



**SNOWY MONARO**  
REGIONAL COUNCIL

# **BUSINESS PAPER**

**PUBLIC EXHIBITION COPY**

**Ordinary Council Meeting  
17 April 2019**

## **CONFLICTS OF INTEREST**

A conflict of interest arises when the Mayor or Council staff are influenced, or are seen to be influenced, in carrying out their duties by personal interests. Conflicts of interest can be pecuniary or non-pecuniary in nature.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of a financial gain or loss.

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

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

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

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

## **COUNCIL CODE OF CONDUCT**

The Council Code of Conduct is a requirement of Section 440 of the Local Government Act 1993, which requires all councils to have a code of conduct to be observed by the Mayor, members of staff and delegates of the Council attending a Council meeting or a meeting of a committee of Council.

The code of conduct sets out the responsibilities of the Mayor and Council employees attending a Council meeting or a meeting of a committee of Council. The code also sets out how complaints against a Council employee, the Mayor or General Manager are to be made.

## **COUNCIL CODE OF MEETING PRACTICE**

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

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### **Acknowledgement of Country**

Council wishes to show our respect to the First Custodians of this land the Ngarigo, Walgalu, Ngunnawal and Bidjahal people and their Ancestors past and present.

### **Webcasting**

*Council meetings are recorded and live streamed to the internet for public viewing. By entering the Chambers during an open session of Council, you consent to your attendance and participation being recorded and streamed on Councils website [www.snowymonaro.nsw.gov.au](http://www.snowymonaro.nsw.gov.au)*

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

**ON WEDNESDAY 17 APRIL 2019  
COMMENCING AT 5.00PM**

**BUSINESS PAPER**

- 1. OPENING MEETING**
- 2. ACKNOWLEDGEMENT OF COUNTRY**
- 3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**
- 4. CITIZENSHIP CEREMONIES**
- 5. DISCLOSURE OF INTEREST**  
(Declarations also to be made prior to discussions on each item)
- 6. MATTERS DEALT WITH BY EXCEPTION**
- 7. CONFIRMATION OF MINUTES**
  - 7.1 Ordinary Council Meeting held on 21 March 2019
  - 7.2 Closed Session of the Ordinary Council Meeting held on 21 March 2019
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<i>Item 13.1 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial</i>	



*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.*

13.2 Tender Approval for Contract for Provision of Street, Shopping Centre and Toilet Cleaning Services Jindabyne

*Item 13.2 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

13.3 Legal Actions and Potential Claims Against SMRC as at 31 March 2019

*Item 13.3 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.*

13.4 Consultancy Fees for the Year Ended 30 June 2018

*Item 13.4 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

13.5 Approval to Write Off Excessive Water Usage Charges on Rural Water Service Connection

*Item 13.5 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.*

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## 8.1 DA4107/2018 NBN TELECOMMUNICATIONS FACILITY

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. Letter to Mayor and Councillors (<i>Under Separate Cover</i>)</li><li>2. Response to Additional Consultation (<i>Under Separate Cover</i>)</li><li>3. Letter to neighbour regarding alternative site (<i>Under Separate Cover</i>)</li><li>4. Draft Conditions of Consent (<i>Under Separate Cover</i>)</li><li>5. Revised Planning Report - 40m tower (<i>Under Separate Cover</i>)</li><li>6. Photomontages - 60m tower (<i>Under Separate Cover</i>)</li><li>7. Full Construction Plans (<i>Under Separate Cover</i>)</li><li>8. Plans showing location of approved dwellings and building envelopes on adjoining properties</li><li>9. Objections 1 &amp; 2 (<i>Under Separate Cover</i>)</li><li>10. Objection 3 (<i>Under Separate Cover</i>)</li><li>11. Objections 4 &amp; 5 (<i>Under Separate Cover</i>)</li><li>12. Submissions in favour of development (<i>Under Separate Cover</i>)</li><li>13. Applicants Response to Submissions (<i>Under Separate Cover</i>)</li><li>14. Vegetation Assessment (<i>Under Separate Cover</i>)</li><li>15. CASA Response (<i>Under Separate Cover</i>)</li><li>16. Application Form (<i>Under Separate Cover</i>)</li></ol>

Further Operational Plan Actions:

CSP Community Strategy: 9.3 Our Region has access to effective telecommunication infrastructure and services

Applicant Number:	DA4107/2018
Applicant:	Visionstream Pty Ltd C/ Katherine Klouda Po Box 5452 WEST END QLD 4101
Owner:	Ms Emma R Borderie
DA Registered:	7/02/2018
Property Description:	11 DP245722

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Property Number:	108244
Area:	Area of lot 11 – 40.47 hectares Area of proposed development – 120sqm
Zone:	E3 – Environmental Management
Current Use:	Residential
Proposed Use:	Telecommunications tower in addition to existing dwelling house
Permitted in Zone:	Yes under the provisions of State Environmental Planning Policy (Infrastructure) 2007 ('ISEPP')
Recommendation:	That the development be approved with conditions

## INTRODUCTION

This application was originally presented to the Council meeting of 6 December 2018.

At that meeting Council resolved to defer the determination, Resolution 551/18 being:

*"That Council defer consideration of this matter pending a more substantial response from the applicant, Vision Stream, in response to community concerns."*

In response to that resolution, Ericsson Australia (on behalf NBN Co) had undertaken further consultation and a report as to the outcome was provided to Council at its meeting of 21 March 2019 (refer attachments 2 and 3).

At its meeting of 21 March 2019, Council resolved as follows (Resolution 104/19):

- A. Defer DA4107/2018B Telecommunications to the earliest possible meeting, pending further information on the current house sites, both future and present, a clear explanation on the EME Reports, and the effect on adjoining properties.
- B. A site visit be organised for interested Councillors.

Further information is included below in regards to the location of house sites and a further explanation of the EME reports and the effect of the development on adjoining properties.

Further correspondence was received from Ericson on 4 April 2019 and addressed to the Mayor and Councillors (attached as item 1). Ericson have indicated that depending on the outcome of the meeting, an appeal will be considered (which is an option available regardless), or satellite-based services would be allocated, which would not be the preferred outcome from a community perspective.

A site visit was organised for Councillors on 11 April 2019.

As was reported to the Council meeting of 21 March 2019, the response from Ericson following their further consideration of matters raised (and in response to resolution 551/18) was that the existing proposed site (the subject of this application) is the most desirable from the applicant's point of view.

The reasons provided by Ericsson are listed in attachment 2, and summarised as follows:

*In summary, the enclosed report makes the following significant findings:*

- There is currently no existing electricity supply to the site at lot 31. A new power network extension including new power lines will be required to make power available to the lot. The closest existing power source is located approximately 2.6km away.*
- in one scenario, creation of power easements across a crown road would be required, and this is a process with a prohibitive timeframe causing significant delays of up to 2 years. Alternatively, extending the power network along the crown road was also considered (removing the requirement for easements). This would increase the length of the network extension and amount of vegetation clearing required.*
- overhead power is often the preferred option in areas of rocky terrain, but it requires a minimum 20m wide corridor, resulting in an even greater amount of vegetation clearing – up to 48,000m<sup>2</sup> worth of trees and undergrowth. We consider this to be an unacceptable environmental outcome.*
- underground power works are estimated at \$967,500 assuming no rock trenching required, or up to \$1.5 Million if rock is encountered.*
- both solutions require the removal of a significant amount of vegetation to clear a 2-metre wide corridor. This removal includes the impact on understorey vegetation. Dependent on the solution chosen, the amount of vegetation to be cleared could be as large as 5000-7000m<sup>2</sup>.*
- access track upgrade costs for the alternative at lot 31 are significant, with an estimate of \$244,000, Versus \$18,200 for the site of the current application.*
- in summary, the suggested alternative is likely to cost in excess of an additional \$1,000,000. Such a cost cannot be justified and is outside of the parameters set by nbn for the establishment of a fixed wireless facility.*
- whilst there are several benefits to the suggested alternative site at lot 31, which are outlined in the enclosed report, these do not compensate for the very substantial cost of siting the facility in a relatively remote location.*

The applicant wishes to proceed with the current development application as it was originally submitted.

Council requested a copy of the written response from the neighbour's solicitor, however, Ericson advised that they were not provided with permission to release it. The matters raised in the response from the neighbour's solicitor are stated as being considered in the Ericson response.

As such the following report refers to the location of the tower as originally proposed by the applicant.

The report as resubmitted to Council on 21 March 2019 is reproduced but also includes additional information, as follows:

- Inclusion of the correspondence from Ericson dated 4 April 2019 as attachment 1;
  - Inclusion of attachments 2 and 3 (these were included in the 21 March report but numbered as attachments 1 and 2, but were not part of the 6 December 2018 report);
-

- An expanded commentary regarding the EME information in the section titled “Principle 3: Health standards for exposure to radio emissions will be met” and shown in **BOLD** text; and
- additional images and commentary under the heading: “*Visual Impacts of the Development and Location of approved (unconstructed) dwellings and building envelopes on adjoining properties*”.

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

## EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the erection of a fixed wireless facility broadband (NBN Co) telecommunications facility at Wollondibby Road Crackenback. The development will consist of a 40.7 m lattice structure with associated ancillary components including two outdoor units enclosed within a secure compound of 120m<sup>2</sup>. The site was one of three identified for the erection of the structure and was chosen based on NBN requirements. The tower will provide broadband communications to areas that current do not have access to this type of internet provision.

The application was notified and advertised and five (5) objections were received from owners and prospective purchases of land surrounding the tower. In addition to the five (5) objections Council received ten (10) submissions in support of the development.

Due to the visually prominent location of the tower and issues raised in the objections the applicant reduced the overall height of the tower from 60m to 40.7m in an effort to minimise its impact. The visual impact of the development and the impact of the structure on native flora and fauna has been considered as part of this report.

It is recommended that the development be approved subject to attached conditions of consent.

## RECOMMENDATION

That

- Pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that the consent for Telecommunications facility on Lot 11 DP 245722 Ph Thredbo, is granted subject to conditions attached.
- Any person who made a submission is notified according to the regulations.

## BACKGROUND

Council received an application for the construction of a fixed wireless facility on land zoned E3 (Environmental Management) under the Snowy River Local Environmental Plan 2013 (SRLEP). The facility was proposed to be a 60m high lattice tower with ancillary components including two outdoor units and would be enclosed within an approximately 120sqm secure compound.

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The application was lodged by Vison stream on behalf of the NBN. The planning report accompanying the application detailed the three sites investigated for the erection of the tower and the final site chosen and the reasons why.

The application received five (5) objections when notified and these led to the applicant reducing the size of the tower from 60m to 40.7m to minimise its visual impact.

The revised 40.7m plans associated planning report have been included as attachments to this report.

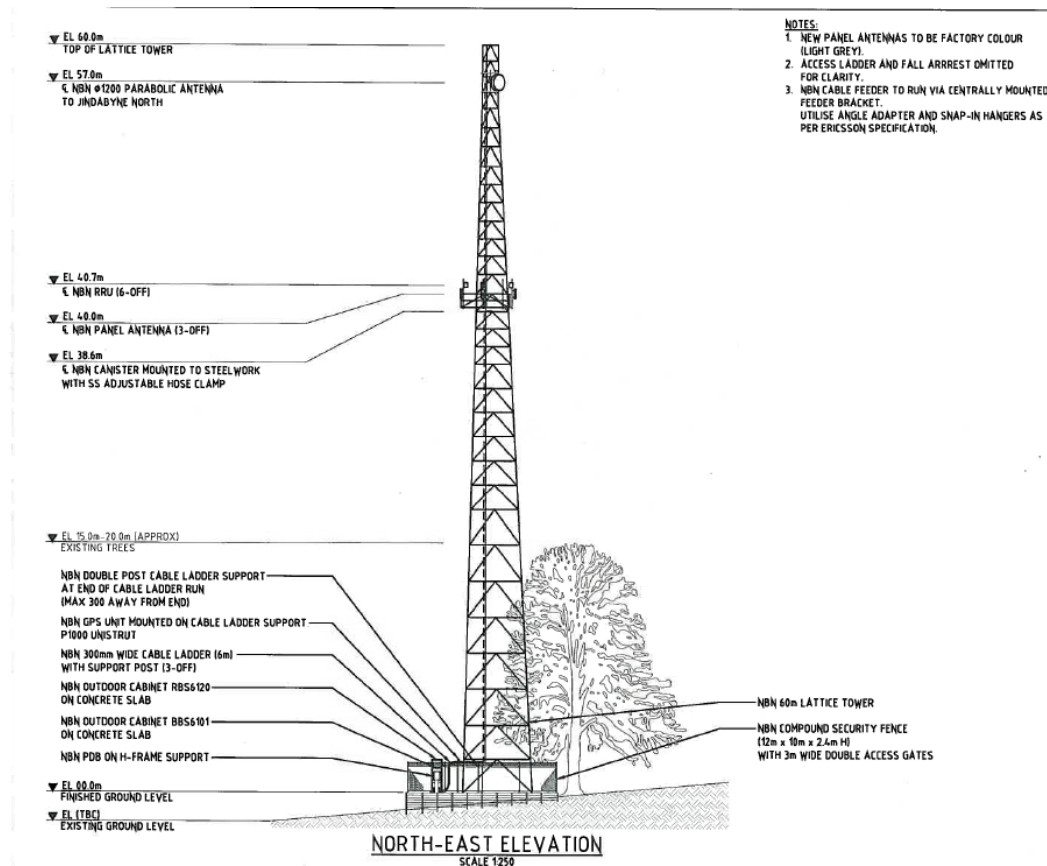


Figure 1 – proposed 60m tower elevation

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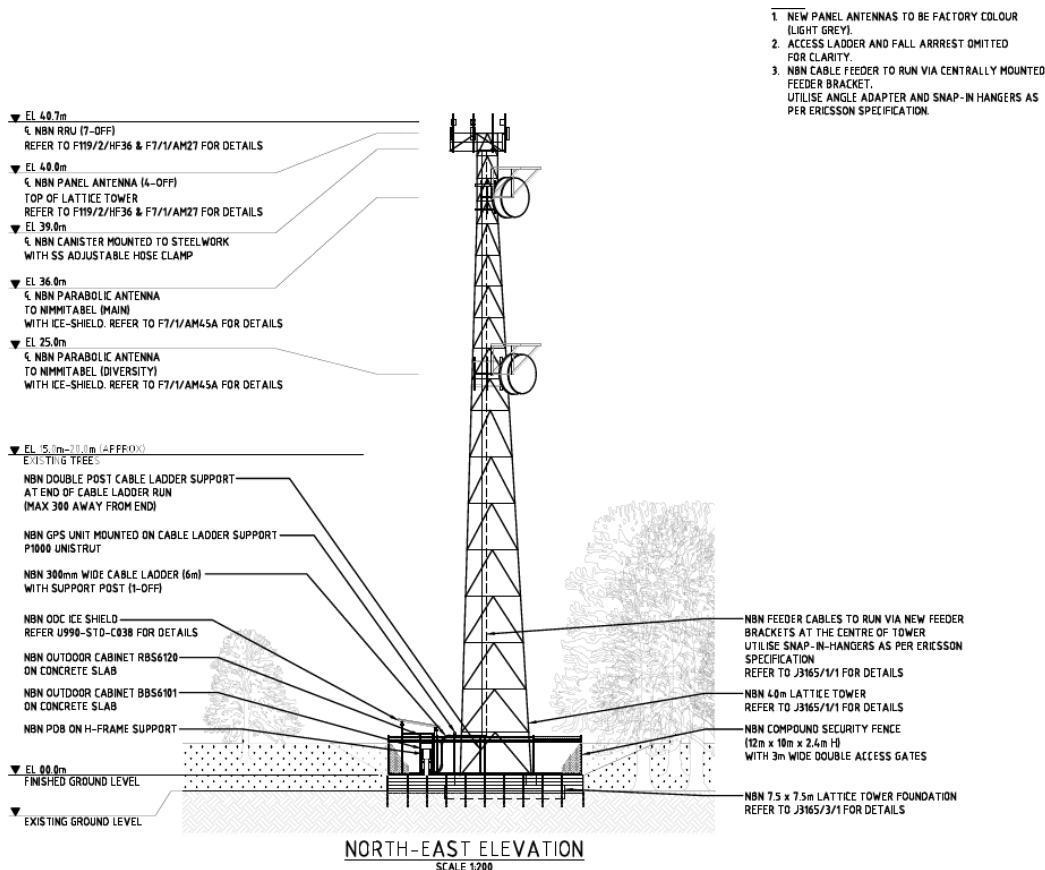


Figure 2 – Proposed 40.7m tower elevation

At the December 6 2019 Council meeting the following resolution was adopted by Council:

“That Council defer consideration of this matter pending a more substantial response from the applicant, Vision Stream, in response to community concerns.”

The applicant Vision Stream and Ericsson for NBN Co have undertaken further consultation with neighbours and a report has been presented to Council in response to this resolution. The response from Ericsson is attached to this report. The response provided by NBN Co analyses the alternate site proposed by submitters. The neighbouring land owner was contacted and a response received by Ericsson from the neighbour. This response from the neighbour has not been presented to Council but has been considered in the report attached.

### 3.0 ASSESSMENT UNDER SECTION 4.15 OF EP&A ACT

The following report is an assessment of development application having regard to those matters to be considered under section 4.15 of the EP&A Act 1979 which are:

- (a)(i) the provisions of any environmental planning instrument
- (a)(ii) the provision of any draft environmental planning instrument
- (a)(iii) an development control plan
- (a)(iiia) any planning agreement or draft planning agreement
- (a)(iv) any matters prescribed by the regulations



- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality
- (c) the suitability of the site for the development
- (d) any submissions made in accordance with this Act or the regulations
- (e) the public interest

### **3.1 The suitability of the site for the development**

#### **The Subject Site**



**Figure 3 – Aerial View of the lot with approximate location of the structure and existing residence.**

The subject site is an approximately 120sqm area within a 40.47 hectare lot (lot 11). The proposed tower site and the existing residence are located in the southern corner of the allotment adjacent to the access road for the property and an access to adjoining allotments which are approved for residential use but are currently vacant.

The NBN investigated three sites within lot 11 and determined that the subject site was most appropriate due to the existing access road which would minimise vegetation disturbance and its elevation of 1394m AHD which would meet the NBN coverage objectives.

The visual impact of the proposed structure on the adjoining properties and the Eastern Approaches to the Alpine Way will be discussed further in the body of the report.



## Previous Development History

DA0159/2012	Dwelling House
DA4107/2018	Telecommunications facility
MOD0040/2015	Change design of dwelling
OSSM4016/2017	Domestic OSSM Install

## 3.2 The provisions of any environmental planning instrument

### State Environmental Planning Policies

The proposal has been assessed against the provisions of all known SEPP's and the development has been found to achieve an acceptable level of compliance.

SEPP (Vegetation in Non-Rural Areas) 2017	<p>The SEPP applies as the subject land is zoned E3 – Environmental Management</p> <p>The trees to be removed to facilitate the development will not require a separate permit from Council for their removal is ancillary to this development approval.</p> <p>Whilst the application was received prior to the commencement of the Biodiversity Conservation Act 2016 an assessment has been carried out to determine the amount of native vegetation to be removed and it is less than the 1 hectare biodiversity offsets scheme threshold allowable for the land.</p> <p>The vegetation to be removed is not considered to be non-protected regrowth or groundcover</p>
SEPP (Infrastructure) 2007 (ISEPP) Division 21 Telecommunications and other communication facilities	<p>The development is defined as a telecommunications <i>facility</i> under the ISEPP 2007. In accordance with clause 115 (1) of the ISEPP the development is permitted with consent on any land in NSW.</p> <p>115 (3) requires that before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines concerning site selection, design, construction or operating principles for telecommunications facilities that are issued by the Secretary for the purposes of this clause and published in the Gazette.</p> <p>The guidelines referred to in this clause are the <i>NSW Department of Planning - NSW Telecommunications Facilities Guideline (2010)</i></p> <p>Consideration of these principles is outlined below.</p>

### NSW Telecommunications Facilities Guideline (2010)

The site selection, design, construction and operation of telecommunication facilities in NSW if carried out under clause 114 or 115 of Infrastructure SEPP must be consistent with the principles set out in this Guideline.

<b><u>Chapter 2 – Site Selection, Design, Construction and Operation Principles for Telecommunications Facilities</u></b>	
<b>2.2 The Principles</b>	
<b>Principle 1: A telecommunications facility is to be designed and sited to minimise visual impact.</b>	
<p>(a) As far as practical, a telecommunications facility that is to be mounted on an existing building or structure should be integrated with the design and appearance of the building or structure.</p> <p>(b) The visual impact of telecommunications facilities should be minimised, visual clutter is to be reduced particularly on tops of buildings, and their physical dimensions (including support mounts) should be sympathetic to the scale and height of the building to which it is to be attached, and sympathetic to adjacent buildings.</p> <p>(c) Where telecommunications facilities protrude from a building or structure and are predominantly backgrounded against the sky, the facility and their support mounts should be either the same as the prevailing colour of the host building or structure, or a neutral colour such as grey should be used.</p>	<p>These requirements relate to the mounting of a facility to an existing building. Due to the locality in which the tower is proposed there are no suitable buildings on which to erect the facility. As such requirements (a) – (c) are not applicable</p>
<p>(d) Ancillary facilities associated with the telecommunications facility should be screened or housed, using the same colour as the prevailing background to reduce its visibility, including the use of existing vegetation where available, or new landscaping where possible and practical.</p>	<p>The proposed ancillary equipment will be housed in outdoor units which are proposed to be dull metallic grey by the applicant. An alternative colour palate is proposed as a draft condition of consent to allow the base of the structure and the ancillary buildings to blend better with the environment is proposed.</p>
<p>(e) A telecommunications facility should be located and designed to respond appropriately to its rural landscape setting.</p>	<p>The facility has been located to take advantage of an area of the site which has cleared for access tracks and an existing residence. As such clustering of the new development in the area of the site which is already developed and not extending in to the undeveloped heavily vegetated areas of the site.</p>
<p>(f) A telecommunications facility located on, or adjacent to, a State or local heritage item or</p>	<p>The facility is not located adjacent to a state or local heritage item or heritage conservation area.</p>

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within a heritage conservation area, should be sited and designed with external colours, finishes and scale sympathetic to those of the heritage item or conservation area.	
(g) A telecommunications facility should be located so as to minimise or avoid the obstruction of a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land	<p>The location of the tower will be within the view of adjoining and surrounding proposed dwellings and building envelopes. With respect to the proposed approved dwellings the area of view is expansive and there are view corridors that can be utilised to minimise the impact of the tower when the dwellings are constructed. There is also the opportunity that the developer of the approved dwellings will chose to modify the design to allow for the new infrastructure in the landscape.</p> <p>The proposed structure is within the Eastern Approaches to the Alpine Way Scenic protection area as described in the SRLEP 2013. The impact of the structure on this area will be considered further in the body of the report.</p> <p>The applicant has provided photo montages of the proposed structure and due to its distance from the Alpine Way whilst it will be visible its impact will be lessened as a result.</p> <p>The properties surrounding the proposed tower are large in size and allow for expansive vistas from the approved dwelling sites and building envelopes.</p> <p>The tower base will be visible when using the access roads to the approved dwelling sites and building envelopes as a mitigation measure an amended colour palate that blends with the environment will be required to be submitted and approved by Council as a condition of consent.</p>
(h) The relevant local government authority must be consulted where the pruning, lopping, or removal of any tree or other vegetation would contravene a Tree Preservation Order applying to the land or where a permit or development consent is required.	Tree preservation orders are not applicable under current NSW planning legislation. Any trees proposed to be removed will be done so in accordance with the draft conditions of consent.
(i) A telecommunications facility that is no longer required is to be removed and the site restored, to a condition that is similar to its condition before the facility was constructed.	Not applicable
(j) The siting and design of telecommunications facilities should be in accordance with any relevant Industry Design Guides.	The facility is being sited and erected in accordance with the provisions of relevant state and federal legislation.
<b>Principle 2: Telecommunications facilities should be co-located wherever practical.</b>	

<p>(a) Telecommunications lines are to be located, as far as practical, underground or within an existing underground conduit or duct.</p> <p>(b) Overhead lines, antennas and ancillary telecommunications facilities should, where practical, be co-located or attached to existing structures such as buildings, public utility structures, poles, towers or other radio-communications equipment to minimise the proliferation of telecommunication facilities and unnecessary clutter.</p> <p>(c) Towers may be extended for the purposes of co-location.</p> <p>(d) The extension of an existing tower must be considered as a practical co-location solution prior to building new towers.</p> <p>(e) If a facility is proposed not to be co-located the proponent must demonstrate that co-location is not practicable.</p> <p>(f) If the development is for a co-location purpose, then any new telecommunications facility must be designed, installed and operated so that the resultant cumulative levels of radio frequency emissions of the co-located telecommunications facilities are within the maximum human exposure levels set out in the Radiation Protection Standard.</p>	<p>Not applicable as the proposal does not include telecommunication lines</p> <p>N/A as Co-location is 'not practicable' where there is no existing tower or other suitable telecommunications facility that can provide equivalent site technical specifications including meeting requirements for coverage objectives, radio traffic capacity demands and sufficient call quality.</p> <p>In this case there is no such facility to co-locate with.</p>
<p><b>Principle 3: Health standards for exposure to radio emissions will be met.</b></p>	
<p>(a) A telecommunications facility must be designed, installed and operated so that the maximum human exposure levels to radiofrequency emissions comply with Radiation Protection Standard. Refer also to Appendix D.</p>	<p>The applicant has provided evidence that the proposed installation will comply with the Australian Communications and Media Authority (ACMA) regulatory arrangement with respect to electromagnetic radiation exposure levels.</p> <p><b>The Environmental EME Report for the site dated 16/04/2018 was prepared for the 40m tower and applies to the application as it is presented to Council.</b></p> <p><b>The report states that:</b></p> <p><b><i>The maximum EME Level calculated for the proposed systems at the site is 2.4V/m; equivalent to 15.26mW/m<sup>2</sup> or 0.15% of the public exposure limit.</i></b></p> <p><b>The existing dwelling (which is located on lot</b></p>

	<p><b>11 the same lot as the proposed facility) has been determined by the EME report to be subjected to 0.014% of the APRANSA public exposure limit.</b></p> <p><b>The maximum exposure limit determined by the EME report for the facility is located at a distance of 216.14m from the antennas. This maximum exposure is 0.15% of the public exposure limit.</b></p> <p><b>Further explanation of EME is provided by the applicant in the attachment "Applicant's response to submissions"</b></p>
<p>(b) An EME Environmental Report shall be produced by the proponent of development to which the Mobile Phone Network Code applies in terms of design, siting of facilities and notifications. The Report is to be in the format required by the Australian Radiation Protection Nuclear Safety Agency. It is to show the predicted levels of electromagnetic energy surrounding the development comply with the safety limits imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard, and demonstrate compliance with the Mobile Phone Networks Code.</p>	<p>The applicant has provided a report to demonstrate compliance with this requirement and that the EME exposure levels from this site have been calculated in accordance with the ARPANSA predication methodology and report format.</p>
<p><b>Principle 4: Minimise disturbance and risk, and maximise compliance</b></p>	
<p>(a) The siting and height of any telecommunications facility must comply with any relevant site and height requirements specified by the <i>Civil Aviation Regulations 1988</i> and the <i>Airports (Protection of Airspace) Regulations 1996</i> of the Commonwealth. It must not penetrate any obstacle limitation surface shown on any relevant Obstacle Limitation Surface Plan that has been prepared by the operator of an aerodrome or airport operating within 30 kilometres of the proposed development and reported to the Civil Aviation Safety Authority Australia.</p> <p>(b) The telecommunications facility is not to cause adverse radio frequency interference with any airport, port or Commonwealth Defence navigational or communications equipment, including the Morundah Communication Facility, Riverina.</p>	<p>The application has been referred to CASA and they have no additional requirements for the facility.</p> <p>The applicant has addressed this in their planning report and no interference is expected.</p>
<p>(c) The telecommunications facility and ancillary</p>	<p>The development will be conditioned to ensure it is</p>

8.1 DA4107/2018 NBN TELECOMMUNICATIONS FACILITY

facilities are to be carried out in accordance with the applicable specifications (if any) of the manufacturers for the installation of such equipment.	carried out in accordance with applicable specifications. The development requires a construction certificate and this will need to be issued prior to commencement of works
(d) The telecommunications facility is not to affect the structural integrity of any building on which it is erected.	N/A
(e) The telecommunications facility is to be erected wholly within the boundaries of a property where the landowner has agreed to the facility being located on the land.	The development is proposed to be erected within the property and a survey will be carried out to ensure compliance prior to construction. The application form has been signed by the owner of the land and a site meeting conducted by Council officers confirmed that the facility is being located with the approval of the owner of the land.
(f) The carrying out of construction of the telecommunications facilities must be in accordance with all relevant regulations of the Blue Book – ‘Managing Urban Stormwater: Soils and Construction’ (Landcom 2004), or its replacement.	The development will be required to have appropriate sediment and erosion control.
(g) Obstruction or risks to pedestrians or vehicles caused by the location of the facility, construction activity or materials used in construction are to be mitigated.	The proposal is proposed to be erected on private land with no adjacent pedestrian access.
(h) Where practical, work is to be carried out during times that cause minimum disruption to adjoining properties and public access. Hours of work are to be restricted to between 7.00am and 5.00pm, Mondays to Saturdays, with no work on Sundays and public holidays.	Conditions of consent will restrict the hours of construction.
(i) Traffic control measures are to be taken during construction in accordance with <i>Australian Standard AS1742.3-2002 Manual of uniform traffic control devices – Traffic control devices on roads</i> .	n/a
(j) Open trenching should be guarded in accordance with Australian Standard Section 93.080 – Road Engineering AS1165 – 1982 – Traffic hazard warning lamps.	n/a
(k) Disturbance to flora and fauna should be minimised and the land is to be restored to a condition that is similar to its condition before the work was carried out.	The NBN are proposing offset planting for the vegetation to be removed. A condition of consent regarding this planting is proposed to ensure screen and offset planting is carried out appropriately and with Council approval
(l) The likelihood of impacting on threatened species and communities should be	It is considered that the development will not have an adverse impact on the predicted threatened

identified in consultation with relevant state or local government authorities and disturbance to identified species and communities avoided wherever possible.	species on site.
(m) The likelihood of harming an Aboriginal Place and / or Aboriginal object should be identified. Approvals from the Department of Environment, Climate Change and Water (DECCW) must be obtained where impact is likely, or Aboriginal objects are found.	The applicant has completed an AHIMS search which indicates no evidence of aboriginal cultural heritage on the site. A condition of consent is proposed that will require all works to cease should any indigenous cultural heritage be found on the site.
(n) Street furniture, paving or other existing facilities removed or damaged during construction should be reinstated (at the telecommunications carrier's expense) to at least the same condition as that which existed prior to the telecommunications facility being installed.	The development is not within a public streetscape however a condition of consent is proposed that will require any damage to the right of carriageway used for access to be rectified prior to the issue of the occupation certificate.

## **Chapter 7 - Development Permitted With Consent**

### **7.1 SPECIFIC REQUIREMENTS**

Table 4 provides a list of specific requirements for telecommunications facilities that are Permitted With Consent in clause 115 of SEPP Infrastructure.

#### **TABLE 4 SPECIFIC DEVELOPMENT PERMITTED WITH CONSENT REQUIREMENTS**

(1) Development for the purposes of telecommunications facilities, other than development in clause 114, or development that is exempt development under clause 20 or 116, may be carried out by any person with consent on any land.	The development complies
(2) To the extent that the development under this clause involves the erection of an aerial cable, the erection of the cable must be consistent with the Cable Networks Code.	Not applicable
(3) Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines concerning site selection, design, construction or operating principles for telecommunications facilities that are issued by the Director-General for the purposes of this clause and published in the Gazette.	Guidelines considered above

- The subject land is zoned: E3 Environmental Management
- Definition of land usage: telecommunications facility
- The proposal is not permissible in the E3 zone however it is permissible with development consent from Council pursuant to SEPP Infrastructure 2007.
- The proposal is considered to be consistent with the aims and objectives of the plan as it provides for essential infrastructure for the community to grow and has been reduced in size so as to minimise its visual impact.


In the assessment of this application, the following special provisions from SRLEP 2013 are of relevance and have been assessed for compliance:


Provision	Response/Acceptable Solution
<b>PART 3 Exempt and Complying Development</b>	The development is not complying or exempt
<b>PART 4 Principal development standards</b>	
Clause 4.1 Minimum subdivision lot size	No subdivision is proposed
Clause 4.1AA Minimum subdivision lot size for community title schemes	N/A
Clause 4.1A Minimum lot size for dual occupancies, multi dwelling housing and residential buildings in certain rural and residential zones	N/A
Clause 4.1B Exceptions to minimum subdivision lot sizes for certain residential development	N/A
Clause 4.1C Lot averaging subdivisions in zone R5	N/A
Clause 4.2 Rural Subdivision	N/A
Clause 4.2A Subdivision of land in zone E3	No Subdivision proposed
Clause 4.2B Minimal subdivision lot size for strata plan schemes in certain rural, residential and environment protection zones	N/A
Clause 4.2C Exceptions to minimal subdivision lot sizes for certain rural subdivision	N/A
Clause 4.2D Erection of dwelling houses and dual occupancies on land in certain rural, residential and environment protection zones	N/A
Clause 4.3 Height of building (1) The objectives of this clause are as follows: (a) to ensure that buildings are compatible with the height, bulk and scale of the existing and	The nature of the development means that it will not be compatible with the height bulk and scale of the existing and desired future character of the locality. However, it is required to be



<p>desired future character of the locality,</p> <p>(b) to minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas and the public domain, including parks, streets and lanes,</p> <p>(c) to minimise the adverse impact of development on heritage items.</p> <p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p>	<p>tall in order to be functional and this is why such structures have been excluded from the definition of “building height”. This is not considered a “building” in the traditional sense.</p> <p>The development whilst tall is a lattice tower which is not solid in nature. It is being located on a 40hectare allotment of land which is surrounded by other 40 hectare allotments. It will have no impact on privacy or solar access however it will be visible in the landscape. Whilst it is visible from adjoining land it is not “blocking” a view due to the nature of the structure and the expansive views that can be gained from the surrounding properties.</p> <p>There are no heritage items in proximity of the development that will be impacted.</p> <p>The development proposed is 40.7m in height as such it exceeds the allowable height limit of 9m as shown on the height of buildings map.</p> <p>Under the Dictionary in the LEP building height <u>excludes</u> the following from the definition:</p> <p>Communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.</p> <p>As such the development does not need to meet the maximum height limit required by the LEP.</p> <p><b>Snowy River LEP 2013 – definition of building height:</b></p> <p>building height (or height of building) means:</p> <p>(a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or</p>
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	<p>(b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,</p> <p>Including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.</p>
Clause 4.4 Floor space ratio	N/A
Clause 4.5 Calculation of Floor Space Ratio	N/A
Clause 4.6 Exception to development standards	<p>Whilst the development does not comply with the maximum height limit for buildings, it is a structure that is excluded from the definition of building height. As such no 4.6 variation is required as the standard is not one that applies in this case.</p>
<b>PART 5 Miscellaneous provisions</b>	
Clause 5.1 Relevant acquisition authority	N/A
Clause 5.2 Classification and reclassification of public land	N/A
Clause 5.3 Development near zone boundaries	N/A
Clause 5.4 Controls relating to miscellaneous permissible uses	N/A
Clause 5.5 Development within the coastal zone	N/A
Clause 5.6 Architectural roof features	N/A
Clause 5.7 Development below mean high water mark	N/A
Clause 5.8 Conversion of Fire Alarms	N/A
Clause 5.10 Heritage conservation	<p>An AHIMS search has been undertaken and there is a site on an adjoining allotment of land which is consistent with the application for the erection of the dwelling on lot 11. The location of the proposed tower will not impact on the identified site due to the distance between the two.</p>
Clause 5.11 Bushfire hazard reduction	The development is not required to

	<p>meet “Planning for Bushfire Protection 2006” however the applicant has proposed to create an asset protection zone surrounding the structure. The APZ will include that that is already cleared within an existing electricity easement.</p> <p>The development does not increase the risk of fire in the location.</p>
Clause 5.12 Infrastructure development and use of existing buildings of the crown	N/A
Clause 5.13 Eco-tourism facility	N/A
<b>PART 6 Land release areas</b>	N/A
<b>PART 7 Additional local provisions</b>	
Clause 7.1 Flood planning	N/A – the land is not considered flood prone
<p>Clause 7.2 Terrestrial biodiversity</p> <p>(2) This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map.</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider:</p> <p>(a) whether the development is likely to have:</p> <p>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</p> <p>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</p> <p>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</p> <p>(iv) any adverse impact on the habitat elements providing connectivity on the land, and</p> <p>(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	<p>The land is identified as biodiversity on the Terrestrial Biodiversity Map</p>  <p>A full assessment of the development to determine its impacts on flora and fauna has been carried out below.</p> <p>It has been determined that there will be minimal impact on threatened species and minimal tree clearing when contrasting to the size of the lot and the vegetation that will remain untouched.</p> <p>The development has been designed</p>

<p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>and site and will be managed to avoid any significant adverse environmental impact.</p>
<p>Clause 7.3 Riparian land and watercourses</p>	<p>N/A</p>
<p>Clause 7.4 Wetlands</p>	<p>N/A</p>
<p>Clause 7.5 Active street frontages</p>	<p>N/A</p>
<p>Clause 7.6 Development within the Lake Eucumbene and Lake Jindabyne scenic protection areas</p>	<p>N/A</p>
<p>Clause 7.7 Development within the eastern approaches to Kosciuszko National Park</p> <p>(2) This clause applies to the land identified as “Eastern Approaches to Kosciuszko National Park” on the Scenic Protection Area Map.</p> <p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the development complements the natural beauty of the surrounding area, and</p> <p>(b) the development is compatible with the surrounding natural environment and scenic landscape, and</p> <p>(c) in the case of bed and breakfast accommodation, camping grounds, cellar door premises, eco-tourist facilities, farm stay accommodation, information and education facilities and recreation facilities, the development demonstrates the capacity to be able to operate on a year-round basis, and</p> <p>(d) the development has been designed to prevent any significant adverse visual impact on</p>	<p>The lot is mapped in the Eastern Approaches Scenic protection area:</p>  <p>The applicant has reduced the size of the structure to minimise impact, and provided photo montages of the project (when it was at its 60m height) which show the development whilst visible in the landscape it does not dominate the landscape vista due to its distance from the Alpine Way. Complementing the natural beauty of</p>

the land to which this clause applies, particularly when viewed from the Alpine Way or the eastern approaches.	the area is highly subjective as some of the dwelling structures that may not be to all tastes may fail to achieve this goal. Structures such as these are (like dwelling houses) anticipated to occur in the landscape and would not be out of place in its current location when viewed from the Alpine Way.
Clause 7.8 Serviced apartments	N/A
Clause 7.9 Essential services	The site is serviced by essential services required for use by the development.

