



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

16 August 2018

**ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON THURSDAY 16 AUGUST 2018**

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

**ON THURSDAY, 16 AUGUST 2018
COMMENCING AT 5.00PM**

- PRESENT:** Mayor John Rooney
Councillor Peter Beer
Councillor John Castellari
Councillor James Ewart
Councillor Rogan Corbett
Councillor Sue Haslingden
Councillor Anne Maslin
Councillor John Last (*Arrived at 5:41pm*)
Councillor Bob Stewart
Deputy Mayor Linley Miners (*Arrived at 7:40pm*)
- APOLOGIES:** Councillor Brian Old
- Staff:** Peter Bascomb, Acting General Manager
Suneil Adhikari, Director Operations & Infrastructure
Mark Adams, Acting Director Environment & Sustainability
Matt Payne, Acting Director Corporate & Community Services
Erin Donnelly, Secretary Council and Committees
Belinda Cuzner, Governance Officer
Nathan Thompson, Communications Officer
Bianca Padbury, Group Manager Community Services and Aged Care
Linda Nicholson, Project Manager
Patrick Cannon, Group Manager Resource and Waste Management
Gary Shakespeare, Group Manager Transport Infrastructure Operations (*left 5:50pm*)
- Notes:** *The Mayor opened the meeting at 5.10PM. Cllr Last joined the meeting at 5:41pm during discussion of Item 8.1 – Cllr Rooney – Delegate’s Report. Group Manager Resource & Waste Management was absent from the meeting from 5:50pm during Item 8.8 – Cllr Stewart – Delegates Report, returning at 5:56pm during same item. At 6:58pm the meeting adjourned for a dinner break. The meeting resumed at 7:34pm. Director Operations & Infrastructure was absent from the meeting from 7:43pm during Item 4.4 – Public Forum – Ignazio Mondello – Speaking to Item 12.5 – Development Application 10.2003.222.2 – Modify Condition 5 to Remove s94 Fees, returning at 7:50pm during same item. Deputy Mayor Miners joined the meeting at 7:40 pm during discussion of Item 4.4 – Public Forum – Ignazio Mondello – Speaking to Item 12.5 – Development Application 10.2003.222.2 – Modify Condition 5 to Remove s94 Fees. At 7:45pm pm the meeting was closed to the press and public. At 8:15 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 8:15pm.*

The Mayor opened the meeting at 5.10PM

1. APOLOGIES

Note 1: Leave Previously Granted

Councillor Old was absent from this meeting with leave of absence previously granted at the Ordinary Council Meeting 02 August 2018.

COUNCIL RESOLUTION	266/18
That the apology from Cllr Haslingden be accepted and leave of absence be granted for September and October 2018.	
Moved Councillor Stewart	Seconded Councillor Corbett
	CARRIED

2. CITIZENSHIP CEREMONY

Nil

3. PRESENTATIONS

Nil

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	267/18
That members of the public be granted permission to address Council.	
Moved Councillor Castellari	Seconded Councillor Maslin
	CARRIED

4.1 SCOTT HARRIS - INTEGRATION OF JOINT USE FACILITY IN JINDABYNE

Speaking in support of the Integration of Joint Use Facility in Jindabyne. Mr Scott Harris is a parent with children at Jindabyne Central School, a Jindabyne resident and local business owner. Mr Harris is seeking Council's support for the agreement for funding internally or external grant assistance for development of this educational project. Jindabyne is a positive community with great things to offer, however there are currently no facilities for extracurricular activities outside the school environment. Mr Harris believes that this is a once in a lifetime opportunity and seeks Council approval for motion of urgency to support the funding and integration of a joint use facility within the school library project.

4.2 OLIVIER KAPETENAKOS - INTEGRATION OF JOINT USE FACILITY IN JINDABYNE, CONFIDENTIAL BUSINESS MATTERS AND SNOWY MOUNTAIN ACTION GROUP

Mr Kapetenakos is speaking in support of the proposal however thinks that it should not be on the public school grounds. He believes that Jindabyne deserve better than what they currently have, which is nothing, and proposes that a better location would be next to communal Memorial Hall. Community has not been involved in consultation since the Jindabyne Action Plan 20/30. Mr Kapetenakos doesn't believe that discussions in relation to this belong in confidential business.

He also believes that the Aged Care Report should not be in confidential, this is an important topic and Council needs to be more transparent.

Snowy Mountain Action Group – a consolidation of 14 small groups from around Snowy Monaro. There is concern that the amalgamation purpose has not been demonstrated in the first 12 months, there have been no advantages demonstrated to the rate payers. Working with people over the next 6 weeks to articulate this and come back to Council. Welcomes all Councillors to attend their next meeting in Nimmitabel in September.

4.3 BARRY SHIELDS - BARKING DOGS

Mr Shields has put in a couple of complaints to council in relation to barking dogs as have a couple of other people in his area. Mr Shields wants to know what is Council going to do about it? The young man next door has four (4) dogs and you don't hear them.

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

268/18

- 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:
- 9.1 – Adoption of Recommendations from the Snowy Monaro Local Traffic Committee meeting held on 26 July 2018
 - 10.1 – Monthly Funds Management Report – July 2018
 - 10.2 – Interagency Shared Trail Proposal – Gaden to Hatchery Bay Jindabyne
 - 10.3 – Lease of Council Operational Land to Cooma Mens Shed
 - 10.4 – Drought Relief – Request
 - 11.1 – Licence between State Rail Authority of NSW and Council – Jincumbilly
 - 12.1 – Fleet Management Report
 - 12.3 – Recycling Costs Implemented since 30th June
 - 13.1 – Action Sheet for the Period 19 April and 21 June 2018
 - 13.2 – Answers to Questions Without Notice for the Period April to June 2018
 - 13.3 – Merger Action and Task Progress Report as at 30 June 2018

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

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

7. ADOPTION OF MINUTES OF PREVIOUS MEETING

7.1 ORDINARY COUNCIL MEETING 16 JULY 2018

COUNCIL RESOLUTION

269/18

THAT the minutes of the Ordinary Council Meeting held on 16 July 2018 are confirmed as a true and accurate record of proceedings.

