall be constructed in conformity with Council's Development Design and Construction Specifications to include the following:
- a) Construction between the northern Barry Way intersection and the southern Barry Way intersection as shown on the Concept Master Plan.
  - b) A 6.0 metre wide bitumen sealed pavement (primer seal plus 2 coat flush seal or asphalt) with 1.0 metre wide sealed shoulders on both sides.
  - c) 1.5 metre wide table drains with scour protection along steep gradients.
  - d) The road shall be designed in such a way to ensure that the maximum longitudinal gradient does not exceed 16%.
  - e) Constructed stormwater drainage (minimum pipe size shall be 375mm diameter).
  - f) Installation of guideposts, protection fencing, pavement markings and signposting, to the standards specified in Austroads Guide to Road Design.
  - g) 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.
  - h) Road design speed of not less than 60 km/hr.
  - i) A suitable (minimum 10m radius) temporary bitumen sealed vehicle turning facility (primer seal plus 2 coat flush seal or asphalt) at the end of this road (proposed Lots 20 and 21).

Road construction – rural standard Road 2 (Stage 1A)

41. The plan of subdivision shall include the dedication of the proposed Road 2 as a public road, not less than 20.0 metres wide as shown on the Approved Development Plan. This road shall be constructed in conformity with Council's Development Design and Construction Specifications to include the following:
- a) Construction between Road 1 and the end of proposed Lots 9 and 10.
  - b) A 6.0 metre wide bitumen sealed pavement (primer seal plus 2 coat flush seal or asphalt) with 0.5 metre wide sealed shoulders on both sides.
  - c) 1.5 metre wide table drains with scour protection along steep gradients.
  - d) The road shall be designed in such a way to ensure that the maximum longitudinal gradient does not exceed 16%.
  - e) Constructed stormwater drainage (minimum pipe size shall be 375mm diameter).
  - f) Installation of guideposts, protection fencing, pavement markings and signposting, to the standards specified in the Roads and Traffic Authority "Road Design Guide".
  - g) 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.
  - h) Road design speed of not less than 60 km/hr.
  - i) A suitable (minimum 10m radius) temporary bitumen sealed vehicle turning

facility (primer seal plus 2 coat flush seal or asphalt) at the end of this road (proposed Lots 9 and 10).

Road construction – rural standard Road 2 (Stage 1B)

42. The plan of subdivision shall include the dedication of the proposed Road 2 as a public road, not less than 20.0 metres wide as shown on the Approved Development Plan. This road shall be constructed in conformity with Council's Development Design and Construction Specifications to include the following:
- a) Construction of Road 2 between the end of proposed lots 9 and 10 (stage 1A) and the end of proposed Lots 28 and 29.
  - b) A 6.0 metre wide bitumen sealed pavement (primer seal plus 2 coat flush seal or asphalt) with 0.5 metre wide sealed shoulders on both sides.
  - c) 1.5 metre wide table drains with scour protection along steep gradients.
  - d) The road shall be designed in such a way to ensure that the maximum longitudinal gradient does not exceed 16%.
  - e) Constructed stormwater drainage (minimum pipe size shall be 375mm diameter).
  - f) Installation of guideposts, protection fencing, pavement markings and signposting, to the standards specified in the Roads and Traffic Authority "Road Design Guide".
  - g) 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.
  - h) Road design speed of not less than 60 km/hr.
  - i) A suitable (minimum 10m radius) temporary bitumen sealed vehicle turning facility (primer seal plus 2 coat flush seal or asphalt) at the end of this road (proposed Lots 28 and 29).