The proposal has also been examined in detail against the provisions of Council's LEP and has been found to achieve an acceptable level of compliance.

### **3.3 Provision of any proposed Environmental Planning Instruments**

There are no other proposed environmental planning instruments applying to this site which are relevant to the proposed development.

### **3.4 Any Development Control Plan**

#### **Snowy River Development Control Plan (DCP) 2013**

In the assessment of this application, the following DCP provisions are of relevance and have been assessed for compliance:

<b>A3 Public Notification</b>
The application was advertised and notified in accordance with the provisions of the DCP.
<b>C General planning considerations</b>
<b><u>C2 Design - 1.3 Visual Character Controls</u></b>
<b><u>C2.1-1 Visual Landscape Character Assessment</u></b>
(a) Before granting development consent for development involving the carrying out of any works or building construction, the consent authority must have regard to the likely visual impacts of carrying out the development, including the visual impacts of ancillary uses like driveways and fencing and of the provision of electricity and other services to the site of the development.
(b) When assessing visual impacts of the proposed development consideration must be given to:
<ul style="list-style-type: none"> <li>Important visual features and the landscape character of the site and surrounding</li> </ul>

land;

- Minimising the visual impact of the development on views from public areas, including public roads;
- Reducing the visual impact of driveways and of the provision of services to the development;
- Reducing the visual impact of proposed buildings by ensuring that external finishes are non-reflective and of a colour that blends in with the surroundings; and
- Ensuring fencing and building styles are compatible with the visual character of the area.

Comment:

The site is visually prominent and can be viewed from surrounding properties and the tower itself will be visible from the Alpine Way. The applicant has sought to reduce the visual impact of the development by reducing the height of the tower by almost 20m. The site on which the tower and ancillary development is proposed within an area that is in close proximity to access roads and areas of cleared land which have already been disturbed by residential development approved in the location. Whilst this does not lessen the visual impact of the tower when viewed above the tree line at a distance it does minimise the base structure as it is within an area that has already been developed for access to residential properties.

There are no public roads in close proximity to the development and the applicant has provided photo montages which show the tower as being visible in the landscape but due to its distance from public roads it will be limited to a structure in the distance.

### **C2.1-2 Building on Ridgelines**

(a) A building must not be erected on a ridgeline if the building would be visible from a public place such as an arterial road and appear as a skyline structure from that place or road. However, Council may consent to the erection of a building on a ridge line where:

- The proposed location of the building comprises the only part of the land on which it is proposed to be erected which has reasonable vehicular access to a public road;
- The whole of the land on which it is proposed to be erected is within the ridge line;
- The function and architecture of the building has such significance to the community that, in the Council's opinion, it should stand out as a landmark.

(b) Development shall take into account the topography of the area avoiding significant skylines.

Comment:

The development has been located due to its need to be visible in order to be functional, it has reasonable access to a public road from a right of carriageway. The development is considered to be a part of the modern landscape and not out of place in its location.

<p><b><u>C2.1-4 Development within the Eastern Approaches to Kosciuszko National Park</u></b></p> <p>(a) Development consent must not be granted to development of land in the Eastern Approaches unless the consent authority has considered a visual impact analysis of an appropriate scale clearly showing the potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposed development on the views from the Alpine Way and Kosciuszko Road.</p> <p>(b) Development is to be designed and located so it causes no detriment to the scenic and rural character of land within the Eastern Approaches to Kosciuszko National Park, particularly when viewed from the Alpine Way or the Kosciuszko Road</p>
<p>Comment:</p> <p>The applicant has provided a visual analysis of the development. They have reduced the size of the structure to minimise impact. It is not considered that it intrudes into the landscape nor is it detrimental to the scenic or rural character of the landscape with viewed from the Alpine Way as it is considered part of modern infrastructure of a type now expected in the landscape.</p>
<p><b><u>C2.1-5 Building Design</u></b></p> <p>Comment:</p> <p>It is considered the development complies with the DCP building design provisions, it is of a design that is required to make the structure function for its intended purpose. Additionally structures will be painted a colour to blend with the surrounding landscape.</p>
<p><b><u>C2.1-6 Landscaping</u></b></p> <p>Comment:</p> <p>The development complies with the requirements, landscaping at the base of the tower will be required and a planting offset plan for the trees that will be removed to facilitate the development will be required to be approved by prior to construction certificate.</p>
<p><b><u>C2.1-7 View Sharing</u></b></p> <p>a) All property owners should be able to develop their property within existing planning controls however views should not be substantially affected where it is possible to design to share views.</p> <p>b) The location and design of dwellings and outbuildings must reasonably maintain existing developed view corridors or vistas from the neighbouring dwellings, streets and public open space areas.</p> <p>c) In assessing potential view loss impacts on neighbouring dwellings, retaining existing views from the living areas (living room, dining room, lounge and kitchen) should be given a priority over those obtained from the bedrooms and non-habitable rooms.</p>

<p>d) The design of fences and selection of plant species must minimise obstruction of views from the neighbouring dwellings and the public domain.</p>
<p>Comment:</p> <p>The development is not of a solid bulk, whilst it is large it could not be considered that it “blocks” a view. The applicant has provided an assessment of the development against Tenacity and it is considered reasonable that the structure remain the location proposed, even if it is within view corridors from prospered houses and building envelopes.</p>
<p>C3 Car-parking, Traffic &amp; Access</p> <p>Comment:</p> <p>The development complies with access requirements as it makes use of an existing established right of carriageway to the property which extends from a public road. No specific parking is required for the development.</p>
<p>C7 Natural Hazard Management</p> <p>1.2 Criteria for Development in Bush Fire Prone Areas</p> <p>Comment:</p> <p>The development does not trigger compliance with the provisions of Planning for Bush Fire Protection 2006 (PBP). However the applicant has proposed APZs within the lot boundary for bushfire mitigation.</p>
<p>C8 Environmental Management</p> <p>C8.1-1 Minimising Conflicts – Comment: the development complies</p> <p>C8.3-1 Erosion &amp; Sediment Control – Comment: measures will be required as per conditions of consent</p> <p>C8.3-2 Slopes &amp; Batters – Comment: retaining is proposed for the areas of cut and fill required for the development, engineering requirements will be dealt with in the assessment of the construction certificate for the development.</p> <p>C8.4-1 Weed Management – Comment: the site will be managed for weeds in accordance with requirements. The development does not increase the prevalence of weeds in the location.</p> <p>C8.5-1 Ecological Impacts – Comment: the development complies, this has been addressed in the report below.</p>
<p>C9 Energy &amp; Waste Efficiency, Water Supply &amp; Effluent Disposal</p> <p>Comment: No onsite effluent management is required as there are no toilet facilities proposed on the development site. There are also no requirements for drinking water due to the nature of the development.</p>
<p>C10 Waste management &amp; Recycling</p>



Comment: Waste management during construction will be conditioned on the development consent. It is not considered that the facility will have ongoing waste generation due to the nature of the development.

The proposal has also been examined in detail against the provisions of Council's relevant Development Control Plan (Section 4.15(1)(a)(iii) of the Act) and has been found to achieve an acceptable level of compliance.

### **3.5 Planning Agreement**

There are no planning agreements in place in relation to the proposed development.

### **3.6 Any Matters prescribed by the Regulations (*Environmental Planning and Assessment Regulation 2000*)**

Not applicable

### **3.7 Impacts of the Development – Environmental, Social & Economic**

<b>Access, transport and traffic</b>	
<b>Bushfire Assessment s4.14</b>	The property is considered to be bushfire prone however the structure is not required to comply with the provisions of Planning for Bushfire Protection 2006 nor is it considered a "Special Fire Protection Purpose". This aside the applicant has sought to include asset protection zones (APZs) within the lot to ensure that the development is protected from fire.
<b>Impacts on supply of utilities</b>	The development will not impact on the supply of council utilities such as water or sewer and does not impact on electricity provision in the area. It will however improve access to broadband telecommunications to an area that is currently without a comparable service.
<b>Heritage</b>	No heritage items are listed on the site
<b>Water supply and potential impacts on surface and ground water</b>	The development does not impact on water supply (ground water or surface water).

<b>Air traffic</b>	<p>The application was referred to CASA due to the proximity of the development to the Kosciusko National Park and the Jindabyne Aerodrome. A response was received from CASA that the tower was not considered to be an obstacle. They state that CASA has no authority to recommend that the tower be lit, however the proponent should exercise duty of care to address any potential hazards to low flying aircraft using aerodromes in the vicinity of the proposed tower, which may include the installation of aviation obstacle lighting. Any lighting should be undertaken in consultation with the Jindabyne Aero Club.</p> <p>CASA does not require night obstacle lighting of the proposed tower (unless there are unusual circumstances such as low altitude helicopter traffic in the area for some reason such as night fire control). However CASA would recommend that the tower is relatively conspicuous in daytime in that it contrasts with the background.</p> <p>This information has been forwarded to the applicant for their consideration and a condition of consent will be imposed as per Appendix B of the Department of Planning - NSW Telecommunications Facilities Guideline including broadband 2010 example standard conditions with respect to airspace.</p>
<b>Soils</b>	No impact on soils
<b>Air quality, pollution and microclimate impacts (eg odour)</b>	None evident
<b>Flora and fauna &amp; Consideration of Threatened Species</b>	Consideration of the development on threatened species is undertaken below.
<b>Waste facilities and controls</b>	None apply
<b>Energy efficiency and greenhouse gas emissions</b>	None apply
<b>Noise and vibration</b>	The development is not considered to emit significant noise and or vibration
<b>Safety, security and crime prevention</b>	The development will be fenced to ensure the site is not subject to trespass.

<b>Social impact in locality</b>	The development whilst having a potential visual impact on the immediately adjoining properties, will have an overall a positive social impact for the region due to improved communication capacity. The access to appropriate telecommunications is essential with many people working from home, running businesses in the area and needing reliable broadband for study, business activities, emergency communications, and day to day life. The application has received submissions from residents that will be in the coverage area of the tower and they support the development to allow them to have access to telecommunications that are taken for granted in the town and city areas.
<b>Economic impact in locality</b>	It is acknowledged that the immediate land owners may be impacted by the tower, however the development will have an overall positive economic impact for the coverage areas where access to telecommunications are currently limited. This is supported by the submissions in favour of the tower with many from residents who work from home or run tourism businesses that are currently struggling with existing service provision.
<b>Site and internal design issues</b>	The site is visually prominent however this is factor in siting of such infrastructure. Being in a visually prominent location allows for greater coverage. There are no significant internal design issues.
<b>Impacts during construction</b>	Impacts on existing right of carriageways will be managed through appropriate conditions of consent and the requirement that any damage is rectified prior to the issuing of the occupation certificate.
<b>Cumulative impacts</b>	The impact of the development with respect to EME has been addressed by the applicant and a report provided that the emissions meet the requirements as required by federal legislation. The cumulative impact in aesthetic terms requires a balanced consideration of the broader public interest and benefit of improved communications, which requires additional communications towers. In the absence of an existing structure suitable for co-location, a stand-alone tower is required.
<b>Impact on pedestrian movements and safety</b>	The site is within a private property with no pedestrian linkages
<b>Impacts on aboriginal heritage</b>	The area is not considered to contain items of aboriginal cultural heritage however a condition will be proposed to ensure if any items are found that works would cease immediately and an AHIP be applied for through OEH.

**Visual Impacts of the Development and Location of approved (unconstructed) dwellings and building envelopes on adjoining properties.**

Below are four (4) renderings showing the location of the approved building envelopes and unconstructed approved dwellings on properties adjoining the subject site, (enlarged versions of these figures are reproduced in the attachments).

The indicative dwelling locations are shown as yellow pins and the approximate location of the building envelopes are shown depicted in yellow.

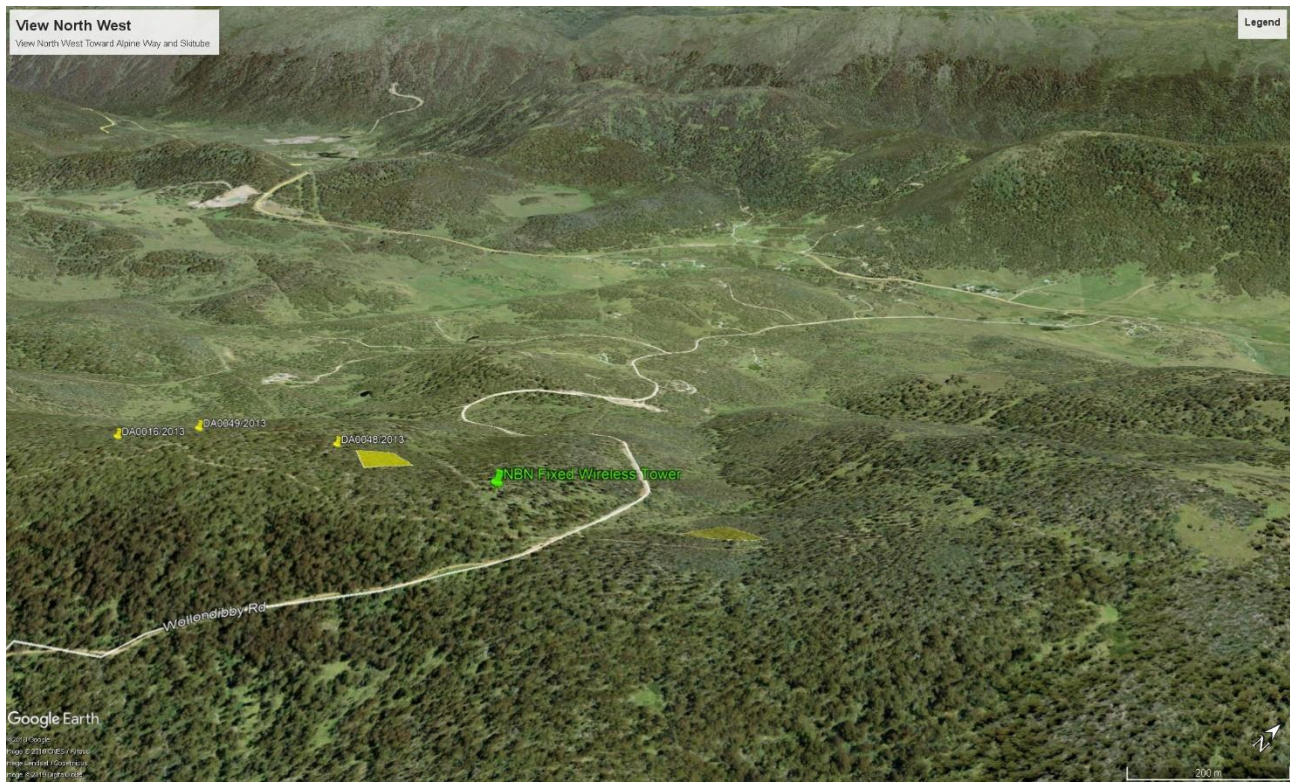
The approved dwelling houses are orientated to gain principle views to the North West and West and not toward the tower situated to the east of these proposed developments. Of the two building envelopes, one (triangular shaped) is lower and it would be expected that any dwelling on the proposed envelope would also be designed to capture the mountain views to the north and north east, in this case the proposed tower is to the south west of the subject envelope. It would also be reasonably expected that a dwelling proposed within the envelope on the lot immediately adjoining lot 11 would be oriented towards the West and North West where the views are to the mountains and the Crackenback Valley.

**1 - Plan View showing the approximate location of approved unconstructed dwellings, building envelopes and the constructed dwelling on lot 11 in relation to lot boundaries and the proposed NBN Facility with 20m contours.**

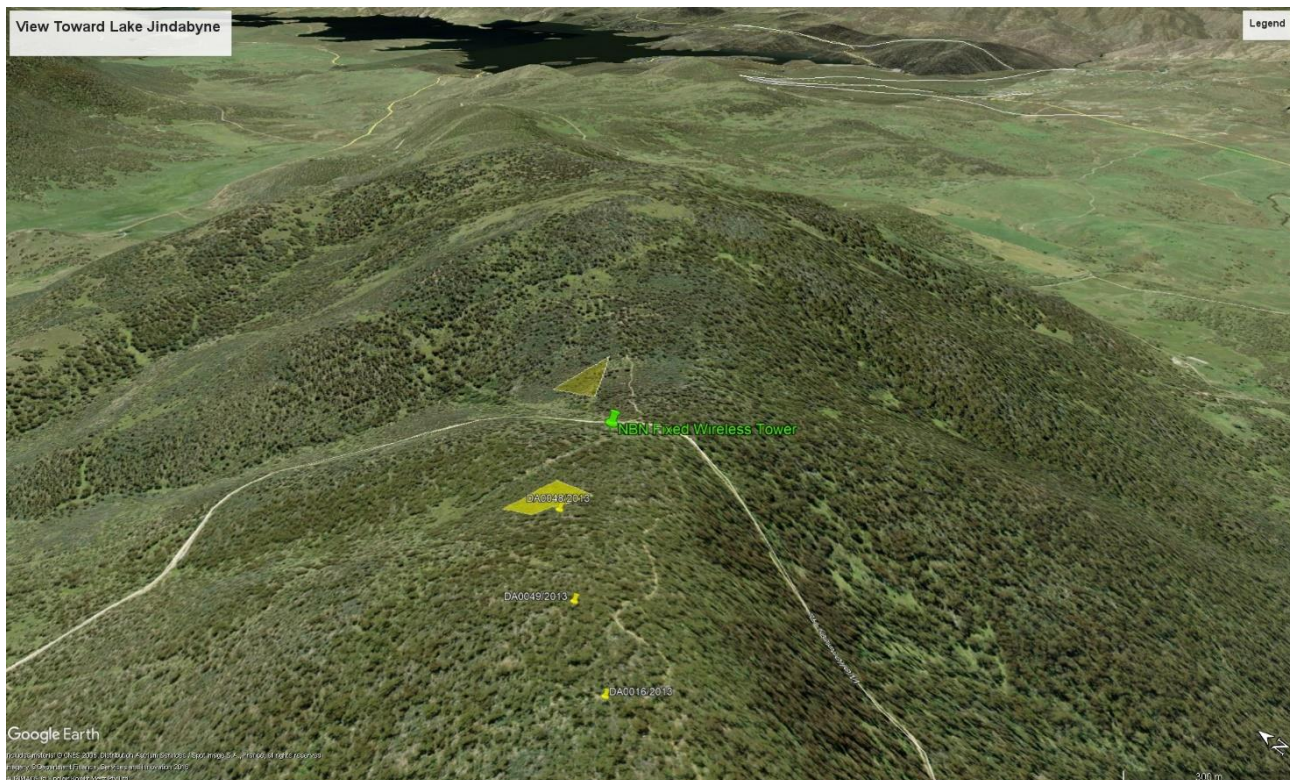




**2. View to the North West toward the Alpine Way, showing the location of the approved dwellings, and building envelopes in relation to the proposed NBN tower.**

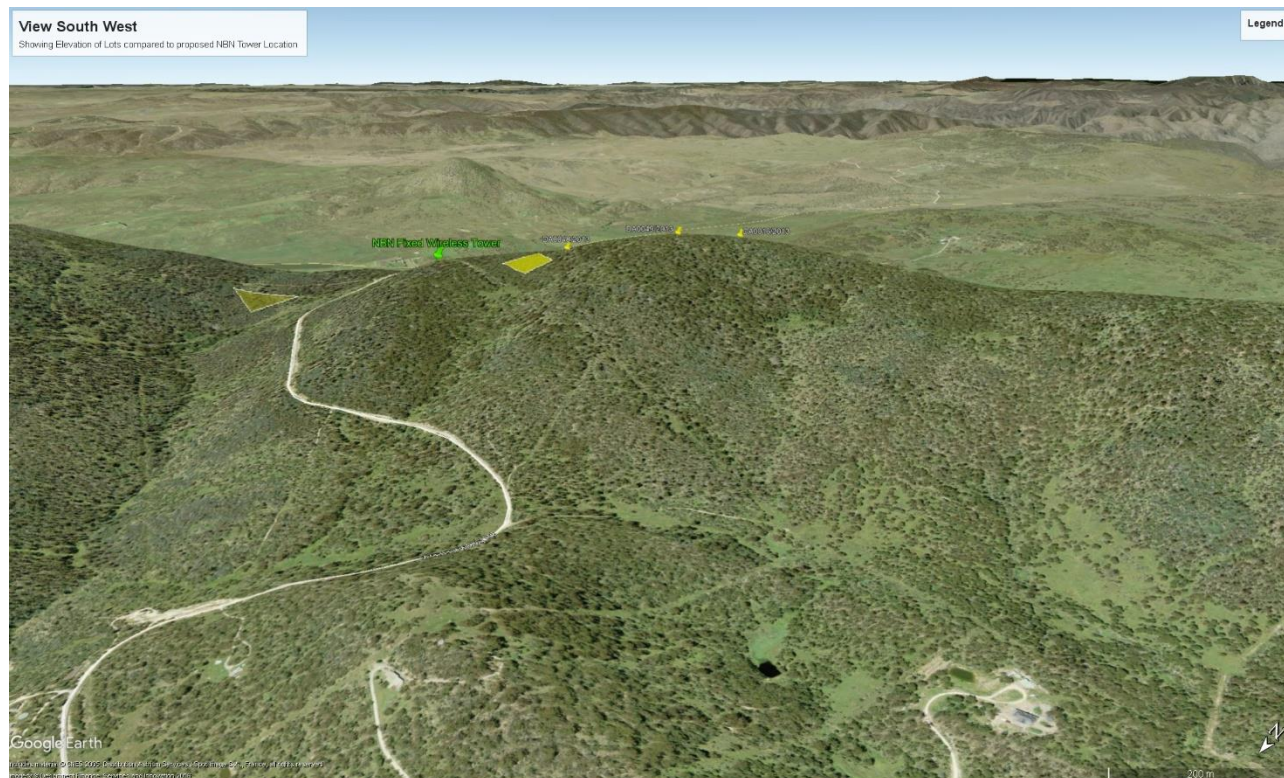


**3 - View toward Lake Jindabyne showing the location of the approved dwellings, and building envelopes in relation to the proposed NBN tower.**





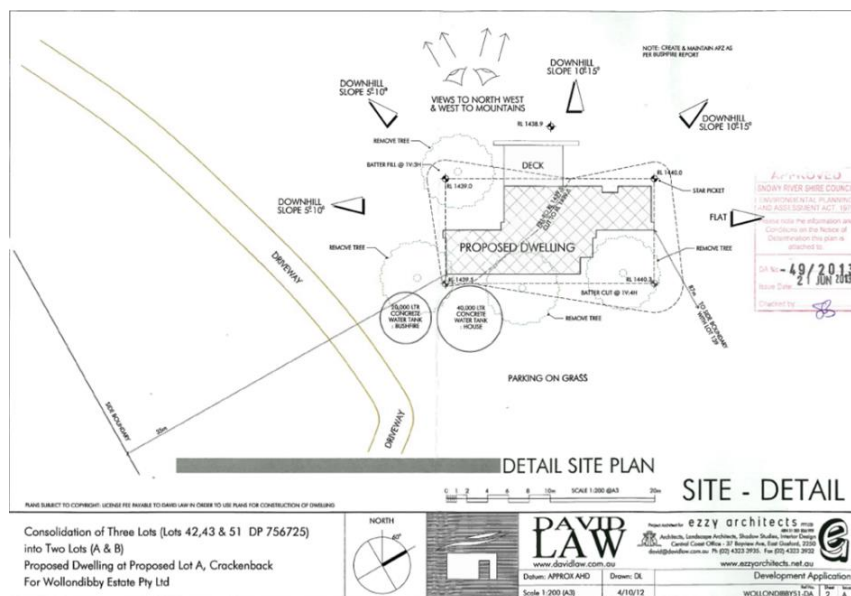
#### 4 – View South West toward the subject sites with Ingebirah in the background



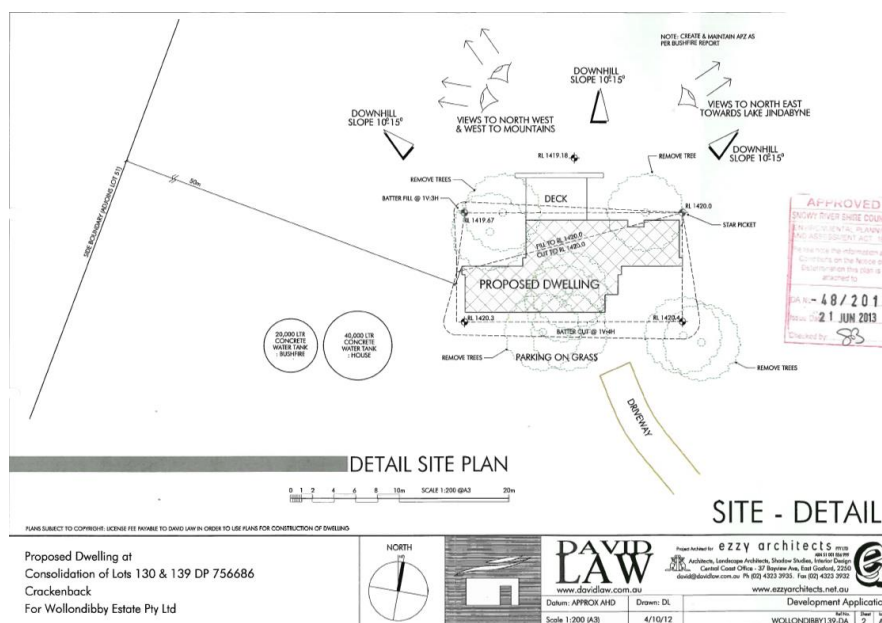
The plans submitted with the development applications for DA0016/2014 & DA0049/2013 were for the same dwelling design and show the buildings orientated to capture views to the North West and West toward the mountains. This is illustrated in the figures above showing the locations of the proposed dwellings and building envelopes looking back toward the Alpine Way. DA0048/2013 is orientated (with the same design) to capture principle views towards the mountains in the West and North West and also some view toward Lake Jindabyne in the North East. The proposed structure is located to the East of these properties with significant vegetation to between to screen the base of the tower.

**Site Detail of Approved dwelling DA0049/2013 which is the same design and orientation as DA0016/2014.**

8.1 DA4107/2018 NBN TELECOMMUNICATIONS FACILITY



**Site Detail of Approved dwelling DA0048/2013 which is orientated to capture views from the North West & West and to the North East toward Lake Jindabyne**

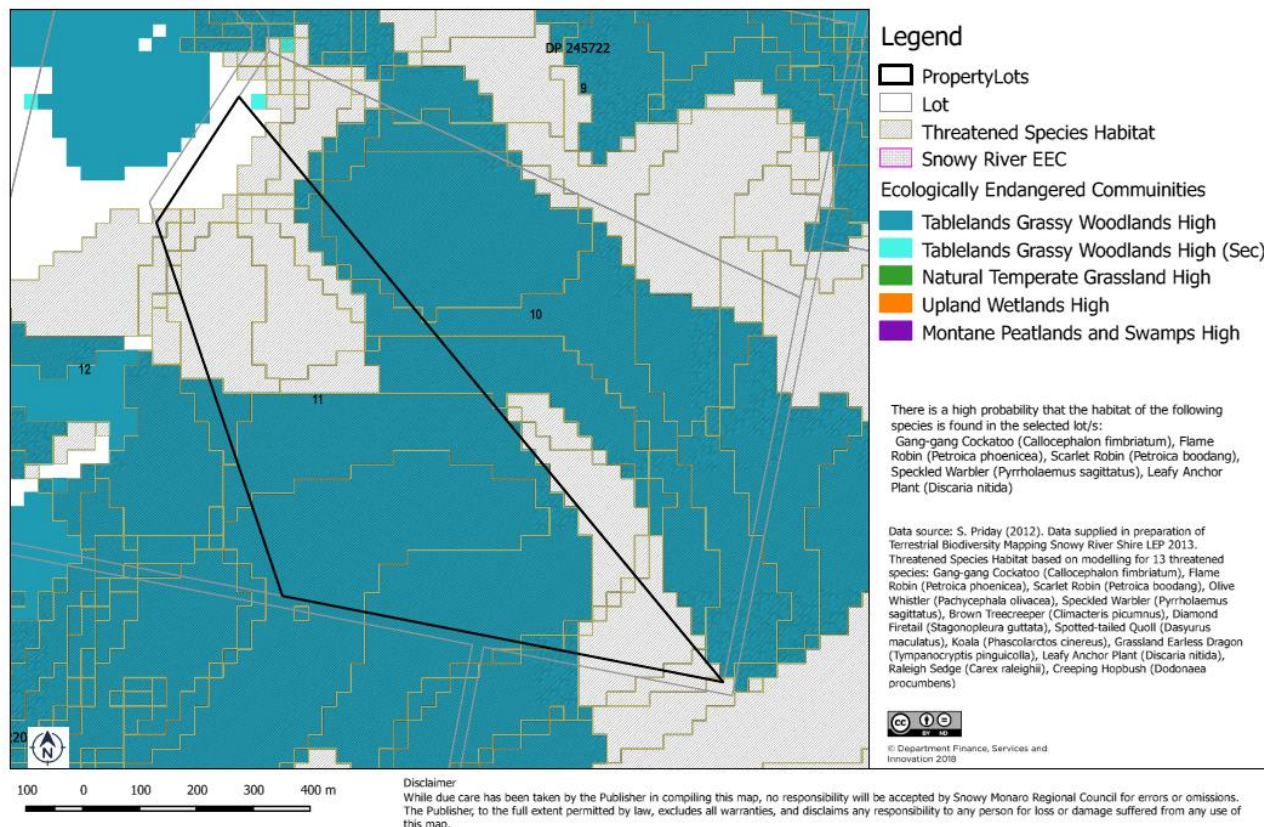




## Consideration of Threatened Species (S.1.7)



### Lot 11 DP 245722 Threatened Spp Habitat and Ecologically Endangered Communities



Council is required under Section 4.15 to make an assessment of whether the proposed development will have a significant impact on any threatened species, populations, or ecological communities, or their habitats, or have an impact on biodiversity values. Such threatened species in NSW may be protected under the *Biodiversity Conservation Act 2016* (BC Act) or under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The assessment process under the EPBC Act can occur outside the NSW planning system and requires input from the Federal Department of Environment. The subject application was received during the transition period of the BC Act and therefore the provisions of the NSW Threatened Species Conservation Act 1995 (TSC Act) apply to this development application

The site is identified as “Biodiversity” on the Terrestrial Biodiversity Map in the SRLEP 2013 and the lot is predicted to contain Tablelands Grassy Woodlands EEC. The applicant has provided a Vegetation Assessment considering the impact of the facility on native vegetation and what will required to be removed in order to facilitate the construction and ongoing maintenance of the tower.

The report provided by the applicant did not identify any plant species listed under the EPBC Act or the TSC Act and did not consider that the vegetation community present was characteristic of any EEC as potentially occurring on the site. This is supported by site inspections and Council mapping which does not identify this area of the site as being EEC.



The report provided by the applicant however did not contain any assessment of potential fauna habitat or impacts of the development on threatened fauna species.

In accordance with Councils predictive mapping, there is a high probability that habitat for the following species is found on the property. The potential impact of the proposed development upon them is also considered in the table below.

Species	Type	Level of threat listed	Particular listed threats to survival	Potential impact of proposal
Gang-gang Cockatoo ( <i>Callocephalon fimbriatum</i> )	Bird	Vulnerable	<p>Loss of breeding and foraging habitat from rural and urban development</p> <p>Loss of key breeding and foraging habitat from intensive wildfire events and inappropriate hazard reduction burns</p> <p>Loss of breeding and foraging habitat from forestry management practices</p> <p>Climate change impacts to habitat suitability and distribution</p> <p>Psittacine cirrovirus disease (PCD)</p> <p>Lack of knowledge of location of key breeding habitat and breeding ecology and success.</p>	<p>While the proposed development will be occurring within the areas identified as potentially containing Gang-gang Cockatoo the proposed development does not involve the removal of any significant timbered vegetation when considering the surrounding land and the balance of the vegetation on lot 11. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
Scarlet Robin ( <i>Petroica boodang</i> )	Bird	Vulnerable	<p>Historical habitat clearing and degradation.</p> <p>Habitat modification due to overgrazing.</p> <p>Reduction of size of remnant patches.</p> <p>Reduction in the structural complexity of habitat, including reductions in canopy cover, shrub cover, ground cover, logs, fallen branches and leaf litter.</p> <p>Reduction of the native ground cover in favour of</p>	<p>The proposed development is sited within an area identified as potentially containing Scarlet Robin.</p> <p>In autumn and winter many Scarlet Robins live in open grassy woodlands and grasslands or grazed paddocks with scattered trees. In this respect it is not considered likely that the site is habitat.</p>

			<p>exotic grasses.</p> <p>Loss of nest sites, food sources and foraging sites, such as standing dead timber, logs and coarse woody debris from depletion by grazing, firewood collection and 'tidying up' of rough pasture.</p> <p>Predation by over-abundant populations of Pied Currawong (<i>Strepera graculina</i>) which are supported by planted exotic berry-producing shrubs; this pressure, in addition to that from other native and exotic predators, may be a potentially severe threat to the breeding success of Scarlet Robin populations.</p> <p>Predation by feral cats (<i>Felis catus</i>).</p> <p>Robbing of nests and predation of fledglings by rats.</p> <p>Isolation of patches of habitat, particularly where these patches are smaller than 10 ha, and in landscapes where clearing has been heavy or where remnants are surrounded by cropping or stock grazing.</p> <p>Habitat for the Scarlet Robin may become unsuitable if dense regeneration occurs after bushfires or other disturbances.</p> <p>Competitive exclusion by over-abundant Noisy Miners (<i>Manorina melanocephala</i>) within habitat.</p>	
Speckled Warbler	Bird	Vulnerable	Due to the fragmented	The proposed

<i>(Chthonicola sagittata)</i>			<p>nature of the populations and their small size the species is susceptible to catastrophic events and localised extinction.</p> <p>Clearance of remnant grassy woodland habitat for paddock management reasons and for firewood.</p> <p>Poor regeneration of grassy woodland habitats.</p> <p>Modification and destruction of ground habitat through removal of litter and fallen timber, introduction of exotic pasture grasses, heavy grazing and compaction by stock and frequent fire.</p> <p>Habitat is lost and further fragmented as land is being cleared for residential and agricultural developments. In particular, nest predation increases significantly, to nest failure rates of over 80%, in isolated fragments.</p> <p>Nest failure due to predation by native and non-native birds, cats, dogs and foxes particularly in fragmented and degraded habitats.</p> <p>Infestation of habitat by invasive weeds.</p> <p>Aggressive exclusion from forest and woodland habitat by over abundant Noisy Miners.</p> <p>Climate change impacts including reduction in resources due to drought.</p>	<p>development is sited within an area identified as potentially containing Flame Robin.</p> <p>However the site is an area that has already been impacted by clearing for construction of buildings and roads. The balance of the land and the surrounding properties are not cleared and have generous woodland coverage (much of this land is mapped as Tablelands Grassy Woodland EEC) which would allow for areas where the key threatening processes are not occurring. As such the removal of a small number of native trees in comparison with the balance of the eland it is unlikely that the proposed development not will result in any of the species key threatening processes.</p>
Flame Robin ( <i>Petroica phoenicea</i> )	Bird	Vulnerable	<p>Clearing and degradation of breeding and wintering habitats.</p> <p>Loss of nest sites, food sources and foraging sites,</p>	<p>The proposed development is sited within an area identified as potentially containing Flame Robin.</p>

			<p>such as standing dead timber, logs and coarse woody debris from depletion by grazing, firewood collection and 'tidying up' of rough pasture.</p> <p>Predation by over-abundant populations of Pied Currawong (<i>Strepera graculina</i>) which are supported by planted exotic berry-producing shrubs; this pressure, in addition to that from other native and exotic predators, may be a potentially severe threat to the breeding success of Scarlet Robin populations.</p> <p>Habitat for the Scarlet Robin may become unsuitable if dense regeneration occurs after bushfires or other disturbances.</p> <p>Competitive exclusion by over-abundant Noisy Miners (<i>Manorina melanocephala</i>) within habitat.</p> <p>Isolation of patches of habitat, particularly where these patches are smaller than 10 ha, and in landscapes where clearing has been heavy or where remnants are surrounded by cropping or stock grazing.</p> <p>Habitat modification due to overgrazing.</p> <p>Reduction of the native ground cover in favour of exotic grasses.</p> <p>Reduction in the structural complexity of habitat, including reductions in canopy cover, shrub cover, ground cover, logs, fallen</p>	<p>However due to the small site area of the proposed development and the large areas of mapped indicative EEC it is not likely that the development will result in any of the species key threatening processes.</p>
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			branches and leaf litter. Reduction of size of remnant patches.	
Leafy Anchor Plant <i>Discaria nitida</i>	Plant	Vulnerable	<p>Fire is a threat to the species as plants are generally killed by even low intensity fires, and post fire recruitment has been observed to be very low.</p> <p>Major flooding events since 2010 have caused significant stream bank erosion and the consequent loss of numerous plants at some sites.</p> <p>Competition from weeds (especially woody weeds such as blackberry, briar rose and willows).</p> <p>Feral horses have recently been observed at sites supporting <i>Discaria nitida</i>. At these sites browsing damage, including breakage of major stems of plants, has been observed.</p> <p>Feral deer have recently been observed at sites supporting <i>Discaria nitida</i>. At these sites browsing damage, including breakage of major stems of plants, has been observed.</p> <p>Loss of local populations.</p> <p>Clearing of habitat on private land is a potential threat.</p> <p>Grazing by domestic stock has the potential to impact those populations on private land.</p>	<p>The proposed development is sited within an area identified as potentially containing Leafy Anchor Plant, however a vegetation study carried out by the applicant did not identify the species within the development site. The habitat of the plant generally occurs on or close to stream banks or rocky areas near waterfalls.</p>

As can be seen from the above table the five species listed are unlikely to be potentially impacted by the proposal. The threatened species website maintained by the Department of Environment and Heritage lists certain actions which need to be taken to recovery a particular threatened species, as it is not considered that the development will impact on threatened species no actions are required.