Moved Councillor Corbett

Seconded Councillor Castellari

CARRIED

7.2 ORDINARY COUNCIL MEETING 2 AUGUST 2018

COUNCIL RESOLUTION

270/18

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 02 August 2018 are confirmed as a true and accurate record of proceedings.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

7.3 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING HELD ON 2 AUGUST 2018

COUNCIL RESOLUTION

271/18

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 02 August 2018 are confirmed as a true and accurate record of proceedings.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

8. DELEGATE'S REPORT (IF ANY)

8.1 MAYOR ROONEY - DELEGATE'S REPORT

Launch of the Snowliner Bus bringing business from Sydney to the slopes. Using Cooma branding and it looks great, publicising our region where they travel..

Public Meeting Michelago for kerbside collection – 50 residents attended. Perception was that the village residents are happy with kerbside collection whilst rural residents would prefer to keep existing Saturday morning truck and weren't happy with bin farms. Councillors to come back with further information for another public meeting.

ANU medical graduates – Civic Reception – they have been getting to know the area to encourage them to come to the area.

District Governor of Lions Club – Civic Reception – very pleasant evening.

Meeting with the Project Manager from APP – nationwide company providing aged care services throughout Australia. They indicated that they may be interested in tendering for business in our region once Council makes a decision on aged care.

Country University Centre Board – Discussion of the possibility of CUC being interested in the innovation centre, joint use facilities that may be in Jindabyne Library / Community Centre should Council go down this track.

Snowy 2.0 – Environment Impact Report for exploratory phase – out for Public Comment, request councillor response by COB Friday.

Note 2: Attendance of Councillor Last

Clr Last joined the meeting at 5:41pm during discussion of Item 8.1 – Clr Rooney – Delegate's Report.

8.2 CLR BEER - DELEGATE'S REPORT

Snowy 2.0 – Attended both offices in Jindabyne and Cooma to get a copy. The main doc from both offices was gone. Therefore was unable to read the document.

Community Safety Precinct meeting in Queanbeyan – Discussed a number of issues, most of the crime in the towns is under control, numbers not going up. Increase in Jindabyne in regards to the Winter season. They are gearing up for Snow Tunes in Jindabyne. Organisers for this event are responsible for

people on their way there, whilst there and on their way home. Work for L'Etape is underway, will be using Jindabyne this year instead of Lake Crackenback. Snowy 2.0 was discussed, there is an understanding that issues that will impact on this area and Tumut / Snowy Valley area will become a lot clearer when the drilling contractor is appointed. Police are concerned that a lot of the transport will be heavy equipment and this will need to be looked at.

Traffic Committee – Deputy Mayor Miners raised issues in relation to the speed limit at Adaminaby, Jindabyne East and Nimmitabel. Police have noted this but have advised it is not their matter. This will take back to Traffic Committee along with the Bombala issues.

8.3 CLR EWART - DELEGATE'S REPORT

Youth Council Meeting – There were two (2) presentations by different bodies, very productive. Two of the main things were a place to go after school, safe warm. Second issue was lighting in certain areas, this has been passed on to staff.

8.4 CLR CORBETT - DELEGATE'S REPORT

Landrover Anniversary Event wrap-up – This event was driven by Council and other clubs. There were 1600 registrations, 900 Landrovers, 700 vehicles in street parade, 4000 people in the street. 30 participants came from overseas. The event brought over \$1million into the area in 4 days. There was \$30k in sponsorship and 522 campsites sold at Cooma showground. Facebook promotion went across the nation and across the world on the Landrover page which has a following of over 15million people. Small outlay of \$30k from Council for so many people to see this, there was footage from around the region on the website. The event turned over \$206k with a total loss of \$488.

8.5 CLR MASLIN - DELEGATE'S REPORT

Bombala Water Meeting – State Member John Barilaro, Clr Haslingden, Clr Masling, Water Engineers and Acting General Manager attending. Discussed improving Bombala water, John Barilaro assured that the money \$15 million is there and committed to this. Water experts presented reports. Need to make sure that there is a business case ready and that the various options are presented and acted upon.

8.6 CLR HASLINGDEN - DELEGATE'S REPORT

South East Arts Meeting at Narooma – report to come from South East Arts.

Bombala Chamber of Commerce, Industry representatives and Councillors met to discuss heavy vehicles in and around the Bombala area.

8.7 CLR CASTELLARI - DELEGATE'S REPORT

Monaro Regional Interagency Meeting – (social and health related services that operate in the Monaro region) Common theme is that there is a shortage of permanent youth programs for mental health in this area. There is a good program called Headspace that comes up a few times a week. Need to look at how we are serving mental health in the region.

Bundian Way Advisory Committee – It was reported that people are going into Aboriginal restricted areas and camping, we may be able to make suggestions in way of consequences for entering restricted areas based on our experience with free campers in the Clay Pit areas. It is a very positive group.

Skatepark Association – Mr Barilaro's office has contacted the Skatepark Association and pledged to

fund the expansion, Council provided \$10k to the Jindabyne Skatepark Association for a design, this has been done and now it looks like it will be funded.

8.8 CLR STEWART - DELEGATE'S REPORT

Met with Bryce Wilson and the Shadow Minister for Water in relation to the approval for the mini weir across the Bombala River. They were very positive and if elected will try to help the process to be achieved.

