



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Minutes**

**Ordinary Council Meeting**

**16 May 2019**



**ORDINARY COUNCIL MEETING  
HELD IN BOMBALA COMMUNITY CENTRE, 163 MAYBE STREET, BOMBALA NSW 2623  
ON THURSDAY 16 MAY 2019**

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**MINUTES OF THE ORDINARY COUNCIL MEETING  
HELD IN BOMBALA COMMUNITY CENTRE, 163 MAYBE STREET, BOMBALA NSW 2623**

**ON THURSDAY, 16 MAY 2019  
COMMENCING AT 5.00PM**

**PRESENT:** Mayor John Rooney  
Deputy Mayor Linley Miners  
Councillor Peter Beer  
Councillor John Castellari  
Councillor James Ewart  
Councillor Rogan Corbett  
Councillor Sue Haslingden  
Councillor John Last - *Left meeting @ 7:58PM*  
Councillor Anne Maslin  
Councillor Brian Old  
Councillor Bob Stewart

**APOLOGIES:** Peter Cannizzaro, Director Corporate & Community Services

**Staff:** Peter Bascomb, General Manager  
Suneil Adhikari, Director Operations & Infrastructure  
Peter Smith, Director Environment & Sustainability  
Nola Brady, Acting Director Corporate & Community Services  
Amanda Shepherd, Secretary Council and Committees  
Scott Goudie, ICT Manager

**Notes:** *The Mayor opened the meeting at 5.02PM, Mayor adjourned meeting @ 5:04PM for Presentations & Public Forum, Mayor resumed meeting @ 5:28PM, Director Operations & Infrastructure was absent from the meeting from 6:47PM during Item 10.2 SMEC Hydraulic Fluid Mechanics Museum, returning at 6:50PM during same item, Acting Director corporate and Community Services was absent from the meeting from 6:47PM during Item 10.2 SMEC Hydraulic Fluid Mechanics Museum, returning at 6:50PM during same item, At 7:03PM the meeting adjourned for a dinner break, At 7:29PM the meeting was closed to the press and public, Councillor Last left the meeting at 7:58PM during Item 14.2 – Replacement of Council’s Volvo L70D Wheel Loader. Plant number 9449 for the duration of the meeting, General Manager was absent from the meeting from 8:05PM during Item 14.5 - Endorsement of General Manager’s Performance Agreement, returning at 8:35PM at conclusion of item, Director Operations & Infrastructure was absent from the meeting from 8:05PM during Item 14.5 - Endorsement of General Manager’s Performance Agreement, returning at 8:35PM at conclusion of item, Secretary Council & Committees was absent from the meeting from 8:05PM during Item 14.5 - Endorsement of General Manager’s Performance Agreement, returning at 8:35PM at conclusion of item, Acting Director Corporate and Community Services was absent from the meeting from 8:05PM during Item 14.5 - Endorsement of General Manager’s Performance Agreement, returning at 8:35PM at conclusion of item, ICT Manager was absent from the meeting from 8:05PM during Item 14.5 - Endorsement of General Manager’s Performance Agreement, returning at 8:35PM at conclusion of item, At 8:27PM the Closed Session ended and the Council meeting continued in Open Session, There being no further business the Mayor declared the meeting closed at 8:27PM.*



## 1. OPENING MEETING

The Mayor opened the meeting at 5.02PM

## 2. ACKNOWLEDGEMENT OF COUNTRY

### Note 1: Adjournment of Meeting

Mayor adjourned meeting at 5:04PM for Presentations & Public Forum

### Note 2: Resumption of Meeting

Mayor resumed meeting at 5:28PM

## 3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil.

## 4. CITIZENSHIP CEREMONIES

Nil.

## 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

174/19

- 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 Minutes of the Ordinary Council Meeting held on 17 April 2019;
  - 7.2 Minutes of the Closed Session of the Ordinary Council Meeting held on 17 April 2019;
  - 9.1.1 Section 355 Committee Minutes: Adaminaby Hall, Bibbenluke Hall and Sportsground, Bombala Exhibition Ground and Bungarby Memorial Hall;
  - 9.1.2 Monthly Funds Management Report - April 2019;
  - 9.1.3 Proposed Non-Exclusive Deed of Licence Agreement - Monaro Equestrian Association - Berridale Reserve;
  - 9.1.4 Deed of Licence - Bombala Sandy Creek Crossing;
  - 9.1.5 Arts and Culture Section 355 Advisory Committee membership;
  - 9.1.6 New Aged Care Quality Standards Effective from 1 July 2019;
  - 9.1.7 Minutes - Residential Aged Care Advisory Committee 21 January 2019;
  - 9.2.1 CMCA RV Park – Cooma;
  - 9.3.1 Compliance and Enforcement Policy;
  - 9.3.2 Floodplain Risk Management Committee recommendation to Council;
  - 9.3.3 Food Safety Compliance and Enforcement Policies;
  - 9.3.4 SCFMPP Cooma Basketball Stadium and Dalgety Pavilion Contract Award - Tender Report;
  - 9.3.6 Minutes of the Waste Management Committee Meetings;
  - 9.3.7 SCFMPP-206 Delegate Showground Kiosk & SCFMPP-130 Bombala Exhibition Hall;



9.3.8 Tender for realignment of water mains in Short St and Sharp St in Cooma and Nettin Circuit in Jindabyne;		
9.4.1 Classification and categorisation of Crown Land in Council's Care and Control;		
9.4.2 Population Data;		
9.4.3 Model Code of Conduct;		
9.4.4 Answers to Questions Without Notice;		
9.4.6 Councillor Fees for the 2020 Financial Year;		
9.4.7 Quarterly Budget Review Statement (QBRs) to March 2019;		
14.2 Replacement of Council's Volvo L70D Wheel Loader. Plant number 9449		
B. That the Officer's Recommendations in the reports listed above are hereby adopted.		
<b>Moved Councillor Stewart</b>	<b>Seconded Councillor Old</b>	<b>CARRIED</b>

## 7. CONFIRMATION OF MINUTES

### 7.1 ORDINARY COUNCIL MEETING 17 APRIL 2019

<b>COUNCIL RESOLUTION</b>	<b>175/19</b>
THAT the minutes of the Ordinary Council Meeting held on 17 April 2019 are confirmed as a true and accurate record of proceedings.	
<b>Moved Councillor Stewart</b>	<b>Seconded Councillor Old</b>
	<b>CARRIED</b>

#### Note 3: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

### 7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 17 APRIL 2019

<b>COUNCIL RESOLUTION</b>	<b>176/19</b>
THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 17 April 2019 are confirmed as a true and accurate record of proceedings.	
<b>Moved Councillor Stewart</b>	<b>Seconded Councillor Old</b>
	<b>CARRIED</b>

#### Note 4: MOTIONS WITHOUT DEBATE

THE ABOVE OFFICER'S RECOMMENDATION BECAME A RESOLUTION OF COUNCIL AS A RESULT OF RESOLUTION 174/19 ABOVE AS THERE WAS NO CHALLENGE BY COUNCILLORS.

## 8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

### 8.1 DA10.2018.130.1 - MODIFICATION TO EXTRACTIVE INDUSTRY (BOMBALA BORAL QUARRY) - INCREASE MAXIMUM PRODUCTION VOLUME FROM 100,000 TONNES PER ANNUM TO 200,000 TONNES PER ANNUM

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Urban and Rural 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:	8.1.2 Land use is optimised to meet the social, environment and

economic needs of the region

Attachments:

1. Statement of Environmental Effects (SEE) *(Under Separate Cover)*
2. Public Submissions (redacted copies) *(Under Separate Cover)*
3. Draft Conditions of Consent *(Under Separate Cover)*
4. Original Development Application -Environmental Impact Statement Vol 1 *(Under Separate Cover)*
5. Original Development Application - Environmental Impact Statement Vol 2 *(Under Separate Cover)*

Further Operational Plan Actions:

Applicant Number:	10.2019.130.1
Applicant:	Boral Land and Property Group
Owner:	Boral Resources (Country) Pty Ltd
DA Registered:	28/11/2018
Property Description:	Lot 229 and Lot 230 DP 756819, High Lake Road
Property Number:	1001599, 1001600
Area:	Bombala
Zone:	RU1 – Primary Production
Current Use:	Quarry
Proposed Use:	Quarry
Permitted in Zone:	Yes
Recommendation:	That the application be approved with conditions

## EXECUTIVE SUMMARY

The purpose of this report is to seek approval for an application to modify the consent (07.0013 - Hard Rock Quarry), previously granted by Council, for a third time. The modifications under this proposal are:

- Increase the maximum production hard rock products from the currently approved 100,000 tonnes per annum (tpa) to 200,000 tpa. The additional production would be achieved by running the in-pit mobile plant for a longer period within the approved hours of operation.
- Install a small pre-coat plant to produce products for regional road works.

The original development application was accompanied by an Environmental Impact Statement (EIS) as it was considered designated development and integrated development under the provisions of the Environmental Planning and Assessment Act 1979.

The application is required to be determined at a Council meeting as the original DA and subsequent modifications were determined by Council.

It is recommended that the development application be approved with the attached modified 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.

**RECOMMENDATION**

That

- A. Pursuant to section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) approval is granted for DA 10.2018.130.1 to Modify Extractive Industry to increase maximum production volume from 100,000 tonnes per annum (tpa) to 200,000 tpa. on Lot 229 and Lot 230 DP 756819, High Lake Road, Bombala, 2632, subject to the conditions attached;
- B. Any person who made a submission is notified according to the regulations.