Part 7 of the *Biodiversity Conservation Regulation 2017* (BC Regulation), sets out the criteria whether proposed development exceeds the biodiversity offsets scheme threshold for the purposes of Part 7 of the Act. Section 7.2 of the BC Regulation details that clearing of native vegetation exceeds the biodiversity offsets scheme threshold if the area proposed to be cleared is the area set out in Column 2 of the Table to this clause opposite the minimum lot size applicable to the land to be cleared in Column 1 of that Table. In this case the maximum clearing allowable is up to 1 hectare. The proposed development when combined with the existing development on site would not trigger this requirement if the application were required to be assessed under the new legislation.

### ***Commonwealth Environment Protection and Biodiversity Conservation Act 1999***

In the event that any development is likely to result in significant impacts upon any species listed under the EPBC Act Council is required to refer such an application to Australian Government's Minister for the Environment.

There are no EPBC Act concerns associated with this site.

### **3.8 Public Submissions**

The proposed development was placed on public exhibition and adjoining landowners were notified in accordance with the provisions of the Snowy River Development Control Plan 2013 for a period of 14 days.

### **Summary of Submissions**

<b>Total Number of submissions</b>	15
<b>Number objecting</b>	5
<b>Number supporting</b>	10

The applicant provided two responses to submissions and these are attached. Below is the officer's consideration of the submissions.

<b>No.</b>	<b>Type</b>	<b>Issues raised in the submission</b>	<b>Officers Consideration</b>
1	Object	<p>a) Facility is in close proximity to residential housing and approved housing envelopes</p> <p>b) Noncompliance with SEPP infrastructure, Code SEPP and NSW Planning Policy Guidelines for Telecommunications Facilities</p> <p>(1) Telecommunications facility should be designed and sited to minimise visual impact</p> <p>(2) Health standards for exposure to radio emissions</p>	<p>a) Whilst the development is in proximity to existing residential buildings and proposed residences it is within the thresholds allowable under EME requirements. The properties adjoining the development will see the tower when travelling to and from their dwellings however these buildings are not yet constructed and the owners may choose to modify the applications to redesign the buildings to reduce the impact. The tower has been reduced in size</p>

		<p>must be met</p> <p>(3) Minimise disturbance and risk and maximise compliance.</p> <p>c) Development will have an impact on threatened species</p> <p>d) Use not permissible in the E3 Zone in the SRLEP and DCP</p> <p>e) Occupational health and safety with respect to EME.</p> <p>f) The objector has proposed an alternative location</p>	<p>from 60 to 40m thereby reducing its impact. The surrounding lots are large in size with generous vistas available to them in the building envelope and building sites. Due to the type of structure proposed whilst it will be in the view shed of the subject properties it could not be considered that it would “block” a view.</p> <p>b) It is considered that the development achieves an acceptable level of compliance with the provisions of the policy and ISEPP .</p> <p>c) An assessment of potential threatened species predicted due to habitat to be on site has been carried out and it is not considered that the development would have adverse impact on any predicted threatened species.</p> <p>d) The development is permissible as per the provisions of the ISEPP.</p> <p>e) The applicant has demonstrated that the facility complies with the EME standards required by federal and state legislation.</p> <p>f) The development application can only be assessed on the site proposed by the applicant alternative sites are not a consideration when assessing the current application.</p>
2	Object	<p>a) The location of the tower should not detract from the amenity and landscape of surrounding bushland</p> <p>b) The proposed height of 60m would be significant and unsightly. A tower of a more moderate height that is in line with the tree line would be more acceptable</p>	<p>a) The development will have a visual impact due to its required size and location. The location was proposed to achieve an optimal level of coverage and was one of three sites investigated by the applicant. However the location of the building in an area that has been developed and that will be a significant distance from the Alpine</p>

			<p>Way and within an area of large rural blocks it is considered that the visual impact of the development is acceptable in its current location.</p> <p>b) The proposed height of the structure has been reduced from 60 to 40 to allow less on its visual impact. It is not possible to place the structure within the tree line as it would impact on its usefulness however the applicant will be required to revegetate at the base of the structure the screen this from the adjoining access track and future residences.</p>
3	Object	<p>a) No community consultation as required by the legislation</p> <p>b) Visual Impact of the tower – both from house sites and when traveling past the base of the tower. Trees to be removed will case the tower to be more visible.</p> <p>c) View loss</p> <p>d) High fire danger and wind has not been addressed. The high winds may cause the tower to fall down.</p> <p>e) Application has failed to address the approved dwellings and building envelopes on the adjoining sites.</p> <p>f) Public health risk from EME – standards are out of date. Possibility of colocation has potential harmful side effects.</p>	<p>a) Community consultation for the development application was carried out in accordance with the requirements of the EP&amp;A Act. Council cannot comment on the consultation NBN Co undertook prior to the lodgement of the application. This is not a planning consideration.</p> <p>b) Whilst trees will be removed to allow for the construction and maintenance of the structure planting will be required as a condition to consent to reduce the visual impact of the base of the structure. The structure by its nature needs to be visible in order to provide an appropriate level of service. It is located in an area with limited residential density and whilst there are building envelopes and dwellings approved on adjoining lots these are not yet constructed and can take into consideration the structure in their final planning.</p> <p>c) Whilst the structure will be visible it cannot be considered to totally remove a view there are large</p>



			<p>vistas that can be utilised by owners when they develop the adjoining properties within the approved building sites.</p> <p>d) The development will be required to be engineered to address wind and there is no requirement for it to comply with standards for bushfire construction. The applicant however is proposing APZs to mitigate the bushfire impact.</p> <p>e) The applicant has addressed the adjoining approved dwellings and building envelopes in their further responses to the submissions.</p> <p>f) The applicant has demonstrated that the facility complies with the EME standards required by federal and state legislation. The applicant has further addressed this aspect of the submission in their responses including technical specifications and information.</p>
4	Object	<p>a) Impacts on visual and scenic amenity and view loss</p> <p>b) Inadequate public consultation</p> <p>c) Asset protection zone within Crown Land Reserve</p> <p>d) Potential to relocate to lot 31</p> <p>e) Factual errors in the reporting</p>	<p>a) Whilst the structure will be visible it cannot be considered to totally remove a view there are large vistas that can be utilised by owners when they develop the adjoin properties within the approved building sites. The development is within the Eastern Approaches Scenic Protection area however due to the distance from the structure to the Alpine Way it is considered that the impact will be minimal. The applicant has provided photo montages to demonstrate what the development will look like from surrounding areas including the Alpine Way.</p> <p>b) Community consultation for the development application was carried out in accordance with the</p>

			<p>requirements of the EP&amp;A Act. Council cannot comment on the consultation NBN Co undertook prior to the lodgement of the application. This is not a planning consideration.</p> <p>c) The APZ has been moved to within the site.</p> <p>d) The development application can only be assessed on the site proposed by the applicant alternative sites are not a consideration when assessing the current application. Should an adjoining land owner wish to contact the applicant independently to negotiate a change in location that is not a consideration of Council and a new application would be required to be assessed for this new location.</p> <p>e) The errors were acknowledged and amended by the applicant they however are not a reason for refusing the application</p>
4	Object	<p>Additional submission by submitter number 4 in response to the revised SEE and response to submissions submitted by the applicant:</p> <p>a) The revised SEE and response does not respond to the tower location being close to the extent of dwellings and subdivision lots approved for future dwellings</p> <p>b) Visual impact and view loss</p> <p>c) Potential to relocate – no one has contacted the land owner to discuss relocation.</p> <p>d) EME Health and Safety, document refers to Kurrajong not Crackenback</p> <p>e) APZ of 30m x32m cannot be</p>	<p>a) The applicant has addressed the concerns regarding the location of the tower to neighbouring properties.</p> <p>b) The visual impact and view loss has been considered and it is deemed with the amended height it is appropriate for the location</p> <p>c) Not a planning matter, there is no legal requirement under the EP&amp;A Act to require an applicant to contact an adjoining property to propose an alternate location for the structure.</p> <p>d) The applicant has apologised for the typographical error but the response to EME is still valid.</p> <p>e) The APZ has been reduced to</p>

		<p>accommodated in the subject property.</p> <p>f) That the authors of the documents are providing false and misleading information.</p>	<p>ensure it is within the property boundary.</p> <p>f) The comments were forwarded to the applicant for reference. The applicant has advised Council that they have provided their information on good faith and to the best of their knowledge.</p>
5	Object	<p>a) Survey suggests no houses in 3.2km radius to the site there are 4 day approvals within 400m of the tower and two dwellings within 50m</p> <p>b) Studies on maps are old and not current</p> <p>c) Sites suitable are available on lot 139 and 131 that do not impede dwellings.</p> <p>d) Effects of long term exposure to EME is a major concern up to 500m</p>	<p>a) Applicant has revised the original planning report and has addressed the location of buildings as part of their response to submissions.</p> <p>b) As above</p> <p>c) The application before Council is for a development on lot 11 and these alternative lots are not part of the assessment.</p> <p>d) The applicant has demonstrated that the facility complies with the EME standards required by federal and state legislation. The applicant has further addressed this aspect of the submission in their responses including technical specifications and information.</p>
12	Support	<p>Resident of Abington Park</p> <p>a) no mobile phone service and limited data services</p> <p>b) tower will give access to improved telecommunications</p>	<p>The 10 submissions in favour of the development have a common theme that in order to achieve an appropriate level of service, being one expected by most residents in populated areas, not only for domestic use but for also for business, educational and emergency purposes, that a new tower is needed. The impact of the development on a small number of adjoining neighbours must be weighed against the broader public interest and benefit of providing telecommunication infrastructure that is appropriate for the current time.</p>
13	Support	<p>Resident of Monckton Road</p> <p>Presently run a small business from home and have high school children waiting for much needed community infrastructure</p>	
14	Support	<p>Resident of Abington Park</p> <p>Support for the tower to boost region's digital reception capability which is currently at a low standard.</p>	
15	Support	<p>Resident of the Alpine Way</p> <p>Support for the development as it will allow for better access for home based</p>	

8.1 DA4107/2018 NBN TELECOMMUNICATIONS FACILITY

		business and school work  Unable to obtain any fixed line internet and satellite and 4G is at a high cost and is unreliable.	
16	Support	Resident of Moonbah  Support for the application due to need for better internet communication	
17	Support	Resident of Abington Park  Support for the development as it will aid in working from home	
18	Support	Resident of Moonbah  The development would provide needed data options to homes in Crackenback, Moonbah and Grosses Plain	
19	Support	Home owner Abington Park  Supports the development as was forced to move due to poor telecommunications infrastructure at property in Abington Park.	
20	Support	Resident Alpine Way  express strong support for the installation of a communications tower on the Wollondibby Road  Run a business on the Alpine Way and need better access to telecommunications for both business and guests.  Safety issue due to poor telecommunications in the area.  Concern that only a handful of people can stop the many businesses that operate on the Alpine Way from greatly improving the functioning of their business.	
21	Support	Resident of Westons Road  Support for the development due to limited access to telecommunications  Appreciates that the tower may have a visual impact but this access to	

		reasonable internet is essential to many people	
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### **3.9 The public interest**

The proposal is not contrary to the public interest as it will provide a level of service which is currently not available to a large number in the community. Whilst there are visual impacts of the development it is considered on balance that they are acceptable when looking at the larger public interest of approving the development.

### **5.0 CONCLUSION:**

The Snowy Monaro Regional Council is the consent authority for this application.

It is considered that the proposed development generally complies with the relevant provisions of Section 4.15 of the Act, LEP, DCPs and Policies and it is generally aesthetically, economically, socially and environmentally acceptable having regard to the surrounding natural & built environment. Accordingly, approval is recommended subject to the imposition of the conditions of consent.

### **QUADRUPLE BOTTOM LINE REPORTING**

#### **1. Social**

Whilst the development will have an impact on adjoining properties and it will be visual in the landscape it is a piece of social infrastructure that is lacking of a larger portion of the community. The community benefit of having services delivered to the community is great and far reaching as can be seen by the letters of support from the community. In this case the impact of the development on a small number of adjoining neighbours must be weighed against the public good of providing telecommunication infrastructure to the wider community. The application was deferred by Council at its meeting 6/12/18 so that the applicant could address neighbours' concerns including the potential for an alternative location for the facility. The applicant has address this alternative location in the response attached.

The application was deferred again at Council's meeting of 21 March 2019. Additional information has been included in the report in response, and a site visit was arranged for 11 April 2019.

#### **2. Environmental**

Whilst there are environmental impacts with the development these can be managed and must be considered in the context of the larger site and surrounding area. The development complies with the EME requirements of federal and state legislation. Tree removal which is required for the development to proceed will be limited due to its location, the location was chosen to minimise tree removal as the access to the site is already established.

#### **3. Economic**

The is a positive economic impact on the wider community as the development will allow for wireless broadband telecommunications to a broader section of the community. Allowing for telecommuting, home businesses and existing businesses to run more efficiently and effectively.

#### **4. Civic Leadership**

The number of submissions did not require referral of this DA to Council under the policy adopted in February. However, it is considered that due to the nature of the development and the divergent views expressed in submissions (both for and against), that this matter be referred to Council for determination. The application was deferred when first presented to Council in December 2018 the applicant has provided information in response to the Council resolution and that information is attached to this report.

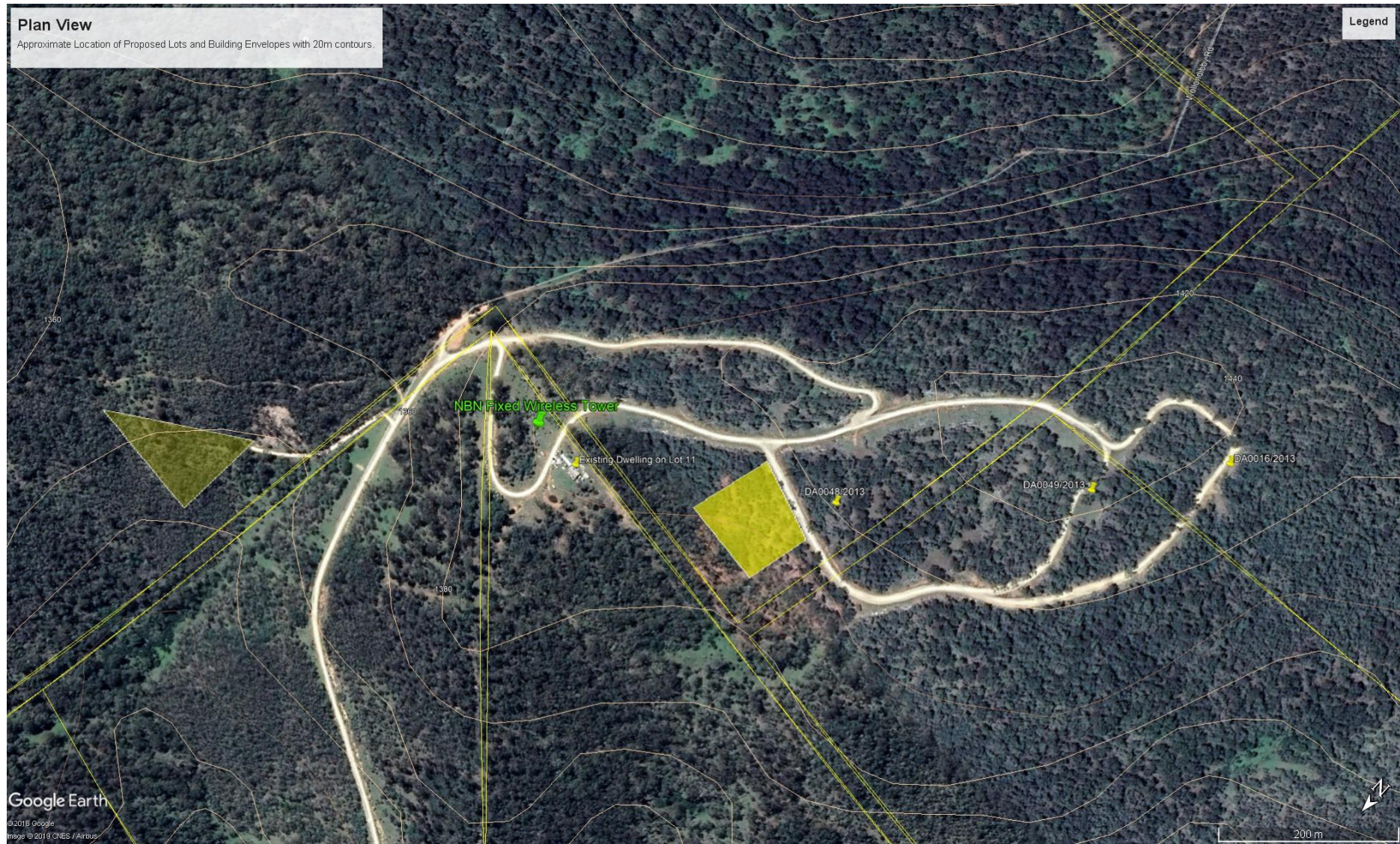
The application was resubmitted to Council's meeting of 21 March 2019 and was deferred. Additional information has been included in the report in response to the deferment, and a site visit arranged for 11 April 2019, in accordance with Council's resolution.

The application can now be re-presented to Council for determination.

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**Figure 1 - Plan View showing the approximate location of approved unconstructed dwellings, building envelopes and the constructed dwelling on lot 11 in relation to lot boundaries and the proposed NBN Facility with 20m contours.**





**Figure 2 - View to the North West toward the Alpine Way, showing the location of the approved dwellings, and building envelopes in relation to the proposed NBN tower.**

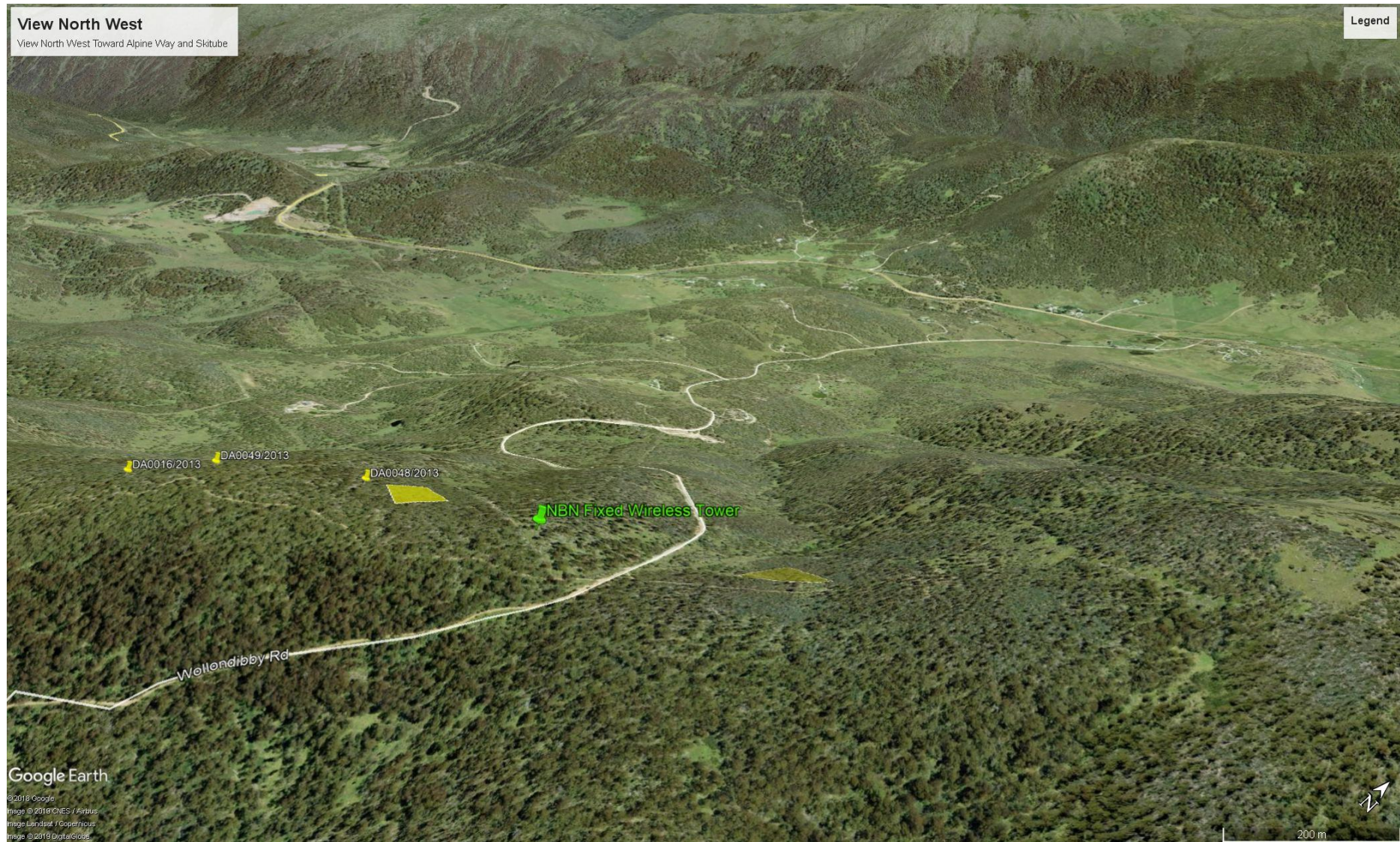
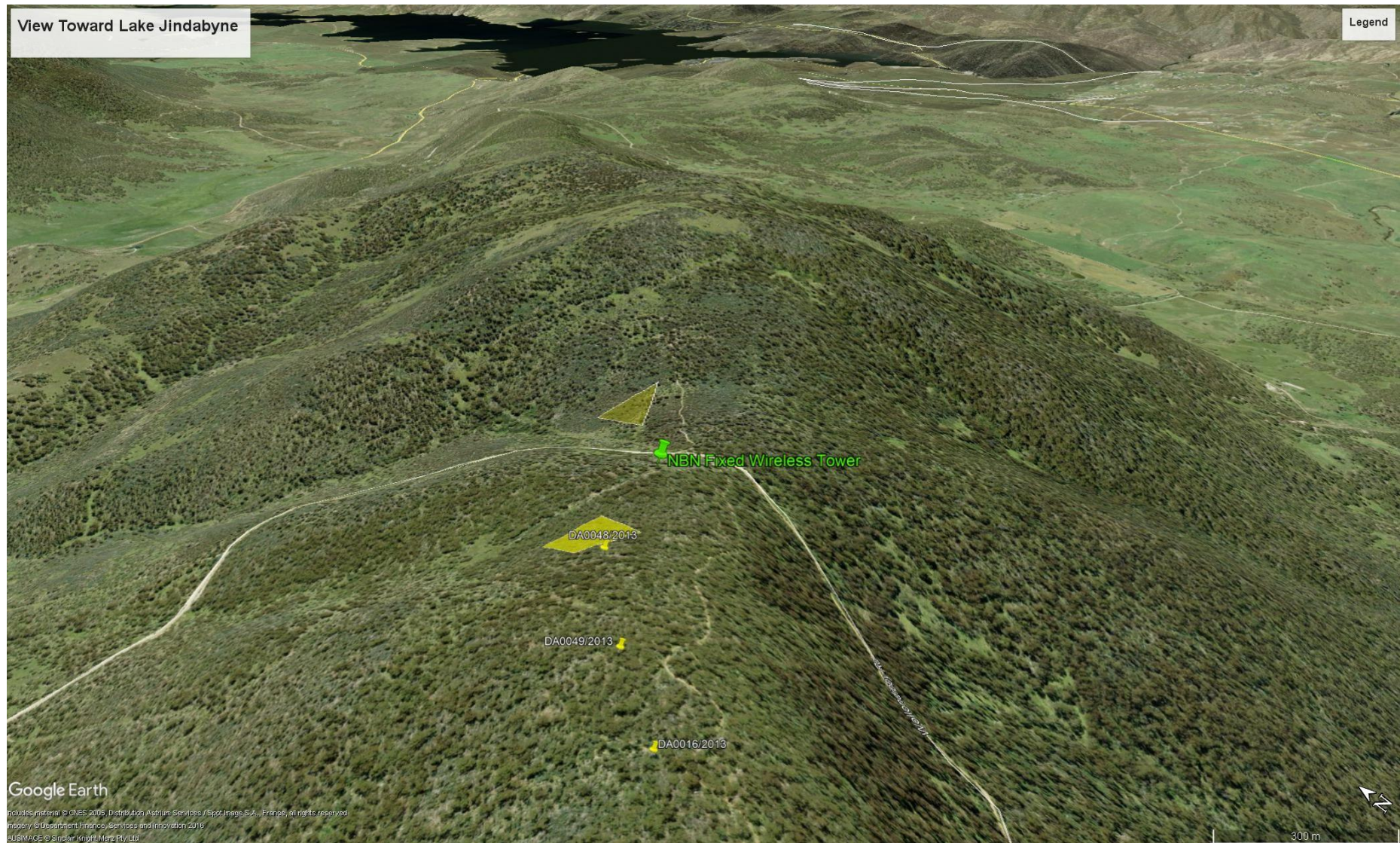


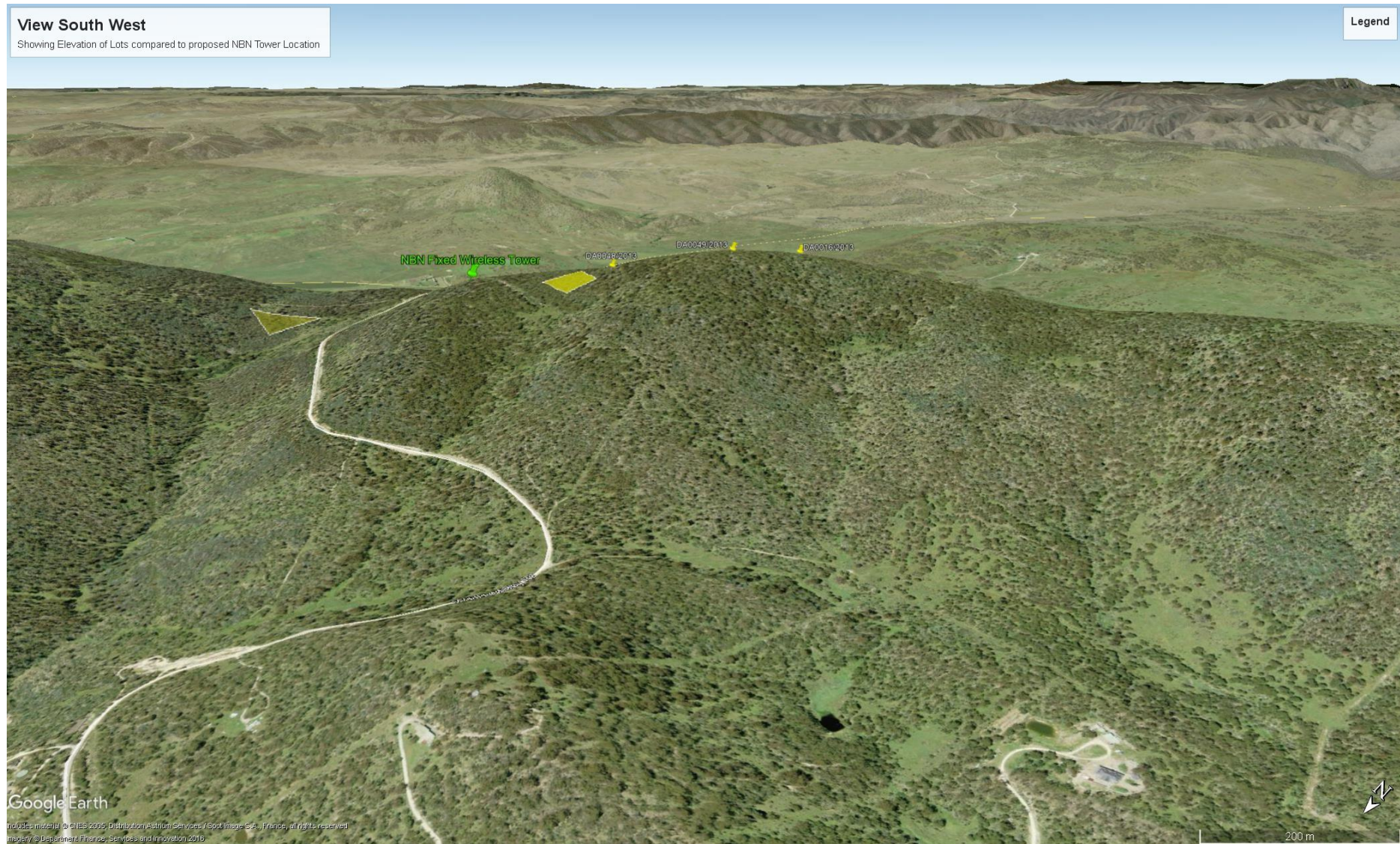


Figure 3 - View toward Lake Jindabyne showing the location of the approved dwellings, and building envelopes in relation to the proposed NBN tower.





**Figure 4 - View South West toward the subject sites with Ingebirah in the background**



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

Record No:

Responsible Officer:	Group Manager Development & Building Certification
Author:	Manager Development Assessment
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage
Delivery Program Objectives:	8.1.3 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>

### EXECUTIVE SUMMARY

Application 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

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.

#### **RECOMMENDATION**

That

1. 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.
2. Any person who made a submission is notified according to the regulations.

#### **Background**

The application was submitted originally for thirteen (13) lots. After assessment and consultation with Council and state agencies the applicant agreed to remove three (3) lots reducing the development to a ten (10) lot subdivision. This new lot layout was more responsive to the site constraints and removed the need for excessive clearing for roads, driveways and fire trails. The new lot layout also provided acceptable outcomes to address bushfire risks and the impact of the development on native flora and fauna. The development is to be serviced by Councils reticulated water system and effluent is to be managed onsite by individual onsite sewerage management facilities. The RU5 zone allows for onsite management of effluent if the lot sizes exceed 2000sqm. In this case all lot sizes exceed 5000sqm.

The application has received general terms of approval from both Office of Environment and Heritage and NSW Rural Fire Service.

The application was notified and advertised in accordance with statutory requirements and twelve (12) submissions were received. The main issues raised in the submissions were access to the Lake foreshore (which had previously happened informally through this site) and also the impact of the additional lots on traffic generation.

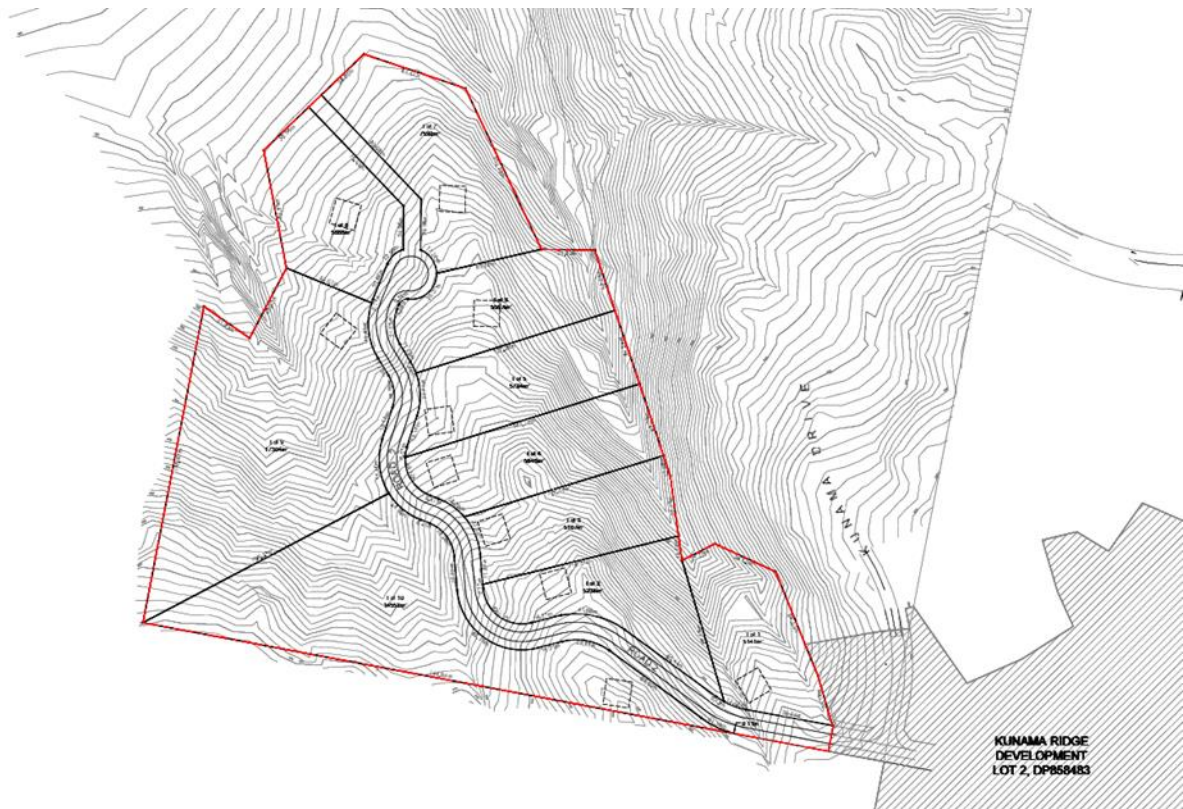
It is considered that the application as amended (10 lots) is appropriate for the site and adequately mitigates the impacts of the development and is recommended for approval with conditions.

#### **The Proposal in Detail**

The proposal is for a ten (10) lot residential subdivision under community title with lots ranging in size from 5000sqm to 17000sqm. The access road within the site will be part of the community property and not be a public road vested in Council for control or maintenance. The lots will be serviced by Councils reticulated water system, underground power and telecommunications and each lot will have its effluent managed on site. In order to protect the existing vegetation on the site budiling envelopes have been proposed and all buildings on site will be restricted to within these area.