COUNCIL RESOLUTION

272/18

That Council receive and note Delegate's Report

Moved Councillor Maslin

Seconded Councillor Ewart

CARRIED

Note 3: Attendance of Group Manager Resource & Waste Management

Group Manager Resource & Waste Management was absent from the meeting from 5:50pm during Item 8.8 – Clr Stewart – Delegates Report, returning at 5:56pm during same item.

9. ADOPTION OF COMMITTEE MINUTES/RECOMMENDATIONS

9.1 ADOPTION OF RECOMMENDATIONS FROM THE SNOWY MONARO LOCAL TRAFFIC COMMITTEE MEETING HELD ON 26 JULY 2018

Record No:

Responsible Officer: Director Operations & Infrastructure

Author: Development Engineer

Attachments: 1. Minutes of the Local Traffic Committee Meeting held 26 July 2018

EXECUTIVE SUMMARY

The Snowy Monaro Local Traffic Committee met on 26 July 2018 at the Cooma Library, Cooma. The Committee's recommendations are presented for Council's consideration and adoption.

COUNCIL RESOLUTION

273/18

That Council:

A. Receives and notes the minutes of the Snowy Monaro Local Traffic Committee meeting held on 26 July 2018; and

Adopts the Snowy Monaro Local Traffic Committee recommendations LTC 23/18, 24/18, 25/18, 26/18 and 27/18 of 26 July 2018.

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

Note 4: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 268/18 above as there was no challenge by Councillors.

10. CORPORATE BUSINESS - KEY THEME 1. COMMUNITY

10.1 MONTHLY FUNDS MANAGEMENT REPORT - JULY 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 July 2018.

Cash and Investments are \$81,630,977.

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 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.

COUNCIL RESOLUTION

274/18

That Council

A. Receive and note the report indicating Council's cash and investments position as at 31 July 2018.

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

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

Note 5: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 268/18 above as there was no challenge by Councillors.

10.2 INTERAGENCY SHARED TRAIL PROPOSAL- GADEN TO HACTHERY BAY JINDABYNE

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Environment and Recreation Coordinator
Key Theme:	1. Community Outcomes
CSP Community Strategy:	1.3 Recreation, sporting and leisure facilities encourage all ages to live in an active and healthy lifestyle
Delivery Program Objectives:	1.3.1 Regional level recreation facilities that encourage an active lifestyle are planned for and provided in partnership with other government agencies
Attachments:	1. Attachment 2 Draft MOU ⇒
Cost Centre	7020
Project	Interagency Shared Trail Proposal- Gaden Trout Hatchery Connection
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

At the Council meeting held 14 December 2017 Council were updated on the project proposal to connect the Thredbo Valley Track (NPWS) to the Lake Jindabyne Community Trail (Council). NPWS approached Council with two options for a bridge connection over the Thredbo River. The options for a connection point were either Paddy's Corner or alternatively Gaden Trout Hatchery (see Figure 1- Site Map). Ultimately at the time, the Paddy's Corner site became the only option following an investigation over the legal access to the Gaden Picnic Ground. Council agreed to take ownership of the Crown Road Reserve (Gaden Road) to Paddy's Corner to ensure the project would proceed.

NPWS and NSW Fisheries have recently approached Council with regard to a change in position for the bridge crossing location. Further negotiation with landholders has resulted in the legal access issues to Gaden Trout Hatchery and picnic area being substantially resolved (but not yet finalised). The following report presents the advantages for the change of position by NSW Fisheries and NPWS. The ongoing issues associated with increased use at Paddy's Corner is likely to present many issues for Council. Existing infrastructure at Gaden will better support the needs of the trail users and increased visitation.

NSW Fisheries will be responsible for the management and operational costs of the Gaden Picnic Ground. This reduces the risk to Council in having to develop Paddy's Corner to accommodate trail users. A draft MOU has been developed for Council's consideration. The MOU would require endorsement from each party for the trail connection to proceed at the Gaden Picnic Ground.

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

COUNCIL RESOLUTION

275/18

That Council

- A. Agree to proceed with a shared trail connection at the Gaden Picnic Ground instead of at Paddy's Corner as previously resolved at Council's meeting on 14 December 2017.
- B. Agree to the terms of the Draft MOU and proceed with formalising the document with NSW Fisheries and NPWS
- C. Agree to continue working in partnership with Crown Lands, NPWS, NSW Fisheries and surrounding landholders throughout the next planning phases
- D. Authorise the expenditure and allocate an amount of \$17 000 in the 2018/19 Financial Year Budget with funding to be provided from Recreation Planning Budget

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

Note 6: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 268/18 above as there was no challenge by Councillors.

10.3 LEASE OF COUNCIL OPERATIONAL LAND TO COOMA MENS SHED

Record No:

Responsible Officer: Director Operations & Infrastructure

Author: Group Manager Facilities

Key Theme: 1. Community Outcomes

CSP Community Strategy: 1.3 Recreation, sporting and leisure facilities encourage all ages to live in an active and healthy lifestyle

Delivery Program Objectives: 1.3.2 Council has effectively identified community and visitor needs in the development and enhancement of the Region's recreational facilities to ensure sound decision making

Attachments:

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Earlier in 2018, Cooma Men's Shed approached Council requesting assistance with the potential end of their lease arrangement at the Cooma Railway Grounds.

The Cooma Men's Shed has had a "peppercorn" lease arrangement with Cooma Monaro Railways (CMR) for their current premises for approximately 12 years and was advised in 2017 that they would be required to vacate as there were plans for the alternative use of the shed. This notice has not yet been formalised or a termination date been given by the CMR board, however there has been no indication that CMR is willing to continue the lease arrangement with Cooma Men's Shed.