**LOST MOTION**

**Note 5: Record of Voting**

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

**Note 6: Lost Motion**

The above motion moved Clr Stewart and seconded Clr Beer was put to the vote and **LOST**. As there was no foreshadowed motion before the meeting, the matter lapsed and the Chair moved to the next item of business.

**8.2 DA4191/2017 - 10 LOT COMMUNITY TITLE SUBDIVISION EAST JINDABYNE**

Record No:

Responsible Officer:	Director Environment & Sustainability
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:	8.1.3 Development assessment processes are streamlined to support regional development and growth
Attachments:	<ol style="list-style-type: none"><li>1. Draft Conditions of Consent <i>(Under Separate Cover)</i></li><li>2. Subdivision Plans <i>(Under Separate Cover)</i></li><li>3. Proposed entry signage and gate design <i>(Under Separate Cover)</i></li><li>4. Statement of Environmental Effects <i>(Under Separate Cover)</i></li><li>5. Site and Soil Assessment <i>(Under Separate Cover)</i></li><li>6. Bushfire Report <i>(Under Separate Cover)</i></li><li>7. Rural Fire Service Bushfire Safety Authority <i>(Under Separate Cover)</i></li><li>8. Flora and Fauna Assessment <i>(Under Separate Cover)</i></li><li>9. Aboriginal Cultural Heritage Assessment Report <i>(Under Separate Cover)</i></li><li>10. Office of Environment and Heritage General Terms of Approval AHIP <i>(Under Separate Cover)</i></li><li>11. Submissions <i>(Under Separate Cover)</i></li><li>12. DA Form <i>(Under Separate Cover)</i></li></ol>

**FURTHER OPERATIONAL PLAN ACTIONS: EXECUTIVE SUMMARY**

Applicant Number:	DA4191/2017
Applicant:	Fraish Consulting
Owner:	Alpine Sands Pty Ltd
DA Registered:	8/06/2017
Property Description:	Lot 43 DP1215502
Zone:	RU5 - Village
Current Use:	Vacant land
Proposed Use:	Community Title Subdivision
Permitted in Zone:	Yes
Integrated Approval Bodies	Office of Environment and Heritage – Aboriginal Cultural Heritage NSW Rural Fire Service – Bushfire Safety Authority
Recommendation:	That the application be approved with conditions

**Explanatory note**

This item was submitted to Council’s meeting of 17 April 2019. Council resolved as follows (Resolution 138/19):

*That Council defer the item to seek legal advice on public foot access to the lake*

The applicant and landowner were contacted on 18 April to advise them of the Council resolution. From discussions with the landowner, it was made very clear that the landowner was not interested in entertaining the suggestion of providing public access through their private property.

In accordance with Council’s resolution, a request for legal advice was made to Council’s solicitor (Blaxland Mawson & Rose) on 18 April. The advice was received on 1 May 2019 and a copy has been provided to Councillors under separate cover. The advice concluded that *“Council would not have reasonable grounds to impose conditions on the Development Application based on a requirement for public access.”*

Additional submissions were emailed to Council prior to the finalisation of this updated information (2 May 2019). These raised issues that had previously been identified in prior submissions.

Council had ‘deferred’ consideration of the report submitted to its previous meeting. Such action does not ‘reopen’ the application for canvassing of further public submissions.

Accordingly, the report does not specifically address the additional submissions, however, a copy of the additional submissions was provided to Councillors separately, for information.

It is also clarified that although the proposed plans indicate a proposed internal access to the boundary of the land with the adjoining land (owned by Snowy Hydro), this application relates to the subject property only. Accordingly, if this application is approved as recommended, it should not be construed or inferred that the approval also authorises any use of the Snowy Hydro land.

The application as originally assessed is resubmitted for Council’s determination. The report as presented to Council’s meeting of 17 April is reproduced without alteration below.

**The report as previously submitted to Council on 17 April 2019:**

The purpose of this report is seek approval for a ten (10) lot residential community title subdivision, being Stage 4 of Alpine Sands.

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**

**177/19**

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 Alpine Sands Stage 4 , ten (10) Lot Community Title Subdivision on Lot 43 DP 1215502 Ph Jinderboine, is granted subject to conditions attached;
- B. Any person who made a submission is notified according to the regulations; and
- C Council commit to entering into negotiations with the developer including a councillor and the community, to negotiate appropriate pedestrian access to the lake.

**Moved Councillor Castellari**

**Seconded Councillor Stewart**

**CARRIED**

**Note 7: Record of Voting**

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

*Councillors Against: Councillor Castellari and Councillor Last.*

**Note 8: Record of Voting to Accept Amended Motion**

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

*Councillors Against: Councillor Last, Councillor Maslin and Deputy Mayor Miners.*

**Note 9: 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 Last, Seconded: Clr Stewart was:

*“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 Alpine Sands Stage 4 , ten (10) Lot Community Title Subdivision on Lot 43 DP 1215502 Ph Jinderboine, is granted subject to conditions attached.*
- B. Any person who made a submission is notified according to the regulations. “*

**Note 10: Point of Order**

A point of Order was called by Clr Beer, to make a change to point C of the recommendation as it was not relevant to the DA being discussed. The General Manager explained to Clrs why the change needed to be made to the recommendation. Recommendation was updated as per above.

**Note 11: Draft Conditions of Consent for DA4191/2017**

**Integrated Approval Bodies**

Pursuant to Section 4.50 of the Act

Office of Environment and Heritage – General Terms of Approval (SF17/49802, IDA No, 4191/2017) issued 4/03/2019.

NSW Rural Fire Service - Bushfire Safety Authority (D17/3941, DA17112710527 BB) issued 20/03/2019

**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.
3. The proposed development, subject to the conditions below, will have no unacceptable adverse impacts on the natural or built environments including heritage items, 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 “12” 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 DA4191/2017 as submitted to Council on the 8/06/2017 with supporting documentation including, but not limited to the development plans being:

Reference/Dwg No	Title/Description	Prepared By	Date/s
C002 Rev B	Layout Plan	Fraish Consulting	17/01/2019
C100 Rev d	Community Title Lot Layout Plan	Fraish Consulting	17/01/2019
C211 Rev B	Erosion and Sediment Control	Fraish Consulting	17/01/2019

	Plan		
	Proposed entry statement and gate design		
29241	Alpine Sands – Stage 4 East Jindabyne NSW Flora and Fauna Assessment – Final Report	Biosis	25/01/2019
	Site and Soil Assessment for Onsite Effluent Disposal at a proposed residential subdivision Willow Bay	Fraish Consulting	1/04/2017
	Bushfire Protection Assessment – Residential subdivision – Alpine Sands Stage 4 East Jindabyne	Eco Logical	23/01/2019
	Statement of Environmental Effects	Fraish Consulting	January 2019

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.

**Impact on Aboriginal Cultural Heritage**

3. 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).
4. 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).

## OTHER APPROVALS

### Separate Section 138 Permit – Roads Act 1993

5. 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.

### General Terms of Approval – Office of Environment and Heritage

6. **Administrative conditions**

Information supplied to OEH

Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the integrated development application IDA No 4191-2017 received by OEH on 30 October 2017;
- the updated Statement of Environmental Effects prepared by Fraish Consulting, dated January 2019 and received by OEH on 8 February 2019 relating to the development; and
- the revised Aboriginal Cultural Heritage Assessment Report titled: Alpine Sands East Jindabyne — Aboriginal Cultural Heritage Assessment, Lot 43 DP 1215502 Kunama Drive, including the appended Archaeological Report, dated 7 December 2018 and received by OEH on 19 February 2019.

#### **Aboriginal cultural heritage conditions**

- No harm can occur to any Aboriginal objects within the Alpine Sands Stage 4 residential subdivision development area unless an Aboriginal Heritage Impact Permit (AHIP) has been issued by OEH.
- The applicant must comply with the conditions of any AHIP that is issued by OEH.
- The applicant must ensure that all persons involved in actions or works covered by an AHIP (whether employees, contractors, sub-contractors, agents and invitees) are made aware of, and comply with, the conditions of any AHIP.
- The applicant must submit an Aboriginal Heritage Impact Permit (AHIP) application to OEH for the Alpine Sands Stage 4 residential subdivision development. The application must include;
  - a) An updated Aboriginal Cultural Heritage Assessment Report that is specific to the Alpine Sands Stage 4 residential subdivision development area;
  - b) A description of the Aboriginal consultation undertaken in accordance with OEH requirements;
  - c) A Management Plan (The Plan) which outlines the conservation of part of site J/ES1 (AHIMS 62-1-0064). The Plan must detail proposed authorised harm to Aboriginal objects and include measures to prevent harm to Aboriginal objects. The Registered Aboriginal Parties must be



consulted on the Plan. The Plan must consider or include the following:

- i. A map clearly outlining that part of J/ES1 (AHIMS 62-1-0064) that will form the conservation area;
  - ii. How the conservation area will be managed during development to prevent unauthorized harm to Aboriginal objects;
  - iii. A description of allowable impacts in the conservation area following the completion of development. This could include works such as, fencing, hand removal of vegetation, mowing, revegetation of the area by hand, and drainage or erosional control works.
  - iv. Include provisions for occasional vehicle access.
  - v. Consideration of the installation of visual markers (such as bollards or rocks) to clearly indicate the conservation area.
  - vi. Detail any other ongoing land management measures, such as weed control.
- d) The provision of a surface collection methodology for those Aboriginal objects that have been recommended for surface collection.
- e) Detail on the long-term management of any salvaged objects. This will need to include a Care Agreement application, to be submitted with the AHIP application. If the Care Agreement application is not submitted with the AHIP application, evidence that that the discussion has substantially commenced with the Registered Aboriginal Party who will take on the Care Agreement must be submitted;
- f) An outline of the process that will be followed for continuing consultation with the registered Aboriginal parties and OEH, where required; and
- g) An outline of how the conditions of the AHIP will be managed and adhered to during the operational life of the proposed activities.