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**Figure 1 - Proposed ten (10) lot layout**



**Figure 2 - Original thirteen (13) layout**

The original proposal as submitted was for thirteen (13) lots, the applicant provided an amended plan which reduced the proposal to ten (10) lots thereby removing the need for the perimeter fire



trail and additional ground disturbance. The applicant agreed to reduce the number of lots so as to minimise the impact of the development on the native vegetation and to lessen the amount of clearing required to facilitate the development. This amendment was a result of negotiations between Council and state agencies.

### The Subject Site

The subject site is the final stage of the Alpine Sands Subdivision. The area immediately to the east of the site was previously developed as the first three stages of the Alpine Sands development. These blocks are typically between 1000m<sup>2</sup> to 2,000m<sup>2</sup> in size. An approved residential development to the south-east (known as Kunama Ridge) for 58 lots ranging from 750m<sup>2</sup> to 1000m<sup>2</sup> is nearing completion. The adjacent residential land is a mix of lot sizes ranging from 700sqm to over 2000sqm, the predominant development pattern in this area is dual occupancy dwellings and single dwelling houses. Whilst the zoning allows for commercial uses the Kunama Gallery situated to the east of the development is the only commercial use in the immediate area.

To the south of the site there is an area zoned E3 Environmental Management (as shown in figure 4 below). This area in its current form cannot be developed for residential purposes. The area to the west of the site is currently zoned RE2 Private Recreation this land has been transferred to Council under the Tyrolean Village Voluntary Planning Agreement for public recreation and the construction of a shared trail linking Jindabyne to East Jindabyne.

The development is proposed on an escarpment with a predominantly northerly aspect and the land fronts Lake Jindabyne to the north. The site comprises remnant native woodland on elevated ridges, slopes and gullies, with exotic vegetation in a disturbed area on the lake shore. There are currently access roads and tracks traversing the site which appear to be being used informally by residents for access to the Lake Foreshore. The site retains a large extent of the remnant vegetation cover. The southern and western boundaries of the site connect to similar quality remnant bushland, although the land to the south appears to be more heavily grazed and cleared from past agricultural activities.



Figure 3 – Aerial View of the site

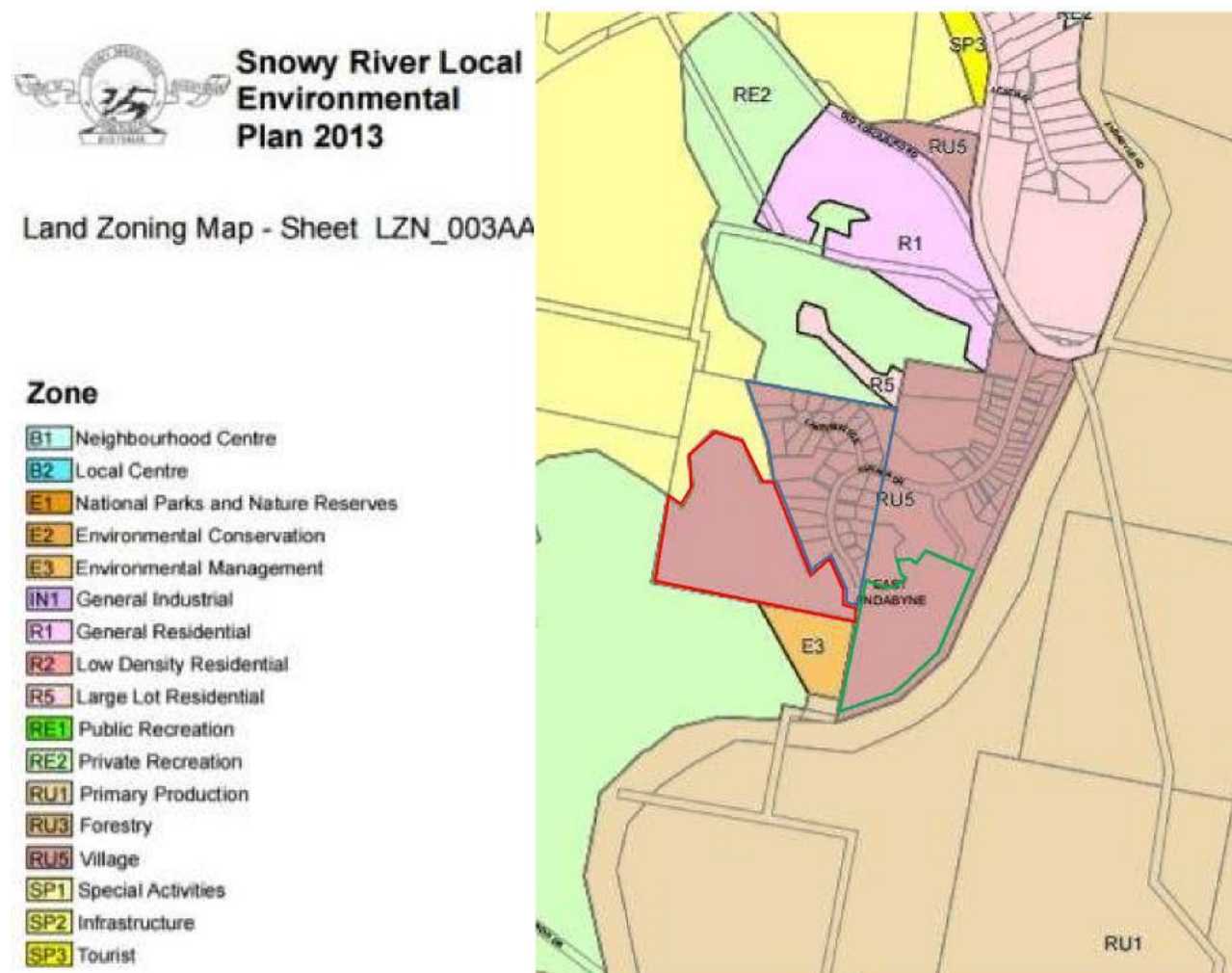
## ASSESSMENT UNDER SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EPA ACT)

The following is an assessment of development application DA4191/2017 having regard to those matters to be considered under section 4.15 of the EP&A Act 1979:

Section 4.15 'Matters for Consideration'	Comment
Section 4.55 (a)(i) the provisions of any environmental planning instrument	<p>The proposal has been assessed against the provisions of all relevant SEPP's and the development has been found to achieve an acceptable level of compliance.</p> <p>The proposal has been examined in detail against the provisions of the Snowy River Local Environmental Plan 2013 and has been found to achieve an acceptable level of compliance</p> <p>See assessment of relevant sections below.</p>
Section 4.55 (a)(ii) the provision of any draft environmental planning instrument	NIL
Section 4.55 (a)(iii) an development control plan	The application generally complies with the provisions of the Snowy River Development Control Plan 2013. See assessment of relevant sections below.
Section 4.55(a)(iia) any planning agreement or draft planning agreement	NIL
Section 4.55(a)(iv) any matters prescribed by the regulations	Not applicable for this application
Section 4.55 (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	The likely impacts of the development have been appropriately considered as part of this application, and appropriately addressed below.
Section 4.55 (c) the suitability of the site for the development	The site is suitable for the development proposed. A site inspection was carried out by Council staff, accompanied by staff from OEH. As a result the environmental constraints of the land were identified and in negotiation with the applicant an amended subdivision layout was submitted. This resulted in a reduction in the number of lots from 13 to 10 which allowed for a development to be more responsive to the site.
Section 4.55 (d) any submissions made in accordance with this Act or the	Twelve (12) submissions were received in relation

regulations	to the development application, they are summarised and discussed below.
Section 4.55 (e) the public interest	The proposal is not contrary to the public interest, as it complies with the Council's standards and will not contribute to creating an undesirable precedent.

## SNOWY RIVER LOCAL ENVIRONMENTAL PLAN 2013



**Figure 4 - The subject land in the context of surrounding land zoning.**

The subject land is zoned RU5 Village and the development is consistent with the zone objectives. In the assessment of this application, the following special provisions from SRLEP 2013 are of relevance and have been assessed for compliance:

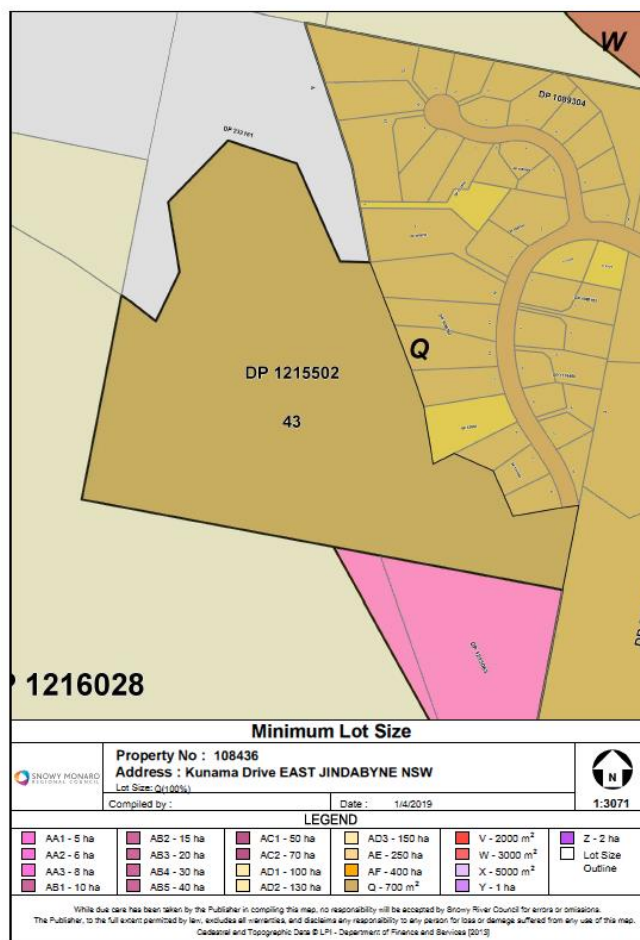
### **Clause 4.1 Minimum subdivision lot size**

The development meets the objectives of the clause providing a variation to the existing allotment pattern in the area which is a response to the topography of the site, the existing vegetation and impact of bushfire. The lots are of a size to allow for construction of dwelling houses/dual occupancies with amply areas of landscaping and private recreation.



The minimum lot size applying to the land under the Lot Size Map is 700sqm. In the proposed subdivision all lots are over 5000sqm in size and as such they comply with the provisions of the clause.

Clause 4.1(4A) allows for land in the RU5 zone to be subdivided and not connect to reticulated sewer. However in order to carry out a subdivision which is not connected to Council reticulated sewer the size of the lots must be larger than that which is allowed for under the minimum lot size requirements of the plan. In this case in the RU5 Village Zone lots that are not serviced by a sewage reticulation system must not be less than 2,000 square metres. The proposal is for lots that are 5000sqm and over and a site and soil assessment was lodged with the development application to demonstrate the lots suitability for this type of effluent disposal, demonstrating compliance with this provision.



**Figure 5 – Minimum lot size map extract**

### **Clause 5.10 Heritage conservation**

The application was submitted accompanied by an Aboriginal Cultural Heritage Assessment Report (ACHAR) due to the potential impact on Aboriginal cultural heritage known to be present on the site. The applicant through consultation with the Office of Environment and Heritage (OEH) amended the original report and carried out further field investigations. The final ACHAR is provided as an attachment to this report.

The application was referred to the OEH under the provisions of section 4.46 (formally section 91) of the Environmental Planning and Assessment Act as Integrated Development. OEH provided general terms of approval (GTAs) on the 4/3/19 to allow for an Aboriginal Heritage Impact Permit

(AHIP), under section 90 of the National Parks & Wildlife Act 1974, to be issued subject to conditions.

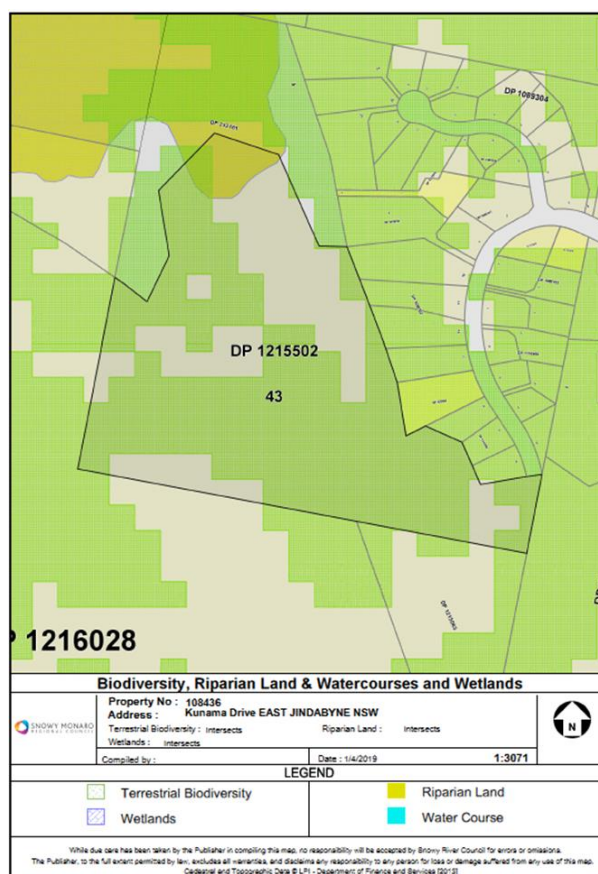
The GTAs provided by OEH are included as draft conditions of consent. In addition further conditions of consent have been imposed to ensure that the applicant is aware of the potential for artefacts to be found during construction and providing direction as to what action should be taken should this eventuate.

The GTAs provided by OEH include the partial conservation of Aboriginal site J/ES1 (AHIMS 62-1-0064) and they have recommended that to ensure the future lot owners are aware of the Aboriginal cultural heritage constraints and to ensure long term protection of the site, that Council includes conditions in the development consent, and any subsequent development consents issued, that limit ground disturbance in site J/ES1 (AHIMS 62-1-0064).

As a result of this recommendation conditions of consent are proposed to include in the Community Management Statement a requirement that structures can only be approved in the nominated building envelopes and no other ground disturbance is permitted without the further approval of Council and OEH. This will include a requirement for lot boundary fencing to ensure that those using the lake foreshore do not wander onto lots 7 & 8 outside of the formed concrete track and cause disturbance. Fencing type will be restricted to wire link fencing to minimise impacts on surface artefacts and subsurface deposits.

#### **Clauses 7.2 Terrestrial Biodiversity, 7.3 Riparian land and watercourses and 7.4 Wetlands**

The development site is an area that is identified as “Biodiversity” on the Terrestrial Biodiversity Map, has areas mapped as riparian land on the Riparian Lands and Watercourse Map and wetlands on the Wetlands Map (illustrated below).



**Figure 6 – Biodiversity, Riparian Land and Watercourses and Wetlands maps extract**

Under the provisions of Clause 7.2 (3) before determining a development application for development on land to which this clause applies, the consent authority must consider whether the development is likely to have:

- (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and*
- (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and*
- (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and*
- (iv) any adverse impact on the habitat elements providing connectivity on the land, and*

*And that there are appropriate measures proposed to avoid, minimise or mitigate the impacts of the development*

In this case the development as originally proposed did have an adverse impact on native flora and fauna and would not have met the requirements of this clause. Working with the applicant and state agencies a better lot layout that would meet these provisions was submitted. The development at ten (10) lots reduces the number of building envelopes, removes the requirement for additional driveways and a fire trail all of which would have led to undesirable vegetation clearing on the site. This reduction in site disturbance and the community title nature of the development means that Council can through appropriate conditions of consent ensure that the area is managed into the future to meet the requirements of clause 7.2(3) of the LEP.

Under the provisions of Clause 7.2 (4) development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

It is considered that the development application and associated documents demonstrate compliance with the requirements of this clause. The applicant has provided to Council Biodiversity Assessments, which have been amended in response to requests from OEH.

Through consultation with OEH and Council the subdivision layout has been amended and restrictions such as building envelopes and conditions that will be added to the community management statement for the development have been included to ensure the impact on native flora and fauna is minimised.

The amended flora and fauna assessment prepared by the applicant's consultants includes recommendations with respect to flora and fauna management during both the construction phase of the development and the ongoing management of the development as a community title. These recommendations will be included as conditions of consent to ensure that the impact is avoided and where it cannot be avoided is minimised.

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Being a community title development there are unique advantages for the ongoing management of the site as all lots are covered by a community management statement which are similar to strata bylaws. This allows for the management committee to have control over not only the common property but to manage such aspects as planting of trees on sites, management of noxious weeds and the ongoing management of native vegetation to ensure biodiversity loss is minimised.

Under the provisions of clause 7.3 (3) &(4) **Riparian land and watercourses** *before determining a development application for development on land to which this clause applies, the consent authority must consider:*

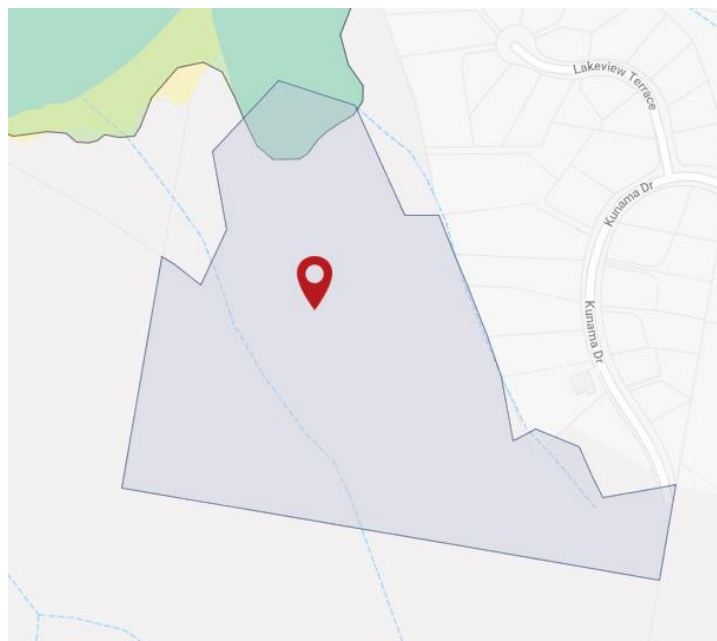
*(a) whether or not the development is likely to have any adverse impact on the following:*

- (i) the water quality and flows within the watercourse,*
- (ii) aquatic and riparian species, habitats and ecosystems of the watercourse,*
- (iii) the stability of the bed and banks of the watercourse,*
- (iv) the free passage of fish and other aquatic organisms within or along the watercourse,*
- (v) any future rehabilitation of the watercourse and riparian areas, and*
- (b) whether or not the development is likely to increase water extraction from the watercourse, and*
- (c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

And

*Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*

- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*



**Figure 7 – Area of the site impacted by the Riparian Land overlay**

Only the lower portion of the site is covered by this overlay with respect to riparian land and no water courses have been identified in the LEP maps for the site. There are however gullies that may have intermittent flow and as such the impact of the development has been considered with respect to these. The report submitted by Biosis includes recommendations to mitigate impact on these areas and conditions of consent have been included to ensure that any impact is managed.

The riparian land defined in the LEP map is a portion of the Lake Jindabyne foreshore area which intersects with proposed lots 7 & 8. Restrictions have been placed on these lots to ensure that no construction occurs outside of the building envelopes which have been situated outside of the area mapped as riparian land.

Stormwater will be managed both during the construction phase and ongoing in the life of the development. A stormwater management plan is required prior to commencement of construction and Councils Development Engineer has reviewed the submitted plans and considers that the issue will be adequately addressed by this final plan being submitted.

#### **Clause 7.4 Wetlands**



**Figure 8 – Area of the land impacted by the Wetlands overlay**

The development complies with the provisions of this clause. Only two lots in the subdivision are impacted by the wetland overlay. The building envelopes in proposed lots 7 & 8 have been situated outside of the area impacted by the wetland overlay. With the only works proposed within the area impacted by the wetland overlay being a concrete pedestrian access to the lake foreshore.

#### **Clause 7.9 Essential services**

It is proposed that the site be provided with the following services:-

- Electrical supply connection to Essential Energy Grid
  - Telecommunications supply connection to NBN network
-

- Water mains water connection to Snowy Monaro Regional Council water network
- Road access to Council road network via a private community title road
- Private community title street lighting
- Stormwater Drainage discharge point
- On-Site Effluent private disposal area

**Snowy River Development Control Plan (DCP) 2013**

The proposal has been examined in detail against the provisions of the Snowy River Development Control Plan 2013 (Section 4.15(a)(iii) of the Act) and has been found to achieve an acceptable level of compliance. In the assessment of this application, the following DCP provisions are of relevance and have been assessed for compliance:

Provision	Response
<b>A3 Public Notification</b>	The application was notified and advertised in accordance with the DCP and 12 submissions were received, these are summarised and considered below.
<b>C - General Planning Considerations</b>	
C1 Subdivision Clause 1.1 Community Title Subdivision	Community title subdivision requires the preparation of a management statement. The provisions also allow for the preparation of extra plans of management for individual parties within the development. A condition of consent is included to ensure that a Community management statement is provided to Council for approval prior to the issue of the subdivision certificate. Inclusions into this statement that relate to the ongoing management of the development have also been included as conditions of consent.
Clause 2.2 - 1.2-1 Minimum Subdivision Lot Sizes	The minimum subdivision lot sizes are identified in the Snowy River LEP 2013 and the accompanying Lot Size Maps. The development is required to satisfy a minimum lot size of 700sqm in this area. In this case due to the use of, on-site effluent disposal the lots must meet a minimum of be 2,000sqm. The proposed development complies with this requirement with all lots over 5000sqm.
Clause C1.2-4 Flora and Fauna Protection	The DCP states <i>"If the subdivision includes any land significant for flora and fauna protection a targeted survey for threatened species must be carried out and an assessment of significance prepared by a suitably qualified person demonstrating that the subdivision will not have an adverse effect on flora and fauna."</i> and <i>"The aquatic environment must not be detrimentally affected by subdivision and the proposed future use of the land."</i> A Flora and Fauna Assessment was prepared by Biosis in December 2016 then updated in January 2019. The development has been

	designed to minimise disturbance or avoid and preserve any significant flora or fauna identified in that report. It is proposed to follow all recommendations made in that report prior to construction. The report is included in this DA submission.
Clause C1.2-6 Building Exclusion Areas	Due to constraints outlined in the Flora and Fauna Assessment, Heritage and Archaeological Assessment, Bushfire Assessment and On-Site Effluent disposal report building envelopes for each block has been nominated and are shown on the Subdivision Lot Layout.
Clause C1.2-7 Provision for Services	In accordance with the provisions of the clause in the DCP, the developer will be providing electrical supply and telecommunications supply to the subdivision. It is proposed that the blocks be provided with reticulated water supply from Council's water supply system.
Clause 2-8 Access	Legal access to the development is from Kunama Drive, the road and pedestrian access within the subdivision will be private due to the development being a Community Title Subdivision. The development does not create additional riparian access rights to waterways.
C2 Design Part 1 Visual & Scenic Impact	<p>The Snowy River LEP 2013 contains detailed provisions and mapping for Lake Jindabyne Scenic Protection Areas the subject land is not mapped as Lake Jindabyne Scenic Protection.</p> <p>The proposed lots all exceed 5000sqm in size and have allocated a building envelope on each lot which is of a size that will reduce the built upon area of the lots to that in keeping with the surrounding residential pattern, thereby limiting the amount of development seen from the lake. This reduces both the visual impact of the development and allows for view sharing between properties.</p>
Part 2 Crime Prevention through Environmental Design	The proposed community title development has been designed to be a gated community with access limited at the intersection of Kunama Drive via a private gate. This will assist with security and therefore crime prevention. The internal driveways will also have street lighting that will further assist with crime prevention.
C3 Car-parking, Traffic & Access Part 3 Vehicle Access	The development will be provided with coinciding legal and practical access in accordance with Council's development design and construction specifications via Kunama Drive. The internal driveways comply with AS2890. It is proposed that the internal private driveway be constructed from reinforced concrete to ensure all weather access and reduce maintenance. Proposed driveways can achieve the maximum driveway longitudinal gradient of 12%. The above ensures compliance with Council's objectives:-



	<p>To provide permanent legal access within the defined access corridor, constructed to a standard which adequately provides for the vehicular traffic likely to be generated by the development;</p> <p>To ensure compliance for new access arrangements with the safety standards of the NSW Roads and Maritime Services and Council, including standards relating to sight distances and horizontal and vertical road alignment.</p> <p>To provide adequate and convenient access for the development without compromising street character, landscape character, visual amenity, environmental features, pedestrian amenity and safety.</p> <p>To provide a minimum of all-weather access for two wheel drive vehicles which can be adequately maintained to this standard over time.</p>
Part 4 Pedestrian and Cycle Access	The development provides pedestrian and cycle access to the existing road network via Kunama Drive and there is a proposed access to the beach at Lake Jindabyne to promote pedestrian access to the lakeside for the residents of the subdivision.
Parts 5&6 Car Parking Design and Provision	For this type of development there are no specific requirements for additional car parking to be provided as part of the subdivision. Adequate areas are provided on each block which will permit individual owners to provide car parking in accordance with Table C3.4-2. The internal private driveways on the proposed development provide verge widths that provide locations for visitor parking in excess of any requirements in the DCP.
C4 Heritage	An Archaeological Cultural Heritage Assessment was carried out by Biosis in December 2016 then updated in January 2019. The development has been designed to minimise disruption or avoid and preserve any significant areas identified in that report. It is proposed to follow all recommendations made in that report prior to construction. General Terms of Approval has been issued by the Office of Environment and Heritage for the artefacts found on site. The GTAs have been included as conditions of consent.
C5 Tree preservation & Landscaping	The reduction in the number of lots has allowed for a reduction in tree removal for the development. The development has been designed to minimise disturbance or avoid and preserve any significant flora or fauna identified in that report. The recommendations made in the Flora and Fauna report have been included as conditions of consent to ensure compliance. This includes the management of trees and tree removal as part of the construction process.

	In order to minimise tree removal and damage in accordance with the provisions of the Flora and Fauna Assessment a condition of consent is propose that will require the developer to mark trees for removal and protection during the construction phase.
C7 Natural Hazard Management Part 1 Bush Fire Prone Land	A Bushfire Assessment Report was prepared by EcoLogical Australia in February 2017 then updated in January 2019. The development has been designed to minimise disruption or avoid and preserve any significant areas identified in that report. It is proposed to follow all recommendations made in that report prior to construction. A Bushfire Safety Authority has been issued by the NSW Rural Fire Service for the development.
C8 Environmental Management Part 1 Environmental Management – Minimising Conflicts	The development as proposed will not limit or impact negatively on the future use of adjoining land which is currently undeveloped rural land. The development is an appropriate distance from agricultural (primary production) uses so as to minimise any impacts caused by odour, noise or dust. The development will be provided with adequate water supply to new development without resulting in an over exploitation of the surface or groundwater in the locality to the detriment of existing agricultural uses.
Part 2 Land Contamination	The land is not listed as contaminated on Council's Contaminated Land Register. It is not known to have had uses carried out on site that would contribute to contamination.
Part 3 Erosion, Sediment and Stormwater Control	An initial engineering review of the site has been carried out by Fraish Consulting and it has deemed that the requirements of NSW Department of Housing Managing Urban Stormwater: Soils and Construction "the Blue Book" can be applied during construction to ensure compliance with the requirements of the DCP. Appropriate conditions of consent will be imposed to ensure compliance.
Part 4 Weed Management	<p>The Flora and Fauna Assessment carried out by the applicant identified some Noxious Weeds present within the development area. These were :-</p> <ul style="list-style-type: none"> <li>• Blackberry</li> <li>• Serrated Tussock</li> <li>• St John's Wort</li> <li>• Viper's Bugloss</li> <li>• Sweet Briar</li> <li>• Patterson's Curse</li> </ul> <p>As per Council policy a condition of consent is included to ensure that all weed control works are carried out on site prior to the</p>

	<p>issue of the subdivision certificate. Certification from Council's Biosecurity officers is required to be submitted to the satisfaction of Council before any subdivision certificate can be released.</p> <p>Conditions of consent have also been included to ensure that weed management happens during site construction.</p>
Part 5 Ecological Impacts	<p>A Flora and Fauna Assessment has been carried out by BIOSIS in December 2016 then updated in January 2019. This assessment has identified all ecological impacts and measures to be taken.</p>
<p>C9 Energy &amp; Waste Efficiency, Water Supply &amp; Effluent Disposal</p> <p>Part 2 Water Supply</p>	<p>It is proposed that potable water be supplied to the development via a new water main connected to the existing Council reticulation main in Kunama Drive. Adequate pressure is available to comply with the requirements of WSSA- Water Supply Code.</p>
Part 3 Effluent Disposal	<p>Fraish Consulting prepared an Effluent Disposal Report and has assessed land in the vicinity of the development site to determine suitability for irrigation of secondary treated and subsoil absorption of treated effluent. The assessment is based on detailed description of the site and soil conditions.</p> <p>The assessment is presented in the pro forma from the Silver Book (NSW Govt 1998), it has been prepared in accordance with the requirements of the silver Book and AS/NZS 1547:2012 including management prescriptions and site plan with supporting information including nutrient balance, water balance and limitation tables. Areas of each site can be made suitable for effluent disposal in accordance with the requirements of the DCP.</p> <p>The effluent disposal sites will be within the approved building envelopes to limit ground disturbance.</p>
C10 Waste management & Recycling	<p>The development has been designed to comply with the requirements of AS2890 to permit access and egress of collection vehicles upon completion of the subdivision. The civil works have been designed to balance earthworks to minimise any waste generation from the site.</p> <p>All dwellings will be required to have appropriate waste storage as conditions of their individual consents.</p>

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**Impacts of the Development – Environmental, Social & Economic**

<b>Access, transport and traffic</b>	<p>Council's Development Engineer has assessed the proposal and its impact on the wider transport network and considers that the development will not have an undesirable impact nor will an upgrade of any existing roads within the network be required.</p> <p>As the development will be an actual increase of only seven lots (when taking into consideration the lots within stage 3B of Alpine Sands that will either be included in this development or reduced by this application) the Development Engineer has provided the following comments:</p> <p><i>An actual increase of seven (7) lots equates to an additional traffic generation of 70 vehicle movements per day. This is not considered to be significant and to provide sufficient justification to require the developer to upgrade the Jerrara Drive and Kosciuszko Road intersection or Kunama Drive and or Kunama Drive.</i></p>
<b>Bushfire Assessment s4.14</b>	<p>The development application was referred to the NSW RFS for a Bushfire Safety Authority (BSA) due to the fire risk on site. The RFS have provided the BSA and its conditions will form part of the conditions of consent for the subdivision. Further assessment will be required when plans are submitted for dwellings on the site, however they must be within the designated building envelopes and comply with the provisions of the BSA.</p>
<b>Impacts on supply of utilities</b>	<p>All lots will be serviced by reticulated water, telephone and mains power. There is adequate provision of these facilities to meet the demands of the proposed ten lot subdivision.</p>

<b>Natural and other land resources</b>	<p>The applicant has provided an assessment of the development's impact on native flora and fauna and it is considered that appropriate measures have been put in place to avoid and minimise impact on the natural environment. The development will be required to dispose of stormwater in a manner approved by Council that will have minimal impact on water systems. The gullies on site will be protected during construction and upon completion of the development the Community Management Statement associated with the development will be required to include provisions to protect and maintain the integrity of these areas.</p> <p>Weed management will form part of the construction phase and certification that all weed management has been carried out prior to the issue of the subdivision certificate will be a condition of consent.</p> <p>Ongoing weed management will form a requirement in the community management statement which will regulate the lots going forward.</p>
<b>Water supply and potential impacts on surface and ground water</b>	<p>The development will be serviced by Council's reticulated water system.</p>
<b>Flora and fauna &amp; Consideration of Threatened Species</b>	<p>The application was submitted prior to the commencement of the Biodiversity Conservation Act and as such is assessed under the provisions of the Native Vegetation Conservation Act. The applicant provided a flora and fauna assessment which was amended when the lots were reduced from thirteen to ten. The report prepared by the applicant's ecologist assessed the impact of the ten lot development including the impact of asset protection zones around the dwellings and it is considered that the outcome of reducing the number of lots and the inclusion of building envelopes will adequately mitigate the impacts of the development. The report provides recommendations that are to be included in conditions of consent to mitigate any adverse environmental impacts.</p>
<b>Waste facilities and controls</b>	<p>The development has been designed to comply with the requirements of AS2890 to permit access and egress of collection vehicles upon completion of the subdivision. The civil works have been designed to balance earthworks to minimise any waste generation from the site.</p>

<p><b>Safety, security and crime prevention</b></p>	<p>The development is a gated residential subdivision with ten allotments it is considered there will be no significant safety or surety impacts. The applicant has provided the following to demonstrate its compliance with the requirement's for safety security and crime prevention:</p> <p><i>The proposed community title development has been designed to be a gated community with access limited at the intersection of Kunama Drive via a private gate. This will assist with security and therefore crime prevention. The internal driveways will also have street lighting that will further assist with crime prevention.</i></p>
<p><b>Social impact in locality</b></p>	<p>Minimal social impact as the development for only ten residential allotments. Concerns have been raised in the submissions that the development being a gated community will restrict access to the foreshore of Lake Jindabyne and generate an 'elitist enclave' within the area. Whilst this development will be gated there are other private estates within the Snowy Monaro Region which whilst they do not have actual gates do and can restrict access by members of the public. The gating of the development is a choice by the developer and not within Council's control to restrict. The access through the site which has occurred in the past was over private land and was not a formalised access and as such Council cannot require the developer to allow the public onto their private land in the same way Council cannot allow access through other private properties on the lake foreshore.</p> <p>The perceived social impact of a "gated community" is not considered a reason for refusal of this application nor a reason to require that the property not be fenced and gated.</p>
<p><b>Economic impact in locality</b></p>	<p>No negative economic impacts from the development on the locality.</p>
<p><b>Site and internal design issues</b></p>	<p>The subdivision design has been amended to reduce the number of lots to mitigate the ecological impacts of the development.</p>
<p><b>Impacts during construction</b></p>	<p>Impacts such as dust and noise during construction can be managed through appropriate conditions of consent.</p>

<b>Impact on pedestrian movements and safety</b>	The development is wholly within private land, the informal pedestrian links through the site that have been utilised in the past are not approved by the landowner or Council and therefore the development has no impact on pedestrian movement and safety. There will be a pedestrian link within the development for residents of the ten lots to access the lake foreshore. This path will be concrete and managed by the community association.
<b>Impacts on aboriginal heritage</b>	<p>The application was referred to the OEH under the provisions of section 4.46 (formally section 91) of the Environmental Planning and Assessment Act as integrated development. OEH provided general terms of approval (GTAs) on the 4/3/19 to allow for an Aboriginal Heritage Impact Permit (AHIP), under section 90 of the National Parks &amp; Wildlife Act 1974, to be issued subject to conditions.</p> <p>The GTAs provided by OEH are included as draft conditions of consent. In addition further conditions of consent have been imposed to ensure that the applicant is aware of the potential for artefacts to be found during construction and providing direction as to what action should be taken should this eventuate.</p>

### **Public Submissions**

The proposed development (13 lot subdivision) was placed on public exhibition and adjoining landowners were notified in accordance with the provisions of the Snowy River Development Control Plan 2013 for a period of 14 days. The revised ten (10) lot subdivision layout (being a reduction in the number of lots) reduced the impact to adjoining properties of the development and as such the revised subdivision layout was not required to be renotified as per the requirements of the DCP.

### **Summary of Submissions**

A full copies of the redacted submissions are included as attachments to this report, with numbers corresponding to those in the table below.