Representatives from Cooma Men's Shed have approached Councillors and Staff seeking assistance by way of a "peppercorn" lease of suitable Council Operational land to build a new Men's Shed (proposed

plans attached). Councils contribution would be the lease only with grant funding to be sourced by Cooma Men's Shed to construct the new facility. In addition to the lease issues faced by the Men's Shed at the Cooma Railway Grounds, representatives have stated that they are approaching capacity membership given the size of the current facility and that to further grow this organisation in Cooma, larger premises are required.

Council staff identified potentially suitable operational land sites in Hawkins St (DP 223604 Lot 1, DP 861874 Lot 4) and Mulach St Cooma (DP 537242 Lots 1,2 and 3). Upon initial site inspection and view of the proposed building plans in consultation with Council Planning staff, and as noted in the Background information of this report, Lot 2 or 3 of DP 537242 in Mulach St (map attached) would be the more suitable sites pending development application, with Lot 3 providing approximately 70 meters between the proposed development and residences. Any decision on use of this land will be subject to development application outcomes.

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

COUNCIL RESOLUTION

276/18

That Council

- A. Resolve to enter into "peppercorn lease" arrangement to a value nominated by Council on Lot 3 of DP 537242 in Mulach St Cooma with the Cooma Men's Shed (AMSA) for a period of Five (5) years (with two (2) optional periods of five (5) years each) pending outcome of a development applications
- B. Authorise the General Manager to negotiate the terms of the lease

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

Note 7: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 268/18 above as there was no challenge by Councillors.

10.4 DROUGHT RELIEF - REQUEST

Record No:

Responsible Officer: Director Environment & Sustainability

Key Theme: 4. Leadership Outcomes

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

Delivery Program Objectives: 12.3.3 Volunteer and Community group participation is valued and leveraged to improve community outcomes

Attachments: 1. request for assistance with Drought relief

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

At its meeting of 2 August 2018 Council requested a report regarding the request from Mrs Leisa Caldwell to provide assistance for drought relief.

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

COUNCIL RESOLUTION

277/18

That Council

- A. Approve the use of Council's Jindabyne office to receive and hold goods on behalf of charity organisations for drought relief; and
- B. Promote via its website the available options for financial donations towards drought relief

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

Note 8: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 268/18 above as there was no challenge by Councillors.

11. CORPORATE BUSINESS - KEY THEME 2. ECONOMY

11.1 LICENCE BETWEEN STATE RAIL AUTHORITY OF NSW AND COUNCIL - JINCUMBILLY

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Property Officer
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.2 Improve and maintain our public owned infrastructure and assets and facilities to a high standard
Delivery Program Objectives:	8.2.6 Council's infrastructure is maintained to meet compliance standards and to deliver high level services
Attachments:	Nil
Cost Centre	
Project	PJ150230 – Other Property Management Services

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Council has a licence for an area around the Jincumbilly Railway Station for the extraction of gravel. This licence was taken out by the former Bombala Council for the purpose of extracting gravel for a single roads job. The use under the licence has not been exercised since 1999.

Confirmation was received from Council's Roads Department that Council did not need the licence anymore and it is intended to terminate the licence by notice in writing to the Licensor.

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

COUNCIL RESOLUTION

278/18

That Council terminate the licence with the State Rail Authority of NSW for the Jincumbilly railway station by providing a written notice to the Licensor.

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

Note 9: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 268/18 above as there was no challenge by Councillors.

12. CORPORATE BUSINESS - KEY THEME 3. ENVIRONMENT

12.1 FLEET MANAGEMENT REPORT

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Fleet Manager
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.2 Improve and maintain our public owned infrastructure and assets and facilities to a high standard
Delivery Program Objectives:	8.2.2 Public Infrastructure and Assets are maintained and replaced according to Council's Asset Management Strategy
Attachments:	1. Business Mission & Strategic Analysis ⇨ 2. 10 Year Plan for Plant Purchases Summary ⇨ 3. 10 Year Plan for Plant Sales Summary ⇨
Cost Centre	Nil
Project	Fleet Management
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

At the 19 July 2018 Council meeting Councillor Sue Haslingden requested a full fleet management report. Below is an overview of fleet services.

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

COUNCIL RESOLUTION

279/18

That Council receive and note the Fleet Management Report.

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

Note 10: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 268/18 above as there was no challenge by Councillors.

12.2 REGULATION OF SHORT-TERM HOLIDAY LETTING IN THE STATE OF NEW SOUTH WALES

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: OP6.12 Ensure that the local planning framework enhances amenity, safety and sustainability of community neighbourhoods
Attachments: Nil
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

Councillor Beer submitted the following question at the Council meeting of 7 June 2018:
Question: I refer to the attached news sheet. Is it time that this Council has a report and discussion concerning the effects of Airbnb on our local towns. Please note the Byron Bay experience in the news sheet and the regional areas with no automatic cap.

Councillor Castellari had also forwarded some concerns raised with him by a Jindabyne resident in relation to “Air BnB” premises.

The NSW State Government is introducing regulations to manage the impact of short-term holiday letting in NSW.

The regulations have not yet been introduced, however, the following information is provided in response to the question raised.

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

COUNCIL RESOLUTION	280/18
That Council	
A. Note the information in the report regarding regulation of short-term rental accommodation letting in NSW.	
B. Keep in contact with Byron Shire in relation to Air BnB issues.	
Moved Councillor Beer	Seconded Councillor Haslingden
	CARRIED

12.3 RECYCLING COSTS IMPLEMENTED SINCE 30TH JUNE

Record No:

Responsible Officer:	Director Environment & Sustainability
Authors:	Group Manager Resource & Waste Management Resource & Waste Operations Manager
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	7.2 Water, waste, sewer and stormwater management practices are contemporary and efficient
Delivery Program Objectives:	7.2.3 Innovative solutions and infrastructure supporting waste and recycling operations to reduce landfill have been investigated
Attachments:	1. Resource and Waste Management Recycling Fees and Charges 2018-19 ⇒
Cost Centre	2255 – Waste Transfer Stations, 2270 Waste Landfills
Project	Recycling Fees and Charges implemented since 30 th June.
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

At the Ordinary Council Meeting held on 5 July 2018, Cr Stewart requested a report on the newly introduced recycling charges that have been implemented from the 1 July 2018; including previous costs. This report has been produced in response to Cr Stewart's request.