Road construction – rural standard Road 3

43. The plan of subdivision shall include the dedication of the proposed Road 3 as a public road, not less than 20.0 metres wide as shown on the Approved Development Plan. This road shall be constructed in conformity with Council's Development Design and Construction Specifications to include the following:
- a) Construction between Road 2 and the proposed cul-de-sac.
  - b) A 6.0 metre wide bitumen sealed pavement (primer seal plus 2 coat flush seal or asphalt) with 0.5 metre wide sealed shoulders on both sides.
  - c) 1.5 metre wide table drains with scour protection along steep gradients.
  - d) The road shall be designed in such a way to ensure that the maximum longitudinal gradient does not exceed 16%.
  - e) Constructed stormwater drainage (minimum pipe size shall be 375mm diameter).
  - f) Installation of guideposts, protection fencing, pavement markings and signposting, to the standards specified in the Roads and Traffic Authority "Road Design Guide".
  - g) 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.
  - h) Road design speed of not less than 60 km/hr.

- i) A suitable (minimum 10m radius) bitumen sealed vehicle turning facility (primer seal plus 2 coat flush seal or asphalt) at the end of this road (proposed Lot 15).

#### Rural Driveways

44. The developer shall construct a minimum 4m wide, gravel vehicular crossing between the edge of the carriageway and the property boundary, generally in accordance with Austroads "Guide to Road Design Part 4 (2009) – Intersections and Crossings - General" including the "RMS" Supplement to Austroads "Guide to Road Design Part 4 (2009) – Intersections and Crossings - General".
45. The developer is to ensure that a pipe culvert vehicle crossing is to be provided to all proposed lots. The pipe culvert is to be a minimum of 375mm in diameter, 5 metres in length, constructed of reinforced concrete, RRJ, class 4 with headwalls on both ends. Should the table drain be diverted along the driveway and into the property, then the pipe culvert is not required to be installed.

#### Site Management

46. The developer is to ensure that all builder' 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 upon completion of the project.

#### Trade Waste

47.
  - (a) The applicant must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction
  - (b) Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.
  - (c) The burning of builders waste on site by open fire is prohibited.

#### Use of Power Tools - Residential and Village Areas

48. The developer is to ensure that work on the development site by all persons using power tools and equipment is limited to the following hours:

Mon - Fri	7.00am to 6.00pm
Saturday - Sunday	8.00am to 1.00pm

No work to occur on Public Holidays

#### Public Access and Site Security

49. It is the responsibility of the developer to restrict public access to the site, building works or materials or equipment on the site when building work is not

in progress or the site is otherwise unoccupied. In this regard, the developer must ensure that perimeter fencing is provided for all construction sites in accordance with Work Health and Safety Regulation 2011.

#### Dust Control Measures

50. Adequate measures will be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:
- (a) Physical barriers will be erected at right angles to the prevailing wind direction or will be placed around or over dust sources to prevent wind or activity from generating dust emissions,
  - (b) Earthworks and scheduling activities will be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed,
  - (c) All materials will be stored or stockpiled at the best locations,
  - (d) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs,
  - (e) All vehicles carrying spoil or rubble to or from the site will at all times be covered to prevent the escape of dust or other material,
  - (f) All equipment wheels will be washed before exiting the site using manual or automated sprayers and drive-through washing bays,
  - (g) Gates will be closed between vehicle movements and will be fitted with shade cloth, and
  - (h) Cleaning of footpaths and roadways will be carried out regularly.

#### PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

##### Monetary Contributions (Stage 1A)

51. Pursuant to Section 7.11 of the Environmental Planning and Assessment Act, 1979 and Council's adopted Contributions plans, the following contributions apply to the development: The developer must, pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 and Council's Contributions Plans, pay to Council the above monetary contributions. The contributions are to be paid prior to release of the Construction Certificate.

Jindabyne Area Shared Trails	\$14,190.00
Community Services and Facilities	\$13,376.00
Regional Waste	\$16,082.00
Bushfire Services	\$3,894.00
Open Space and Public Art	\$3,366.00
Sports field and Recreation Facilities	\$2,486.00
Jindabyne Area Shared Pathways	\$1,540.00
<b>Total</b>	<b>\$54,934.00</b>

Note: The above-specified Contribution Plans may be inspected at Council's offices at Berridale and Jindabyne. The contributions stated in this consent are calculated on the basis of the s7.11 contribution rates determined in accordance with plan in force on the date of this consent. If the contributions are not paid within the quarter in which the consent is granted, they may be subject to an increase by CPI.