<b>Total Number of submissions</b>	12
<b>Number objecting</b>	11
<b>Number supporting</b>	0
<b>Neither supporting nor objecting</b>	1

<b>Sub No.</b>	Issues Raised
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1	<ul style="list-style-type: none"> <li>• Application does not, in contrast to what is claimed in the DA, provide 'publically accessible pedestrian paths that are well linked into the surrounding area' as required under Section C3, Part 4 of the Snowy River Development Control Plan. It simply states that such pedestrian access is provided for via Kunama Drive.</li> <li>• Development will block off yet another section of lakeside land in East Jindabyne to pedestrians wishing to access the lake, and cyclists wishing to join the lakeside cycle path. Anyone in this section of East Jindabyne wishing to access the lake on foot will need to take long detours via the roads.</li> <li>• Failure of developers and Council to provide easy, multiple points of pedestrian and cycle access to ALL the lake foreshore in East Jindabyne. Policy by Council of closing off the lake foreshore to all but those in the front row is in direct conflict with the wishes of the majority of the residents of East Jindabyne who have chosen to live there precisely because of the lifestyle benefits afforded by having easy access to the entire foreshore of the lake.</li> <li>• Council require that the developer in the DA under consideration here provide public pedestrian access to the lake between every two adjacent residential blocks.</li> <li>• Inadequate road infrastructure to support the increased traffic, both for vehicular traffic and pedestrian traffic.</li> </ul>
2	<ul style="list-style-type: none"> <li>• restricts residents access to the Lake foreshores</li> <li>• Council to include in this DA a requirement for the developer to build a public pathway providing access to the lake foreshore. The access should be a defined track or pathway suitable for pedestrian traffic and run parallel to the edge of the planned development and the existing southern extremity of Kunama Drive.</li> <li>• The planned development of 13 lots will cut off access via a road that has existed for many years.</li> <li>• 1 and 2 of the Kunama Drive developments show approximately seventy additional sites being developed above the proposed DA4191/2017 development, and this will place greater pressure on access to the foreshore.</li> <li>• Halt further progress with this DA4191/2017 until we have a guarantee of a pedestrian pathway granting foreshore access to Kunama Drive residents both current and future.</li> <li>• If developer contributions cannot be used to build the pathway, I ask that Council fund and build the pathway before the proposed 13 Lot Development is completed.</li> </ul>
3	<ul style="list-style-type: none"> <li>• Council to include in this DA a requirement for the developer to build a public pathway providing access to the lake foreshore. The access should be a defined track or pathway suitable for pedestrian traffic and run parallel to the edge of the planned development and the existing southern extremity of Kunama Drive.</li> <li>• Development seems to be proceeding with no sense of or concern for, how to manage the motor, bicycle and pedestrian traffic that will be generated by all these additional residences.</li> <li>• Motor traffic generated by the additional residences at DA4191/2017 and stages 1</li> </ul>

	<p>and 2 of Kunama Drive will of course have to exit the village at the intersection of Jerrara Drive and the highway, as will the Marshall development along Old Kosciusko road.</p> <ul style="list-style-type: none"> <li>• Halt further progress with this DA4191/2017 until we have a guarantee of a pedestrian pathway granting foreshore access to Kunama Drive residents both current and future.</li> <li>• If developer contributions cannot be used to build the pathway, I ask that Council fund and build the pathway before the proposed 13 Lot Development is completed.</li> </ul>
4	<ul style="list-style-type: none"> <li>• New subdivision is going to deny us of our access to the beach which I feel is very unfair to say the least. The lake is for all to enjoy not only the "privileged few"!</li> <li>• Include in this DA a requirement for the developer to build a track/pathway or at least make provision of an "easement" whereby pedestrians can access the beach.</li> <li>• This subdivision seems to be following a pattern of other subdivisions in East Jindabyne where no consideration of pedestrian traffic has been taken into account.</li> <li>• I'm asking you to halt any further progress with this DA4191/2017 until there is a guarantee of an easement or pathway granting access to the lake foreshore.</li> </ul>
5	<ul style="list-style-type: none"> <li>• Council to include in this DA a requirement for the developer to build a public pathway providing access to the lake foreshore, and review the traffic management at the Kunama Drive/ Jerrara Drive / Highway intersection.</li> <li>• The lake access should be a defined track or pathway suitable for pedestrian traffic and run parallel to the edge of the planned development and the existing southern extremity of Kunama Drive.</li> <li>• Development seems to be proceeding with no sense of or concern for, how to manage the motor, bicycle and pedestrian traffic that will be generated by all these additional residences.</li> <li>• Motor traffic generated by the additional residences at DA4191/2017 and stages 1 and 2 of Kunama Drive will of course have to exit the village at the intersection of Jerrara Drive and the highway, as will the Marshall development along Old Kosciusko road. This poses significant danger to traffic entering and exiting the highway to traffic travelling at 100kmh and to the school bus parked with no designated place at the entrance to Jerrara Drive.</li> <li>• halt further progress with this DA4191/2017 until we have a guarantee of a pedestrian pathway granting foreshore access to Kunama Drive residents both current and future and a traffic study, and action completed on the intersection at Kunama Drive / Jerrara Drive and the Highway to include safe passage of increased volumes of vehicles, and a school bus zone</li> <li>• If developer contributions cannot be used to build the pathway, or road works I ask that Council fund and build these before the proposed 13 Lot Development is completed.</li> </ul>
6	<ul style="list-style-type: none"> <li>• Include in this DA a requirement for the developer to build a public pathway</li> </ul>

	<p>providing access to the lake foreshore. The access should be a defined track or pathway suitable for pedestrian traffic and run parallel to the edge of the planned development and the existing southern extremity of Kunama Drive. There was a pathway shown in the original Alpine Sands development proposal which was scrapped at some stage during the works without notice making access more challenging already.</p> <ul style="list-style-type: none"> <li>• Traffic generated by all the additional residences on these tiny blocks has been ignored with a total lack of speed limit control and heavy construction activity.</li> <li>• Foreshore access will be restricted because this is a gated community.</li> <li>• I'm asking you to halt further progress with this DA until there is a guarantee of a pedestrian pathway granting foreshore access to Kunama Drive for residents, safe accesses to Kosciusko Rd, and speed limiting devices within the Kunama Drive area and making sure that this is not circumvented later.</li> <li>• To avoid inconvenience it would be also logical that the pathway be completed before the construction is started. In addition the gated area seems to have unobstructed beach access which will undoubtedly raise some foreshore issues in subsequent years as to beach ownership as has been the case on the coast. Possibly the gate should be at the bottom of the gated community and not the top just providing emergency access to the lakefront.</li> </ul>
7	<ul style="list-style-type: none"> <li>• Fourth stage of Alpine Sands and to date there is no direct lake access for the current residents of Alpine Sands. Currently access is only available through the adjoining area of Tyrolean Village, Rainbow Beach or East Jindabyne.</li> <li>• Proposed development provides for exclusive access to the development and not to other residents in the surrounding area therefore excluding access. For existing residents of Kunama Drive and Lakeview Terrace it would be approximately 1.8 kms to access the foreshore at old Kosciuszko Road at the nearest public access point.</li> <li>• Consideration be provided to enable public access to the foreshore.</li> </ul>
8	<ul style="list-style-type: none"> <li>• Encouraging a gated community who want private access to the lake foreshore has made me so sad and angry.</li> <li>• They want private access to our lake foreshore!</li> </ul>
9	<ul style="list-style-type: none"> <li>• Concerns over the loss of public access to the lake through the subject property</li> </ul>
10	<ul style="list-style-type: none"> <li>• Disappointed that the subdivision stated above will block access to the lake foreshore which was one of the reasons we built here. The additional motor vehicle traffic thru our residential area is also of concern for us.</li> <li>• DA a requirement for the developer to build a public pathway providing continued access to the lake foreshore. The access should be a defined track or pathway suitable for pedestrian traffic and run parallel to the edge of the planned development and existing southern extremity of Kunama Drive.</li> <li>• Motor traffic generated by the additional residents at DA4191/2017 and stages 1 &amp; 2 Kunama Drive will of course have to exit the village at the intersection of Jerrara Drive the highway, as will the Marshall development along Old Kosciusko road.</li> </ul>

	<p>While we have no problem the development as we knew it come one day, we do have a problem with the lack of planning that seems to accompany what is happening in East Jindabyne.</p> <ul style="list-style-type: none"> <li>• Halt further progress with this DA4191/2017 until we have a guarantee of a pedestrian pathway granting foreshore access to Kunama Drive residents current and future.</li> <li>• If developer contributions cannot be used to build the pathway, we ask that Council fund and build the pathway before the proposed 13 Lot Development is completed.</li> </ul>
<b>11</b>	<ul style="list-style-type: none"> <li>• Appalled at the proposed restricted access of Lots 4-13 in Alpine Sands.</li> <li>• I am asking that you halt the application of DA4191/2017 until we have</li> <li>• Confirmed public access through the foreshore of Kunama Drive. This would take the form of a pedestrian pathway, similar to the one that is on the Council's agenda already (to finish the lake bike track from East-Jindabyne to Jindabyne).</li> <li>• I see it as Council's direct responsibility to ensure that Jindabyne remains open and equal to all residents. As such, if the developer is not willing to build the pathway, I ask that Council fund and build the pathway proposed before the development is complete.</li> <li>• I would also like to ask that if Council is determined to accept the abundance of development applications for the area that you also start to implement plans for improved infrastructure such as road maintenance, safe pedestrian and bicycle access as well as tree planting.</li> </ul>
<b>12</b>	<ul style="list-style-type: none"> <li>• Given the topography and close proximity of the proposed subdivision to Lake Jindabyne, the issue of stormwater and runoff, both during construction and final completion has the potential to impact on Snowy Hydro's adjoining land and ultimately Lake Jindabyne.</li> <li>• Snowy Hydro would seek to ensure the potential impact from stormwater and runoff from the subdivision is minimised and appropriate measures are installed to ensure this is captured in the Development Consent conditions.</li> </ul>

### **Response to submissions**

The submissions were similar in nature and dealt mainly with the loss of access to the lake foreshore through the subject property which has been the site of informal bike trails and pedestrian and vehicle access for many years. Whilst the loss of the access will be felt by the community which has been utilising the site, this is not community or public land and has always been in private ownership. The landowner (like any landowner) has the reasonable expectation to develop their land in accordance with the provisions of the LEP and DCP. When the DCP refers to pedestrian access it is referring to access within the development. In this case the development of ten lots will have pedestrian access through the site to a public road and to the Lake foreshore. This access will not be open to the community nor is it required to be. There are other access points to the lake foreshore in the Alpine Sands and East Jindabyne area through public roads and Council land. The lake foreshore trail thorough the land to the south west of the site will be finalised in the future providing additional access points to the lake.

The type of subdivision was also raised as an issue in the submissions, that being community title it would limit access through the site and lead to an “elitist enclave” in the area. Whilst it is true that the land will be a gated community with restrictions on access to those not associated with the development, there are many such private roads in the region and strata title communities that have similar restrictions (whilst not actually having a gate). Community title subdivisions are permitted in the LEP and there are benefits to this type of subdivision style with respect to protection of the natural environment and reduction of public roads required by Council to maintain and manage. By having the proposed development a community title it allows for the better preservation of native vegetation, a reduced number of allotments than that which was originally proposed when the site was zoned for residential development and given a 700sqm lot size.

The number of lots adding to traffic and transport issues being felt in East Jindabyne was another issue raised in the submissions. The site does have a minimum lot size of 700sqm which would allow for far more lots than that which is proposed in this application. If the development were to continue with the subdivision pattern found in the balance of the Alpine Sands the land would yield a considerable number more lots. The development as proposed with taking in to consideration the amendments that will need to happen to stage 3b is only adding 7 additional lots to that which is already approved in the area. The increase of 7 lots even with dual occupancies on each would not have a significant impact on the existing road network either locally or more broadly.

### **The public interest**

The proposal is not contrary to the public interest, as it complies with the Council’s standards and will not contribute to creating an undesirable precedent

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Concerns have been raised in submissions that the development will unreasonably restrict access to the foreshore of Lake Jindabyne. The site has been vacant for many years and the public have ‘taken for granted’ an ability to access the Lake through private property. This is not a formal access, nor is this public land. There are other access points to the lake through Council reserves and a shared trail proposed to link East Jindabyne and Jindabyne. This development will not restrict access via any open public land and it is not reasonable to require private land to have further public access points if this is not part of the development application. The Lake is an ‘operational asset’ of Snowy Hydro.

### **2. Environmental**

The environmental impact of the development has been considered under the provisions of section 4.15 of the EP&A Act and considered with a reduced number of lots, restrictions on the title of allotments and inclusions of special provisions in the community management statement the development can reasonably mitigate the adverse environmental impacts of a subdivision on this site.

### **3. Economic**

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The development will have little direct economic impact on Council, the costs of the infrastructure provision will be borne by the developer.

### **3. Civic Leadership**

The application received more than 5 objections, and as such it is presented to Council for determination as per the requirements of Council policy.

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### 8.3 PLANNING PROPOSAL - 218 BARRY WAY, JINDABYNE

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:	8.1.2 Land use is optimised to meet the social, environment and economic needs of the region
Attachments:	1. Planning Proposal - 218 Barry Way, Jindabyne ( <i>Under Separate Cover</i> ) 2. Agency advice NSW Government Office of Environment and Heritage ( <i>Under Separate Cover</i> ) 3. Response from proponent ( <i>Under Separate Cover</i> )
Cost Centre	8010 Strategic Planning
Project	Planning Proposal to amend the Snowy River Local Environmental Plan 2013 by rezoning and amending the minimum lot size, height of buildings & land release area maps for lot 192 DP 1019526, lots 14 & 123 DP 756686
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

The purpose of this report is to notify Council of a planning proposal and to provide recommendations on how Council should proceed. The planning proposal is for the rezoning of lots 14 & 123 of DP 756686 and Lot 192 of DP 1019526. The proposal also seeks to amend the Lot Size, Height of Building and Land Release Area Maps this can only be achieved by amending the *Snowy River Local Environmental Plan (SR LEP) 2013*.

The subject planning proposal is to amend the SR LEP, 2013 by rezoning of lots 14 & 123 of DP 756686 and Lot 192 of DP 1019526 from zone RU1 Primary Production to zones IN1 General Industrial, E4 Environmental Living, E3 Environmental Management, R5 Large Lot Residential and maintain a residual RU1 Primary Production zoning around the Leesville Hotel Local Heritage Item.

The proposal also seeks to reduce the minimum lot size from 40Ha to 'Nil' for land proposed zone IN1 General Industrial, 3000sqm for the land proposed as zone R5 Large Lot Residential, 1 Ha for Land proposed as zone E4 Environmental Living and 5 Ha for land proposed as zone E3 Environmental Management. The proposal also includes a reduction in the Height of Building map for land proposed as zone IN1 General Industrial from 9m to 8m and introduces a Land Release Area overlay for the site.

The western portion of the site is heavily constrained with biodiversity and slope while the eastern portion is considered inconsistent with the Jindabyne Growth Structure Plan.

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

**OFFICER'S RECOMMENDATION**

That:

- A. The report from the Senior Strategic Land Use Planner on the Planning Proposal at 218 Barry Way (Lot 192 DP 1019526 and Lots 14 & 123 DP 756686) be received.
- B. Council defer the planning proposal at this time pending the outcome of the Go Jindabyne Masterplan.

**BACKGROUND**

In May 2007 Snowy River Shire Council adopted the Jindabyne Growth Structure Plan 2007 (JGSP, 2007). On 10 October 2018 a planning proposal was lodged with Council (MA4002/2019) by Dabyne Planning for Lot 192 of DP 1019526 and Lots 14 and 123 of DP 756686 Barry Way, Jindabyne. The proposal is to rezone the subject site from zone RU1 Primary Production to zone E4 Environmental Living, zone E3 Environmental Management, zone IN1 General Industrial, zone R5 large Lot Residential and retain a residual lot zoned RU1 Primary Production.

The subject site is currently zoned in its entirety as RU1 Primary Production with a minimum lot size of 40ha. As shown in figure 1 below the proposal is to rezone the western portion of lot 192 DP 1019526 (land west of Barry Way) a variety of zones. From west to east the land is proposed to be zoned E4 Environmental Living with a reduction in the minimum lot size to 1ha, zone E3 Environmental Management with a reduction in the minimum lot size to 5ha, zone IN1 General Industrial with a reduction in the minimum lot size to 'Nil' and maintain a residual lot zoned RU1 Primary Production around the Leesville hotel European heritage item with a minimum lot size of 40ha. The eastern portion of lot 192 DP 1019526 and lots 14 and 123 DP 756686 (land east of Barry Way) is proposed to be zoned R5 Large Lot residential and the minimum lot size reduced to 3000sqm.

8.3 PLANNING PROPOSAL - 218 BARRY WAY, JINDABYNE

Figure 1 - Proposed Zoning and Lot Size Map



Figure 2: showing the locality of the subject site in reference to Jindabyne



*Table 1 – Proposed Zoning and Minimum Lot Size*

Proposed Zone	Proposed Minimum Lot Size
RU1 Primary Production	40 Hectares
E4 Environmental Living	1 Hectare
E3 Environmental Management	5 Hectares
IN1 General Industrial	Nil
R5 Large Lot Residential	3000 square meters

On 23 October 2018 the planning proposal was referred to the NSW Government Office of Environment and Heritage (OEH) for preliminary advice. This referral was made due to concerns regarding the proposal's potential impacts on significant biodiversity values.

On 13 November 2018 Council received response from OEH (attachment 2) objecting to the proposal in its current form on biodiversity grounds. This response from OEH is considered in further detail below.

On 6 December 2018 Council wrote to the proponent requesting that the proposal is revised in line with the comments provided by OEH and to address inconsistencies with the Jindabyne Growth Structure Plan 2007.

On 14 December 2018 Dabyne Planning provided a response (attachment 3) to the letter from Council providing a rationale as to why the proposal does not require revision and should continue in its current form. This response from the proponent is considered in further detail below.

This item was originally intended to be presented to the Council meeting on 21 March 2019. However, on 8 March 2019 Dabyne Planning requested that Council staff delay the reporting of this proposal to the 17 April 2019 Council meeting, to give an opportunity for the proponent to attend.

## **ASSESSMENT AND DISCUSSION**

The planning proposal covers a diverse landscape and proposes a variety of land zonings and minimum lot sizes to cover this area. As such the planning proposal has a number of different aspects to consider. Below is a summary outlining the assessment of the proposal and providing a context to the recommendation of deferral.

### ***Compatibility with Jindabyne Growth Structure Plan***

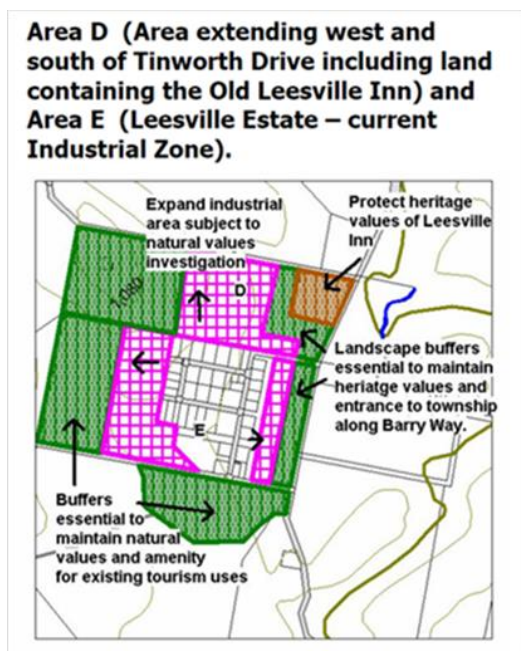
The Jindabyne Growth Structure Plan (JGSP) 2007 was a strategic plan for the growth of Jindabyne and immediate surrounds from 2007 – 2027. The subject site was considered as part of the Jindabyne Growth Structure Plan, the portion west of Barry Way was considered as part of Area D (refer figure 3) and the portion of the subject site east of Barry Way was considered as parts of area F and G respectively (refer figure 4 & 5).

Area D was identified in the JGSP as having potential for a number of zones including Environmental Protection, Industrial and Rural Residential. The JGSP characterises area D as follows:

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*Development potential constrained by high biodiversity values, significant heritage item and proximity to industrial estate. Development potential likely to be mixture of low density (rural residential), environmental protection and industrial buffer.*

*Figure 3 – JGSP – Area D & E Investigation Area Map*



As shown in figure 3 above the area proposed to be rezoned IN1 General Industrial is broadly consistent with the area identified to further investigate for industrial development in the JGSP. The plan does note the importance of preserving high value biodiversity and that industrial development could only take place pending the outcome of environmental studies.

The Leesville Inn is identified and is local heritage item 147. It is expected that if this proposal was to proceed a heritage impact statement would be required post gateway determination.

*Figure 4 – JGSP – Area F & H Investigation Area Map*



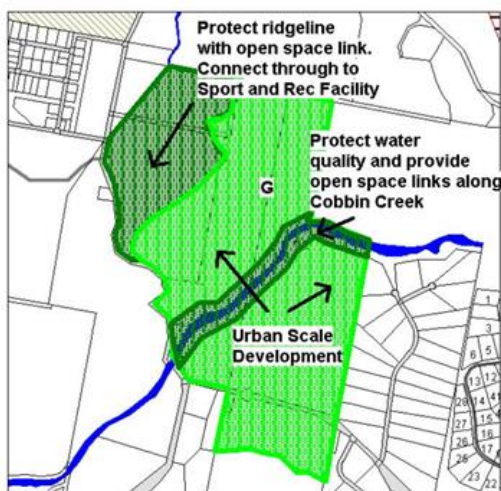
**Area F (Land directly adjoining and surrounding existing rural residential estates) and Area H Developed Lakewood and Cobbin Estates.**



As identified in figure 4 above part of the site east of Barry Way (top of the picture) is identified as part of JGSP investigation area F. This is deemed suitable for “Rural Residential scale development” the proposal is considered consistent with this objective.

*Figure 5 – JGSP – Area G Investigation Area Map and map of the same area showing the location of the subject site (in yellow) beneath*

**Area G (Land to the south of Sport and Rec land, immediately adjoining to the east of the Barry Way and includes land occupied by part of the Station Resort)**



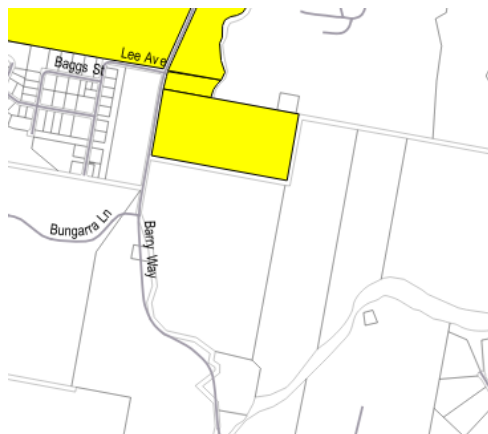


Figure 5 above shows area G in the JGSP which is where the largest inconsistency between the proposal and the JGSP exists. The JGSP (as shown in figure 5) identifies the eastern portion of the proposed site as being protected with an open space link to the sports and recreation facility. The justification within the proposal for this inconsistency is that this open space link is being provided via a DA on the adjacent property. The area is a visible ridgeline from Barry Way and has medium biodiversity values as such it may not be suited to rural residential development and could instead become an extension of zone E3 Environmental Management which is the current zoning of the lot to the south.

The proposal is considered inconsistent with the JGSP because it does not provide an active open space corridor through the eastern portion of the site. Relying on the proposal on the adjacent property to provide this connection cannot be guaranteed, for example, if that proposal does not proceed.

### **Site Constraints**

The site is heavily constrained with the western portion heavily vegetated and with a steep gradient. While the east of the site is rather low lying land with a marsh/wetlands area, the higher land to the east forms part of a significant ridgeline with medium biodiversity values earmarked for protection in the JGSP.

The western portion of the site is significantly affected by the Terrestrial Biodiversity map in the SR LEP 2013. As such a preliminary biodiversity assessment was undertaken and provided as Appendix C of the planning proposal (Attachment 1). The preliminary assessment found that the majority of the proposed site west of Barry Way is excellent condition Snow Gum – Candlebark Woodland which is an endangered ecological community (EEC). This is considered in further detail below.

The proposed site is steep with a gradient of up to 12 degrees which is predominantly on the western portion of the site. There is approximately a 90 metre fall from the far west of the site to Barry Way. The gradient of the site and it being heavily vegetated does make it complicated to develop. As shown in figures 6 and 7 the constraints of the site are significant on the western side of Barry Way and is in many ways not suited for further intensification.

*Figure 6 – Extract from Planning Proposal showing aerial and contours*



*Figure 7 – Extract from Planning Proposal showing elevation profile*



### **Biodiversity Concerns**

Given the constrained nature of the site, the terrestrial biodiversity affectation in the SR LEP 2013 and the preliminary ecological analysis (Appendix C of the proposal) it is clear a core component of the proposal is the biodiversity value. The preliminary ecological assessment undertaken by Eco Logical Australia Pty Ltd states;

*"This preliminary assessment has identified that much of lot 192 is highly constrained by high conservation value vegetation and associated known and potential habitats for threatened flora and fauna. It is noted that similar high conservation value vegetation and constraints occurs on the adjoining lands to the south, such as Lot 16 DP 1160315. The eastern extremities of Lot 192 appear to be less constrained, however confirming the level of constraints requires targeted flora surveys within the depauperate grassland that occurs there during spring to accurately assess its conservation value. (NOTE: "Depauperate means "Lacking in numbers or variety of species" – Oxford Dictionary).*

*Any planning proposal will need to recognise the ecological constraints within the subject land, and appropriately offset any areas of high or moderate constraint that are zoned to*



*enable further development beyond the current zoning. Given the proposed minimum lot sizes, it is likely that future development applications on lands zoned for residential or industrial development will trigger the offset scheme threshold under the new Biodiversity Conservation Act and this require a Biodiversity Assessment Method (BAM) assessment and the provision of offset.*

*The following recommendations are made in relation to any future planning proposal within the subject land:*

- 1. The highly constrained parts of the subject land may not be suitable for further development, particularly the excellent condition Snow Gum Woodland in the central and western parts of Lot 192, unless any impacts can be appropriately offset.*
- 2. Any areas of high or moderate constraint that are zoned to enable development should be appropriately offset.*
- 3. To further clarify the conservation significance and level of ecological constraint across the subject land, targeted flora surveys should be undertaken in spring, particularly in areas that may be zoned to enable development, to assess the value of the grasslands and to determine if any threatened flora species are present."*

Due to these serious concerns regarding further development of the site and the impact that may have on an excellent habitat for an endangered ecological community, Council strategic planning staff sought advice from OEH.

OEH objected to the planning proposal on biodiversity grounds. OEH provide the following discussion on the planning proposal;

*"We provide the following advice to the question in the letter from Council, dated 23 October, regarding how the high and medium mapped biodiversity lands should be dealt with in the draft planning proposal:*

- We consider that the area of high conservation value Snow Gum Candlebark woodland referenced on pages 10 and 11 of the Ecological Report is unsuitable for further development; and*
- Further subdivision design should be informed by targeted flora surveys in the area referred to as a medium constraint Snow Gum Candlebark woodland area, recommended in Ecological Report.*

*OEH does not consider the draft planning proposal, as presented allowing 1 hectare subdivision in the highly constrained area to be consistent with the South East and Tablelands Regional Plan 2036. The South East and Tablelands Regional Plan specifically refers to the protection of validated High Environmental Value land in Local Environment Plans. OEH considers that the avoid, minimise and if required, offset hierarchy should be applied at the planning proposal stage to identify areas where development could proceed with minimal impact. If this method is applied at an early stage minimal offsetting should not be required."*

Based on the preliminary ecological assessment and the advice from OEH it is considered that the proposed amendments to the SR LEP 2013 should not take place as proposed. The proposed rezoning of land with high environmental value to zone IN1 General Industrial with a minimum lot size of 'nil' and to zone E4 Environmental Living with a minimum lot size of 1ha is not consistent with the South East and Tablelands Regional Plan.

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Based on the ecological constraints of the site as identified above the applicant was sent a letter on 6 December 2018 requesting that they give consideration to amending the planning proposal. It was recommended that the proponent reduce the area of land proposed to be zoned IN1 General Industrial and increase the minimum lot size of land proposed to be zoned E4 Environmental Living along with addressing inconsistencies with the JGSP.

The proponent provided a response on 14 December 2018 (attachment 3) outlining why the proposal does not require revision. Their argument centres on the premise that the economic and social benefits outweigh the environmental concerns.

### ***Go Jindabyne Masterplan***

On 24 January 2019 Council's Strategic Planning staff met with the Department of Planning and Environment (DPE) in regard to the Go Jindabyne Masterplan, Snowy Monaro Planning and Land Use Discussion Paper and various planning proposals. In regards to the subject planning proposal DPE outlined that they will be strategically assessing sites for potential industrial lands as part of the Go Jindabyne Masterplan. As such it is considered appropriate that Council defer this proposal until the finalisation of the Go Jindabyne Masterplan.

If the proposal was endorsed by Council to proceed to a Gateway determination, then a likely condition of the Gateway determination (should one be afforded) is that;

*The planning proposal shall not be finalised until the NSW Department Planning and Environment's Go Jindabyne Masterplan is completed and the proposal is consistent with the Masterplan.*

Given the serious concerns with the proposal outlined above, if the proposal was to proceed at this stage significant environmental studies would need to be undertaken. These studies would be at a significant cost to the proponent which could be to no avail if the Go Jindabyne Masterplan recommends another direction in regards to the location of future new industrial development.

### ***Section 9.1 Ministerial Directions***

Table 2 below outlines the planning proposals consistency with section 9.1 of the *Environment Planning and Assessment Act 1979*, Ministerial Directions.

*Table 2: Section 9.1 Ministerial Directions*

Section Direction	9.1 Ministerial	Comment
1.1 Business and Industrial Zones		The planning proposal is considered consistent with this direction as it proposes to provide additional industrial land adjacent to an existing industrial estate. This will likely provide additional economic and employment opportunities to the area.
1.2 Rural Zones		This direction applies when the planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone.

	<p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p><i>(a) justified by a strategy which:</i></p> <p><i>(i) gives consideration to the objectives of this direction,</i></p> <p><i>(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</i></p> <p><i>(iii) is approved by the Director-General of the Department of Planning, or</i></p> <p><i>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</i></p> <p><i>(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</i></p> <p><i>(d) is of minor significance.</i></p> <p>The proposal is not considered consistent with this direction. The proposal is also considered inconsistent with JGSP by not providing an active open space corridor through the eastern portion of the site. As such the inconsistency is not considered justified.</p>
<p><b>1.3 Mining, Petroleum Production and Extractive Industries</b></p>	<p>Not applicable</p>
<p><b>1.4 Oyster Aquaculture</b></p>	<p>Not applicable</p>
<p><b>1.5 Rural Lands</b></p>	<p>Direction 1.5 Rural Lands requires that when a council prepares an LEP for land within a rural or environment protection zone it needs to consider the following;</p> <p><b>(a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Secretary of the Department of Planning and Environment, and any applicable local strategic planning statement</b></p> <p><b>(b) consider the significance of agriculture and primary production to the State and rural communities</b></p>

- (c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources**
- (d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions
- (e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities
- (f) support farmers in exercising their right to farm
- (g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land uses
- (h) consider State significant agricultural land identified in State Environmental Planning Policy (Primary Production and Rural Development) 2019 for the purpose of ensuring the ongoing viability of this land
- (i) consider the social, economic and environmental interests of the community.

In addition a planning proposal to change the existing minimum lot size on land within a rural zone must demonstrate that it:

(a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses

(b) will not adversely affect the operation and viability of existing and future rural land uses and

related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains

(c) where it is for rural residential purposes:

i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres

ii. is necessary taking account of existing and future demand and supply of rural residential land.

	<p>In relation to the relevant Rural Planning Principles listed above the planning proposal is considered inconsistent (particularly with parts (a) and (b) highlighted in bold above) as the proposal does not have regard to maintaining biodiversity and the protection of native vegetation. As such the proposal is also inconsistent with directions 14 and 15 of the South East and Tablelands regional plan.</p> <p>The proposal is considered inconsistent with JGSP by not providing an active open space corridor through the eastern portion of the site. As such the inconsistency is not considered justified.</p>
<b>2.1 Environment Protection Zones</b>	<p><i>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</i></p> <p><i>A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".</i></p> <p>The subject site does not currently include any environment protection zones.</p> <p>However the majority of the western portion of the site is identified as an environmentally sensitive area. While a portion of this land will be zoned E3 Environmental Management the areas to be zoned E4 Environmental living and IN1 General Industrial will allow for significantly reduced environmental protection standards.</p> <p>The proposal is considered inconsistent with JGSP by not providing an active open space corridor through the eastern portion of the site. As such the inconsistency is not considered justified.</p> <p>It is considered appropriate to defer this proposal till the completion of the Go Jindabyne Masterplan and consider the consistency of the proposal to the masterplan.</p>
<b>2.2 Coastal Management</b>	Not applicable
<b>2.3 Heritage Conservation</b>	<p>The subject site includes the Leesville Inn local heritage item. A heritage impact statement is not provided with the planning proposal and as such it is difficult to ascertain the impact that this proposal will have. The proposal retains a</p>

	<p>residual zone RU1 Primary Production area around the heritage item to allow for a buffer from the proposed Industrial land. This may be appropriate however further investigations will be required.</p> <p>In terms of Indigenous heritage an AHIMS search has been undertaken and no Aboriginal sites or places were identified. As identified by OEH further investigations would be required post Gateway determination.</p> <p>The proposal is considered inconsistent with JGSP by not providing an active open space corridor through the eastern portion of the site. As such the inconsistency is not considered justified.</p> <p>It is considered appropriate to defer this proposal till the completion of the Go Jindabyne Masterplan and consider the consistency of the proposal to the masterplan.</p>
<b>2.4 Recreation Vehicle Areas</b>	Not applicable
<b>2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs</b>	Not applicable
<b>3.1 Residential Zones</b>	<p>(1) The objectives of this direction are:</p> <ul style="list-style-type: none"> <li>(a) <i>to encourage a variety and choice of housing types to provide for existing and future housing needs,</i></li> <li>(b) <i>to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</i></li> <li>(c) <i>to minimise the impact of residential development on the environment and resource lands.</i></li> </ul> <p>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:</p> <ul style="list-style-type: none"> <li>(a) <i>an existing or proposed residential zone (including the alteration of any existing residential zone boundary),</i></li> <li>(b) <i>any other zone in which significant residential development is permitted or proposed to be permitted.</i></li> </ul> <p>(4) A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> <li>(a) <i>broaden the choice of building types and locations available in the housing market, and</i></li> </ul>



	<p>(b) <i>make more efficient use of existing infrastructure and services, and</i></p> <p>(c) <i>reduce the consumption of land for housing and associated urban development on the urban fringe, and</i></p> <p>(d) <i>be of good design.</i></p> <p>(5) A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) <i>contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</i></p> <p>(b) <i>not contain provisions which will reduce the permissible residential density of land.</i></p> <p>The planning proposal will provide for a large lot residential type development which for some residential development. This type of development is generally not considered an efficient use of existing infrastructure. The addition of an urban release area overlay in the SR LEP 2013 may provide for a good design.</p> <p>The proposal is considered inconsistent with JGSP by not providing an active open space corridor through the eastern portion of the site. As such the inconsistency is not considered justified.</p> <p>It is considered appropriate to defer this proposal till the completion of the Go Jindabyne Masterplan and consider the consistency of the proposal to the masterplan.</p>
<p><b>3.2 Caravan Parks and Manufactured Home Estates</b></p>	<p>Not applicable</p>
<p><b>3.3 Home Occupations</b></p>	<p>Home occupations are permitted without consent in zone RU1 Primary Production and would be permitted without consent in zones R5 Large Lot Residential, E3 Environmental Management and E4 Environmental Living. As such the proposal is not considered inconsistent with this direction.</p>
<p><b>3.4 Integrating Land Use</b></p>	<p><i>The objective of this direction is to ensure that urban</i></p>

<p><b>Transport</b></p>	<p><i>structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i></p> <ul style="list-style-type: none"> <li><i>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</i></li> <li><i>(b) increasing the choice of available transport and reducing dependence on cars, and</i></li> <li><i>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i></li> <li><i>(d) supporting the efficient and viable operation of public transport services, and</i></li> <li><i>(e) providing for the efficient movement of freight.</i></li> </ul> <p>Scarce detail is provided as to how the proposal meets this direction. The proposal will be heavily car dependent and will increase vehicle movements. No infrastructure has been provided in the proposal to provide alternative options to car travel. The proposal is considered inconsistent with the JGSP because it does not provide an active open space corridor through the eastern portion of the site. As such the inconsistency is not considered justified.</p> <p>The proposal is considered inconsistent with this direction and further consideration should be given prior to the proposal being sent to the Minister of Planning for a Gateway determination.</p>
<p><b>3.5 Development Near Regulated Airports and Defence Airfields</b></p>	<p>The subject site is located adjacent to the Jindabyne Authorised Landing Area (ALA). Although it is an airfield, the Jindabyne ALA is neither a registered or licensed aerodrome according to the Commonwealth Civil Aviation Authority.</p> <p>The Jindabyne ALA has neither an Obstacle Limitation Surface (OLS) in regards to height limits or Australian Noise Exposure Forecast (ANEF) in regards to noise controls.</p> <p>The planning proposal is therefore not inconsistent with the planning direction.</p>
<p><b>3.6 Shooting Ranges</b></p>	<p>Not applicable</p>
<p><b>4.1 Acid Sulfate Soils</b></p>	<p>Not applicable</p>
<p><b>4.2 Mine Subsidence and Unstable Land</b></p>	<p>Not applicable</p>

4.3 Flood Prone Land	Not applicable
4.4 Planning for Bushfire Protection	Not applicable
5.1 Implementation of Regional Strategies	As per direction 5.10
5.2 Sydney Drinking water Catchments	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.9 North West Rail Link Corridor Strategy	Not applicable
5.10 Implementation of Regional Plans	<p>This direction requires that the planning proposal be consistent with the Regional Plan prepared by the Minister for Planning.</p> <p>The South East Tablelands Regional Plan 2036 (SET RP) was released in July 2017 and applies to the region including Jindabyne. The following directions are relevant to the planning proposal.</p> <p><b>Direction 3:</b> Develop the Snowy Mountains into Australia's premier year-round alpine destination</p> <p>The proposal will be consistent with this direction in that the rezoning of the land will provide opportunities for additional housing and employment lands which are import for Jindabyne's role of servicing the Snowy Mountains.</p> <p><b>Direction 14:</b> Protect important environmental assets</p> <p>This proposal does not demonstrate consistency with the direction. As outlined in the direction;</p> <p><i>The 'avoid, minimise and offset' hierarchy will be applied to areas identified for new or more intensive development. The hierarchy requires that development avoid areas of validated high environmental value and considers appropriate offsets or other mitigation measures for unavoidable impacts.</i></p> <p>This proposal (as outlined below by OEH) should be revised to utilise the avoid minimise and offset methodology;</p> <p><i>OEH does not consider the draft planning proposal, as presented allowing 1 hectare subdivision in the highly constrained area to be consistent with the South East and</i></p>

*Tablelands Regional Plan 2036. The South East and Tablelands Regional Plan specifically refers to the protection of validated High Environmental Value land in Local Environment Plans. OEH considers that the avoid, minimise and if required, offset hierarchy should be applied at the planning proposal stage to identify areas where development could proceed with minimal impact. If this method is applied at an early stage minimal offsetting should not be required."*

It is considered that the proposal in its current form does not demonstrate consistency with direction 14 of the South East & Tablelands Regional Plan.