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

COUNCIL RESOLUTION

281/18

That Council

- A. Receive and Note the Report
- B. Revise the Commercial Comingled Recyclables charge from \$60/m³ to \$40/m³ at Council's Resource and Waste Facilities.
- C. Advertise the proposed charge reduction in accordance with the Local Government Act for a minimum of 28 days and invite submissions for Council consideration
- D. In the event that no negative submissions are received, that the reduced fee be applied from the completion of the advertising period.

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

Note 11: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 268/18 above as there was no challenge by Councillors.

12.4 DA4100/2018 ECO TOURISM ACCOMMODATION - 5 CABINS

Record No:

Responsible Officer: Manager Development Assessment
 Author: Town Planner
 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: 8.1.1 New development and land use is facilitated in appropriate locations with areas of environmental value protected
 Attachments: 1. Plan Set
 2. OSSM Report
 3. Statement of Environmental Effects
 4. Draft Conditions of Consent

Applicant Number:	DA4100/2018
Applicant:	Daniel Kroenert
Owner:	C.L.C Pty Ltd
DA Registered:	24/01/2018
Property Description:	Lot 1 DP 1221899 Ph Clyde, Westons Road CRACKENBACK NSW 2627
Property Number:	108664
Area:	Crackenback
Zone:	E3- Environmental Management
Current Use:	Vacant land
Proposed Use:	Eco Tourist Facility
Permitted in Zone:	Eco- Tourist Facilities
Recommendation:	Approved

EXECUTIVE SUMMARY

The purpose of this report is to seek approval for an Eco Tourist Facility, comprising of 5 Eco Cabins at Westons Road, Crackenback, NSW.

The subject site is vacant land that was subdivided under DA 0007/2014 for the purposes of an eco-tourist facility or tourist operations, gaining consent on the 3/10/2013.

The five (5) cabins have been designed with sustainability in mind with the accompanying Statement of Environmental Effects (SEE) by Dabyne Planning identifying *'for the applicant to fulfil their vision for the project to be founded on sustainability principles, the projects design and operation has been designed to promote long-term economic, social and environmental sustainability.'* The proposal is consistent with the objectives for Eco Tourist Development (Clause 5.13) of the Snowy River Local Environmental Plan 2013.

The proposed development is to be a staged comprising:

Stage 1 – Cabins 1, 2, 3 (starting from west to east)

Stage 2 – Cabin 4

Stage 3 – Cabin 5

The proposal is intended to operate in conjunction with the approved DA0038/2016 for 'Art Gallery and Ancillary Managers Residence'.

The proposal is not uncommon within the Crackenback locality and is deemed suitable for the subject site.

The application was requested by Council to be determined at a Council meeting.

It is recommended that the development application be approved with appropriate conditions of consent.

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

282/18

That

- A. Pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that the consent for Eco Tourism Accommodation – 5 Cabins on Lot 1 DP 1221899 Ph Clyde, is granted subject to the conditions attached;
- B. Any person who made a submission is notified according to the regulations.

Moved Councillor Castellari

Seconded Councillor Ewart

CARRIED

Note 12: Record of Voting

Councillors For: Councillor Castellari, Councillor Corbett, Councillor Ewart, Councillor Haslingden, Councillor Maslin, Mayor Rooney and Councillor Stewart.

Councillors Against: Councillor Beer and Councillor Last.

12.5 DEVELOPMENT APPLICATION 10.2003.222.2 - MODIFY CONDITION 5 TO REMOVE S94 FEES

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Urban and Rural Planner
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. 18 11128 Approved Plan of 53 Lot Subdivision DA222 03
2. 17 35906 Letter - Applicant - Dedication of Public Reserve - 1996 06 24
3. 18 11127 Letter to Applicant - Subdivisions at Cooma East - 15 Jan 2009
4. Notice of Determination - Refused - Draft to Council
5. 18 11129 Modified Development Consent DA222 03 - 26 Feb 2007
6. 18 14798 2018 07 13 - Letter From Ignazio Mondello - Registration of Land on Monaro Avenue
7. 18 15201 02 08 2018 - Letter to Ignazio Mondello - Response sent - Registration of Land on Monaro Avenue Cooma
8. 18/15744 30/07/2018 - Letter received with attachments - Regarding contribution fees - Mr Mondello
9. 18/15762 06/08/2018 - Letter sent - Regarding contribution fees - Mr Mondello

Further Operational Plan Actions:

Applicant Number:	10.2003.222.2
Applicant:	Ignazio Mondello
Owner:	Ignazio Mondello
DA Registered:	01/12/17
Property Description:	Monaro Avenue COOMA 2630
Property Number:	Lot: 19 DP: 860066
Area:	
Zone:	R2 Low Density Residential
Current Use:	Residential
Proposed Use:	Residential
Permitted in Zone:	<p>2 Permitted without consent Environmental protection works; Home-based child care; Home occupations</p> <p>3 Permitted with consent Bed and breakfast accommodation; Boarding houses; Car parks; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Group homes; Home occupations (sex services); Neighbourhood shops; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Seniors housing; Signage; Water supply systems</p> <p>4 Prohibited Any development not specified in item 2 or 3</p>
Recommendation:	Refusal

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with the information to make a determination of the proposed modification under the *Environmental Planning and Assessment Act 1979 (the Act)*.