### **Bushfire Safety Authority**

7. The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the 'Environmental Planning and Assessment Act 1979', and a Bush Fire Safety Authority, under Section 100B of the 'Rural Fires Act 1997', are now issued subject to the following conditions:
1. At the issue of a Subdivision Certificate, a suitably worded legal mechanism (such as an instrument created pursuant to section 88 of the 'Conveyancing Act 1919') shall be created on proposed Lots 8 and 9 which provides for the following:
    - prohibits the construction of a residential dwelling building outside the identified building envelopes as illustrated on Figure 2 in the Bushfire Protection Assessment prepared by Eco Logical Australia Pty Ltd, Ref 16CAN\_5887, dated 23 January 2019; and
    - requires future residential dwelling buildings within the proposed lots to be designed and constructed in accordance with section 3 and section 7 (BAL 29) Australian Standard AS39592009 'Construction of buildings in bush fire prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

### **Asset Protection Zones**

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

2. Prior to the issue of a Subdivision Certificate, and in perpetuity, the land within the proposed lots shall be managed as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones' as follows:
  - Lots 1 to 7 & Lot 10: All land within the proposed lots shall be managed as an Inner Protection Area (IPA);
  - Lot 8: The property around the identified building envelope as illustrated on Figure 2 in the Bushfire Protection Assessment prepared by Eco Logical Australia Pty Ltd (Ref 16CAN\_5887, dated 23 January 2019) to a distance of 17 metres, or to the property boundary (whichever comes first), shall be managed as an IPA; and
  - Lot 9: The property around the identified building envelope as illustrated on Figure 2 in the Bushfire Protection Assessment prepared by Eco Logical Australia Pty Ltd (Ref 16CAN\_5887, dated 23 January 2019) to a distance of 21 metres, or to the property boundary (whichever comes first), shall be managed as an IPA.

### **Water and Utilities**

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

3. The provision of all water, electricity, and gas services shall comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

### **Access**

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

4. Excluding the requirement for through road access, the proposed new public road shall be designed and constructed to comply with section 4.1.3(1) of 'Planning for Bush Fire Protection 2006'.

### **Landscaping**

5. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

### **Works within Riparian Zones**

8. No vegetation clearance, landscape modification or development activities are to be undertaken on waterfront land (within 40m of river banks) without having obtained a Controlled Activity Permit from NSW Department of Industry Water.

## **PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

### **Storm Water Drainage – Stormwater Management Plan**

9. The developer shall submit plans of the stormwater drainage systems, prepared by a qualified practicing Civil Engineer, in accordance with the requirements of Snowy River Shire Council DCP 2013, Council's Development Design and Construction Specifications and have them approved by Council prior to issue of a Construction Certificate.

The hydrology and hydraulic calculations will be based on models described in the current edition of Australian Rainfall and Runoff. The Construction Certificate Application must include a detailed stormwater management plan (SWMP) for the occupational (or use) stage of the development, prepared in accordance with the Snowy River Shire Council DCP 2013 and Council's Development Design and construction Specifications.

Appropriate mitigation measures shall be implemented prior to discharge to Lake Jindabyne to the satisfaction of Council and Snowy Hydro Ltd for any storm water discharge to the Lake Jindabyne foreshore.

## **SUBDIVISION ENGINEERING**

### **Construction Certificate**

10. 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**

11. 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**

12. 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.

### **Water Servicing**

13. The developer shall provide all necessary water reticulation works, property connections and associated facilities to service every lot in conformity with Council's Development Design and Construction Specifications.

### **Electricity Servicing**

14. Each allotment in the proposed subdivision shall be serviced with underground electricity at no cost to Council. A letter (Notice of Arrangement) 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.

### **Telecommunication Servicing**

15. Prior to the issue of the Subdivision or Construction Certificate in connection with a development, the developer is to provide evidence satisfactory to the Certifying Authority that arrangements have been made for:
- (i) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose. and
  - (ii) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

The provision of these services is to be at no cost to Council or to the future land owner.

(Note real estate development project has the meanings given in section 372Q of the Telecommunications Act).

### **Tree Removal and protection during construction**

16. The developer shall provide to the PCA prior to the commencement of works a plan indicating the trees to be removed to allow for the construction of the subdivision infrastructure (including roads, pathways and water reticulation system) and compliance with the requirements of the Bushfire Safety Authority. These trees are to be marked to ensure only those approved can be removed. Tree removal shall be carried out in accordance with the provisions of the approved flora and fauna assessment.

Any tree that is not approved for removal but which may be in danger of damage during subdivision works shall be noted on the plan and protected using protection measures determined under the guidance of a suitability qualified arborist.

17. No tree other than that which has been approved for removal and marked as such can be removed during construction.

### **Soil and Water Management**

18. 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**

19. 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**

20. 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.

**Road construction– Community Title Private Road Standard**

21. The private road (Road 2 of Lot Layout Plan drawing no C100 Rev D, dated 17/1/19) shall be constructed to a 5.5m wide bitumen sealed or reinforced concrete pavement in accordance with Council's Development Design and Construction Specifications, to include the following:
- a) A concrete edge strip on each side of the bitumen sealed road (not applicable for reinforced concrete ridged pavement)
  - b) Constructed stormwater drainage
  - c) Installation of guideposts, protection fencing, pavement markings and signposting, to the standards specified in Austroads Guide to Road Design.
  - d) 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.
  - e) Road design speed of not less than 50 km/hr.
  - f) A suitable (minimum 10m radius) bitumen sealed vehicle turning facility at the end of the road.

**Concrete vehicular entrance**

22. The developer shall construct a concrete paved vehicular footpath crossing between the kerb and gutter and the property boundary in conformity with Council's standard drawing no. SD80a to service each lot.

**Concrete footpath**

23. The developer shall construct a concrete footpath within community land (between the side boundaries of proposed Lots 7 and 8) and from the end of the cul-de-sac to the north western side of the development boundary. Design and construction shall be in conformity with the standards specified in Council's Development Design and Construction Specifications to include the following:
- a) Concrete pavement not less than 1.2 metres wide.
  - b) Minimum concrete thickness 100 mm.
  - c) Minimum concrete strength grade 25 MPa.
  - d) Minimum reinforcement SL82 mesh.

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

24. 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 8.00am to 6.00pm

Saturday 8.00am to 1.00pm

No work to occur on Sundays or Public Holidays

**Public Access and Site Security**

25. 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**

26. 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.

**Environmental Protection Measures During Construction**

27. The developer shall ensure that the following environmental protection measures are put in place and enforced during the construction phase of the development:
- a) Relocate any coarse woody debris or rock outcrops which are designated for removal into the nearest retained vegetation or conservation area.
  - b) Unavoidable clearance of hollow-bearing trees within the high constraint areas shall be supervised by an ecologist
  - c) Ensure appropriate sediment control measures are put in place to

- prevent sediment laden stormwater run-off from impacting native waterways via eutrophication.
- d) When undertaking weed control activities adjacent to waterways, ensure herbicide label conditions are adhered to or use mechanical means of control.
  - e) Determine in consultation with Council/OEH if additional hygiene controls are required in relation to the regional dieback of Ribbon Gum *E. viminalis* in the Monaro region associated *Eucalyptus* weevil.
  - f) Ensure machinery access is limited to the direct impact zone of the study area only and minimise entry and exit points with machinery and vehicles over the duration of the project.
  - g) Ensure all priority weeds within the direct impact zone of the study area are treated according to instructions within the NSW DPI Weed Control Handbook (DPI 2018) or removed from site and disposed of at the nearest registered green waste facility along with other green waste.
  - h) Undertake construction works in low rainfall periods. Install appropriate erosion and sediment control measures as outlined above to ensure run-off during construction does not result in indirect impacts to native plant communities.
  - i) Ensure water quality doesn't exceed background water quality levels (e.g. for turbidity, pH) – in line with Clause 7.3 and 7.4 of the Snowy River LEP 2013. Ensure that all vehicle tyres, undercarriages and the soles of shoes are free of mud and soil before entering the study area if travelling from a site known to harbour chytrid fungus and/or soil borne pathogens in accordance with the Hygiene Protocol for the Control of Disease in Frogs (DECC 2008).
  - j) Ensure 'Environmental Exclusion' zones are installed and signage displayed in accordance with the measures outlined above.

#### **Building Envelopes on all lots**

28. Notwithstanding the requirement of the Bushfire Safety Authority with respect to building envelopes on lots 8 & 9. The developer shall ensure that the final plan of subdivision shall include building envelopes in accordance with the approved subdivision plans on all lots within the subdivision.

A Section 88B instrument shall be prepared to reflect this requirement and submitted for the approval of both Council prior to the release of the subdivision certificate.

#### **Community Land Landscaping**

29. **The developer shall ensure that** Landscaping for the subdivision to be restricted largely to the planting of native species endemic to Lake Jindabyne and ideally to the EEC floristics.

#### **Conservation Areas and retention of Vegetation**

30. The developer shall establish conservation reserves in the gully lines and these shall form part of the community management statement for the land.
31. The developer shall ensure that treed vegetation, particularly along ridgelines where the vegetation provides visual amenity and screening is retained.