**Direction 15:** Enhance biodiversity connections

As shown in figure 7 of the South East and Tablelands Regional Plan the subject site is located around the edge of an area identified as State and Regional Biodiversity Corridor.

While providing environmental protection zones is a good approach particularly for the western portion of the site providing a one hectare minimum lot size is not considered appropriate and could see further erosion of high ecological value land. It is noted that this site is on the edge of the biodiversity corridor and as such the environmental impacts on this site may be comparatively lesser than other sites further west. However further erosion will lead to damage of the corridor and should be discouraged.

It is considered that the proposal in its current form does not demonstrate consistency with direction 15 of the South East & Tablelands Regional Plan.

**Direction 24:** Deliver greater housing supply and choice

The proposal will provide rural residential type housing which will provide additional housing stock to the market. The proposal does not provide for a variety of housing options or choice.

**Direction 25:** Focus housing growth in locations that maximise infrastructure and services

The planning proposal will be consistent with this direction in that the housing will be provided in Jindabyne where the infrastructure and services can be maximised.

The proposal is consistent with some directions of the South East and Tablelands Regional Plan although further consideration is required of other directions to demonstrate complete consistency.

**6.1 Approval and Referral Requirements**

Consistent

<b>6.2 Reserving Land for Public Purposes</b>	Consistent
<b>6.4 Site Specific Provisions</b>	Consistent
<b>Part 7 Metropolitan Planning</b>	Not applicable

The proposal is inconsistent with many of the section 9.1 Ministerial Directions. The proposal is not considered supported by a strategic plan as on balance the proposal is considered inconsistent with the JGSP because it does not provide an active open space corridor through the eastern portion of the site. It is considered appropriate to defer this proposal until the completion of the Go Jindabyne Masterplan and consider the consistency of the proposal to the masterplan.

## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

Part of the planning proposal is to provide employment lands which would likely create jobs having a positive economic and social impact. Further housing stock is also proposed which may provide some social benefits. There is a significant local heritage item located on site which if this proposal was to proceed would need careful consideration of how to minimise potential impacts. It is considered likely that a heritage impact statement would be required to ascertain the proposals impact on the heritage item.

As outlined in the biodiversity section of the report above the western portion of the subject site is considered of high ecological value. The proposal in its current form is expected to have significant negative impact on the environmental value of the site. Negative environmental impact can translate into a negative social impact on the community who live in that environment. In the case of this proposal the community subject to such potential negative impact is the Jindabyne community.

### 2. Environmental

As outlined above in this report the proposal is expected to significantly impact high value environmental land. Due to serious concerns regarding further development of the site and the impact that may have on an excellent habitat for an endangered ecological community, Council strategic planning staff sought preliminary advice from the NSW Government OEH.

OEH objected to the planning proposal on biodiversity grounds. OEH provide the following discussion on the planning proposal;

*"We provide the following advice to the question in the letter from Council, dated 23 October, regarding how the high and medium mapped biodiversity lands should be dealt with in the draft planning proposal:*

- We consider that the area of high conservation value Snow Gum Candlebark woodland referenced on pages 10 and 11 of the Ecological Report is unsuitable for further development; and*
- Further subdivision design should be informed by targeted flora surveys in the area referred to as a medium constraint Snow Gum Candlebark woodland area, recommended in Ecological Report.*

*OEH does not consider the draft planning proposal, as presented allowing 1 hectare subdivision in the highly constrained area to be consistent with the South East and*

*Tablelands Regional Plan 2036. The South East and Tablelands Regional Plan specifically refers to the protection of validated High Environmental Value land in Local Environment Plans. OEH considers that the avoid, minimise and if required, offset hierarchy should be applied at the planning proposal stage to identify areas where development could proceed with minimal impact. If this method is applied at an early stage minimal offsetting should not be required."*

It is anticipated the proposal in its current form will have a significant negative impact on the natural environment.

### **3. Economic**

The proposal provides economic analysis that demonstrates that the supply of suitable industrial land is not meeting demand. The proposed rezoning would provide additional supply which would assist in addressing demand. The rezoning of the subject land, adjacent to Leesville.

This is an owner initiated planning proposal, Dabyne are the recognised applicants as such the relevant fees have been paid as outlined by the Council Fees and Charges. These fees are designed to cover the costs of Council resources in preparing this report. At this stage progressing this proposal is not considered warranted.

If the proposal was to proceed it is expected a number of studies would be required to satisfy agency concerns and inconsistency with Ministerial Directions. It is expected this will be of significant financial bearing to the proponent and the proposal may be rendered futile by the Go Jindabyne Masterplan.

### **4. Civic Leadership**

On 1 November 2018 Council resolved to (398/18);

- A. *Approach NSW Planning Minister (Anthony Roberts) to commission a Special Project to formulate the future strategic plan for Jindabyne township and surrounds; and*
  - B. *That the Project should engage suitably qualified town planning experts and architects, to undertake planning that includes, but is not limited to the following:*
    - *Ways to make the Jindabyne shopping district address and embrace Lake Jindabyne, with easy pedestrian access,*
    - *A review of zoning for future housing developments,*
    - *Recommendations on the optimum size of Jindabyne, given current infrastructure,*
    - *Infrastructure including schools, community centre, health services, aged care, and library; and*
    - *Protecting and enhancing the natural assets and ecological values of Jindabyne, and acknowledging the opportunity to make Jindabyne one of the most beautiful towns in Australia*
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8.3 PLANNING PROPOSAL - 218 BARRY WAY, JINDABYNE

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Following this Council resolution the Department of Planning announced it would undertake the Go Jindabyne Masterplan. The Masterplan will consider the appropriate location for further industrial land in or around Jindabyne as such this proposal should not proceed until this masterplan has been finalised. Pursuing this proposal at this time would appear to be inconsistent with aspects of the above Council resolution 398/18

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### 9.1.1 SNOWY MONARO YOUTH CREW (SMYC) APPAREL UPDATE

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Youth Development Officer
Key Theme:	1. Community Outcomes
CSP Community Strategy:	1.4 Youth in the region are supported to reach their maximum potential
Delivery Program Objectives:	1.4.1 Youth of the region are engaged, supported, mentored and trained to be the leaders of tomorrow
Attachments:	1. Flow Chart 2. ACCC Model policy for display
Cost Centre	2910
Project	SMYC Apparel
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

Snowy Monaro Youth Crew (SMYC) Apparel is a youth led social enterprise that aims to create a united and vibrant youth culture in the Snowy Monaro Region. The project will be facilitated by the Youth Development Officers in collaboration with the Youth Council. SMYC will provide young people with access to training and development opportunities while also increasing the Youth budget. The additional income will be reinvested in youth specific projects, activities and events across the Region. Over time this will enable Council to deliver more for the region's youth without necessarily requiring additional budget allocations. Before the project is officially launched and widespread promotion begins, Council's endorsement is sought.

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

#### OFFICER'S RECOMMENDATION

That Council

- A. Receive and note the information in the report on the SMYC Apparel, noting that individual item prices have been included in the draft Fees and Charges for 2019-20;
- B. Endorse the launch of the project and commencement of retail sales from 1 July 2019;
- C. Endorse the use of a refunds and returns policy for the apparel which is in accordance with the Australian Competition and Consumer Commission (ACCC) guidelines and model policy.

#### BACKGROUND

About \$5000 of remaining funds from a former grant project were used (with approval from Family and Community Services the funding provider) to purchase and arrange for printing a

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variety of clothing products including t-shirts and hoodies. A design contest was held among youth of the region for the logo on the clothing and a design has been chosen. The project is ready to move into the next phase which means having the blank clothing screen printed and prepared for retail sale. This will be followed by the official launch of the project and commencement of actual merchandising of the final products. The products will be sold through the Hub in Cooma and the Cooma Visitors Centre initially and will expand into other Council cash handling points as the project develops. There is no intention to sell the product from private retail premises external to Council in order to keep financial procedures as simple as possible. Before the project is officially launched and widespread promotion begins, Council's formal endorsement is sought.

The Australian Competition and Consumer Commission (ACCC) is the government agency charged with upholding consumer law in Australia. The ACCC produce guidelines and model templates which can be used by businesses and consumers alike to ensure that their actions, rights and requirements comply with consumer law. The ACCC model template for refunds and returns is attached to this report. It is intended that this will be used in accordance with other ACCC Guidelines to ensure that the sale of SMYC apparel complies with Australian consumer law, is transparent and respects consumer rights.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The purpose of undertaking this project is entirely oriented around the youth of the region. The development of the products sold will familiarise youth with administrative, leadership, entrepreneurial and marketing skills in a safe environment. The brand will assist with providing a unifying regional identity that youth can relate to and feel a part of. This will generate pride in the region and a sense of wanting to see the region succeed. In the long term this may encourage more youth to contemplate staying in the region after leaving school or returning to the region to live later in life. The funds raised will be put into youth oriented projects and activities.

### **2. Environmental**

This project has no direct environmental consequences.

### **3. Economic**

The Youth Development Officers have met with staff from the Finance unit to identify how the flow of funding for the project will work and how any accounting obligations can be met. In short the entire financial flow of the project will remain within Council's control. Although the Youth Council will have a decision making role on some aspects of the project, the Youth Development Officers will have supervision to ensure that operations are transparent and integrity is maintained. A flow diagram is attached to this report which shows a basic financial process for the project.

Part of the intention of the project is to make a modest profit which can then be reinvested into youth events and activities around the region. Pricing of the apparel has been set to facilitate this and is shown in the tables below. The individual item sale prices have been included in the draft Fees and Charges document for the 2019-20 financial year. These are subject to adoption by Council.

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**Table 1: Individual item cost, sale price and profit**

Item	item cost	Item sale price	item profit
T-shirt	\$8.81	\$25.00	\$16.20
Hoodie	\$28.45	\$60.00	\$31.55
Caps	\$12.95	\$30.00	\$17.05
Socks	\$5.88	\$15.00	\$9.12

**Table 2: Cost and profit from the initial total batch of orders**

Item	No. to be ordered	total cost	total profit
T-shirt	100	\$881.00	\$1620.00
Hoodie	50	\$1422.50	\$1577.50
Caps	50	\$647.50	\$852.50
Socks	120	\$705.60	\$1094.40
<b>Total</b>		<b>\$3656.60</b>	<b>\$5144.40</b>

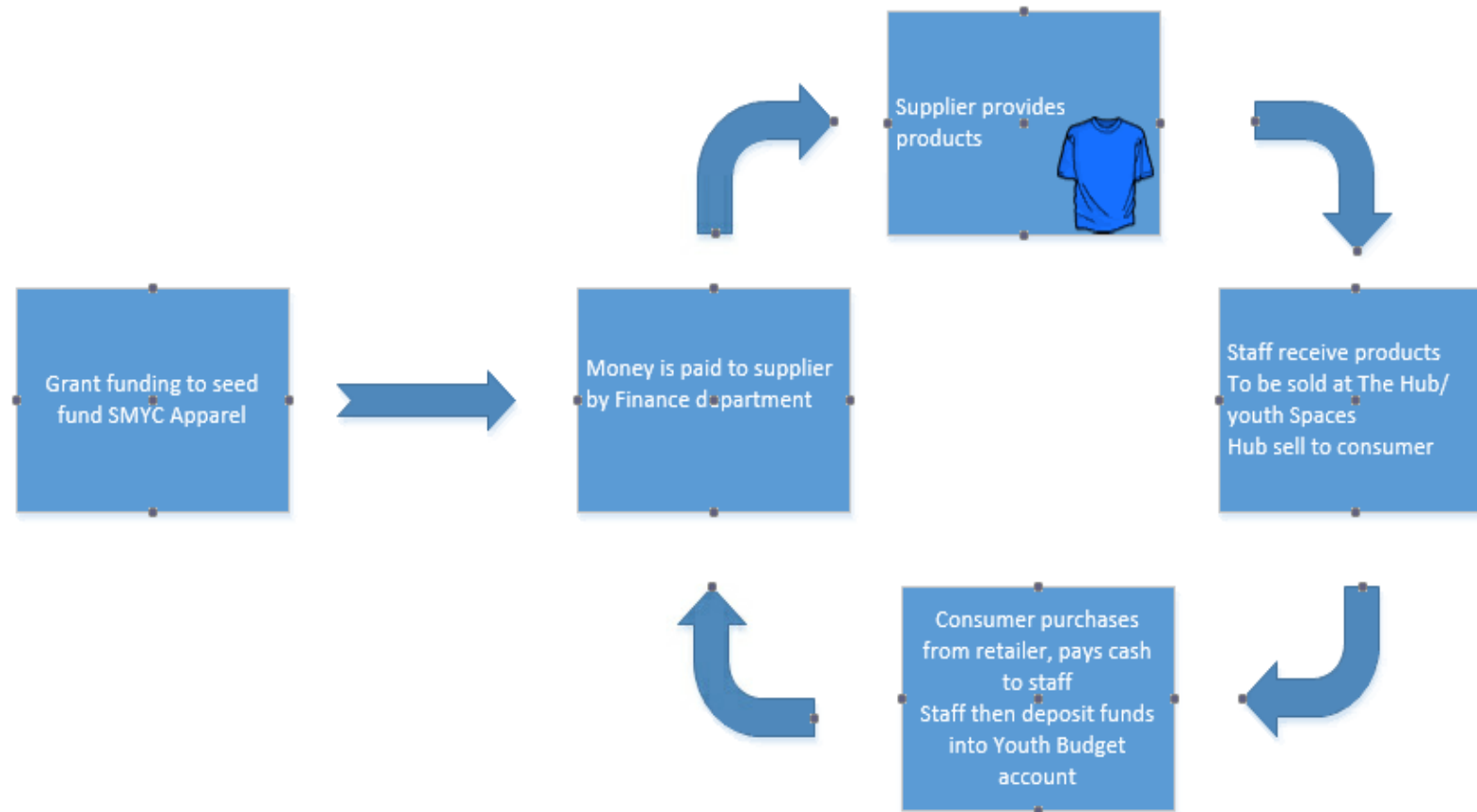
A range of smaller promotional products such as stickers will also be purchased and sold. If these sell out they will add another \$2250 to the profit from the initial batch of products. Depending on the pace of sale of the products, new batches will be ordered from the profit made on those items sold to that point, as dictated by the level of demand.

#### **4. Civic Leadership**

This project is an opportunity for Council to build further upon the success of the Youth Council and enable youth to explore and develop skills in new areas. These will further help develop the young leaders and entrepreneurs of the future within our region.

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australian consumer law



## Refunds and returns—goods

We are not required to provide a refund or replacement if you change your mind.

But you can choose a refund or exchange if an item has a **major** problem. This is when the item:

- has a problem that would have stopped someone from buying the item if they had known about it
- is unsafe
- is significantly different from the sample or description
- doesn't do what we said it would, or what you asked for and can't be easily fixed.

Alternatively, you can choose to keep the item and we will compensate you for any drop in value.

If the problem is **not major**, we will repair the item within a reasonable time. If it is not repaired in a reasonable time you can choose a refund or replacement.

Please keep your proof of purchase—e.g. your receipt.



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## Refunds and remedies—services

We are not required to provide a refund if you change your mind about the services you asked for.

But you can choose to cancel your contract, and receive a refund for unconsumed services, if the service has a **major** problem. This is when the service:

- has a problem that would have stopped someone from purchasing the service if they had known about it
- is substantially unfit for its common purpose, and can't be easily fixed within a reasonable time
- does not meet the specific purpose you asked for and cannot be easily rectified within a reasonable time
- creates an unsafe situation.

If you choose to continue with the contract, you can ask us to compensate you for any difference in the value of the services we provided and what you paid.

If the problem is **not major**, we will fix it within a reasonable time. If it is not fixed within this time, you can choose to have someone else fix the problem and recover all reasonable costs from us. If the problem cannot be fixed, we view it as a major problem.

Please keep proof of your agreement—e.g. your invoice or quote.



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### 9.1.2 MONTHLY FUNDS MANAGEMENT REPORT - MARCH 2019

Record No:

Responsible Officer: Director Corporate and Community Services  
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 31 March 2019.

Cash and Investments are \$84,922,183.

#### 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.

#### OFFICER'S RECOMMENDATION

That Council

- A. Receive and note the report indicating Council's cash and investments position as at 31 March 2019.
- B. Receive and note the Certificate of the Responsible Accounting Officer.

#### BACKGROUND

##### Council's Cash and Investments 31 March 2019:

Cash at Bank	1,725,946
Investments	83,196,237
Total	84,922,183

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## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Total Cash and Investments are available to provide services and infrastructure to the community in accordance with the 2019 budget, Council resolutions and other external restrictions.

### **2. Environmental**

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

### **3. Economic**

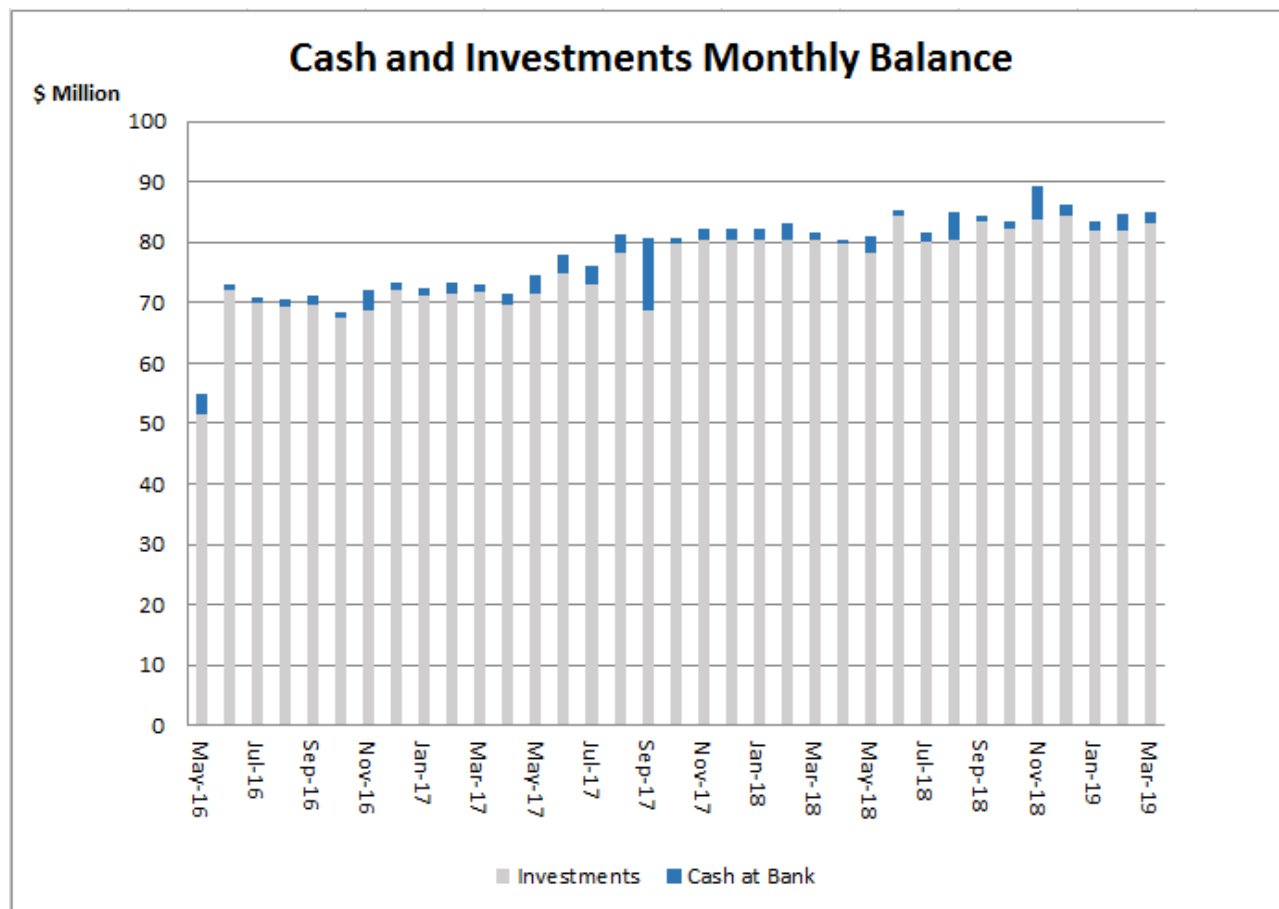
Total investments for Snowy Monaro Regional Council were \$83,196,237 on 31 March 2019.

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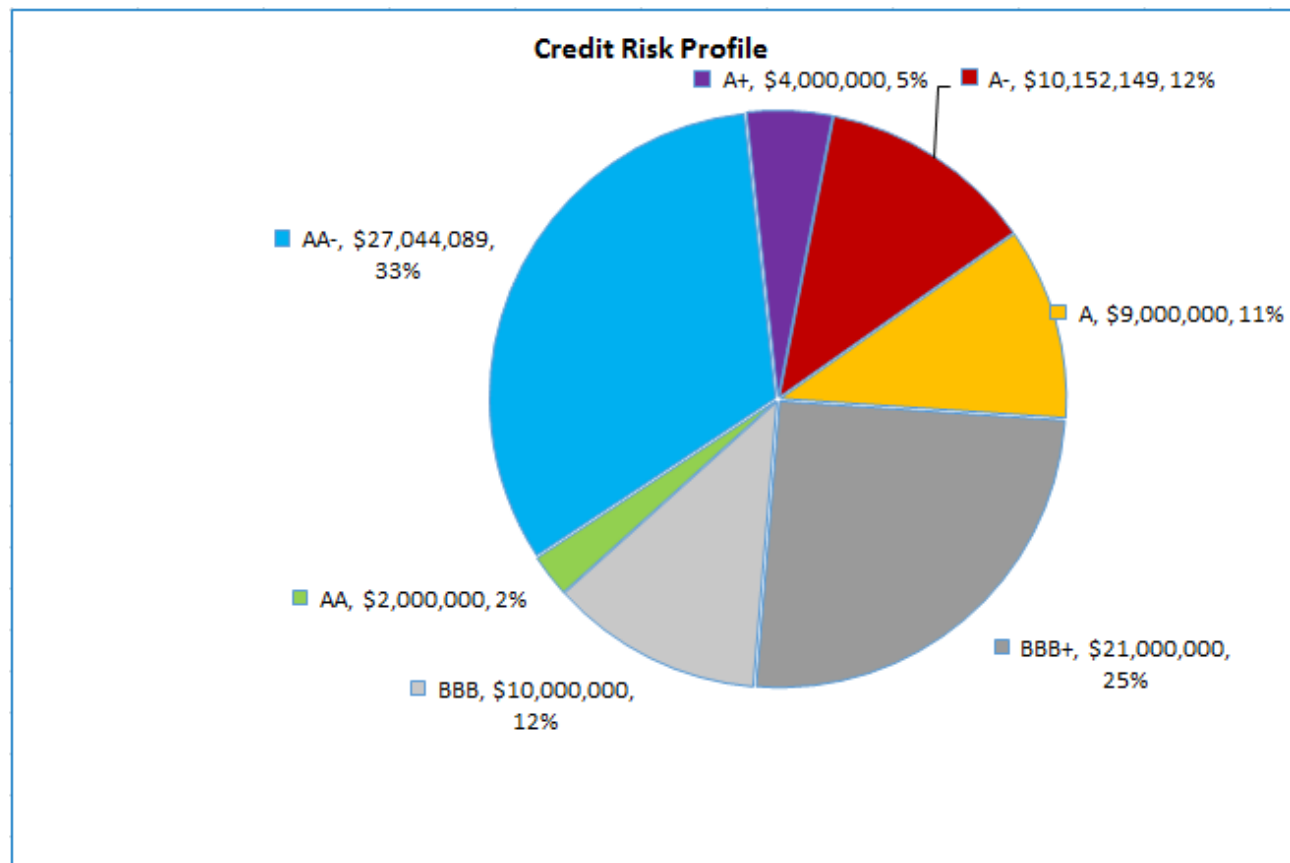
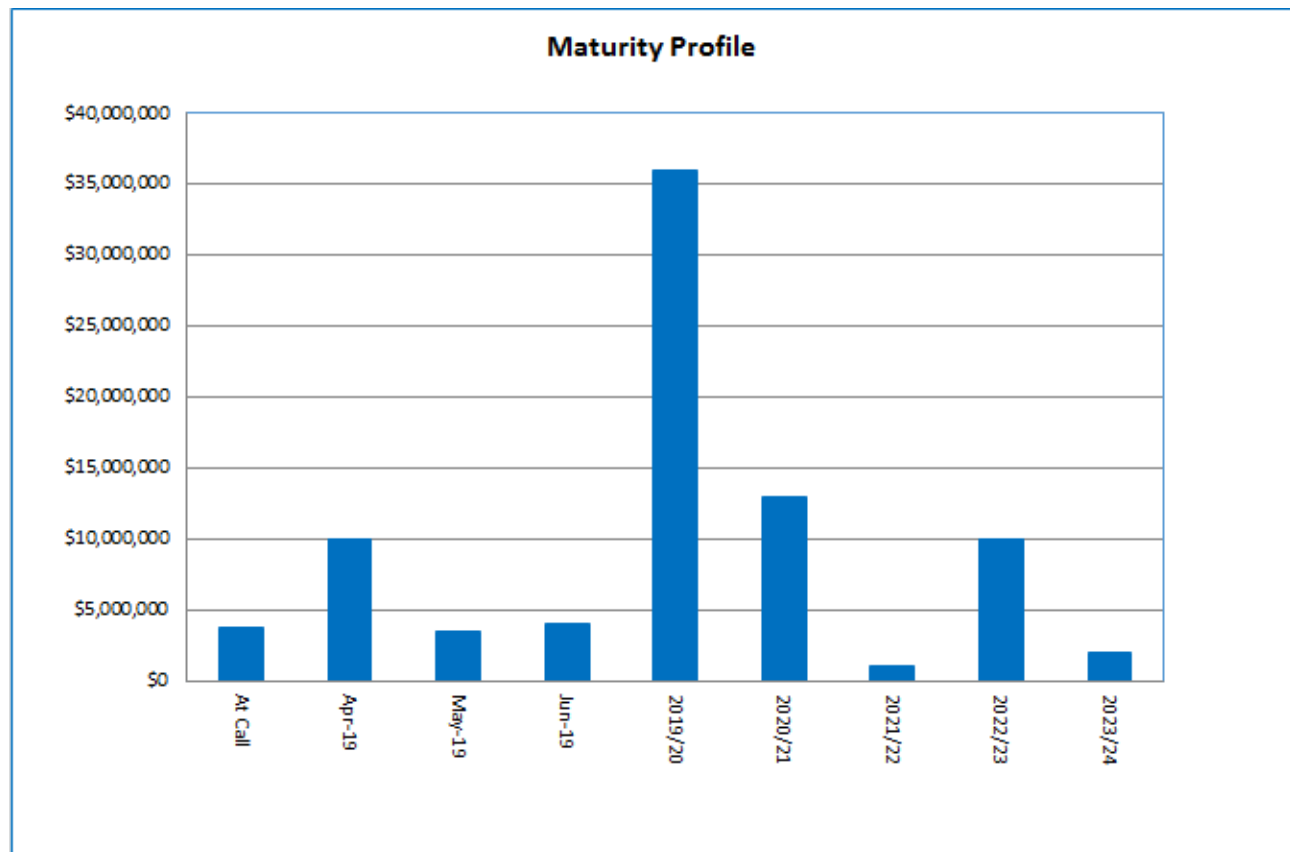
**Investment Register – 31 March 2019:**

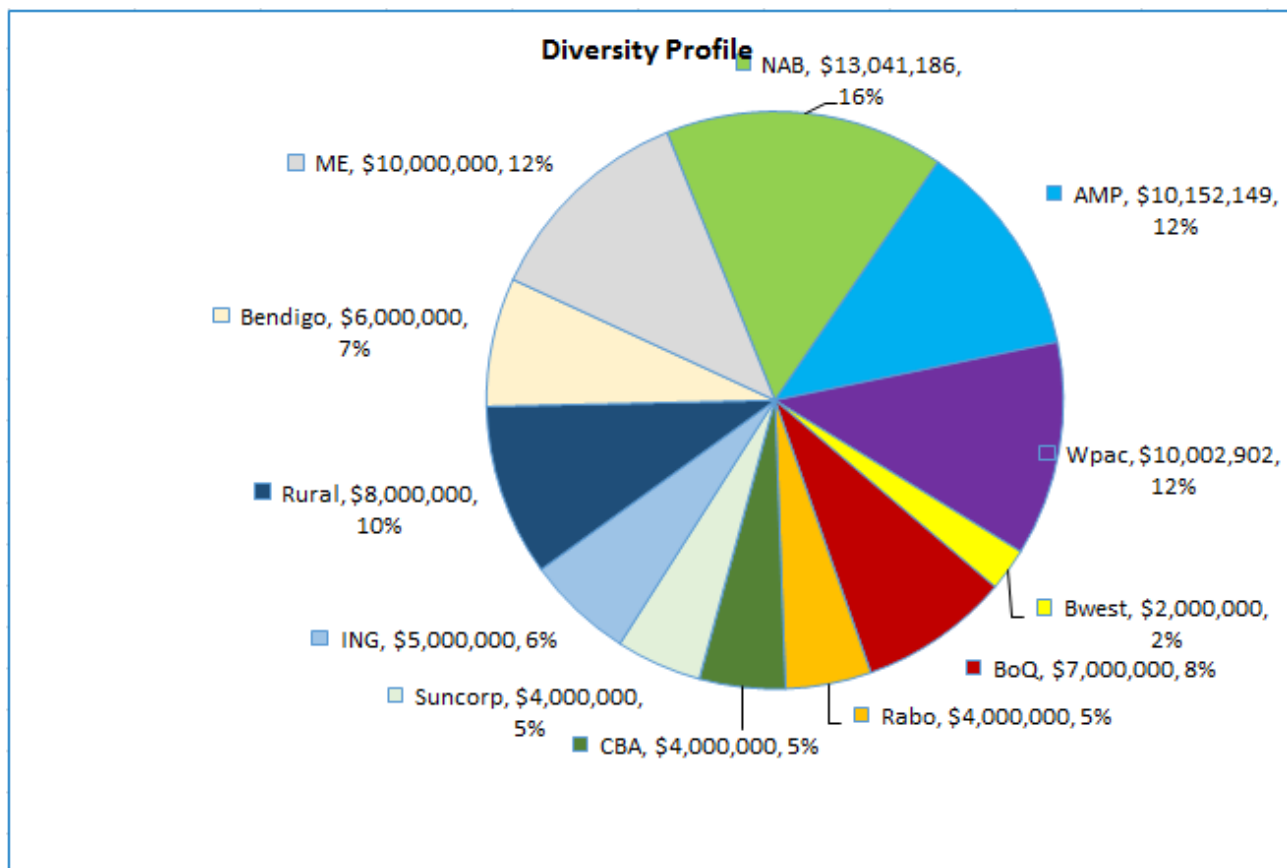
DATE INVESTED	FINANCIAL INSTITUTION	Short-Term Rating	Long-Term Rating	TYPE	CURRENT INVESTMENT	INTEREST RATE	MATURITY
n/a	National Australia Bank - At Call*	A1+	AA-	At Call	1,909	1.10%	At Call
n/a	National Australia Bank - At Call*	A1+	AA-	At Call	1,539,278	1.10%	At Call
n/a	AMP Bank - At Call	A2	A-	At Call	29,120	1.80%	At Call
n/a	Westpac Bank - At Call	A1+	AA-	At Call	1,002,902	0.70%	At Call
n/a	AMP Bank - 31 days Notice Account	A2	A-	31 days	1,123,028	2.30%	31 days
16-Sep-15	Bank of Queensland	A2	BBB+	TD	1,000,000	3.20%	17-Sep-19
23-Mar-16	ING Bank	A1	A	TD	1,000,000	3.66%	22-Mar-21
23-Jun-16	Commonwealth Bank	A1+	AA-	TD	4,000,000	2.91%	23-Jun-21
21-Mar-17	Bank of Queensland	A2	BBB+	TD	1,000,000	3.15%	20-Mar-20
09-Jun-17	Rural Bank Limited	A2	BBB+	TD	4,000,000	2.75%	07-Jun-19
26-Jun-17	Bank of Queensland	A2	BBB+	TD	4,000,000	3.30%	25-Jun-21
24-Aug-17	ING Bank	A1	A	TD	3,000,000	2.75%	27-Aug-19
29-Aug-17	Westpac Bank	A1+	AA-	TD	4,000,000	2.89%	29-Aug-22
15-Sep-17	Westpac Bank	A1+	AA-	TD	1,000,000	2.91%	15-Sep-21
06-Mar-18	ING Bank	A1	A	TD	1,000,000	2.86%	06-Mar-20
13-Mar-18	Rural Bank Limited	A2	BBB+	TD	4,000,000	2.80%	12-Mar-20
10-Apr-18	Bankwest	A1+	AA	TD	1,000,000	2.65%	10-Apr-19
08-May-18	National Australia Bank	A1+	AA-	TD	1,000,000	2.65%	08-May-19
26-Jun-18	Bendigo and Adelaide Bank	A2	BBB+	TD	4,000,000	2.90%	25-Jun-20
29-Jun-18	National Australia Bank	A1+	AA-	TD	4,000,000	2.96%	29-Jun-23
08-Aug-18	AMP Bank	A2	A-	TD	1,000,000	2.85%	08-Aug-19
10-Sep-18	National Australia Bank	A1+	AA-	TD	3,000,000	2.75%	10-Sep-19
11-Sep-18	Rabodirect	A1	A	TD	2,000,000	3.33%	08-Sep-23
13-Sep-18	AMP Bank	A2	A-	TD	2,000,000	2.85%	14-Sep-20
17-Sep-18	National Australia Bank	A1+	AA-	TD	2,500,000	2.70%	15-May-19
02-Oct-18	Suncorp Bank	A1	A+	TD	1,000,000	2.70%	01-Apr-19
19-Oct-18	Bankwest	A1+	AA	TD	1,000,000	2.70%	16-Jul-19
23-Oct-18	Bank of Queensland	A2	BBB+	TD	1,000,000	2.65%	23-Oct-19
09-Nov-18	National Australia Bank	A1+	AA-	TD	1,000,000	2.72%	08-Nov-19
21-Nov-18	AMP Bank	A2	A-	TD	1,000,000	2.65%	21-May-20
26-Nov-18	AMP Bank	A2	A-	TD	2,000,000	2.65%	26-Nov-19
17-Dec-18	Rabobank Australia	A1	A	TD	2,000,000	3.15%	16-Dec-22
19-Dec-18	Bendigo and Adelaide Bank	A2	BBB+	TD	2,000,000	2.80%	17-Dec-20
08-Jan-19	Suncorp Bank	A1	A+	TD	2,000,000	2.70%	08-Jul-19
14-Jan-19	ME Bank	A2	BBB	TD	8,000,000	2.70%	15-Apr-19
22-Feb-19	Westpac Bank	A1+	AA-	TD	2,000,000	2.52%	24-Feb-20
28-Feb-19	Westpac Bank	A1+	AA-	TD	2,000,000	2.50%	26-Feb-20
01-Mar-19	Suncorp Bank	A1	A+	TD	1,000,000	2.60%	26-Nov-19
13-Mar-19	AMP Bank	A2	A-	TD	3,000,000	2.80%	09-Dec-19
20-Mar-19	ME Bank	A2	BBB	TD	2,000,000	2.60%	19-Mar-20
					<b>83,196,237</b>		

**Cash and Investments Charts:**









#### 4. Civic Leadership

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

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

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### 9.1.3 NON RENEWAL OF LEASE - STARR ALPINE INVESTMENTS

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Facilities 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. Lease - Starr Alpine Investments ( <i>Under Separate Cover</i> ) - <b>Confidential</b>
Cost Centre	150277 Snowy River Health Centre
Project	PJ300046 Leases and Licences
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

On 25 May 2019 the lease at Snowy River Health Centre for Starr Alpine Investments will terminate. The previous lease commenced on 25 May 2014 with an option to renew for a further period of five (5) years.