The proposed modification is seeking to amend Condition 5 of the Consent to remove the requirement to pay Section 94 contribution fees on an additional 3 lots.

All Section 94 contribution fees have been applied in accordance with Council's adopted policy at the time and the provisions of Section 94 of the *Environmental Planning and Assessment Act, 1979*.

The position of the applicant is that Section 94 Contributions (as made in the form of public reserves and monetary contributions) for stage 2 were to cover the requirements for any future changes to Stage 2 of the subdivision, including any changes to overall lot numbers following re-subdividing proposed Lot 8. This is incorrect, as Section 94 Contributions are payable on any additional lots. The letters and agreements the applicant has referred to are directly related only to Stage 1 but through various modifications are also relatable to Stage 2. However they clearly do not exempt the applicant from contributions payable for further subdivision. It is therefore considered that the proposed modification has no evidence to support the applicant's request.

This application is being submitted to Council for a decision because it involves an application that has previously been reported to Council issues relating to Section 94 Contributions.

COUNCIL RESOLUTION

283/18

That Council:

- A. Pursuant to section 4.55(1) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that modification to DA 222/03 to amend Condition 5 to remove the requirement to pay Section 94 contribution fees on an additional 3 lots, is refused;
- B. 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; and
- C. Any person who made a submission is notified according to the regulations.

Moved Councillor Last

Seconded Councillor Stewart

CARRIED

Note 13: Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Councillor Corbett, Councillor Ewart and Mayor Rooney.

Councillors Against: Councillor Haslingden, Councillor Last, Councillor Maslin and Councillor Stewart.

12.6 INVESTIGATIONS AND PLANNING RELATED TO BOMBALA LEP PLANNING PROPOSAL TO REZONE LANDS AT BOMBALA RIVER TO ZONE SP2 - INFRASTRUCTURE

Record No:

Responsible Officer: Director Environment & Sustainability

Author: Group Manager Economic Development and Tourism

Key Direction: 3. Environment Outcomes

Delivery Plan Strategy: 8.1 Plan for rural, urban and industrial development that is sensitive to

	the region's natural environment and heritage
Operational Plan Action:	8.1.1 New development and land use is facilitated in appropriate locations with areas of environmental value protected
Attachments:	Nil
Cost Centre	8010
Project	Planning Proposal to rezone land in the Bombala River Reserve from RE1 – Public Recreation to SP2 - Infrastructure
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

In 2016/17 Council prepared a Planning Proposal (PP) to rezone land in the Bombala River Reserve from RE1 – Public Recreation to SP2 - Infrastructure. It also proposed rezoning land affected by the existing Coolumbooka River water storage facility from RU1- Primary Production to SP2 – Infrastructure and amending the minimum lot size map to ensure there was no minimum lot size on the affected land. The primary purpose of the PP is to allow development for the purposes of a water storage facility (ie new weir) to be constructed near the end of Mahratta Street between Caveat Street and Young Street to increase Bombala's water supply and provide additional security of water supply through drought times. Secondary purposes of the PP included:

- providing for a low level vehicular crossing over the Bombala River that could double as a truck by-pass of the town centre;
- catering for the water supply needs of future population growth in Bombala; and
- complementing improvements to the public domain that were originally formulated as part of the 'Bombala Masterplan'.

The PP was successful in obtaining a positive gateway determination (issued on 29 March 2017) but following that failed to obtain the support of key government agencies, primarily due to its lack of adequate strategic justification or detailed investigation of the likely impacts of the proposal. The Department of Planning (at the request of Council) has extended the time period for completing the PP until 29 March 2019. Even with this extension there is not sufficient time for staff to prepare the necessary strategic justification for the proposal without significant cost or diversion of existing resources and priorities to the project. Key amongst the outstanding requirements for the Planning Proposal is the demonstrated support of an Integrated Water Cycle Management (IWCM) Plan for the development of specific water supply infrastructure such as the new weir.

At Item 15.2 of its meeting of 17 May 2018 Council determined to continue pursuing the PP. Council's resolution to Item 15.2 requested an inventory of the tasks related to the outstanding items for the Planning Proposal and resourcing and method to progress these. This report outlines this information.

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

OFFICER'S RECOMMENDATION

Note 14: Lost Motion

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

That Council;

- A. Endorse an approach of engaging the hydraulic engineer who completed the previous Bombala Floodplain Risk Management Study and Floodplain Risk Management Plan in 2013 to model the impacts of raising the water level in the Bombala River adjacent the CBD by 2 metres as contemplated by the Planning Proposal;
- B. Authorise transfer of \$15,000 for this purpose from the Bombala reserves to the strategic land use planning cost centre 8010; and
- C. Review its continued commitment to pursue the Planning Proposal once the results of the modelling are received.

Note 15: Record of Voting

Councillors For: Councillor Haslingden, Councillor Maslin and Mayor Rooney.

Councillors Against: Councillor Beer, Councillor Castellari, Councillor Corbett, Councillor Ewart, Councillor Last and Councillor Stewart.

13. CORPORATE BUSINESS - KEY THEME 4. LEADERSHIP

13.1 ACTION SHEET FOR THE PERIOD 19 APRIL AND 21 JUNE 2018

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. Completed Actions - April to June 2018
2. Outstanding Actions for 2018
Cost Centre 3120 Governance
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

In order to provide Councillors with updates on resolutions of Council, a report (attached) has been generated in InfoCouncil with all resolutions requesting actions as documented and recorded in the minutes for the period 19 April and 21 June 2018 meetings.

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

COUNCIL RESOLUTION

284/18

That Council receive and note the action sheets for the period 19 April and 21 June 2018 meetings.

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

Note 16: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 268/18 above as there was no challenge by Councillors.