The above contributions are based on an additional twenty two (22) residential allotments.

#### Monetary Contributions (Stage 1B)

52. Pursuant to Section 7.11 of the Environmental Planning and Assessment Act, 1979 and Council's adopted Contributions plans, the following contributions apply to the development: The developer must, pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 and Council's Contributions Plans, pay to Council the above monetary contributions. The contributions are to be paid prior to release of the Construction Certificate.

Jindabyne Area Shared Trails	\$5,160.00
Community Services and Facilities	\$4,864.00
Regional Waste	\$5,848.00
Bushfire Services	\$1,416.00
Open Space and Public Art	\$1,224.00
Sports field and Recreation Facilities	\$904.00
Jindabyne Area Shared Pathways	\$560.00
<b>Total</b>	<b>\$19,976.00</b>

Note: The above-specified Contribution Plans may be inspected at Council's offices. The contributions stated in this consent are calculated on the basis of the s7.11 contribution rates determined in accordance with plan in force on the date of this consent. If the contributions are not paid within the quarter in which the consent is granted, they may be subject to an increase by CPI.

The above contributions are based on an additional eight (8) residential allotments.

#### Sewer and Water Contributions - Certificate of Compliance under the s307 of the Water Management Act 2000

53. A subdivision certificate must not be issued until the developer obtains a certificate of compliance under s307 of the Water Management Act 2000 from the Council (the Water Supply Authority).

Note - This condition relates to the payment of Sewer and Water Contributions for information regarding the certificate of compliance please contact Councils Department of Water and Waste Services.



54. A subdivision certificate must not be issued until the developer obtains a certificate of compliance under s307 of the Water Management Act 2000 from the Council (the Water Supply Authority).

Note - This condition relates to the payment of Sewer and Water Contributions for information regarding the certificate of compliance please contact Councils Department of Water and Waste Services.

55. An application is required to be submitted to Council in accordance with section 305 of the Water Management Act 2000 to determine the applicable developer charges for water supply and wastewater (sewerage) services for the proposed development.
56. Once the application is received, Council will issue a notice of required contributions as section 306 of the Water Management Act 2000 for the proposed development.
57. Payment of the contributions will need to be made before Council can issue a Certificate of Compliance as per section 307 of Water Management Act 2000 for the works. A Certificate of Compliance is required before an occupation certificate/subdivision certificate for the development can be issued.
58. The contributions above, if unpaid after the end of the current financial year, shall be increased to the amount adopted by Council for the financial year in which the payment is made.

#### Testing of Council Water and Sewer Infrastructure

59. A subdivision certificate must not be issued until all sewer mains have been tested and all water mains have been tested and disinfected in accordance with Council's Development Design and Construction Specifications and to the satisfaction of Council.

#### Property Numbers/House Numbers

60. Prior to the submission of the application for the Subdivision Certificate, the developer shall obtain and pay the relevant fee for a house number for each lot from Council in conformity with Council's numbering system

Note – street numbers are to be shown on the deposited plan administration sh at the time of lodgement with Council for the subdivision certificate

#### Works-as-executed Plan

61. Upon completion of the subdivision works, 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 Service Delivery or his nominee.

These Works-As-Executed plans shall be submitted to Council in hardcopy format (A1), and electronic format (.pdf). These plans must be prepared and certified by a Registered Surveyor or Chartered Professional Engineer.

The developer shall also provide to Council a data file suitable for input into Council's Geographic Information System defining the location of all water supply, sewerage and, stormwater infrastructure to the acceptance of the Council's Director Service Delivery or his nominee.

#### Performance, Safety and Restoration Bond (Major Works)

62. The provision of a Performance, Safety and Restoration Bond to Council to the value of 5% of the cost of the engineering construction or a minimum of \$5,000.00 (plus non-refundable administration charge) whichever is the greater, prior to the release of the Subdivision Certificate, 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). This bond may be in the form of a cash bond or unconditional bank guarantee and is refundable upon written application and subject to an inspection, 12 months after certified completion of the works.