Starr Alpine Investments has advised that they would not be taking up the option to renew the Lease.

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

#### OFFICER'S RECOMMENDATION

That Council

- A. Approve the advertising for use of the space to a suitable health practitioner; and
- B. Authorise the General Manager and Mayor to execute and Affix the Council Seal to the Lease when a suitable tenant is found.

#### BACKGROUND

The Former Snowy River Shire Council entered into a Lease Agreement with Starr Alpine Investments commencing 26 May 2014 (copy included in the Confidential Attachment for Economic Information).

Starr Alpine Investments operated as a pharmacist and dispensary. Unfortunately, the pharmacy has not been operating since 2015 as it was not successful in gaining approval to supply

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pharmaceutical benefits by Australian Community Pharmacy Authority. Specifically, the Authority cited that the premises was too close in proximity to the next nearest approved premises and the number of PBS prescribers within Jindabyne Medical Practice was insufficient to support.

Given the above, it is unlikely that the premises can be used as a dispensary in the future. It should be noted that Starr Alpine Investments continued to pay rent for the duration of its lease.

Approval is now sought to begin advertising for a suitable tenant for the space.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Council is consistent with economic, social and environmental objectives and securing an optimum mix of financial and other benefits for the community.

### **2. Environmental**

There are no environmental issues that will impact this report.

### **3. Economic**

The yearly Lease fee is increased annually by the CPI Sydney index rate released before the due date of the Lease.

The economic information for the Lease for the financial 2018/2019 is listed in the confidential attachment. Rental income could be increased so as to be more in line with market value.

### **4. Civic Leadership**

Council will be effectively managing Council assets in an efficient and sustainable way.

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**9.1.4 EXTENSION TO CONTRACT FOR CLEANING JINDABYNE COUNCIL OFFICES, JINDABYNE MEMORIAL HALL AND LEVEL 1, JINDABYNE GP SUPER CLINIC - EXTENSION TO CONTRACT FOR CLEANING OF BERRIDALE FACILITIES - EXTENSION TO CONTRACT FOR CLEANING OF COUNCIL BUILDINGS COOMA**

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Property Officer
Key Theme:	1. Community Outcomes
CSP Community Strategy:	3.1 Develop, maintain and promote safe spaces and facilities that are enabling, accessible and inclusive for all
Delivery Program Objectives:	3.1.1 Public and community spaces are regulated and managed to be safe and equitable for all abilities
Attachments:	1. Cleaning Contract for Jindabyne Areas ( <i>Under Separate Cover</i> ) - <b>Confidential</b> 2. Cleaning Contract for Berridale Area ( <i>Under Separate Cover</i> ) - <b>Confidential</b> 3. Cleaning Contract for Cooma Areas ( <i>Under Separate Cover</i> ) - <b>Confidential</b>
Cost Centre	61127 Contracts Cleaning
Project	150235 - 150236 - 150233
Further Operational Plan Actions:	

**EXECUTIVE SUMMARY**

The contract for Cleaning Jindabyne Council Offices, Jindabyne Memorial Hall and Level 1, Snowy River Health Centre Jindabyne and the contract for cleaning of Berridale facilities along with the Cleaning Contract for Council Buildings Cooma are all due to expire on 8 June 2019 (attached under separate confidential item).

To allow a review into the current contract requirements, it is proposed to seek Council consideration to extend the current contracts until 30 October 2019 which will take the contracts through the winter period and will avoid any unnecessary changes during this busy period.

During the extended contract period, a review and update of the current contracts will be undertaken to ensure the new contracts fully cover the requirements of Snowy Monaro Regional Council and will allow time to advertise for tenders and engage suitable contractors.

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- 9.1.4 EXTENSION TO CONTRACT FOR CLEANING JINDABYNE COUNCIL OFFICES, JINDABYNE MEMORIAL HALL AND LEVEL 1, JINDABYNE GP SUPER CLINIC - EXTENSION TO CONTRACT FOR CLEANING OF BERRIDALE FACILITIES - EXTENSION TO CONTRACT FOR CLEANING OF COUNCIL BUILDINGS COOMA
- 

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

**OFFICER'S RECOMMENDATION**

That Council

- A. Extend the Contract for Cleaning Jindabyne Council Offices, Jindabyne Memorial Hall and Level 1, Snowy River Health Centre Jindabyne to 30 October 2019; and
- B. Extend the Contract for cleaning of Berridale facilities to 30 October 2019; and
- C. Extend the Contract for cleaning of Council Buildings Cooma to 30 October 2019.

**BACKGROUND**

The former Councils have cleaning contracts for council buildings in Jindabyne, Berridale and Cooma (as per attached documents). These documents need to be reviewed to bring them into line with the current requirements of SMRC.

**QUADRUPLE BOTTOM LINE REPORTING**

**1. Social**

The workplace environment influences employees' productivity, performance and well-being. Maintaining a clean workplace is vital for employers to reduce their risk of liability and keep efficiency high.

**2. Environmental**

No known environmental impacts, however any anticipated environmental impacts which may occur as a result of works will be addressed at the time.

**3. Economic**

As per confidential attachments.

**4. Civic Leadership**

Council will be effectively managing Council assets in an efficient and sustainable way.

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### **9.1.5 COOMA TOWN CLOCK - OUTCOMES OF THE COMMUNITY CONSULTATION PROCESS AND POTENTIAL IMPACTS OF SNOWY 2.0 HEAVY TRAFFIC**

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Group Manager Transport Infrastructure (Operations)
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:	2.2.2 Facilities for the provision of arts and cultural activities have been planned for in partnership with other government agencies and the community
Attachments:	1. Community Comments CONFIDENTIAL
Cost Centre	
Project	Cooma Town Clock
Further Operational Plan Actions:	

#### **EXECUTIVE SUMMARY**

At a meeting of Council held in Cooma on 6 December 2018, Councillors considered a report into the Cooma Town Clock proposal and supported a recommendation to undertake public consultation to determine whether the community supported a plan to construct a town clock on Sharp/Vale Street Roundabout.

The consultation process consisted of the following initiatives in an attempt to encourage responses from a broad section of the community:

- Councillors and Staff manning a Street Stall on the corner of Sharp & Vale Street;
- Council on-line "Your Say" survey;
- Email and Letter communication; and
- Council Facebook page.

In addition, the Monaro Post ran a survey on their Facebook page which prompted over 100 comments from the community.

However, during the consultation process and when writing this report, an initial meeting was held with Snowy Hydro representatives (Friday 29 March 2019) to discuss potential traffic issues arising from the Snowy 2.0 project. Snowy Hydro confirmed that although a contractor had now been engaged the quantity, size, weight and width of vehicles transporting equipment and materials to the Snowy 2.0 project site had not yet been finalised. This detail is critical in determining potential problems and possible solutions for heavy transport through Cooma CBD, which may impact on the existing roundabouts.

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

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### OFFICER'S RECOMMENDATION

That Council

- A. Receive and Note the report into the outcomes of community consultation in relation to the Cooma Town Clock proposal.
- B. Defer any decision on the Cooma Town Clock until the impacts of Snowy 2.0 Heavy Traffic, through Cooma CBD are better understood.

### BACKGROUND

Following the Council report on 6 December 2018 community consultation was undertaken regarding the proposal to construct a Town Clock on the Vale St and Sharp St Roundabout Cooma.



*Artists View of the Cooma Town Clock from Sharp Street looking North*

A summary of those community members who registered support or otherwise is as follows:

	Support	Against	Undecided
Pop-up Street Stall	29	10	0
Your Say Survey	264	276	13
Other; including letters and/or emails.	5	6	0

However, a survey ran by the Monaro Post on Facebook received 108 comments of which over 90% were in favour of the Town Clock proposal

### Summary of Comments

The main areas of support or disapproval from the community centred on the following areas:

- Support:
  - Improve the visual appearance of Cooma CBD.
  - Great design and historic feel.
  - Better than the existing roundabout.
- Concerns:

9.1.5 COOMA TOWN CLOCK - OUTCOMES OF THE COMMUNITY CONSULTATION PROCESS AND POTENTIAL IMPACTS OF SNOWY 2.0 HEAVY TRAFFIC

- Site/Distance hazard for traffic.
- Good idea but wrong location.
- Impacts of Snowy 2.0 traffic.
- Council part funding the project.
- Design and actual need for a town clock.

## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

Comment from the community in relation to the proposal for a Town Clock constructed at the Sharp/Vale Street roundabout are mixed and results show an approximate 50:50 split between those in favour and those against. Any decision by Council has the potential to provoke an equal reaction from the community. However, the recommendation to defer any decision until further talks with Snowy 2.0 contractors has taken place may provide the time and space to reveal some additional information that allows the public to make a more informed decision.

### 2. Environmental

The report of 6 December 2019 outlined the following Environmental considerations:

*"The clock will be constructed with a combination of solar power and power supplied from the grid to ensure continuity of supply and all environmental assessments will be complete prior to construction".*

### 3. Economic

The report of 6 December 2019 identified costs as follows:

*"Given current estimates, two thirds of the cost for constructing a town clock will be provided by donation from the Litchfield family. The remainder would be required from Council and it is proposed that Operational Reserves are identified as the preferred source".*

Estimated Expenditure	Amount	Financial year	Ledger	Account string
Cooma Town Clock Council contribution	\$50,000	2018/2019	PJ	
Funding (Income/reserves)	Amount		Ledger	Account string
Cooma Town Clock Council donation	\$100,000	2018/2019		

### 4. Civic Leadership

The decision of Council from its meeting of 6 December 2018 was as follows:

9.1.5 COOMA TOWN CLOCK - OUTCOMES OF THE COMMUNITY CONSULTATION PROCESS AND POTENTIAL IMPACTS OF  
SNOWY 2.0 HEAVY TRAFFIC

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**COUNCIL RESOLUTION**

**545/18**

That Council:

- A. Receive and note the design and location of the Cooma town clock;
- B. Endorse a public consultation process to determine whether a Town Clock is supported by the community; and
- C. Approve the allocation of \$50,000 from Council's 'Other Reserves' towards the construction of a Cooma town clock should that be supported by the community and subject to a further report back to Council once public consultation has been completed.

**Moved Councillor Corbett**

**Seconded Councillor Stewart**









**CARRIED**

9.1.5 COOMA TOWN CLOCK - OUTCOMES OF THE COMMUNITY CONSULTATION PROCESS AND POTENTIAL IMPACTS OF SNOWY 2.0 HEAVY TRAFFIC

ATTACHMENT 1 COMMUNITY COMMENTS CONFIDENTIAL

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Cooma Town Clock – Community Comments

Date	ECM Reference	Name	Comment	Acknowledged
14/12/18	3126339		<p>Just reading the Monaro Post Wednesday edition and it said we could comment on the proposed town clock.</p> <p>In the first paragraph it said it would be funded by the Litchfield family, that's great as it memorialises the family connection to the area.</p> <p>In the second paragraph it says the council will be putting up \$50,000. As a ratepayer I think there are immediate issues to be addressed with our funds.</p> <p>Also I watched a "B" double negotiate the roundabout and I think we need a drive over roundabouts considering the construction and the freight associated with Snowy 2 and other projects associated with the growth in our area.</p> <p>Maybe the clock could be placed on the corner opposite "Macks" or do you look at putting the \$50k toward planning a bypass of the CBD and make the CBD a pedestrian mall with a clock for us all to use.</p>	<p>18/12/18</p> 
16/12/18	3125939		YES	<p>18/12/18</p> 
13/12/18	3125948		I think to build a town clock in the middle of the roundabout would be so old fashioned also trying to look like some town in Europe, surely we can have something that represents us and the Snowy Mountains.	
13/12/18	3125630		<p>The Vale Street roundabout is a problem at any time as so much traffic comes from all directions, with many vehicles backing out from in front of the Alpine Hotel and thus stopping at the roundabout. People in cars coming to the roundabout would not be able to see this problem if there was a clock there on a large foundation in their line of sight, so a real traffic jam could eventuate.</p> <p>Of course motorists looking at the time on the clock as they approach the roundabout may not be looking at cars coming in from the right, or be able to see where cars are going that are already on the roundabout. This problem may not</p>	<p>18/12/18</p> 


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			<p>actually be the clock but its large foundation.</p> <p>I hope this letter will be read with others writing about the clock. It's just NOT the right place to put a clock.</p>	
02/01/2019	N/A		<p>Comment in Monaro Post – 2 January 2019</p> <p>The Council is not making it easy for residents to comment on the proposed clock tower to be erected on the roundabout in Cooma. It doesn't appear to be on the Council website, so perhaps we should comment here (Monaro Post).</p> <p>Is it actually a joke? How could anyone seriously propose spending \$50,000 of OUR money to place this ugly, primitive stack of rocks topped with a dove cote in our main street?</p> <p>It is ugly, very badly "designed", old fashioned, unnecessary and a traffic hazard. This memorial to one family's business could be placed elsewhere – by them, and not at ratepayers' expense. It says nothing about Cooma nor about sheep.</p> <p>If the Council can find \$50,000 to spend on this, they should spend it instead on something which will enhance the safety of residents and visitors, like fixing some of the pavements in town.</p> <p>Email dated 8 January 2019</p> <p><b>PROPOSED CLOCK TOWER IN MAIN STREET OF COOMA</b></p> <p>I strongly oppose the installation of this little tower, for the following reasons:</p> <ol style="list-style-type: none"> <li>1. It is very ugly, primitive and childish in its design, and will not add any enhancement to the appearance of the street. It is old-fashioned without being heritage. It looks like a pile of rocks with a dove cote or chook house on top. There is no provision for solar power for the clock or for illuminating it for safety at night.</li> <li>2. The alleged cost is ridiculously high. Could we please see a breakdown of the \$150,000 it is supposed to cost? Apprentices from the TAFE could do a better job, including design, for a much lower price.</li> </ol>	<p>N/A</p> 



			<p>3. We do not need a clock. Nobody uses clocks any more, they check their phones or their car dashboard.</p> <p>4. There is already a clock at this roundabout -- on the Mack's building.</p> <p>5. It could be a traffic hazard. When large items are being transported for Snowy 2, they would have problems negotiating the roundabout with this ediface on it, and would not be able to negotiate the Polo Flat turnoff at Bombala Road as an alternative. It would also be mildly distracting to tourist traffic (laughing at it?)</p> <p>6. It is not relevant to Cooma or Monaro. It is a monument to the vanity of one family who think their business deserves recognition. It does not promote Cooma, and the design does not even promote the sheep business. In fact, what does it say? Nice rocks around here?</p> <p>7. Because it is a vanity monument, it should not be placed in a prominent position, if it is built at all. Let the family build something in a park somewhere, at their own expense.</p> <p>8. If the Council can find \$50,000 towards erecting this joke, it could spend that money on something useful for residents and tourists, such as fixing the pavements. It definately should not waste ratepayers' money on this silly idea.</p>	
08/01/2019		<input type="checkbox"/>	"Go the Clock – Looks Awesome"	

9.1.5 COOMA TOWN CLOCK - OUTCOMES OF THE COMMUNITY CONSULTATION PROCESS AND POTENTIAL IMPACTS OF SNOWY 2.0 HEAVY TRAFFIC

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			<p>Residents of Snowy Monaro Regional Council area have the chance to voice their opinion on the placement of a town clock on the Vale/Sharp Street roundabout in Cooma. The clock is a gift from the Litchfield family to commemorate Hazledean Stud's 150th anniversary. Pictured: an artist's impression of what the clock would look and right, the roundabout as it stands</p> <p>Find out more on page 2.</p> <div> <h2>DO YOU PREFER THIS? OR THIS?</h2> </div> <div> <p><b>5,708</b> People Reached</p> <p><b>3,323</b> Engagements</p> <p><a href="#">Boost Post</a></p> <p>Carla Mason, Jack Stevens and 125 others</p> <p>108 Comments 7 Shares</p> </div>	
08/01/2019		<input type="checkbox"/>	Excellent Idea – Great look for Cooma	
15/03/2019	3144446	<input type="checkbox"/>	Whereas I think the Litchfield family for their thoughtful donation, and sympathise with the difficulties faced by the designer, I think the suggested design is childish,	

			<p>inappropriate and anachronistic. So is the notion of putting this edifice in the middle of a busy intersection. Unless we want to be seen as a mob of bucolic idiots, let us consider an alternative destination for this gift where it might be transformed from an embarrassment into a unique and valuable asset.</p> <p>One solution might be to refurbish the Fairytale Park on Mt Gladstone and put the clock there, perhaps marking the entrance. To me the current design does have a very Disney-like appearance, and looks like it only needs a cuckoo to complete the effect. Or why not enlarge it further, with perhaps the white rabbit and Alice, or wooden replicas of Mickey Mouse, Donald Duck and Goofy, marching out of it to music, on the hour. Seriously children would love this, and for us to have let Fairytale park go to ruins shows just how indifferent to tourism we actually are. The Mt Gladstone look-out itself is another attraction which for some reason we fail to promote or even put up an attractive sign.</p> <p>Alternatively, or as well, why not try to reopen negotiations with the Litchfield family to let us have the beautiful Rix Nicholas sculpture of The Shearer, which they offered to us last year, and make this the centrepiece of a new tourist area, perhaps within walking distance of our heritage houses in Lambie Street, the Raglan Inn, and the proposed Museum. Thus we would have on display a work by a world-renowned artist, giving some artistic and intellectual distinction to our town. We could even get permission to make The Shearer a theme for the sale of tourist items that would reflect the unique wool-growing history of our district and its workers. We could also make much more of the Southern Cross memorial, our show ground pavilion, Nanny Goat Hill, the gaol and its museum, the court house and post office, Cooma Hotel, - all could be highlighted as part of the unique features in this section of our town.</p> <p>I might add that we need to make a lot more literature available on scenic tourist drives close to town, and historic ruins. Monaro is a photographer's paradise, why don't we advertise it as such? Why don't we tell people about the Murrumbidgee, about the old church near the Myalla Rd, about the views from Gegerick Cemetery, or along the Shannonn's Flat or Adaminaby, Numeralla</p>	
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9.1.5 COOMA TOWN CLOCK - OUTCOMES OF THE COMMUNITY CONSULTATION PROCESS AND POTENTIAL IMPACTS OF SNOWY 2.0 HEAVY TRAFFIC

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			<p>Roads, or about the remains of the settlement on the Carlaminda Rd near the creek, that once might have been the start of our town. Everyone loves a look-out - why don't we have more of them?</p> <p>Council should also pay attention to the woeful reputation for tourism that Cooma actually has. Any day you can find disappointed tourists, turning away from the Information Centre, its doors firmly shut. People are coming through here every day and in all seasons, from all over Australia - so why don't we provide more space for caravan parking, more information on where travellers might wish to walk their dogs, have a picnic, fish, bush-walk and ride their bikes, eat, drink, and recycle their rubbish. We need to entice people to stay overnight, not just drive through. Also we need to be aware most towns have large information centres at the most-used entrance to the area, often with some local heritage item on display. Bathurst for instance has a beautifully restored coach. We had an opportunity to purchase a similar one from this very area, with some history of bushranging, a few years ago, and did nothing.</p>	
11/03/2019	3143460		<p>Sorry it is so late as I just found out about it on Facebook. My father built the cement mixers for the Snowy Scheme. I got nationalised at the fifty year celebration with my brother and now we have just moved to Avonside, my husband has joined Cooma Scout group. We hope to help make another difference into the community. The clock is a beautiful idea and we are all for it going ahead. Thank you.</p>	
10/03/2019	3139334		Not in favour	
08/01 2019	3128915		Clock face needs an antique finish	

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**9.1.6 MINUTES OF THE SMITHS ROAD HALL AND FIRE SHED MANAGEMENT S355 COMMITTEE MEETING HELD 16 MARCH 2019**

Record No:

Responsible Officer: Director Corporate and Community Services

Author: Governance Officer

Key Theme: 1. Community Outcomes

CSP Community Strategy: 3.1 Develop, maintain and promote safe spaces and facilities that are enabling, accessible and inclusive for all

Delivery Program Objectives: 3.1.1 Public and community spaces are regulated and managed to be safe and equitable for all abilities

Attachments: 1. Minutes of the Smiths Road Hall and Fire Shed Section 355 Committee meeting held 16 March 2019

Cost Centre

Project

Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

The Smiths Road Hall and Fire Shed Section 355 Committee held a meeting on the 16 March 2019, to address membership matters, the minutes of this meeting are attached for Councils consideration.

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

**OFFICER'S RECOMMENDATION**

That Council

- A. Receive and note the minutes of the Smiths Rd Hall and Fire Shed Management s355 Committee meeting held 16 March 2019;
- B. Accept the resignation of the two members; and
- C. Accept the nomination of the new committee members.

**BACKGROUND**

Smith Rd Hall and Fire Shed Section 355 Committee maintain the building, adjoining playground and manage hall bookings, this committee has been operating with three committee members.

Two members of the committee had requested to resign, however there were no in-coming members to meet the minimum membership of 4 required by Council for the s355 committee to operate.

After discussion with council staff and a meeting at the hall on 13 March 2019, the committee held a meeting on 16 March 2019 to accept the resignation of two members and the nominations of new committee members. In order for the new members to vote and take part in the Section 355 Committee meetings Council must appoint the new members by resolution.

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These minutes were received by council on 22 March 2019 and are attached for Council's consideration.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Section 355 Committees provide a mechanism by which interest person can have an active role in the management of Council facilities. Well managed and appropriately established section 355 committees have a favourable impact as they give the community members a sense of belonging and identity.

### **2. Environmental**

It is not considered that the establishment of s355 committee will have any environmental impact as any development of Council's assets will go through the normal development channels for approval.

### **3. Economic**

Well managed s355 committees should have a positive impact on Council's budget.

### **4. Civic Leadership**

Councils continued support of the Section 355 Committees, in managing Council assets as community facilities, provides better outcomes for locals whilst engaging and including local people, both new and existing residents, by providing opportunities to participate in the local community.

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9.1.6 MINUTES OF THE SMITHS ROAD HALL AND FIRE SHED MANAGEMENT S355 COMMITTEE  
MEETING HELD 16 MARCH 2019

ATTACHMENT 1 MINUTES OF THE SMITHS ROAD HALL AND FIRE SHED SECTION 355 COMMITTEE  
MEETING HELD 16 MARCH 2019

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SMITHS ROAD COMMUNITY HALL AND FIRE SHED MANAGEMENT  
COMMITTEE (S355 COMMITTEE)

S355 Committee Meeting

Saturday, 16 March

Meeting commenced at 945am

In attendance: Jenny Bourne, John Hayhoe, Peter Henry, Daniel Sloss, Roslyn Clark, Louise Rose, Sean Sloane, Clive Haggard, Drew Lynch

Snowy Monaro Regional Shire Council has requested that the meeting has been minuted and minutes to be sent to Council.

Purpose of meeting: Jenny Bourne, John Hayhoe and Peter Henry are retiring as current s355 committee members.

Jenny moved that the committee accept John, Jenny and Peter's resignations. Seconded by Dan Sloss (with thanks and appreciation and unanimous support from Smiths Road Rural Fire Brigade that acknowledged Jenny and John's commitment to the community).

Jenny moved that nominations for new committee: Roslyn Clark, Daniel Sloss, Peter Henry and Sean Sloane. Seconded by Drew Lynch

Meeting closed at 1005am

Verified 19 March 2019



Contact details for committee nominees:

Roslyn Clark:

Peter Henry:

Dan Sloss:

Sean Sloane:





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### 9.1.7 PROPOSAL TO RE-ESTABLISH ALCOHOL FREE ZONES AND ALCOHOL PROHIBITED AREAS IN COOMA AND JINDABYNE

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Community Service Officer
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:	3.2.2 Council supports and encourages safety initiatives to promote our connected communities
Attachments:	1. Jindabyne Alcohol Free Zones Map 1 2. Jindabyne Alcohol Free Zones Map 2 3. Cooma Alcohol Free Zones Map
Cost Centre	2420 – Community Development
Project	
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

The potential to re-establish previously declared Alcohol Free Zones and Alcohol Prohibited Areas in Cooma and Jindabyne has arisen following the expiry of the zoning.

The *Local Government Act 1993*, outlines that the process to re-establish Alcohol Free Zones and Alcohol Prohibited Areas includes a public consultation component.

Should Council resolve not to initiate a public consultation process on the potential re-establishment of Alcohol Free Zones and Alcohol Prohibited Areas, the previously declared areas will be considered expired and the existing signage will be removed.

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

#### OFFICER'S RECOMMENDATION

That Council commence a public consultation process regarding the re-establishment of Alcohol Free Zones and Alcohol Prohibited Areas in Cooma and Jindabyne, by placing the proposal on public exhibition for a period of 30 days.

#### BACKGROUND

Alcohol Free Zones and Alcohol Prohibited Areas were implemented in areas of Cooma and Jindabyne during the 2018 winter season (9 June 2018 – 1 October 2018). This implementation was a re-establishment of long standing Alcohol Free Zones / Alcohol Prohibited Areas in the

---

Cooma CBD, which had been in place for at least six (6) years, and was the first time Alcohol Free Zones / Alcohol Prohibited Areas (AFZ/APA) had been implemented in Jindabyne.

The 2018 implementation followed an extensive public consultation process. At its meeting 17 May 2018, Council resolved to establish AFZ/APAs in Cooma and Jindabyne for the duration of the peak winter season (June long weekend to October long weekend) in 2018.

Alcohol Free Zones (incorporating footpaths, roadways, and public car parks) were implemented to operate between 7pm and 9am inclusive, and Alcohol Prohibited Areas (including public parks and the Lake Jindabyne Foreshore) were implemented 9:30pm – 9am inclusive.

Signage was installed at relevant points bordering and within the declared areas. Installation costs totalled \$12,121.36. These signs remain in place. Re-establishing the zones would require stickers to be applied to the existing signs, over the previous dates. This process can be conducted quickly and easily. The total cost to apply amendment stickers on all signs is expected to be approximately \$300.

Council staff are unaware of any complaints or concerns raised that the implementation of the alcohol free zones created any adverse community impact.

The *Local Government Act 1993* Section 644B(b) and related Ministerial Guidelines on Alcohol Free Zones identify that while there is no general provision for the extension of AFZ/APA, re-establishment is possible following a similar consultation and consideration process. The re-establishment procedure allows for consideration of the effectiveness of the previous zoning, and provides the opportunity to make modifications if required.

Using the 2018 implementation as a reference base, Council now has the opportunity to decide whether to re-establish the AFZ/APA in Cooma and Jindabyne, and on any terms such as location and duration. This decision should be made within the framework of a community consultation process.

NSW Police and liquor licence holders adjacent to the proposed zones will be encouraged to participate in the formal consultation process, as per the Act and with a focus on their experience of the 2018 implementation. NSW Police were very strong supporters of the original implementation, and have been given the opportunity to provide informal feedback during the 2018 implementation period. It is appropriate that they are consulted formally as a key stakeholder during a public exhibition process.

In order to commence a consultation process, a baseline proposal must be established. For the purposes of community consultation, the baseline proposal to re-establish Alcohol Free Zones and Alcohol Prohibited Areas in Cooma and Jindabyne is based on the assumption that the zoning would apply:

- in the same geographic areas of Cooma and Jindabyne as mapped for the 2018 implementation
- from 7pm – 9am inclusive in Alcohol Free Zones
- from 9:30pm – 9am inclusive in Alcohol Prohibited Areas
- for a period of 3.5 years (commencing 1 June 2019 and expiring 31 December 2021)

The public consultation process will allow staff to make an informed recommendation regarding the potential re-establishment of Alcohol Free Zones and Alcohol Prohibited Areas. Should a

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recommendation be made that the zoning be re-established, Council will be free to make modifications to the baseline proposal when considering the community consultation feedback.

Section 644 of the Local Government Act provides that Alcohol Free Zones can be established for a period not exceeding 4 years.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

By placing the proposal on public exhibition, the community is given the opportunity to provide input into a proposal which, if adopted, may have an impact on their ability to freely enjoy public spaces.

The social implications of re-establishing or not re-establishing the Alcohol Free Zones and Alcohol Prohibited Areas will be outlined in a future report, generated following the proposed public consultation period.

### **2. Environmental**

There are no direct environmental consequences as a result of the recommendations of this report.

### **3. Economic**

The costs associated with placing the proposal on public exhibition relate to staff time and Communications resources, such as inclusion in Council's existing print media advertising, and distribution through media release channels. Funding would be sourced from within the existing Community Development budget, within the Economic Development and Tourism unit.

### **4. Civic Leadership**

By consulting the community and business operators on their experience with the 2018 implementation and their expectations for future measures, Council demonstrates commitment to a transparent and consultative process for the potential implementation of Alcohol Free Zones and Alcohol Prohibited Areas.

A public exhibition process will allow Council staff to gather the necessary community feedback required to make an informed recommendation to Council on the proposed implementation.

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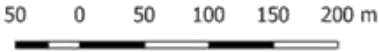




Proposed Alcohol Prohibited  
and Alcohol Free Zones  
Jindabyne Map 1

- Legend
- Alcohol Prohibited Areas
  - Alcohol Free Zones

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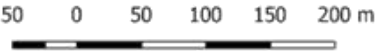




Proposed Alcohol Prohibited  
and Alcohol Free Zones  
Jindabyne Map 2

- Legend
- Alcohol Prohibited Areas

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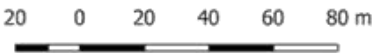




Proposed Alcohol Prohibited  
and Alcohol Free Zones  
Cooma Map

- Legend
- Parcel
  - Alcohol Prohibited Areas

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### 9.1.8 LEARN TO RIDE CENTRE - COOMA

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Project Specialist Innovation & Business Development
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. Community Consultation and Feedback ( <i>Under Separate Cover</i> ) - <b>Confidential</b> 2. Barrack St - Road Speed Data 3. Cooma-Monaro Bicycle Plan 2012 4. Letter of Support- Snowy Monaro Youth Council 5. Current Design Sketch
Cost Centre	C PP-025 Nijong Oval Improvements (PJ100108)
Project	
Further Operational Plan Actions:	

### EXECUTIVE SUMMARY

As part of the Stronger Communities Fund Major Projects Program (SCFMPP), the Learn to Ride Centre project was included for delivery within the package, PP-025 Nijong Oval Improvements. Additional grant funding was provided through Stronger Countries Communities Fund (SCCF).

This report has been prepared to provide Council a Consultation Report in response to the Council Resolution (57/19).

The majority of the community support the proposed design and location for the Learn to Ride Centre at the Nijong Oval Sporting Precinct. Some additional features have been added to the design to address some of the communities concerns and improve the overall safety of the area.

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

#### OFFICER'S RECOMMENDATION

That Council:

- A. Receive and note the Consultation Report.
- B. Endorse staff to proceed to the construction phase of the Learn to Ride Centre based on the current design, and located at the Nijong Sporting Precinct.
- C. Authorise the necessitated boundary adjustment to Lot 4 DP32321.

### BACKGROUND

The following timeline of events can be confirmed for the Learner Bike Track project:

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- Learner Bike Track project was included in an adopted Cooma-Monaro Shire Council Bicycle Plan in April 2012 (Council Resolution 199/12).
- The Learner Bike Track project was prioritised for delivery but funding was not available.
- Stronger Communities Fund Major Projects Program (SCFMPP) for Snowy Monaro Regional Council was adopted in May 2017, following significant community consultation and input from the Community Liaison Representatives; The Learn to Ride Centre was a component of the Nijong Oval Improvement project (PP-025) adopted for delivery.
- Additional grant funding (\$210,000) was obtained through Stronger Countries Community Fund (SCCF).
- Combined grant funding confirms a significant financial contribution from the NSW State Government to deliver this prioritised project for the community.
- A report to Council on Thursday 21 February 2019 was presented requesting a boundary adjustment. This was a project delivery milestone necessitated for the project to proceed. Council Resolution 57/19:
  - *That Council defer consideration of the boundary adjustment for Lot 4 DP32321 to the meeting on the 21 March 2019, and between now and the next meeting, the project manager and councillors may contact local residents to discuss.*
  - Moved Councillor Corbett Seconded Councillor Haslingden CARRIED
- Extensive Community Consultation via various methods of communication was conducted between Monday 25 February 2019 and Wednesday 20 March 2019. A Consultation Report has been completed to summarise the timeline of events and findings from this period. It was determined that;
  - The neighbouring residents opposed the location
  - The wider community were extremely positive and supported the project to proceed, at the location identified.

## **1 Community Consultation**

### **1.1 Affected Residents Consultation**

As per Council's request a community consultation meeting was held at the proposed location at Nijong Oval. All affected residents were hand delivered flyers about the meeting, and a notices on facebook and in local shops were provided.

Approximately 30 community members attend this meeting with various inputs on the project provided. The concerns raised at this meeting are addressed in Section 2 of this report.

### **1.2 General Consultation**

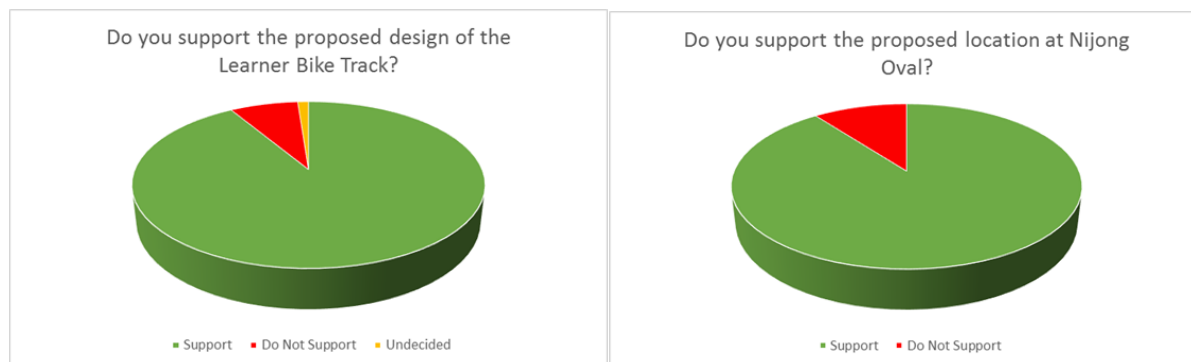
Council utilised a number of mediums for community consultation, the results of these are below:

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Medium	Description	Results
Your Say – Stage 1	Do you support the proposed location of the new learner Bike track at Nijong?	51 vote support 13 votes against
Facebook Poll #1	Do you support the proposed construction of a Learn to Ride Centre.	166 vote support 16 votes against
Facebook Poll #2	Do you support the proposed location at Nijong Oval? If no, please comment with your proposed alternative location.	386 vote support 38 votes against Suggested alternatives: <ul style="list-style-type: none"> <li>• Lions Park at Yallkool Road</li> <li>• Rotary Oval</li> </ul>
Facebook Poll #3	Do you support the proposed design at Nijong Oval?	186 vote support 14 votes against
Your Say – Stage 2	Do you support the proposed location?	47 vote support 8 votes against
	Do you support the proposed design?	47 vote support 3 votes undecided 5 votes against
Other submissions	Petitions from affected residents	14 votes against
Pop-up session – Wednesday 13 March 2019	Do you support the design?	8 vote support
	Do you support the location?	2 votes against
Presentation to the Snowy Monaro Youth Council	A presentation was given to the Snowy Monaro Youth Council. A letter of support was provided from the Youth Mayor, and a number of students signed the hard copy	



	survey.	
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## 2 Community Concerns

A number of community concerns were raised during the consultation process. The table below provides an outline of the concerns and provide control measures where possible.