13.2 ANSWERS TO QUESTIONS WITHOUT NOTICE FOR THE PERIOD APRIL TO JUNE 2018

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. Answers to Questions - April to June 2018
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

In order to provide Councillors with answers to questions asked at Council Meetings, a report has been generated in InfoCouncil with all outstanding questions as documented and recorded in the minutes of the 19 April to 21 June 2018 meetings.

This report (attached) includes responses or updates on questions not previously answered at the 19 April to 21 June May 2018 meetings.

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

COUNCIL RESOLUTION

285/18

That Council receive and note the responses to outstanding questions raised by Councillors at the 19 April to 21 June 2018 meetings.

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

Note 17: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 268/18 above as there was no challenge by Councillors.

13.3 MERGER ACTION AND TASK PROGRESS REPORT AS AT 30 JUNE 2018

Record No:

Responsible Officer:	Interim General Manager
Author:	Executive Manager Innovation & Business Development
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:	1. Merger Action and Task Progress Report at 30 June 2018 ⇒
Cost Centre	3130 - Merger
Project	Merger
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Council's Project Manager of the 2016 Merger has been reporting progress and outcomes of several projects completed as part of the amalgamation process.

On 26 April 2017, Council approved that all outstanding actions not completed at 30 June 2017 be included in the 2018 operational plan as tasks required to be complete to achieve a successful merger. There were 41 tasks carried forward. Upon election of a new council, Phase 1 of the amalgamation was completed and council has continued to move through the second phase of the transition with focus on continuous improvement.

This report provides an update on the Operational Plan action that has continued the merger project. There are 12 outstanding tasks that have been transferred into the 2019 budget either as an Operational Plan projects or carried forward as business-as-usual activities.

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

COUNCIL RESOLUTION	286/18
That Council receive and note the report on the 2018 merger project and tasks as at 30 June 2018.	
Moved Councillor Beer	Seconded Councillor Ewart CARRIED

Note 18: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 268/18 above as there was no challenge by Councillors.

13.4 DELIVERY PROGRAM PROGRESS REPORT FOR THE PERIOD JULY 2017 TO JUNE 2018

Record No:

Responsible Officer:	Group Manager Governance
Author:	Records & Information Coordinator
Key Theme:	4. Leadership Outcomes

CSP Community Strategy:	10.1 Planning and decision making is holistic and integrated and has due regard to the long term and cumulative effects
Delivery Program Objectives:	10.1.2 Integrated Planning and Reporting guides long term planning and organisational sustainability
Attachments:	1. Delilvery Program Progress Report July 2017 to June 2018
Cost Centre	
Project	Integrated Planning and Reporting Framework
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

In accordance with Section 404(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 months.

This report covers the period July 2017 to June 2018.

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

COUNCIL RESOLUTION

287/18

That Council receive and note the Delivery Program Progress Report for the period July 2017 to June 2018.

Moved Councillor Ewart

Seconded Councillor Haslingden

CARRIED

14. REPORTS BY GENERAL MANAGER

Nil

15. NOTICE OF MOTION

Nil

16. MOTIONS OF URGENCY

16.1 PROGRESSIVE SPEED ZONE IN BOMBALA

COUNCIL RESOLUTION

288/18

That Council approve that the speed zone be progressive from the southern Bombala town limit, from 60 to 80 to 100. The 80 speed limit to commence at the end of 60 zone near the Bombala High School, and apply to include the Cann River intersection and the Dongwha Mill / Sawdust Operation traffic. The 100 speed limit to be placed approximately 500m south from the southern access on the Cann River Rd before the intersection with the Bombala/Delegate Road, and approximately 500m past the entrance/exit for truck activity at the Dongwha Mill/Sawdust Operation (to the west of the Cann River intersection) on the Delegate Road.

An 80 speed zone in this area would slow traffic considerably.

Moved Councillor Haslingden

Seconded Councillor Stewart

CARRIED

17. QUESTIONS WITH NOTICE

Nil

18. QUESTIONS TAKEN ON NOTICE

18.1 COUNCILLOR HASLINGDEN - \$15 MILLION FOR BOMBALA WATER

Question: Alison Gimbert has requested that a press release be put out to tell residents how much progress has been made towards getting the \$15 million (that John Barilaro promised to Bombala and Delegate for water infrastructure upgrades) because the community are very frustrated that they don't know anything and have not been told anything. Those involved within the community in bringing the issues to awareness are constantly being asked what is happening. It would be positive to allay people's fears that "we won't get the money to fix Bombala's and Delegate's water" as promised by John Barilaro.

Answer: Taken on Notice

18.2 COUNCILLOR BEER - MAYORAL REPORT TO COUNCIL

Can the Mayor provide a 12 month report to Councillors on his role as Mayor. The report to be as set out in Section 226(a)-(o) of the Local Government Act 1993.

Answer: Taken on Notice

18.3 COUNCILLOR LAST - MULACH STREET

Question: What does Council propose to do with the Council owned land in Mulach Street?

Answer: Taken on Notice

18.4 COUNCILLOR MASLIN - WATER COST RISES FOR BUSINESSES

Question: What measures are being taken by Council to communicate with / alleviate concerns of businesses facing sudden exponential increases in their water bills?

Answer: Taken on Notice

18.5 COUNCILLOR CASTELLARI - TEMPORARY STAFF FOR TOWN PLANNING

Question: Would it be possible for the Town Planning area to consider putting on some temporary staff to give them assistance given that DA's are so prolific?

Answer: Taken on Notice

18.5 COUNCILLOR STEWART - RAIL TRAIL UPDATE

Question: Would it be possible to provide a report for the next meeting on the allocated money for the feasibility for the rail trail that Council passed to see where it is at?

Answer: Taken on Notice

COUNCIL RESOLUTION

289/18

That Council move Item 19.3 Update on the Potential Joint Use Projects Being Explored with the Department of Education from Closed Session to Open Session for discussion.