Note: The Bank Guarantee: will only be accepted direct from the issuing bank; must have no expiry date; must quote Council's reference number. Should any restoration works exceed the value of the bond held, Council will undertake the works and issue an invoice for the recovery of these costs.

#### Property Numbers/House Numbers

63. Prior to the submission of the application for the Subdivision Certificate, 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.

#### Landscaping

64. Prior to the issue of the subdivision certificate for each sub stage in stage 1 the developer shall ensure that the landscaping as shown in the Landscape Concept Design plan applicable to the stage has been completed to the satisfaction of Council.

#### Fencing

65. To ensure delineation of property boundaries prior to the issue of the subdivision certificate for Stage 1A the developer shall ensure that the outer boundaries of the subdivision are fenced to a rural fencing standard.

Subdivision Certificate Application

66. The developer is to submit to Council a completed Subdivision Certificate application form together with:
- a) The original linen plan/s and six (6) copies;
  - b) Any required or relevant Section 88B instrument under the Conveyancing Act 1919;
  - c) Subdivision Certificate application form fully completed and accompanied with the applicable fee;
  - d) Certificate from a recognised telecommunications carrier certifying that telephone connection has been provided to the site;
  - e) Certificate from a recognised power authority certifying that electricity connection has been provided to the site;
  - f) A location map of all water meters on the site; and
  - g) Details on all water meters on the newly created lots.
- f) Certificate from Snowy Monaro Regional Council certifying that all necessary and appropriate weed control/management work has been completed on all lots in the applicable stage of the subdivision.

### 13. CORPORATE BUSINESS - KEY THEME 4. LEADERSHIP

#### 13.1 ANSWERS TO QUESTIONS WITHOUT NOTICE

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Secretary Council & Committees
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments:	1. SMRC Councillors' Questions - In Progress
Cost Centre	
Project	
Further Operational Plan Actions:	

## EXECUTIVE SUMMARY

In order to provide Councillors with updates on questions asked by Councillors, a report has been generated with a summary of questions that are current and have recently been completed, for the period ending November 2018.

SMRC Councillors' Questions – In Progress is attached to this report

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

<b>COUNCIL RESOLUTION</b>	<b>577/18</b>
That Council receive and note SMRC Councillors' Questions – In Progress.	
<b>Moved Councillor Corbett</b>	<b>Seconded Councillor Maslin</b>
	<b>CARRIED</b>

### Note 13: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 567/18 above as there was no challenge by Councillors.

## 13.2 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Secretary Council & Committees
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. SMRC Resolution Action Sheet - In Progress
Cost Centre	3120 Governance
Project	
Further Operational Plan Actions:	

## EXECUTIVE SUMMARY

In order to provide Councillors with updates on resolutions of Council, a report has been generated with a summary of action that are current and have recently been completed, for the period ending November 2018.

SMRC Resolution Action Sheet – In Progress is attached to this report.

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

**COUNCIL RESOLUTION**

**578/18**

That Council receive and note the SMRC Resolution Action Sheet – In Progress.

**Moved Councillor Corbett**

**Seconded Councillor Maslin**

**CARRIED**

**Note 14: Councillor Called to Order**

The Mayor called Clr Last to order and asked him to retract his previous statement and inappropriate remarks. Clr Last refused to apologise.

**Note 15: Act of Disorder**

The Mayor directed Clr Last to leave the meeting for 10 minutes, Clr Last refused to leave the meeting. Upon Clr Last refusal the Mayor called for a vote to expel Clr Last from the meeting for 10 minutes, the vote was lost.

**Note 16: Adjournment of Meeting**

At 8.10pm the Mayor adjourned the meeting for 10 minutes to allow a cooling off period.

**Note 17: Resumption of Meeting**

The meeting resumed at 8.20pm.