**Restrictive Covenants on all lots**

32. The plan of subdivision and Section 88B instrument shall establish the following restrictive covenants; with the Council having the benefit of these covenants and having sole authority to release, vary or modify these covenants. Wherever possible the extent of the land affected by these covenants shall be defined by bearings and distances shown on the plan of subdivision.
- A. No clearing of native vegetation is permitted within the boundary of any lots outside of the area of the building envelope and that required to meet the requirements of the Rural Fire Service with respect to clearing for Asset Protection Zones under Bushfire Safety Authority D17/3941 dated 20/3/19.
  - B. No ground disturbance is permitted outside of the building envelope.
  - C. No structure shall be permitted to be erected outside of the approved building envelopes.
  - D. All on site waste water management systems are to have secondary wastewater treatment with subsurface irrigation.
  - E. The size, type and site of each wastewater management system and effluent disposal is to be approved by Snowy Monaro Regional Council.
  - F. All onsite waste water management systems and subsequent subsurface irrigation disposal areas are to be located wholly within the nominated building envelope for each lot.

**Entrance Statement**

33. The developer shall ensure that the entrance gate and signage are in conformity with the approved plans and that any lighting of the entrance signage is to be directed not to cause nuisance to surrounding residences and those using public roads.

**PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE**

**Monetary Contributions**

34. 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 7.11 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 for each nominated stage of the development:

Jindabyne Area Shared Trails	\$5814
Community Services and Facilities	\$5472
Regional Waste	\$6579
Open Space and Public Art	\$1323
Sports field and Recreation Facilities	\$909
Jindabyne Area Shared Pathways	\$801
Bushfire Services	\$1593

**Total** **\$22491**

The above contributions are based on an additional **nine (9)** residential allotments.

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 for the 2019/20 financial year. The contributions required will be those applicable at the time of payment. If the contributions are not paid within the quarter in which the consent is granted, they may be subject to an increase by CPI.

Where the development is to be connected to Councils water and/or sewage system a certificate of compliance under Section 64 of the Local Government Act (1993) must be obtained from the Council.

This may involve payment of a charge authorised under Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 to recover costs of works constructed to serve the development.

#### **Certificate of Compliance under the s307 of the Water Management Act 2000**

35. 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.

#### **Water Mains Testing**

36. Prior to the release of the subdivision certificate for each stage of the development all sewer mains are to be tested and all water mains are to be tested and disinfected in accordance with Council's Development Design and Construction Specifications and to the satisfaction of Council.

#### **Bushfire Compliance Inspection**

37. Prior to the issue of the subdivision certificate an inspection is to be carried out by a suitably qualified consultant demonstrating compliance with the Bushfire Safety Authority as described in condition 7.

#### **Boundary and inter-allotment fencing**

38. The developer shall ensure that each lot is fenced to prior to the issue of the subdivision certificate. The type of fencing shall be rural post and wire/wire link fencing

#### **Community Management Statement**

39. The developer shall prepare a community management statement to the satisfaction of Council that is approved by Council prior to the release of the subdivision certificate.

40. The community management statement must include (but not be limited to the following requirements):
- a) A restriction on the use of areas outside of the building envelopes to ensure no clearing, building or ground disturbance occurs in these exclusion areas.
  - b) Includes provisions for the ongoing management of noxious weeds on site and the protection and management of the water course on site.
  - c) That no planting of exotic trees occurs within the development.
  - d) No removal of treed vegetation is permitted without Council approval.
  - e) conservation reserves are to be established in the gully lines and managed by the community association.

### **Subdivision Certificate Application**

41. 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) Community Plan is to comply with clause 2 "Requirements for all plans", schedule 1 of the *Community Land Development Act 1989*;
  - c) Community Management Statement is to comply with schedule 3 and any other relevant clause or schedule of the *Community Land Development Act 1989*;
  - d) Subdivision Certificate application form fully completed and accompanied with a fee pursuant to Council's Schedule of Fees & Charges.
  - e) Inspection fee pursuant to Council's Schedule of Fees & Charges – One Subdivision Certificate inspection shall be required to ensure full compliance with conditions of development consent. Any non-conforming issues may incur an addition inspection fee payable prior to the release of subdivision certificate;
  - f) Certificate from Snowy Monaro Regional Council certifying that all necessary and appropriate weed control work has been completed on all lots in the subdivision.
  - g) Any required or relevant Section 88B instrument under the Conveyancing Act 1919;
  - h) d) Certificate from a recognised telecommunications carrier certifying that telecommunications connections have been provided to each lot in the stage;
  - i) Certificate from a recognised power authority certifying that electricity connections have been provided to each lot in the stage
  - j) A location map of all water meters on in the stage; and
  - k) Details on all water meters on the newly created lots in the stage.

### **Property Numbers/House Numbers**

42. 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

sheet at the time of lodgement with Council for the subdivision certificate

### **Works-as-executed Plan**

43. 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) and (.dwg). 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.

### **Completion of Engineering Works**

44. 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/Occupation Certificate or commencement of the development.

### **Maintenance Period for Subdivision Works**

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

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

46. 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.

## 9. OTHER REPORTS TO COUNCIL

### 9.1 KEY THEME 1. COMMUNITY

#### 9.1.1 SECTION 355 COMMITTEE MINUTES: ADAMINABY HALL, BIBBENLUKE HALL AND SPORTSGROUND, BOMBALA EXHIBITION GROUND AND BUNGARBY MEMORIAL HALL.

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Governance Officer
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:	1.3.3 Council's recreational facilities, parks and public open spaces are safe, well managed and accessible
Attachments:	<ol style="list-style-type: none"><li>1. Minutes of the Bombala Exhibition Ground Section 355 Committee meeting held 13 February 2019</li><li>2. Minutes of the Bungarby Memorial Hall Section 355 Committee AGM held 6 April 2019</li><li>3. Bungarby Memorial Hall Section 355 Committee President/Secretary Report 6 April 2019</li><li>4. Minutes of the Bibbenluke Hall and Sportsground Section 355 Committee meeting held 16 April 2019</li><li>5. Minutes of the Adaminaby Hall Section 355 Committee meeting held 30 April 2019</li></ol>
Cost Centre	
Project	
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

Council has received minutes from the following Section 355 Committees, The Bombala Exhibition Ground, Bungarby Memorial Hall, Bibbenluke Hall and Sportsground and Adaminaby Hall. These minutes are attached for Councils information.

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

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**COUNCIL RESOLUTION**

**178/19**

That Council

- A. Receive and note the Minutes of the Bombala Exhibition Ground Section 355 Committee meeting held 13 February 2019;
- B. Receive and note the Minutes of the Bungarby Memorial Hall Section 355 Committee AGM and President/Secretary Report held 6 April 2019;
- C. Receive and note the Minutes of the Bibbenluke Hall and Sportsground Section 355 Committee meeting held 16 April 2019; and
- D. Receive and note the Minutes of the Adaminaby Hall Section 355 Committee meeting held 30 April 2019.

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

**Note 12: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

**9.1.2 MONTHLY FUNDS MANAGEMENT REPORT - APRIL 2019**

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:	
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 April 2019.

Cash and Investments are \$83,660,672.

**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**

**179/19**

That Council

- A. Receive and note the report indicating Council's cash and investments position as at 30 April 2019;
- B. Receive and note the Certificate of the Responsible Accounting Officer.

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

**Note 13: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

**9.1.3 PROPOSED NON-EXCLUSIVE DEED OF LICENCE AGREEMENT - MONARO EQUESTRIAN ASSOCIATION - BERRIDALE RESERVE**

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Property Officer
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:	1.3.3 Council's recreational facilities, parks and public open spaces are safe, well managed and accessible
Attachments:	1. Draft Licence Agreement ( <i>Under Separate Cover</i> ) - <b>Confidential</b> 2. Confidential Economic Section ( <i>Under Separate Cover</i> ) - <b>Confidential</b>
Cost Centre	1610 – Parks and Gardens
Project	PJ160240
Further Operational Plan Actions:	

**EXECUTIVE SUMMARY**

The Monaro Equestrian Association (MEA) have contacted Council with a view into entering into a Licence Agreement with Council for the use of the Berridale Reserve grounds as a home ground. The MEA is a horse-riding club with the majority of its 120 members (including Junior riders) residing in the SMRC area.

The MEA have attended a meeting at the grounds along with Council staff and have a good understanding of the other community uses within the grounds and which area of the Reserve they would be approved to utilise.

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

**COUNCIL RESOLUTION**

**180/19**

That Council

- A. Approve the proposal of a non-exclusive Licence for part of the Berridale Reserve Grounds to the Monaro Equestrian Association for a period of two (2) years with the option to Renew for a further three (3) year period; and
- B. Authorise the General Manager to Execute the Licence Agreement.

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

**Note 14: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

**9.1.4 DEED OF LICENCE - BOMBALA SANDY CREEK CROSSING**

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Property Officer
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. Draft Deed of Licence ( <i>Under Separate Cover</i> ) - <b>Confidential</b> 2. Section 3 Confidential Economic Section ( <i>Under Separate Cover</i> ) - <b>Confidential</b> 3. Map of Area of Licence ( <i>Under Separate Cover</i> ) - <b>Confidential</b>
Cost Centre	1510 Facilities
Project	PJ300046
Further Operational Plan Actions:	

**EXECUTIVE SUMMARY**

The current Deed of Licence, primarily for horse grazing, held over the area around the house block at the Sandy Creek Crossing property in Bombala is due to expire 30 June 2019.

Staff have liaised with NSW Health and they have advised the Doctor that will be taking possession of this property is more than happy for the Licence to continue.

The Licensee has asked that council pass on her contact details to the Doctor and NSW Health should they ever need to contact her with regard to the Licence or any issues at the property with regard to her Licence.