Moved Councillor Stewart

Seconded Councillor Haslingden

CARRIED

19.3 UPDATE ON THE POTENTIAL JOINT USE PROJECTS BEING EXPLORED WITH THE DEPARTMENT OF EDUCATION

COUNCIL RESOLUTION

290/18

That Council

- A. Receive and note the report;
- B. Endorse the preparation and submission of a grant application to Round 2 of the Regional Cultural Fund consisting of a request for up to \$3 million grant funding and Council allocation of \$500,000 (using the internal reserve 'former Snowy River LGA'), bringing the total project value to \$3.5m, for a new library/community centre/innovation hub as part of a Joint Use Project with the Department of Education and Training, and upgrade to the car park in Kalkite Street to multi-level to cater for the community parking needs of the development, with design options and refined costings to be provided as the project develops.
- C. Endorse engagement of a consultant to assist with grant preparation with funds to be provided from re-directed funds under Innovation and Business Development - Project PJ 100069.

Moved Councillor Castellari

Seconded Councillor Beer

CARRIED

Note 19: Record of Voting

Councillors For: Councillor Beer, Councillor Castellari, Councillor Corbett, Councillor Ewart, Councillor Haslingden, Councillor Maslin, Mayor Rooney and Councillor Stewart.

Councillors Against: Councillor Last.

Note 20: Adjournment of Meeting

At 6:58pm the meeting adjourned for a dinner break.

Note 21: Resumption of Meeting

The meeting resumed at 7:34pm

4.4 IGNAZIO MONDELLO - SPEAKING TO ITEM 12.5 DEVELOPMENT APPLICATION 10.2003.222.2 - MODIFY CONDITION 5 TO REMOVE \$94 FEES

Mr Ignazio believes that there is an agreement with Council in relation to fees on this development. He says that he has already given Council what they requested in relation to reserves for this development. Understands that agreement was that if he gave 1500m2 and \$40,000 there would be no more fees. Not asking for anything that doesn't belong to him, just asking for what was agreed, does not want any concessions.

COUNCIL RESOLUTION

291/18

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

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Note 22: Attendance of Director Operations & Infrastructure

Director Operations & Infrastructure was absent from the meeting from 7:43pm during Item 4.4 – Public Forum – Ignazio Mondello – Speaking to Item 12.5 – Development Application 10.2003.222.2 – Modify Condition 5 to Remove s94 Fees, returning at 7:50pm during same item.

Note 23: Attendance of Deputy Mayor Miners

Deputy Mayor Miners joined the meeting at 7:40 pm during discussion of Item 4.4 – Public Forum – Ignazio Mondello – Speaking to Item 12.5 – Development Application 10.2003.222.2 – Modify Condition 5 to Remove s94 Fees.

19. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

292/18

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 Legal Actions and Potential Claims Against SMRC as at 31 July 2018

Item 19.1 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.

19.2 Agreement for the Management Contract of the Bombala Swimming Pool

Item 19.2 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.3 Update on the potential Joint Use Projects being explored with the Department of Education

Item 19.3 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.

19.4 Review of Council owned Residential Aged Care services in the Snowy Monaro region.

Item 19.4 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.

19.5 Corporate Information Systems Project Report

Item 19.5 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.

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

Note 24: 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 25: Confidential Session of Committee

At 7:45pm pm the meeting was closed to the press and public.

Note 26: Resumption of Open Committee Meeting

At 8:15 pm the Closed Session ended and the Council meeting continued in Open Session.

20. REPORT FROM CONFIDENTIAL SESSION

19.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 31 JULY 2018

COUNCIL RESOLUTION

293/18

That Council receive and note the information in this report.

Moved Councillor Stewart

Seconded Councillor Maslin

CARRIED

19.2 AGREEMENT FOR THE MANAGEMENT CONTRACT OF THE BOMBALA SWIMMING POOL

COUNCIL RESOLUTION

294/18

That Council approve the tendering process for the Management Contract of the Bombala Swimming Pool.

Moved Councillor Castellari

Seconded Councillor Ewart

CARRIED

19.4 REVIEW OF COUNCIL OWNED RESIDENTIAL AGED CARE SERVICES IN THE SNOWY MONARO REGION.

COUNCIL RESOLUTION

295/18

That Council:

- A. Approve implementation of the operational observations made for Yallabee Lodge, Cooma as detailed in the attached report;
- B. Approve implementation of the operational observations made for Snowy River Hostel, Berridale as detailed in the attached report;
- C. Approve the preferred option to expand residential aged care services and progress with implementation of the stated 14 recommendations as contained in the report.

Moved Councillor Castellari

Seconded Councillor Beer

CARRIED

COUNCIL RESOLUTION

296/18

That Council release the Executive Summary of the report Review of Council Owned Residential Aged Care Services in the Snowy Monaro Region along with the Council decision to the public.

Moved Mayor Rooney

Seconded Councillor Stewart

CARRIED

19.5 CORPORATE INFORMATION SYSTEMS PROJECT REPORT

COUNCIL RESOLUTION

297/18

That Council resolves:

- A. To receive and note this report;
- B. To approve the selection of EUIT for the supply of services to manage the selective tender process for the Corporate Information Systems project;
- C. For the purpose of s.55(3)(i) of the Local Government Act 1993, that a satisfactory result would not be achieved by inviting tenders for the supply of the EUIT services to manage the selective tender process, because EUIT is familiar with and has a working knowledge of Council's corporate systems and services, as EUIT is currently the project manager for the Corporate Information Systems project.

Moved Councillor Ewart

Seconded Councillor Castellari

CARRIED

There being no further business the Mayor declared the meeting closed at 8:15pm.

CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 16 August 2018 were confirmed by Council at a duly convened meeting on 6 September 2018 at which meeting the signature hereon was subscribed.