**13.3 SPONSORSHIPS AND DONATIONS ROUND 2 2019 FINANCIAL YEAR**

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Group Manager Governance
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	12.3 Our community is empowered and supported in facilitating community outcomes
Delivery Program Objectives:	12.3.1 Community organisations and individuals have the capacity to apply for a range of grants funding opportunities
Attachments:	1. Table 2 Donations for Submission Round 2 2019 FY 2. REDACTION - Applications Submission Round 2 Attachments No 6-18 3. REDACTION - Applications Submission Round 2 Attachments No 19-32
Cost Centre	3120

**EXECUTIVE SUMMARY**

This report contains details of all submissions made in Round 2 of the 2019 Financial Year Donations and Sponsorships process.

Following the receipt of the applications for Round 2, we have categorised the requests for consideration. Category 1 applications require independent assessment before looking at Category 2 to determine available budget.

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

**COUNCIL RESOLUTION**

**579/18**

That Council

- A. Authorise payment of the donations in Table 1A for the 2019 FY only, and require applicants to make submissions in line with the Council Policy on an annual basis;
- B. Decline the allocations listed in 1B, as Council has already resolved the amount of support for the regional shows and made donations in the 2019 Financial Year;
- C. Decline consideration for the item in Table 1C, given the implications with current operational plans.
- D. Support for Australia Day is provided from a separate funding source following resolution 430/18 at the 15 November Council meeting;
- E. Approve the following donations from Table 2, and the Dalgety Public School application, which was received on time but omitted from Table 2, to the following value \$48,885.25;

#	Organisation	Request Summary	Requested Value (Cash)	Requested Value (In Kind)
<b>Sports Clubs</b>				
6	Action Sports Training	Waiver of hall hire fees for snow sports sale – June Long Weekend 7 <sup>th</sup> -10 <sup>th</sup> 2019.		\$1268
7	Adaminaby Bowling & Sports Club	Financial support to watering of greens.	\$2075	
8	Cooma Colts Junior Rugby League Inc.	Fee waived/ Sponsorship of floodlight usage for the 2019 Junior Rugby League Season at Cooma Showground & Rotary Oval.		\$2244.75
9	Lake Jindabyne Snow Dragons	Fees to cover waste charges (\$1100.50). \$100 for toilet cleaning. \$300 unaccounted for 12 <sup>th</sup> Flowing Festival Boat Challenge.		\$1500
11	Cooma Horse and Pony Club	Waste collection for 1 year.		\$150
<b>Show Societies</b>				
13	Dalgety Show Society Inc.	Levelling out grounds for Earthworks for building of Chicken Shed.		\$2000
<b>Church Groups</b>				
15	Delegate Presbyterian Church	Rate assistance for 3 <sup>rd</sup> and 4 <sup>th</sup> rate instalments.		\$862
<b>Schools</b>				

16	Nimmitabel Pre School	Financial assistance to pay the rent of Nimmitabel hall for implementing kids sports movement program & purchasing sports equipment.  \$900 hall hire for terms 1 & 2 – \$1800 for equipment.	\$2700	
17	Nimmitabel Public School	2019, 150 Year Anniversary Week (30 <sup>th</sup> March) & Snowy Mountains Primary Schools Cross Country event.  \$262.50 – Compost \$289.50 – Advertising \$406.25 – Waste \$1400 – Road Closures (per day). Total \$2358.25.	\$552	\$1806.25
18	St Joseph's School Community Council (1)	Reimbursement of hall hire from 24th March 2018 for Debutante Ball.	\$548.50	
19	St Joseph's School Community Council (2)	Financial support for Debutante Ball March 23 2019.	\$1000	
20	The Alpine School	Waiver of Sewer Charge on rates notice for The Alpine School.		\$5625
<b>Community Groups</b>				
21	Cooma Multicultural Festival	Fee waivers for Multicultural Event. M.A.G.I.C under the auspice of QMLC Inc.		\$2000
24	Adaminaby Easter Fair Committee	Waste removal and road closures.		\$624.25
25	Lake Light Sculpture Inc.	Fee waivers for Delivery 16 <sup>th</sup> annual Easter outdoor sculpture exhibition event.	\$5000	TBC
27	Cooma Community Gardens	Garden Bed Rebuilding as a community involved project.	\$105	
<b>Community Events</b>				
30	Cooma Rotary Club	Financial support in running the Roots and Blues Music Festival.	\$1000	