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

**COUNCIL RESOLUTION**

**181/19**

That Council

- A. Approve the Deed of Licence at the Sandy Creek Crossing Property for a 12 month period with a further optional period of 12 months at the discretion of Council; and
- B. Authorise the General Manager to Execute the Deed of Licence.

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

**Note 15: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.



### 9.1.5 ARTS AND CULTURE SECTION 355 ADVISORY COMMITTEE MEMBERSHIP

Record No:

Responsible Officer: Director Environment & Sustainability  
Author: Community Service Officer  
Key Theme: 1. Community Outcomes  
CSP Community Strategy: 2.2 Support and promote the arts recognising the broad and diverse contribution it makes to community identity and wellbeing  
Delivery Program Objectives: 2.2.1 A range of regional level arts and cultural activities are delivered and promoted in partnership with the community  
Attachments: 1. Minutes of the Arts and Culture 355 Committee membership selection meeting 12 April 2019  
Cost Centre  
Project  
Further Operational Plan Actions:

#### EXECUTIVE SUMMARY

This report provides Council with information regarding the membership of the Arts and Culture Section 355 Advisory Committee.

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

#### COUNCIL RESOLUTION

182/19

That Council receive and note the information regarding the membership of the Arts and Culture Section 355 Advisory Committee.

Moved Councillor Stewart

Seconded Councillor Old

CARRIED

#### Note 16: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

### 9.1.6 NEW AGED CARE QUALITY STANDARDS EFFECTIVE FROM 1 JULY 2019

Record No:

Responsible Officer: Director Corporate and Community Services  
Author: Group Manager Community Support Services and Aged Care  
Key Theme: 1. Community Outcomes  
CSP Community Strategy: 1.2 High quality community support and residential aged care services are available and accessible to residents across the region  
Delivery Program Objectives: 1.2.2 Council strategies recognise the growing demand of residential aged care services  
Attachments: 1. Letter from ACQ&SC - New Aged Care Quality Standards Effective

from 1 July 2019

### EXECUTIVE SUMMARY

Council has received a letter from the Aged Care Quality and Safety Commission (ACQ&SC) advising that the New Aged Care Quality Standards come into effect from 1 July 2019. The letter is attached for information.

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

#### COUNCIL RESOLUTION

183/19

That Council receive and note the information in this report and the letter from the Aged Care Quality and Safety Commission advising that the New Aged Care Quality Standards come into effect from 1 July 2019.

Moved Councillor Stewart

Seconded Councillor Old

CARRIED

#### Note 17: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

### 9.1.7 MINUTES - RESIDENTIAL AGED CARE ADVISORY COMMITTEE 21 JANUARY 2019

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 21 January 2019  
2. Residential Aged Care Advisory Committee - Charter

### EXECUTIVE SUMMARY

The Residential Aged Care Advisory Committee meeting was held on 21 January 2019 in Berridale. The Minutes and Charter are presented for Council's information.

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

#### COUNCIL RESOLUTION

184/19

That Council:

- A. Receive and note Minutes of the Residential Aged Care Advisory Committee meeting held on 21 January 2019.
- B. Receive and note Residential Aged Care Advisory Committee Charter adopted on 21 January 2019.

Moved Councillor Stewart

Seconded Councillor Old

CARRIED

#### Note 18: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

## 9.2 KEY THEME 2. ECONOMY

### 9.2.1 CMCA RV PARK - COOMA

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Group Manager Facilities
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	6.3 Further promote and develop the regions visitor accommodation, product and recreational infrastructure
Delivery Program Objectives:	6.3.2 The Region's caravan parks, are maintained, upgraded and promoted to attract visitors
Attachments:	1. CMCA Fact Sheet 2. CMCA Network 3. Cooma RV Park Proposal
Cost Centre	
Project	
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

In 2018, CMCA was approached by Snowy Monaro Regional Council regarding the opportunity to develop an RV park in Cooma. Following this, several sites were investigated during a site inspection by CMCA Business Development Officer and Group Manager Facilities SMRC.

It is important to provide a range of accommodation options in Cooma for the road based traveller. Those in RVs require a range of options based on their own vehicle attributes, personal taste and budget constraints.

The CMCA RV parks are designed to meet the needs of one segment of the RV market that is self-contained vehicles, and owners who are seeking minimal facilities for a low cost.

The risk to council is minimal as CMCA is taking on the risk of establishment cost and operational risk.

The business community will benefit through increased turnover as a direct result of increased visitation to Cooma.

CMCA generally cap establishment costs of RV Parks at \$100,000. As per attached Cooma RV Park Proposal and below background information, initial estimates for establishment are \$135,000.

CMCA are seeking in principle support from Council for this proposal in order to proceed with more detailed planning and estimates. Additionally CMCA are seeking internal plant hire rates from Council should the project proceed to assist in minimising establishment costs. CMCA's Business Development Officer will be in attendance at the Council pre-meeting with Group Manager Facilities to take Councillor questions on this proposal.

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

#### COUNCIL RESOLUTION

185/19

That Council support in principle the development of a CMCA RV park at the Hawkins St site and provide in-kind assistance through internal plant rates.

Moved Councillor Stewart

Seconded Councillor Old

CARRIED

**Note 19: MOTIONS WITHOUT DEBATE**

THE ABOVE OFFICER'S RECOMMENDATION BECAME A RESOLUTION OF COUNCIL AS A RESULT OF RESOLUTION 174/19 ABOVE AS THERE WAS NO CHALLENGE BY COUNCILLORS.

**9.3 KEY THEME 3. ENVIRONMENT**

**9.3.1 COMPLIANCE AND ENFORCEMENT POLICY**

Record No:

Responsible Officer: Director Environment & Sustainability  
Author: Group Manager Development & Building Certification  
Key Theme: 3. Environment Outcomes  
CSP Community Strategy: 7.1 Protect, value and enhance the existing natural environment  
Delivery Program Objectives: 7.1.1 The Region's natural environment remains protected through delivery of a range of Council programs and regulatory compliance  
Attachments: 1. Draft Compliance and Enforcement Policy  
Cost Centre 1210 Development  
Project  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

A draft Compliance and Enforcement Policy ("the Policy") has been developed to outline Council's process in dealing with compliance and enforcement matters when undertaking its regulatory functions. The policy aims to ensure that compliance and enforcement functions are undertaken in a transparent, consistent, proportionate and equitable manner. "The Policy" has been developed to align with the NSW Ombudsman's Guidelines and Model Code and best practice principles in Local Government regulatory compliance and enforcement policies and procedures.

Consultation has been undertaken with Council staff and comments received have been included in the preparation of "the Policy".

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

**COUNCIL RESOLUTION**

**186/19**

That Council adopts the Snowy Monaro Regional Council Compliance and Enforcement Policy.

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

**Note 20: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

**9.3.2 FLOODPLAIN RISK MANAGEMENT COMMITTEE RECOMMENDATION TO COUNCIL.**

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Environmental Project Officer
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	7.1 Protect, value and enhance the existing natural environment
Delivery Program Objectives:	7.1.2 The significance and protection of the region's natural assets along with the efficient and equitable planning of public services, infrastructure and amenities is provided for in Council's Local Environmental and associated plans
Attachments:	1. Floodplain Management Committee Minutes 29 March 2019 2. Presentation GRC 20 March 2019
Cost Centre	180340
Project	Cooma/Bredbo/Michelago/Berridale Flood Study and Floodplain Risk Management Plan
Further Operational Plan Actions:	

**EXECUTIVE SUMMARY**

The previous Snowy River and Cooma Monaro Shire Councils received funding from the Office of Environment and Heritage (OEH) for flood studies in Cooma, Bredbo, Michelago and Berridale. This funding has now been consolidated into one grant. A requirement of the grant guidelines is the formation of a Floodplain Risk Management Committee.

The Committee has been formed and has had two meetings thus far. The last meeting was on the 29<sup>th</sup> March 2019. It was proposed a recommendation be put to Council from this meeting.

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

**COUNCIL RESOLUTION**

**187/19**

That Council undertake a strategic analysis of identified risks (Natural Hazard Risk Assessment) throughout the LGA and prioritise the identified gaps.

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

**Note 21: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

### 9.3.3 FOOD SAFETY COMPLIANCE AND ENFORCEMENT POLICIES

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Group Manager Environmental Management
Key Theme:	1. Community Outcomes
CSP Community Strategy:	3.2 Positive social behaviours (including law and order) are fostered and encouraged to maintain our safe, healthy and connected communities
Delivery Program Objectives:	3.2.1 Council's public health and regulatory responsibilities are planned for and delivered to facilitate a safe community and raise awareness
Attachments:	1. Food Safety Compliance Policy 2. Food Safety Enforcement Policy
Cost Centre	1010
Project	
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

Snowy Monaro Regional Council's Food Regulation Partnership Contract Agreement with the NSW Food Authority sets out the obligations that Council must meet as part of the agreement conditions. Council is endorsed by the NSW Food Authority as a Category B enforcement agency and to undertake both Compliance and Enforcement activities. Detailed underpinning policies must be in place to support the agreement obligations of Council and our authorised officers.