<b>31</b>	Snowy Scheme Museum	Assistance with removal of dangerous trees – 5199 Snowy Mountains Highway Adaminaby.	\$6930	
<b>32</b>	Bombala Racecourse & Rec Ground 355 Joint Comm.	Reimbursement for replacement of water pump for Bombala Racecourse – Rec Ground Reserve.	\$5093.50	
<b>Totals</b>			<b>\$64,487.70</b>	<b>\$30,634.38</b>
<b>Grand Total</b>			<b>\$95,122.08</b>	

F. Authorise the expenditure of the agreed value for Round 2, from the 2019FY Budget.

**Moved Councillor Maslin**

**Seconded Councillor Corbett**

**CARRIED**

## 14. REPORTS BY GENERAL MANAGER

### 14.1 CRJO BOARD MEETING

The General Manager informed Council he attended the CRJO Board meeting, reminding Council Mayors are the voting members of the board.

## 14 RESOLUTION FOR GM REPORTS

### COUNCIL RESOLUTION

**580/18**

That Council receive and note reports by the General Manager.

**Moved Councillor Stewart**

**Seconded Councillor Corbett**

**CARRIED**

## 15. NOTICE OF MOTION

### 15.1 GRANT APPLICATIONS

Record No:

Responsible Officer: General Manager

Author: Deputy Mayor Lynley Miners

Attachments: Nil

Councillor Lynley Miners has given notice that at the Ordinary Meeting of Council on 20 December 2018, he will move the following motion.



**MOTION**

**Note 18: Lost Motion**

A motion moved Clr Miners and seconded Clr Haslingden was put to the vote and LOST. The lost motion was in the following terms:

*“That Councillors have more input into the Grant Application process in regard to*

- A. Which projects are being considered, and*
- B. The prioritisation process of the applications and projects.”*

**16. MOTIONS OF URGENCY**

Nil

**17. QUESTIONS WITH NOTICE**

Nil

**18. QUESTIONS TAKEN ON NOTICE**

**18.1 SMAG'S INQUIRIES AND SUGGESTIONS FOR COUNCIL COMMUNICATION WITH RESIDENTS AND COMMUNITY GROUPS**

Councillor John Castellari

Question: 1. Has Council and the GM received the letter form the Snowy Mountains Action Group (SMAG) of 29 November 2018 addressed to the General Manager proposing options to improve communications between Council and regional communities and requesting advice on a timeframe for responses to earlier letters?

2. What are the General Manager's thoughts on the proposed Council Organisational Chart and the proposed system for the management of phone and written communications received from ratepayers?

3. When can the SMAG expect to receive a formal reply form Council to the proposal?

Answer: Taken on Notice.

**18.2 S.365 OF THE LOCAL GOVERNMENT ACT**

Councillor John Last

Question: A 365 – What is the position of this Council relating to S365?

Council meets at least 10 times each year. Each time in a different month.

Answer: Taken on Notice

**18.3 STORMWATER DRAINAGE AND SECURITY FENCES IN BOMBALA RIVER PARK**

Councillor Anne Maslin

Question: Could council provide a time frame for restoration of the riverside in Bombala's main tourism precinct? Particularly the dangerous eroded stormwater chasm? The security fences are unsightly and disrupt the riverside park.

Three security fences currently dominate the river bank adjacent to the Bombala Pool.

1. the stormwater outlet has gouged a dangerously deep erosion crevasse that poses a public safety risk. It is now within 2 metres of the popular walking path.
2. The non-compliant platform is still cordoned off by an unsightly fence after 12 months. A third small security fence at the water's edge. This unsightly row of fences threatens the local economy, as tourists normally stop here to have picnics, and use the walking path.