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

#### COUNCIL RESOLUTION

188/19

That Council:

- A. Adopt Snowy Monaro Regional Council Food Safety Compliance Policy; and
- B. Adopt Snowy Monaro Regional Council Food Safety Enforcement Policy

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

#### Note 22: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

### 9.3.4 SCFMPP COOMA BASKETBALL STADIUM AND DALGETY PAVILION CONTRAT AWARD - TENDER REPORT

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Project 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:	8.2.3 Stronger Communities fund project delivers improved community infrastructure and assets through the Major Projects Program (MPP)
Attachments:	1. SCFMPP Non Price Assessment ( <i>Under Separate Cover</i> ) - <b>Confidential</b> 2. SCFMPP Works Assessment ( <i>Under Separate Cover</i> ) - <b>Confidential</b>
Cost Centre	SCFMPP-147 PJ100063 SCFMPP-068 PJ100074
Project	Cooma Basketball Stadium Foyer and Change Room Upgrade Dalgety Showground Pavilion Upgrade
Further Operational Plan Actions:	

### EXECUTIVE SUMMARY

The purpose of this report is to inform council of the outcomes of the design, development and tender evaluation process for the proposed Cooma Basketball Stadium upgrades and the Dalgety Showground Pavilion upgrade works package for approval and award. Information in the report and attached documentation provide the breakdown of costs to complete the construction as designed.

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

#### COUNCIL RESOLUTION

189/19

That Council

- A. Review and award the packaged works contract to HOMZ4U Pty Ltd, trading as Illustrious Homes as per PWA Tender recommendation; and
- B. Authorise the expenditure and allocate an amount of \$407,375 Inc. in the 18/19 Financial Year Budget with funding to be provided from SCFMPP Grants Program

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

#### Note 23: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

### 9.3.5 POST COMMUNITY CONSULTATION REPORT FOR SNOWY MONARO PLANNING AND LAND USE DISCUSSION PAPER

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Senior Strategic Land Use 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. Snowy Monaro Planning and Land Use Listening Paper
Cost Centre	10-8010-1001-68018 Strategic Planning

Project Planning and Land Use Discussion Paper Community Consultation  
Further Operational Plan Actions: 8.1.2 Land use is optimised to meet the social, environment and economic needs of the region.  
8.3.1 Planning policies facilitate options for a range of housing types  
10.1.1 Council has a transparent and bold growth objective which provides a framework for decision making

### EXECUTIVE SUMMARY

This report is to update Council on the key issues raised throughout the community consultation period on the Snowy Monaro Planning and Land Use Discussion Paper.

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

### COUNCIL RESOLUTION

190/19

That Council

- A. Note all formal submissions on the Planning and Land Use Discussion Paper;
- B. Note most key issues raised throughout community consultation process; and
- C. Note the Snowy Monaro Planning and Land Use Listening Paper(Attachment 1) to be sent to all participants in community consultation process and placed on Councils your say page for a minimum of 28 days (note further editing and proofing of this document will occur before it is exhibited).

Moved Councillor Beer

Seconded Councillor Ewart

CARRIED

### Note 24: Point of Order

Mayor Rooney raised a point of order on the basis that there were several discussions around the table during discussion on the above item.

### 9.3.6 MINUTES OF THE WASTE MANAGEMENT COMMITTEE MEETINGS

Record No:

Responsible Officer: Group Manager Resource & Waste Management

Author: Resource & Waste Administration Officer

Attachments: 1. Minutes of the Waste Management Committee Meeting held on 22 November 2018

2. Minutes of the Waste Management Committee Meeting held 31 January 2019

3. Minutes of the Waste Management Committee Meeting held 28 February 2019

4. Notes of the Waste Management Committee Meeting held 28 March 2019

### EXECUTIVE SUMMARY

The Waste Management Committee met on 22 November 2018, 31 January 2019, 28 February 2019, 28 March 2019, The Committee's recommendations are presented for Council's consideration and adoption.



**COUNCIL RESOLUTION**

**191/19**

That Council

- A. Receive and Note the Minutes of the Waste Management Committee held on 22 November 2018.
- B. The recommendations of the meeting of the Waste Management Committee held on 31 January 2019 (WMC1/19) be adopted.
  - a. To support future annual events subject to financial support applications going through the Councils submission process.
  - b. Receive and note the Monaro High Yr 7's 2018 Litter Survey Report and that SMRC staff consider the recommendations provided by the students on Litter Prevention as part of Council planning of future projects.
  - c. Receive, note and authorise the policies provided in the attachments to be distributed for comment within the organisation and to authorise policies provided in the attachments to be presented to Council for adoption after the internal process.
  - d. That the CDS Revenue Share Agreement continue till the end of the current financial year when assessment of results can be conducted.
  - e. That the Manager Resource and Waste facilities continues to keep the Waste Management Committee updated.
  - f. That the Group Manager Resource and Waste Management continue to work on budgets. Future meetings to be held with the Waste Management Committee to discuss fees and charges.
  - g. That the meeting dates as outlined above be those for the Waste Management Committee for the year.
- C. The recommendations of the meeting of the Waste Management Committee held on 28 February 2019 be adopted.

COMMITTEE RECOMMENDATION

WMC1/19

- a. THAT the minutes of the Waste Management Committee Meeting held on 31 January 2019 are confirmed as a true and accurate record of proceedings.

COMMITTEE RECOMMENDATION

WMC2/19

- b. That the Councillors provide feedback on the three policies of Domestic Kerbside Collection Policy, Bank of Bins Policy and Event Waste Management Policy to the Group Manager Resource & Waste Management by Wednesday, 6 March, 2019. Feedback is to be considered with the draft documents to be advertised for comment.

COMMITTEE RECOMMENDATION

WMC3/19

- c. That Council receive and note the information in the report on the Action Sheet

COMMITTEE RECOMMENDATION

WMC4/19

- d. That Council
  - i. Receive and note the information in the report and endorse the support for the acceptance of waste and recyclable material collected by registered community groups during the Clean Up Australia Day events.

- ii. That costs associated with the disposal of Waste and Recyclables from Clean Up Australia Day be allocated to PJ 22005; Illegal Dumping.

COMMITTEE RECOMMENDATION

WMC5/19

- e. That the following actions be undertaken to achieve cost savings across the Resource and Waste Management Department:
  - i. That a draft survey be presented at the next Waste Committee meeting for distribution at Bredbo, Nimmitabel, Numeralla and Delegate Transfer Stations seeking preferred hours of operation at each site (reduction in operating hours in line with the identified cost saving initiatives) .
  - ii. That community consultation occur on the reduction of operating hours at Council Transfer Stations.
  - iii. That the annual Household Chemical CleanOut program be reduced to one location per year.
  - iv. That community consultation occur with the Michelago community on the establishment of Bank of Bins and to discontinue the Saturday drop off collection service.
  - v. That the amended list of fees and charges, as agreed, be provided to the finance department as part of the annual fees and charges approval process.

COMMITTEE RECOMMENDATION

WMC7/19

- f. That the policies of Domestic Kerbside Collection Policy, Bank of Bins Policy and Event Waste Management Policy go out for comment and follow Council process.

- D. Council receive and note the Committee notes (Nil Quorum) from the Waste Management Committee Meeting held 28 March 2019.

Moved Councillor Stewart

Seconded Councillor Old

CARRIED

**Note 25: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

**9.3.7 SCFMPP-206 DELEGATE SHOWGROUND KIOSK  
SCFMPP-130 BOMBALA EXHIBITION HALL**

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Group Manager Asset Management & Engineering
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:	8.2.3 Stronger Communities fund project delivers improved community infrastructure and assets through the Major Projects Program (MPP)
Attachments:	1. Schedule of Prices ( <i>Under Separate Cover</i> ) - <b>Confidential</b> 2. Price breakdown ( <i>Under Separate Cover</i> ) - <b>Confidential</b>

Cost Centre SCFMPP-206 PJ100075  
SCFMPP-130 PJ100058  
Project Delegate Showground Kiosk Upgrades (Package 1)  
Bombala Exhibition Hall Supper Room Upgrades

Further Operational Plan Actions:

### EXECUTIVE SUMMARY

The purpose of this report is to inform council of the outcomes of the design, development and tender evaluation process for the proposed Delegate Showground Kiosk (Package 1) upgrades and the Bombala Exhibition Hall – Supper Room upgrade works package for approval and award. Information in the report and attached documentation provide the breakdown of costs to complete the construction as designed.

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

#### COUNCIL RESOLUTION

192/19

That Council

- A. Review and award the packaged works contract to Davone Constructions Pty Ltd as per PWA Tender recommendation, and
- B. Authorise the expenditure and allocate an amount of \$273,933 Incl GST

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

#### Note 26: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

### 9.3.8 TENDER FOR REALIGNMENT OF WATER MAINS IN SHORT ST AND SHARP ST IN COOMA AND NETTIN CIRCUIT IN JINDABYNE

Record No:

Responsible Officer: Director Operations & Infrastructure  
Author: Water and Waste Engineer  
Key Theme: 3. Environment Outcomes  
CSP Community Strategy: 7.2 Water, waste, sewer and stormwater management practices are contemporary and efficient  
Delivery Program Objectives: 7.2.2 Water and sewer infrastructure is maintained and improved to provide a quality service  
Attachments: 1. Tender Evaluation Report (*Under Separate Cover*) - **Confidential**  
Cost Centre 13-2020  
Project 240233, 240038, 240230  
Further Operational Plan Actions:

## EXECUTIVE SUMMARY

The tender for the realignment of water mains in Short St and Sharp St in Cooma and Nettin Circuit in Jindabyne was advertised on the Vendor Panel website. It was a public tender and was open to all contractors through the Vendor Panel platform.

The tender closed on 14 March 2019. A total of 4 tenders were received All tenders met with the non-price criteria and were further evaluated for price criteria (Refer attached tender evaluation report).

The evaluating officers' recommendation is to award the tender to the lowest tender.

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

### COUNCIL RESOLUTION

193/19

That Council approves the award of this tender to UTILSTRA Pty Ltd for the amount of \$277,712.80 which comprises of lump sum and rate items based on the recommendation in the tender evaluation report.