Answer: Taken on Notice

#### 18.4 ALISA THALER

Councillor Bob Stewart

Question: What is going on with the meeting between Council and the Thaler family, is it being facilitated?

Answer: Taken on Notice

#### 18.5 CODE OF MEETING PRACTICE

Councillor Lynley Miners

Questions: What will be the web cast arrangements for meetings and locations with the new Code of Meeting Practice in 2019?

Answer: Taken on Notice

### 19. CONFIDENTIAL MATTERS

#### COUNCIL RESOLUTION

581/18

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:

**19.1 Councillor John Castellari - Expression of Interest for Parcel of Land, East Jindabyne**

Item 19.1 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**19.2 Legal Actions and Potential Claims Against SMRC as at 30 November 2018**

Item 19.2 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**19.3 Business Case for the adoption of the interim Water and Sewer organisation structure**

Item 19.3 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it

contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**19.4 Proposed Container Deposit Revenue Share Agreement**

Item 19.4 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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

**Moved Councillor Castellari**

**Seconded Councillor Maslin**

**CARRIED**

**Note 19: Invitation to Public**

Upon the above motion being moved and seconded, the Mayor invited representations from the public as to whether this part of the meeting should be closed to consider the nominated items. There were no requests by members of the public to make any representations.

**Note 20: Confidential Session of Committee**

At 8.58 pm the meeting was closed to the press and public.

**Note 21: Resumption of Open Committee Meeting**

At 9.25 pm the Closed Session ended and the Council meeting continued in Open Session.

**20. REPORT FROM CONFIDENTIAL SESSION**

**19.1 COUNCILLOR JOHN CASTELLARI - EXPRESSION OF INTEREST FOR PARCEL OF LAND, EAST JINDABYNE**

Motion withdrawn

**19.2 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 30 NOVEMBER 2018**

**COUNCIL RESOLUTION**

**582/18**

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 30 November 2018 report.

**Moved Councillor Haslingden**

**Seconded Councillor Old**

**CARRIED**

**19.3 BUSINESS CASE FOR THE ADOPTION OF THE INTERIM WATER AND SEWER ORGANISATION STRUCTURE**

**COUNCIL RESOLUTION**

**583/18**

That Council

- A. Approve the interim Water & Sewer Organisation Structure to enable recruitment to be undertaken as soon as possible.
- B. Undertake a further review of the organisation structure within the next 18 months to establish a final organisational structure and a report be presented to Council.

**Moved Councillor Stewart**

**Seconded Councillor Corbett**

**CARRIED**

**19.4 PROPOSED CONTAINER DEPOSIT REVENUE SHARE AGREEMENT**

**COUNCIL RESOLUTION**

**584/18**

That

- A. A further Interim agreement be entered into for the period 1 October 2018 to 31 December 2018, maintaining the CDS revenue share arrangement from the previous interim agreement for the period 30 June 2018 until 30 September 2018.
- B. The Waste Committee be provided with updates on the further negotiation of the Revenue Share Agreement at its scheduled meetings.
- C. A further report be presented to Council following further negotiations.

**Moved Councillor Stewart**

**Seconded Councillor Corbett**

**CARRIED**

**19.5 MAYORAL MINUTE**

**COUNCIL RESOLUTION**

**585/18**

That Council

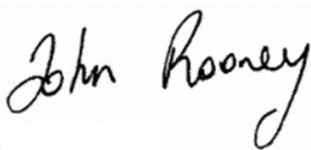
- A. Agree to lodge an Expression of Interest for land available in Jindabyne which has been offered by Snowy Hydro; and
- B. Authorise the General Manager to prepare and execute the Expression of Interest.

**Moved Mayor Rooney**

**Seconded Councillor Corbett**

**CARRIED**

There being no further business the Mayor declared the meeting closed at 9.28pm



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 20 December 2018 were confirmed by Council at a duly convened meeting on 17 January 2019 at which meeting the signature hereon was subscribed.