Moved Councillor Stewart

Seconded Councillor Old

CARRIED

### Note 27: MOTIONS WITHOUT DEBATE

THE ABOVE OFFICER'S RECOMMENDATION BECAME A RESOLUTION OF COUNCIL AS A RESULT OF RESOLUTION 174/19 AS THERE WAS NO CHALLENGE BY COUNCILLORS.

## 9.4 KEY THEME 4. LEADERSHIP

### 9.4.1 CLASSIFICATION AND CATEGORISATION OF CROWN LAND IN COUNCIL'S CARE AND CONTROL

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Land & Property Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.3 Advocate and work with other levels of government, community and industry to improve outcomes
Delivery Program Objectives:	10.3.1 Council connects, recognises, advocates and works in collaboration with all leaders across the community and beyond our boundaries
Attachments:	1. Spreadsheet - Crown land for categorisation 2. Maps for Crown Land (page nos. coincide with row nos. on the spreadsheet) <i>(Under Separate Cover)</i>
Cost Centre	1515 – Crown land
Project	PJ150388 – Crown Lands Management Plans

## EXECUTIVE SUMMARY

At present we are standing at the start of a new era of Crown land management which began with the commencement on 1 July 2018 of the Crown Land Management Act 2016. One of the key changes in the new legislation is that for the first time new legislation specifically references the Native Title Act 1993, and how this Act operates when making decisions about the use and management of Crown land.

The Crown Land Management Act 2016 also clarifies the roles and responsibilities of councils and other organisations who can deal with Crown land without oversight from the Minister for Lands or the Department of Industry – Crown Lands.

The first step for Council is to categorise Crown land which has either been gazetted to Council's Trusteeship or devolved to Council and submit the proposal to the Minister for concurrence.

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

**COUNCIL RESOLUTION**

**194/19**

That Council approve the proposed categorisation of Crown land as per attachment 1 to report Classification and Categorisation of Crown Land in Council's Care and Control.

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

**Note 28: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

**9.4.2 POPULATION DATA**

Record No:

Responsible Officer: Director Environment & Sustainability

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. Census data with .ID information

Cost Centre

Project

Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

A number of different variations of the ABS Census data are often quoted in both internal and external documents that Council uses.

The Executive Leadership Team (GM and Directors) have endorsed the use of the official ABS 2016 census data as the preferred population data sets for use in our internal and external documents. Other data sets may be used, with appropriate references, as required.

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

**COUNCIL RESOLUTION**

**195/19**

That Council receive and note the information in the report on Population Data.

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

**Note 29: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

**9.4.3 MODEL CODE OF CONDUCT**

Record No:

Responsible Officer:	Group Manager Governance
Author:	Governance Officer
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. 250.2016.1.3 Policy Code of Conduct - 2019 for Adoption
Cost Centre	3120

**EXECUTIVE SUMMARY**

Following the release of the revised Model Code of Conduct and Administration Procedures for the Model Code of Conduct, a workshop was held with Councillors on 24 January 2019, to explain the key changes.

At the 21 February Council Meeting, Council resolved to place document 250.2016.1.3 Policy Code of Conduct - 2019 Draft Revision out for community consultation. During the consultation period no submissions were received.

The Policy is now being submitted to Council for adoption.

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

**COUNCIL RESOLUTION**

**196/19**

That Council:

- A. Receive and note this report;
- B. Note that no submissions were made during the public exhibition period; and
- C. Adopt 250.2016.1.3 Policy Code of Conduct

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

**Note 30: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

#### 9.4.4 ANSWERS TO QUESTIONS WITHOUT NOTICE

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Secretary Council and 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. Questions with Notice - 16 May 2019 Council Meeting - Updates to End of April 2019 ( <i>Under Separate Cover</i> )
Cost Centre	3120 Governance
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 April 2019.

Master Working Copy - In Progress Councillor Questions for the period ending April 2019 is attached to this report.

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

#### COUNCIL RESOLUTION

197/19

That Council receive and note In Progress Councillor Questions for the period ending April 2019.

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

#### Note 31: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

#### 9.4.5 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Secretary Council and 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. In Progress Actions - Council Meeting 16 May 2019 - Includes all Actions up to end of April 2019 (*Under Separate Cover*)

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 April 2019.

The In Progress Resolution Action Sheet for period ending April 2019 is attached to this report.

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

<b>COUNCIL RESOLUTION</b>	<b>198/19</b>
That Council receive and note the In Progress Resolution Action Sheet Update for the period ending April 2019.	
<b>Moved Councillor Stewart</b>	<b>Seconded Councillor Old</b>
	<b>CARRIED</b>

#### Note 32: Point of Order

Clr Maslin raised a point of order on the basis that it was difficult to go back and forth between business papers and attachments, particularly when documents are large.

Acting Director Corporate and Community Services responded to the point of order and explained that on occasion with the Business Papers being so large, staff have no option but to put large attachments into separate documents.

### 9.4.6 COUNCILLOR FEES FOR THE 2020 FINANCIAL YEAR

Record No:

Responsible Officer: Director Corporate and Community Services

Author: Group Manager Governance

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. Local Government Remuneration Tribunal - Annual Report and Determination 15 April 2019

Cost Centre 3110

Project Councillor Remuneration



## EXECUTIVE SUMMARY

To consider the determination of the Local Government Remuneration Tribunal and set the Mayor and Councillor Fees from 1 July 2019 in accordance with that determination.

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

### COUNCIL RESOLUTION

199/19

That Council

- A. Pursuant to Section 248 of the *Local Government Act 1993*, Council fix the annual fee for Councillors for the period 1 July 2019 to 30 June 2020, as the maximum annual amount determined being \$20,280 per councillor payable monthly in arrears as prescribed by the Act;
- B. Pursuant to Section 249 of the *Local Government Act 1993*, Council fix the annual fee for the period 1 July 2019 to 30 June 2020, as the maximum annual amount determined being \$44,250, for payment to the Mayor subject to the deduction there from of such amounts calculated on a daily pro-rata basis, to be paid to the Deputy Mayor in respect of those periods of time when the Mayor is prevented, by absence, illness or otherwise, from acting in the Office of Mayor and the Deputy Mayor is specifically requested to do so by the Mayor; and
- C. Authorise the expenditure in the 2020 Financial Year Budget with funding to be provided from cost centre 3110.

Moved Councillor Stewart

Seconded Councillor Old

CARRIED

### Note 33: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

## 9.4.7 QUARTERLY BUDGET REVIEW STATEMENT (QBRS) TO MARCH 2019

Record No:

Responsible Officer:	Director Corporate and Community Services
Key Direction:	4. Leadership Outcomes
Delivery Plan Strategy:	11.2 Council utilises sound fiscal management practices, pursues and attracts other sources of income
Operational Plan Action:	11.2.2 Provision of statutory reporting enables our leaders to make decisions on Council's financial sustainability
Attachments:	1. Quarterly Budget Review - March 2019
Cost Centre	4010 Financial Services

## EXECUTIVE SUMMARY

Council adopted its 2019 Operational Plan on the 28 June 2018, including details of Estimated Income and Expenditure.

The quarterly budget review statement for the period ended 31 March 2019 is now reported to Council.

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

**COUNCIL RESOLUTION**

**200/19**

That Council

- A. Receive the quarterly budget review statement (QBRS) for the period ended 31 March 2019
- B. Authorise the adjustments to the Council's budgeted Income & Expenditure, Capital Expenditure and Cash & Investments as shown in the QBRS.

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

**Note 34: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 174/19 above as there was no challenge by Councillors.

**9.4.8 COUNCIL MEETING SCHEDULE AND PUBLIC FORUM**

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Group Manager Governance
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:	Nil
Cost Centre	3110

**EXECUTIVE SUMMARY**

At the 21 February 2019 ordinary Council meeting resolution 63/19 was adopted to trial one Council meeting per month from April to June 2019. In addition Council will be required to adopt a new Code of Meeting Practice in June 2019.

This report proposes Council maintain one ordinary Council meeting per month ongoing, however to improve the quality of the meetings and community input, changes to the report publication, public forum and Councillor briefing schedules is recommended as a result of the initial trial.

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

**COUNCIL RESOLUTION**

**201/19**

That Council continues with one Council Meeting per month on the third Thursday of every month.

**Moved Councillor Stewart**

**Seconded Councillor Old**

**CARRIED**

**Note 35: Vote Against Committee Recommendation**

Clr Ewart and Clr Corbett requested that their vote against the committee recommendation 201/19 be recorded in the minutes.

**Note 36: 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 Stewart, Seconded: Clr Castellari was:

*“ That Council*

- A. Agree to schedule one ordinary Council meeting per month to be held on the fourth Thursday of the month, commencing at 5.00pm from July 2019; and*
- B. Agree to schedule Public forum on the third Thursday of the month commencing at 5.30pm; and*
- C. Agree to Councillor briefing sessions occurring on the third Thursday of the month commencing at 2.30pm; and*
- D. Agree to the business papers being published on the third Monday of the month.”*

## **10. NOTICE OF MOTION**

### **10.1 NOTICE OF MOTION TO RESCIND A RESOLUTION - SMEC HYDRAULIC MUSEUM**

Record No:

Responsible Officer: General Manager

Author: Councillor Sue Haslingden

Attachments: 1. 16 May 2019 NoM Cr Haslingden

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2. 16 May 2019 NoM Cr Haslingden - Cr Maslin Signature

3. 16 May 2019 NoM Cr Haslingden - Cr Castellari Signature

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Councillor Suzanne Haslingden has given notice that at the Ordinary Meeting of Council on 16 May 2019, she will move the following motion.

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**COUNCIL RESOLUTION**

**202/19**

We hereby give notice of the following motion of rescission:

“That the Council resolution relating to

Minutes No. 163/19

Item No. 10.3

Title SMEC HYDRAULIC MUSEUM

Passed at the Council meeting held on 17 APRIL 2019

**COUNCIL RESOLUTION**

**163/19**

That Council

- A. Fully support the concept of the SMEC Hydraulic Museum
- B. Communicate to the current SMEC working party that Council at present is unable to assign resources to this project given the number of current projects already underway.

**Moved Councillor Haslingden**

**Seconded Councillor Beer**

**CARRIED**

be and is hereby RESCINDED”.

**Notice of Motion:**

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

That Council fully support the concept of the SMEC Hydraulic Fluid Mechanics Museum

**Moved Councillor Haslingden**

**Seconded Councillor Castellari**

**CARRIED**

**Note 37: Vote Against Committee Recommendation**

Clr Beer requested that his vote against the committee recommendation 202/19 be recorded in the minutes.

**10.2 NOTICE OF MOTION - SMEC HYDRAULIC FLUID MECHANICS MUSEUM**

**COUNCIL RESOLUTION**

**203/19**

That Council fully support the concept of the SMEC Hydraulic Fluid Mechanics Museum

**Moved Councillor Old**

**Seconded Councillor Maslin**

**CARRIED**

**Note 38: Attendance of Director Operations & Infrastructure**

Director Operations & Infrastructure was absent from the meeting from 6:47PM during Item 10.2 SMEC Hydraulic Fluid Mechanics Museum, returning at 6:50PM during same item

**Note 39: Attendance of Acting Director Corporate and Community Services**

Acting Director Corporate and Community Services was absent from the meeting from 6:47PM during Item 10.2 SMEC Hydraulic Fluid Mechanics Museum, returning at 6:50PM during same item

## 11. URGENT NOTICE OF MOTION

### 11.1 AUSTRALIAN DEFENCE FORCE REQUEST TO USE COUNCIL ROAD FOR EVALUATION EXERCISE.

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Roads Safety Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.3 Advocate and work with other levels of government, community and industry to improve outcomes
Delivery Program Objectives:	10.3.1 Council connects, recognises, advocates and works in collaboration with all leaders across the community and beyond our boundaries
Attachments:	1. ADF Exercise - Rockwell Road Berridale
Cost Centre	1802 Transport Infrastructure (Operations)
Project	Snowy Monaro Local Traffic Committee

#### EXECUTIVE SUMMARY

A request has been received from Australian Defence Forces to use Rockwell Road Berridale for a training exercise to evaluate the capabilities of newly acquired helicopter. This would be similar to an exercise held in 13<sup>th</sup> March 2019.

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

#### COUNCIL RESOLUTION

204/19

That Council approves the ADF exercise to be conducted on Rockwell Road Berridale on 11th June, 12th June and 13th June with the following conditions:

- A. Approval from the Local Traffic Committee be obtained;
- B. The ADF be responsible for providing information to the affected residents, addressing any concerns raised, and
- C. The ADF be responsible for obtaining any permissions required to land any helicopter or other aircraft on an owner's property.

**Moved Councillor Old**

**Seconded Councillor Maslin**

**CARRIED**

#### Note 40: Point of Order

Mayor Rooney raised a point of order on the basis that Clrs were not in Committee while discussing the above item.

## 12. MAYORAL MINUTES

### 12.1 MOTION OF THANKS TO AGED CARE STAFF

#### COUNCIL RESOLUTION

205/19

Mayor Rooney and Councillors would like to extend its thanks to the Aged Care Staff on their efforts in the last 6 months to address the compliance requirement of the Aged Care Authority.

**Moved Mayor Rooney**

**Seconded Councillor Haslingden**

**CARRIED**

### 13. QUESTIONS WITH NOTICE

#### 13.1 JINDABYNE MEDICAL CENTRE

Councillor Peter Beer

Question: Can the car parking surface area of the Centre be repaired as the potholes are now considered by some users as being dangerous, "nearing the size of Lake Jindabyne"?

#### 13.2 POPLAR TREES IN BERRIDALE

Councillor Peter Beer

Question: Can an updated report be provided to Council on the safety of the poplar trees along the main road that were to be removed by the former Snowy River Shire Council?

Recently once such tree fell and some of the public are concerned regarding safety issues.

#### 13.3 WATER AND SEWER ACCOUNTS

Councillor Peter Beer

Question: Can a meeting of the Water and Sewer Committee be held to consider addressing the current unrest of property owners regarding the increase of the water and sewer charges?

To date no meeting of this Committee has been held since it was formed months ago.

#### 13.4 ACKNOWLEDGEMENT OF OLYMPIANS FROM JINDABYNE

Councillor Brian Old

Question: Can Council look at a way to show acknowledgement of Olympians. Maybe a plaque on the footpath?

#### Note 41: Adjournment of Meeting

At 7:03PM the meeting adjourned for a dinner break

#### Note 42: Resumption of Meeting

The meeting resumed at 7:29PM

### 14. CONFIDENTIAL MATTERS

#### COUNCIL RESOLUTION

206/19

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:

##### 14.1 Accrued Interest and Legal Fees on Unpaid and Outstanding Rates

Item 14.1 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.

##### 14.2 Replacement of Council's Volvo L70D Wheel Loader. Plant number 9449

Item 14.2 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.

**14.3 Shared Path Detail Design to Murrumbidgee River Reserve**

Item 14.3 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.

**14.4 Legal Actions and Potential Claims Against SMRC as at 30 April 2019**

Item 14.4 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.

**14.5 Endorsement of General Manager's Performance Agreement.**

Item 14.5 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.

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 Maslin**

**Seconded Councillor Ewart**

**CARRIED**

**Note 43: 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 44: Confidential Session of Committee**

At 7:29PM the meeting was closed to the press and public.

**Note 45: Resumption of Open Committee Meeting**

At 8:27PM the Closed Session ended and the Council meeting continued in Open Session.

## 15. REPORT FROM CONFIDENTIAL SESSION

### 14.1 ACCRUED INTEREST AND LEGAL FEES ON UNPAID AND OUTSTANDING RATES

**COUNCIL RESOLUTION** **207/19**

That Council adopt Option A within the body of this report.

**Moved Councillor Ewart** **Seconded Councillor Corbett** **CARRIED**

### 14.2 REPLACEMENT OF COUNCIL'S VOLVO L70D WHEEL LOADER. PLANT NUMBER 9449

**COUNCIL RESOLUTION** **208/19**

That Council approve the following:

- A. To purchase the Volvo L60F from CJD Equipment Pty Ltd for \$260,000 excluding GST ;
- B. Retain Plant 9449 (Volvo L70D) to assist Resource and Waste Management department operations;
- C. Approve additional funding of \$39,978 from waste reserves; and
- D. Dispose of Plant 3041 via auction with a reserve set at \$5,000

**Moved Councillor Stewart** **Seconded Councillor Old** **CARRIED**

### 14.3 SHARED PATH DETAIL DESIGN TO MURRUMBIDGEE RIVER RESERVE

**COUNCIL RESOLUTION** **209/19**

That Council

- A. Receive and note the update on the proposed shared path detailed design;
- B. Authorise Council staff to continue negotiation of an easement with impacted private land owners and expend all funds necessary, from within the existing project grant funds, to secure easements where required on private property, including compensation of impacted landowners on an equitable basis where required

**Moved Councillor Ewart** **Seconded Councillor Corbett** **CARRIED**

#### **Note 46: Attendance of Councillor Last**

Councillor Last left the meeting at 7:58PM during Item 14.2 – Replacement of Council's Volvo L70D Wheel Loader. Plant number 9449 for the duration of the meeting.

### 14.4 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 30 APRIL 2019

**COUNCIL RESOLUTION** **210/19**

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 30 April 2019 report.

**Moved Councillor Beer** **Seconded Councillor Corbett** **CARRIED**



**14.5 ENDORSEMENT OF GENERAL MANAGER'S PERFORMANCE AGREEMENT.**

<b>COUNCIL RESOLUTION</b>	<b>211/19</b>
That Council endorse the General Manager's Performance Agreement as recommended by Council's Performance Review Panel	
<b>Moved Councillor Castellari</b>	<b>Seconded Councillor Beer</b>
<b>CARRIED</b>	

**Note 47: Attendance of General Manager**

General Manager was absent from the meeting from 8:05PM during Item 14.5 - Endorsement of General Manager's Performance Agreement, returning at 8:35PM at conclusion of item.

**Note 48: Attendance of Director Operations & Infrastructure**

Director Operations & Infrastructure was absent from the meeting from 8:05PM during Item 14.5 - Endorsement of General Manager's Performance Agreement, returning at 8:35PM at conclusion of item.

**Note 49: Attendance Secretary Council & Committees**

Secretary Council & Committees was absent from the meeting from 8:05PM during Item 14.5 - Endorsement of General Manager's Performance Agreement, returning at 8:35PM at conclusion of item

**Note 50: Attendance of Acting Director Corporate and Community Services**

Acting Director Corporate and Community Services was absent from the meeting from 8:05PM during Item 14.5 - Endorsement of General Manager's Performance Agreement, returning at 8:35PM at conclusion of item

**Note 51: Attendance of ICT Manager**

ICT Manager was absent from the meeting from 8:05PM during Item 14.5 - Endorsement of General Manager's Performance Agreement, returning at 8:35PM at conclusion of item

There being no further business the Mayor declared the meeting closed at 8:27PM.



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 16 May 2019 were confirmed by Council at a duly convened meeting on 20 June 2019 at which meeting the signature hereon was subscribed.