Concern	Description	Measure to address
<b>Safety</b>	Barrack St has high traffic volume, and at high speeds. Additional traffic on this road would increase the frequency and severity of an incident.	<p>A traffic analysis of Barrack St was completed, attached report from Road Safety Officer.</p> <p>Average speed of vehicles at this point is 41km/h and 40km/h in each direction, with 15% and 12% of vehicles over the speed limit.</p> <p><b>Recommendation:</b></p> <p>Centre line marking to be completed at this area.</p> <p>Entrance to Sporting Precinct to be improve with a defined driveway and line marking.</p> <p>Construction of entrance sign / barrier on western side of driveway.</p> <p>See update plan.</p>
	Interface with additional children and vehicles in the area.	<p>Road safety review has identified upgrade to the site including the installation of signage.</p> <p><b>Recommendation:</b></p> <p>Installation of safety signage as per Road Safety review.</p>
<b>Vandalism</b>	Increase assets in the area will lead to an increase level of vandalism in the area.	<p>Council is fortunate to have a low level of vandalism within Cooma. The existing facilities in the area (Soccer Clubhouse) have had minimal level of vandalism.</p> <p><b>Recommendation:</b></p> <p>No additional action required.</p>
<b>Visual Impact</b>	Residents of Cooma will	This area is surrounded by Public reserve areas

	lose access to this 'green space'	<p>(see attached picture). The reduction on a 200m<sup>2</sup> area within this space is insignificant. In addition the space around the Learn to Ride centre will still be a green public space, with room to walk along the creek edge or along the bike path. (See picture 2.1 below).</p> <p><b>Recommendation:</b></p> <p>No additional action required.</p>
	Visual impact of adjacent residents	<p>The Learn to Ride centre is bounded on the south by a row of tree, and the north by the creek.</p> <p>Some smaller additional planting done around the Learn to Ride Centre.</p> <p><b>Recommendation:</b></p> <p>Additional planted to be added to plan.</p> <p>See update plan.</p>
<b>Noise</b>	Additional noise from the area as a result of the facility.	<p>The area is heavily used each week for Soccer and Cricket and school sports (intermittently). In addition the proposed location is along the existing shared path.</p> <p>The facility would not be lit, therefore the usage will be limited to 'day light hours' only.</p> <p><b>Recommendation:</b></p> <p>Additional noise generated from this facility will be minimal increase in background noise compare to that generated when the adjacent sporting ground is in full use.</p> <p>No additional action required.</p>
<b>Car parking</b>	This space is used as overflow car parking when the sporting oval is in use.	<p>The gravel area to the east of the site will be developed as a carpark. This area will be 'fenced' to ensure bikes cannot ride from the carpark to the bike track.</p> <p>The current practice of driving over the shared path to use this space is dangerous and needs to be stopped.</p> <p><b>Recommendation:</b></p> <p>Upgrade carpark area and secure the site with bollards to stop cars driving over the shared path.</p>
	Where will the additional cars park, it is already full on sporting days.	<p>The works will involve the demolition of the existing brick toilet facilities. This will then create additional car parking spaces in this area. In</p>

		<p>addition Council is investigating options to formalise car parking along Barack St (adjacent to Nijong Oval).</p> <p><b>Recommendation:</b></p> <p>Redevelop site of existing toilet block to create more car parking spaces.</p>
<b>Alternative Design</b>	What alternative design have been considered.	See section 3 below.
<b>Alternative Location</b>	What alternative locations have been considered.	See section 4 below.

**Picture 2.1:** Existing Green Space surrounding the proposed site.



### 3 Alternative Design

The design of the project was obtained from the ACT Government. Therefore the design cost of the project we \$0. The design of this facility meets all required Australian Standard and legislation.

The Learn to Ride centres are facilities designed to have the look and feel of a real road environment that is a safe space for young cyclists to learn riding skills.

No alternative design have been considered, as it was considered that the current design was suitable and therefore additional design costs would not add value to the project.

#### 3.1 Design Options

The following design option alternatives could be considered.

	<b>Option 1</b> <b>Retain current design</b>	<b>Option 2</b> <b>Re-design facility</b>	<b>Option 3</b> <b>Delete features of current design</b>
<b>Description</b>	Keep the current design and specification for the project.	Engage a designer to re-design the facility.	Engage a designer to delete some features of the facility.
<b>Cost</b>	\$0	\$60,000	\$15,000
<b>Benefits</b>	Design completed, will allow project to move into construction phase ASAP.	New design would reduce size and impact of the facility.	Removing features would reduce the visual impact. Ie. Removal of kerbing, removal of infrastructure (seating / bins / etc)
<b>Obstacles</b>	Visual impact of the design has some members of the community concerned about the conflict with the natural green environment.	Would delay the construction.  Additional cost to the project, resulting in less funds available for construction.  Addition community consultation required.	Would delay the construction.  Removal of kerbing would lead to a learning environment that may be considered unsafe.  Removal of infrastructure would create an environment that would be less utilised.  Addition community consultation required.

It is recommended that the **Option 1** utilised the current design for the facility.



## 4 Alternative Locations

The following design option alternatives could be considered.

	<b>Option 1 Retain current location</b>	<b>Option 2 Hawkins St</b>	<b>Option 3 Lions Park Yallakool Road</b>
<b>Description</b>	LTC constructed at Nijong Sporting Precinct on western side of entrance.	LTC to be construction on the Council land on Hawkins St, close to bike path.	LTC to be construction at the land at the Lions Park on Yallakool Road.
<b>Plan</b>	See below – 4.1	See below – 4.2	See below – 4.3
<b>Benefits</b>	<p>Funding agreements would be met – Project was approved at the Nijong Oval location.</p> <p>Current locations supports facility plan.</p> <p>Close to playground and amenities.</p> <p>Close to existing sporting precinct.</p> <p>Adjacent to existing bike path.</p>	<p>Adjacent to existing bike path.</p>	<p>Located within existing playground precinct.</p> <p>Close to amenities.</p>
<b>Obstacles</b>	<p>Visual impact of the design has some members of the community concerned about the conflict with the natural green environment.</p>	<p>Funding agreements would need to be review – risk that funding not transferable to alternative site.</p> <p>Distance to closest amenities.</p> <p>Impact of affected neighbours.</p> <p>Reduce Council's opportunity to develop site for alternative facilities.</p> <p>Additional costs to prepare site, including entrance, car parking.</p> <p>Addition community consultation required.</p>	<p>Funding agreements would need to be review – risk that funding not transferable to alternative site.</p> <p>Development plan for Lions Park would be required to be modified.</p> <p>Would be located where the existing BMX track is proposed to be retained and enhanced.</p> <p>Additional costs to prepare site.</p> <p>Distance</p> <p>Addition community consultation required.</p>

It is recommended that the **Option 1** utilised area available at the Nijong Sporting Precinct.

#### 4.1 Location – Nijong Sporting Precinct



#### 4.2 Location – Hawkins St





### 4.3 Location – Lions Park



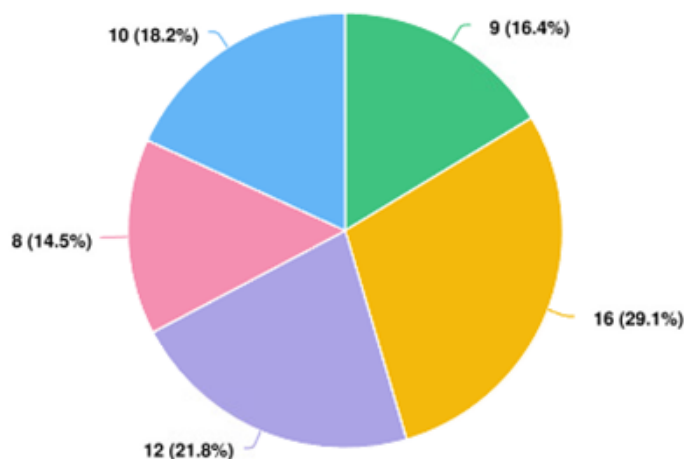
## 5 Recommendation

That the Learn to Ride Centre be constructed at the Nijong Sporting Precinct in accordance with the current design.



## 6 Utilisation of the Facility

As part of the Your Say survey (Stage 2) we asked how often this facility would be used.



#### Question options

- Many times during the week
- At least once per week
- A couple of times per month
- A couple of times per year
- Never

(55 responses, 0 skipped)

The 55 responses have indicated they would use this would 2500 times each year the facility.

## 7 Barrack Street – Boundary Adjustment

A boundary adjustment necessitating a re-alignment of Lot 4 DP32321 by incorporating a section of the SMRC road reserve is required. Fig 2 below shows the proposed boundary adjustment.

### Boundary Adjustment Nijong Oval



**Fig 2.** Proposed boundary adjustment for Lot 4 DP32321



Once approved, the boundary adjustment of Lot 4 DP32321 will ensure the chosen design is suitable and the project can proceed at the location selected, ensuring no cross boundaries occur. Fig 3 below illustrates the Learner Bike Track sitting within the revised Lot 4 DP32321.

### Proposed boundary with bike track - Nijong Oval



#### Legend

— Road      — Proposed learner bike track      — proposed\_boundary

0 50  
metres

**Fig 3.** Learner Bike Track within Lot 4 DP32321

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

This Learner Bike Track is an important social and educational project for the community. The facility will provide opportunities for younger aged children to learn to ride in a safe and controlled environment.

### **2. Environmental**

A Part 5 Environmental Assessment has been drafted for the site selected. No environmental impacts have been identified and is awaiting approval. The project will be delivered using sound environmental practices to ensure no negative environmental impact during the delivery.

### **3. Economic**

The project is funded completely by SCFMPP and SCCF. It will be responsibly managed to ensure cost effective delivery will achieve the best value for money, during and after delivery.

### **4. Civic Leadership**

The location identified has the greatest benefit to the community with other recreational facilities within the same precinct. The site is directly accessible from the existing concrete shared path, it is next to the new Nijong Ninja Park and located opposite the Nijong Oval playing fields – all zoned RE1 Public Recreation.

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## File Note



<b>Subject:</b>	Barrack St – Road Speed Data				
<b>Date:</b>	1/4/2019	<b>Time:</b>		<b>File:</b>	

The data from Nijong Oval/Barrack Street shows:

### Arriving (from the Gaol End)

Average Daily Traffic	189 Vehicles
Average Speed	41 km/h
Max Speed Recorded	77 km/h
85 <sup>th</sup> Percentile Speed	51 km/h
Percentage of Speeding Violations	15.68%

### Departing (Heading towards the Gaol)

Average Daily Traffic	179 Vehicles
Average Speed	40 km/h
Max Speed Recorded	83 km/h
85 <sup>th</sup> Percentile Speed	50 km/h
Percentage of Speeding Violations	12.90%

The NSW Centre for Road Safety figures indicate that there have been no reported crashes in Barrack Street between Vale Street and Mulach Street between 2013 and 2018. The nearest crash occurred in 2017 at the driveway exit to the Woolworth's carpark.

Yours sincerely

Roads Safety Officer

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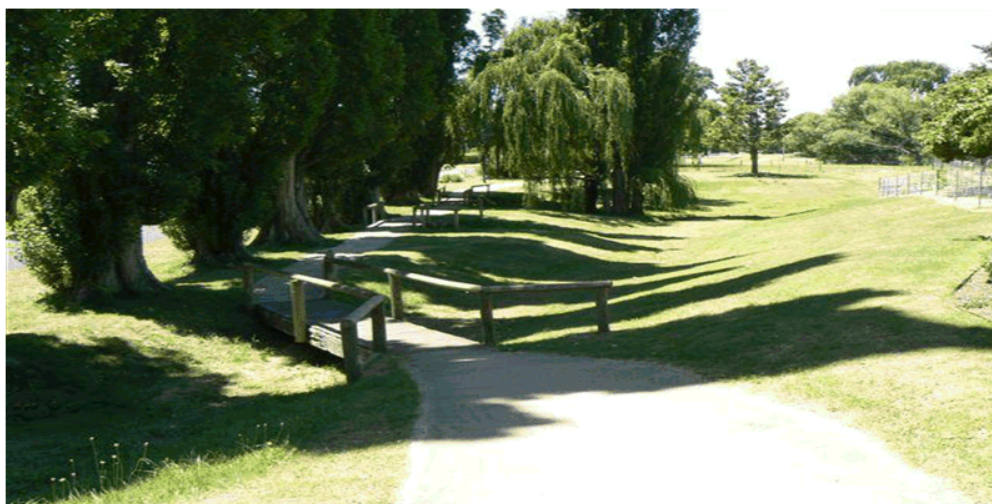
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## **COOMA-MONARO SHIRE COUNCIL**

### ***BICYCLE PLAN***



**APRIL 2012**

**Prepared by - Mark Cooper  
Engineering Services - Project Manager  
Cooma-Monaro Shire Council**

(Council Resolution 199/12)

H:\flightplan\ServicePages\Documentation\Documents\Asset Support\Infrastructure Policy and Engineering Design\Cooma Bicycle Plan .docx

Document	AS - IP - RT - DC - 00011	Issue/Revision No:	1/0	COOMA-MONARO SHIRE COUNCIL
Issue Date:	05-06-12	Document	Issued	DC
Review Date:	05-06-15	Uncontrolled document when printed. Please refer to FlightPl@n/Intranet for controlled document		

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2. Methodology
3. Scope
4. Study Area
5. Research
6. Identified Issues
7. Bicycle Routes
8. Opportunities
9. Current Unit Costs
10. Priorities
11. Funding
12. Work Schedule

Appendix 1 – Work Schedule

Appendix 2 - Photos

Document Number:	AS - IP - RT - DC - 00011	Issue/Revision No:	1/0	COOMA-MONARO SHIRE COUNCIL
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**1. Introduction**

**a. Vision**

*“To create an environment where cycling is an easy, enjoyable and convenient way to get about, where there are no barriers to cycling, and everyone has the confidence and facilities to use a bike whenever they feel like it”*

**b. Mission**

*To provide documentation that will allow the construction of an integrated bicycle plan for Cooma and the surrounding villages. To ensure that future money allocated to bike facilities is leveraged as much as possible and that outcome is planned to maximize bike usage.*

**c. Background**

- i. The preparation of a bike plan demonstrates Councils commitment to the bicycle as an accepted form of transport and an encouraged form of leisure activity.
- ii. The bike plan will enable Council to increase its financial commitment to improving bike facilities through the ability to apply for and receive grant moneys from other Government departments

**d. Key Reasons for a Bike Plan Include**

- i. Key Reasons for a bike plan include:
- ii. Cyclists are vulnerable, legitimate road users who should be able to use the bicycle for transport and leisure without risking their personal safety or health
- iii. Bicycle facilities are important community assets that make a positive contribution to urban amenity and the use of public space
- iv. Participation in cycling is increasing and improved facilities demonstrates Councils commitment to ecological sustainable development
- v. Developing and maintaining a healthy and active community
- vi. Meeting the needs and desires of local cyclists and bicycle user groups

**e. Aims and Objectives**

- i. The development of a bike plan will help council achieve the following objectives:
- ii. Determine what bicycle facilities are needed
- iii. Determine the priorities for future bicycle facilities
- iv. Provide a realistic basis to determine the funding necessary to implement improvements
- v. Document bike facilities available
- vi. Develop a high quality network of bicycle routes
- vii. Remove major barriers to cycling
- viii. Provide an appropriate level of signage
- ix. Promote the positive benefits of bicycle usage
- x. Improve the continuity, safety and accessibility of cycling
- xi. Improve linkages
- xii. Raise community awareness and encourage community involvement
- xiii. Promote the enjoyment of cycling
- xiv. Promote recognition of cyclist's needs, rights and responsibilities
- xv. Promote cycling safety

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- xvi. Ensure that all future traffic management proposals take bicycle usage into consideration during their design and implementation

## 2. Methodology

- a. The overall development of the bike plan consisted of the following stages:
  - i. Research into current available bike information, background information, engineering requirements, best practice in bike facilities
  - ii. Collection of relevant data
  - iii. Prioritisation of bicycle users needs and facilities
  - iv. Development of a schedule of works

## 3. Scope

- a. Cooma Township
- b. Plans only of existing paths for the villages of Bredbo, Michelago and Nimmitabel have been included (Numeralla has no current or planned bike facilities)

## 4. Study Area

- a. Concentrated on the major generators and attractors including businesses, schools, sporting facilities and tourist attractions

## 5. Research

- a. CMSC archives including old bike plans and maps
- b. Available accident data
- c. Available pedestrian data
- d. Design standards – Austroads Engineering Guide part 14
- e. Identified user and interested groups

## 6. Identified Issues

- a. Black spots / Safety Issues:
  - i. On-road crossing of Sharp Street
  - ii. On-road crossing of the Monaro Highway from Polo Flat Road to Yallakool Road
  - iii. On cycle path crossing of Massie Street and Commissioner Street
  - iv. On-road crossing of Mittagang Road at Orana Ave / Nambucca Streets
  - v. On-road cycle lanes of Smith Street end at Massie Street with no evident way to continue
  - vi. Pedestrian crossing of Massie Street at Crisp Street
  - vii. Crossing of the Monaro Highway at Thurrung Street
  - viii. Single lane footbridge over Cooma Back Creek at end of Barrack Street
  - ix. On-road crossing of Sharp Street at Creek Street to access path through Cooma Showground
- b. Extend existing Mittagang road cycle way to Lions Park and eventually to the Murrumbidgee River Reserve
- c. Provide a children's learn to ride loop
- d. Form / seal / concrete the existing foot track along the Northern side of the Monaro Highway from the Snowy Hydro visitors centre to the intersection of Yallakool Road / Polo Flat Road
- e. Provide a safe link to Cooma East by either Thurrung Street or Yareen Road
- f. Provide a safe link to Polo Flat with potential to be part of a the outer bike loop
- g. Provide a link to the Cooma Showground
- h. Provide a link from Vulcan Street to Dry Plains Road via the off road section of the Lambie Street Walk behind Cooma Steel

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- i. Provide ways 'around' steep and hilly areas
- j. Provide flattest possible link to Zalka Heights
- k. Provide a link to the Mt Gladstone Mountain bike area
- l. Make the Lambie Walk from the west end of Vulcan Street to the north end of Mulach Street a joint mountain bike and walking track
- m. Make better use of Myalla Road and Slacks Creek Road as known on-road country rides
- n. Link existing routes to make ride loops in and around Cooma:
- o. Make use of Pig Farm Road into a mountain bike route
- p. Provide a link from the end of Mulach Street to the end of Hawkins Street as an alternative to a link to Cooma North via 3 Poles on Cooma Ridge (1995 bike plan)
- q. Make use of the disused railway line to Nimmitabel and Bombala South of Polo Flat Road Rail Bridge, as a tourist rail trail see: <http://www.railtrailsaustralia.com/> & <http://www.cmrailway.org.au/> & <http://www.nswrailheritage.com.au/precincts/coomamonaro.htm> for more information.

#### 7. Bicycle Routes

- a. Existing designated off road bike/pedestrian paths
  - i. Cooma Creek from Church Rd to Lambie St
  - ii. Mittagang Road from Yarrang St to Niangala St
  - iii. Baroona Ave @ Cooma North Primary School
  - iv. Boundary St @ Southern Cloud Memorial through the Showground to 'Lambie Gorge' (narrow width)
- b. Existing designated On-road bike routes
  - i. Mittagang Rd / Smith St from Massie St to Yarrang St
- c. Missing links
  - i. Smith St to Existing Cooma Creek Bike track
  - ii. Cooma East to Cooma via either Thurrung St or Yareen Rd
  - iii. Cooma East to Cooma North (Schools & Snowy Hydro)
  - iv. Zalka Heights to Cooma
  - v. Links to mountain bike tracks and areas of Lambie St and Mt Gladstone
- d. Existing Facilities
  - i. Hand Rail Crossing of Commissioner St @ Bike Path
  - ii. Hand Rail Crossing of Massie St @ Bike Path
  - iii. Hand Rail Crossing of Barrack St @ Cooma Back Creek
  - iv. Hand Rail Crossing of Mittagang Rd @ Nambucca St
  - v. Tunnel under Sharp St @ Sharp St Bridge over Cooma Creek
- e. Future Facilities
  - i. Hand Rail Crossing of Yallakool Rd at Lions Park
  - ii. Seat at Church Rd end of existing bike track along Cooma Creek
  - iii. Children's learn to ride path
- f. Future extensions
  - i. Mittagang Rd - Niangala St to Lions Park Yallakool Rd
  - ii. Church Rd reserve – Extend existing path to end of Church Rd Reserve
- g. Tourist information pamphlet
  - i. Existing Bike Paths and Routes

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- h. Sign posting (routes and distances)
  - i. Church Rd showing distances to Myalla Rd & End of seal
  - ii. Cooma Creek bike path showing distance from end to end
- i. Wish list
  - i. Cooma East to Monaro High and Cooma North
  - ii. Zalka Heights to Cooma from Kiah Ave via Lambie Gorge and the Showground
  - iii. Rail Trail from Cooma to Nimmitabel, Bombala & Queanbeyan

#### 8. Opportunities

- a. Tourism
  - i. Rail Trails would bring the most tourists
  - ii. Extended bike paths would have a minor effect on increasing tourism
  - iii. Documented rides for tourists
- b. Touring
  - i. Extensive linked Rail Trails would bring the most Touring tourists
  - ii. Existing roads and highways have limited shoulder widths with traffic speeds requiring 2 to 3 m shoulders to meet current design standards
- c. Sight seeing
  - i. Sights from Mt Gladstone excellent – Access road steepness discourages cyclists
  - ii. Sights along Maffra Rd aprox. 20kms south of Cooma excellent – Steep hills just south of Cooma on Church Rd (the Grange) discourages cyclists from accessing these views
  - iii. Historic bike ride to view Cooma's history
- d. Road racing
  - i. Many existing road races, charity rides and professional training rides take place in and around Cooma and the Monaro – All organized rides require approvals from various Council Departments and Committees (Notice of Intent to Organise an Event Form from Town Planning)
- e. Off road / Mountain biking
  - i. Mt Gladstone mountain bike area with trail connections to Zalka Heights and The Lambie Town walk offers the most extensive mountain bike area close to Cooma
  - ii. The Lambie Bush Walk off the end of Vulcan St is a combination of single track with some steep hills that need to be walked with 4WD tracks looping back to Mulach St
  - iii. Cooma North ridge reserve area also offers many mountain bike trails
  - iv. Lions Park off Yallakool Rd has a disused (rarely used) BMX track built in the 90's
  - v. The Commissioner St Skate Park also offers terrain for BMX bikes
- f. Rail trail
  - i. The existing disused rail line from Queanbeyan to Bombala could be utilized as a Rail Trail (allowing for Cooma's tourist rail ride from Cooma to Chakola, Queanbeyan's tourist rail ride from Queanbeyan to Williamsdale, numerous Monaro Hwy crossings and structurally deteriorating bridges ) Approval from the owner of the rail corridor is required and currently tied up in legalities with State Government and current users

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## 9. Current Unit Costs

### a. Council's management plan 2011 / 2012 has the following allocations to bike, traffic, access and pedestrian facilities for the next 5 years:

i. 2011/12	\$23,500
ii. 2012/13	\$53,800
iii. 2013/14	\$66,000
iv. 2014/15	\$34,385
v. 2015/16	\$24,783
<b>vi. Total 5 Year Budget</b>	<b>\$202,468</b>

### b. Unit cost estimates:

i. Concrete path 2.5m wide	per 1m	\$ 196
ii. Bitumen path 2.5m wide	per 1m	\$ 96
iii. Decomposed granite path 2.5m wide	per 1m	\$ 77
iv. Kerb ramp	each	\$ 1,750
v. Pole sign	each	\$200
vi. Railing	set of 2	\$450

## 10. Priorities

### a. On the basis of need identified from the information collated and route analysis, the engineering actions have been ranked in order of priority for implementation. The following criteria have been used:

- i. Safety
- ii. Missing links
- iii. Schools and commuter routes
- iv. Destination
- v. Logical and sequential development of the total scheme

## 11. Funding

### a. Cooma is a small rural council area with limited funding and to implement an extensive cycle way strategy will require as much help as it can get. The following sources of funding are available if pursued:

- i. Council's Management Plan
- ii. Roads & Maritime Services funding on a 50/50 basis
- iii. Health promotions
- iv. NSW Department of Sport and Recreation
- v. Local service clubs (i.e. Lions & Rotary)
- vi. Local enthusiasts & Bike Clubs
- vii. Section 94 contributions
- viii. Community service projects
- ix. Adopt a path scheme
- x. User charges (Rail Trail)
- xi. Miscellaneous State & Federal grants

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## 12. Work Schedule

### a. Bike Path Work Schedule:

- i. Learner Track/Loop at Nijong Oval
- ii. Share the road bike signage in various locations
- iii. Fix / replace timber bridges on Vulcan St
- iv. Bike Path and rides information for Cooma Visitors Centre
- v. Extend bike path from Niangala St to Lions Park
- vi. Extend bike path to end of Church Rd Reserve
- vii. Extend bike path from Lions Park to Cooma Creek
- viii. Shared Bridge over Cooma Creek on Mittagang Rd
- ix. Extend bike path from Cooma Creek to Bidgee Rd
- x. Extend bike path from Bidgee Rd to Murrumbidgee River Reserve
- xi. Replace narrow timber bridge over Cooma Creek at Nijong Oval
- xii. Replace narrow timber bridge over Cooma Back Creek on Barrack St
- xiii. Bike lanes on Bombala St between traffic lane and parking lane
- xiv. Bike lane / shared path on Lambie St
- xv. Bike crossing of Sharp St at Southern Cloud Memorial
- xvi. Bike lanes on new shoulder - Polo Flat Rd from Monaro Hwy to Carlaminda Rd
- xvii. Bike lanes on new shoulder - Polo Flat Rd from Carlaminda Rd to Yareen Rd
- xviii. Bike lanes on new shoulder - Polo Flat Rd from Yareen Rd to Monaro Hwy
- xix. Bike lanes on new shoulder - Yareen Rd from Wangie St to Sharp St
- xx. Bike lanes on new shoulder - Yallakool Rd from Monaro Hwy to Mittagang Rd
- xxi. Shared path along Monaro Hwy from Snowy Hydro to Yallakool Rd
- xxii. Make Lambie Bush Walk mountain bike friendly
- xxiii. Signpost bike rides within and near Cooma
- xxiv. Bike path from end of Mulach St to The Glen Rd
- xxv. Develop the Rail Trail idea

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### Work Schedule – 10 Year Plan

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## Appendix 2

### Photos



Nijong oval west - Bike path & future learner track/path location

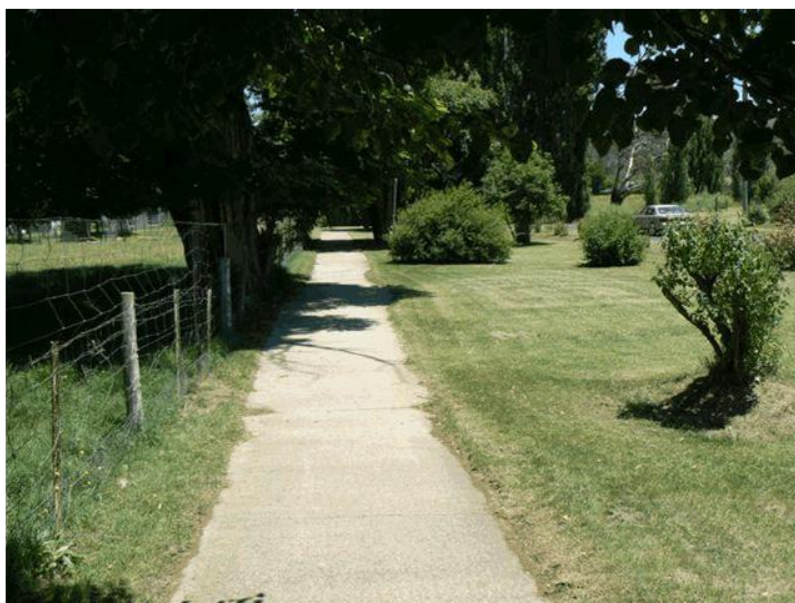


Barrack St - Narrow bridge for pedestrians and bikes over Cooma Back Creek – Wider bridge required

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Barrack St Road crossing - Facilities & signage



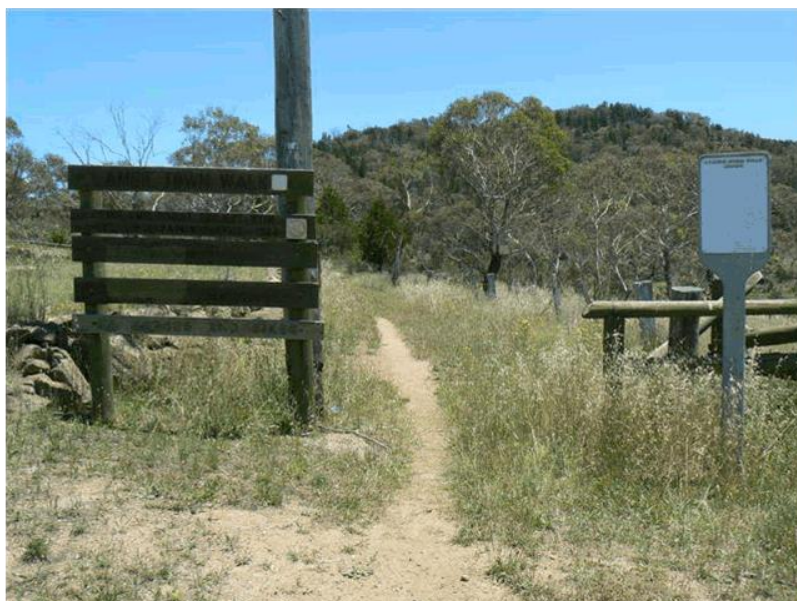
Vulcan St Bike path no longer meets width requirements for shared paths

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Vulcan St Bike path - Timber bridges require replacement



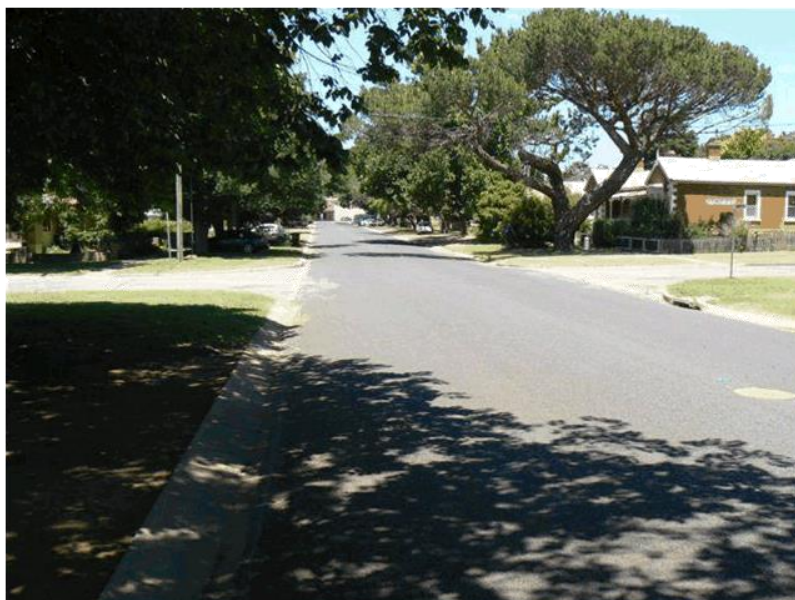
Lambie Town bush walk – Starts at Vulcan St West – Future Mountain Bike Track

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Lambie St Bike path - Crossing & sign



Lambie St looking south – Good for cycling, flat with wide road & low traffic volumes –  
Designated bike lane or shared path to encourage cycling

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Southern Cloud Memorial on Sharp St – A tourist attraction on Cooma's bike trail

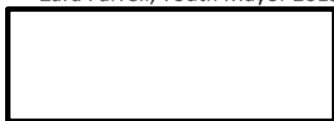
Filename: H:\Flightplan\ServicePages\Documentation\Documents\Asset Support\Infrastructure Policy and Engineering Design\Cooma Bicycle Plan .docx

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## Nijong Oval Learner Bike Track

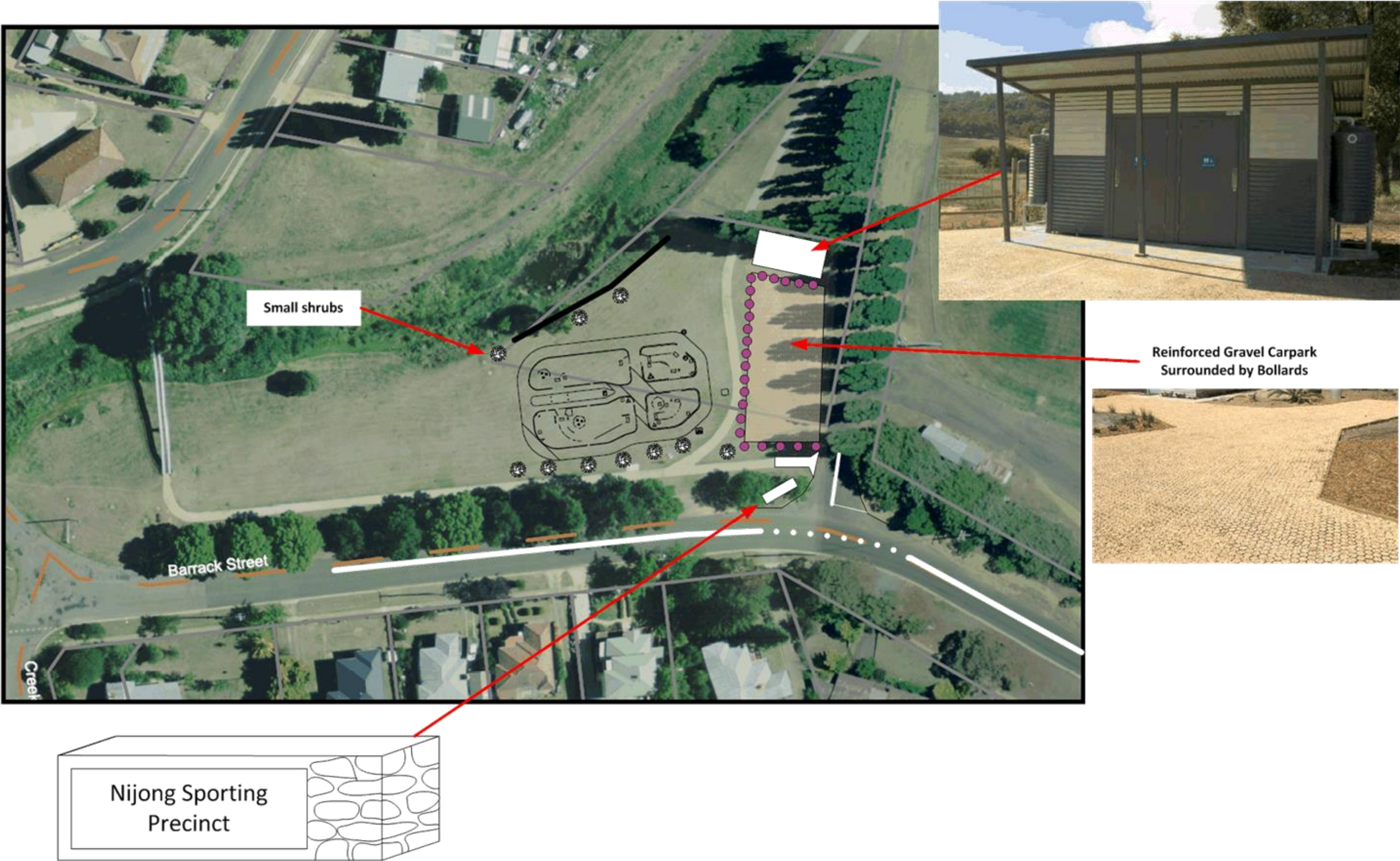
We as the Snowy Monaro Regional Youth Council are supportive of the proposed Nijong Oval Learner Bike Track. We believe that project will foster the current strong cycling culture while also developing road safety amongst the younger generation. The Learner Bike Path will nurture independence and confidence, and overall be an effective project for to enhance the strength of the community.

Zara Farrell, Youth Mayor 2019



On behalf of the 2019 Snowy Monaro Regional Youth Council





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#### **9.1.9 LOCAL TRAFFIC COMMITTEE**

Record No:

Responsible Officer: Director Operations & Infrastructure  
Author: Roads Safety Officer  
Attachments: Nil

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#### **EXECUTIVE SUMMARY**

The Local Traffic Committee met on 27 March 2019 in Vin Good Room Monaro Regional Library Cooma. The Committee's recommendations are presented for Council's consideration and adoption.

#### **OFFICER'S RECOMMENDATION**

That the recommendations of the meeting of the Local Traffic Committee held on 27 March 2019 be adopted.

#### **RECOMMENDATION OF THE LOCAL TRAFFIC COMMITTEE – 27 MARCH 2019**

##### **7.1 SCHOOL BUS ZONE FOR THE ALPINE SCHOOL**

That Council

- A. approve the request from The Alpine School for a School Bus Zone to be established adjacent to the school entrance on Mittagang Road operating during School Zone times, i.e. 8:00 am to 9:30 am and 2:30 pm to 4:00 pm, School Days Only.
- B. Approve the replacement of the timed NO PARKING signs on Mittagang Road between Yerrang Street and Bolaro Street with untimed NO PARKING signs to ensure consistency

##### **7.2 BOMBALA STREET SURGERY - 45 DEGREE PARKING**

That Council approve the request for 45° angle parking be introduced to both sides of Bombala Street Cooma, between Murray Street and Egan Street.

##### **7.3 BOMBALA YOUNG DRIVERS**

That Council approve the request of Driving Solutions to conduct a one-day Young Drivers' Program that involves the temporary closure of the Therry Street carpark, Bombala.

##### **7.4 NOISE ISSUES - SHARP STREET COOMA**

That Council request that NSW RMS install truck noise limiting signs in the vicinity of the intersection of Sharp Street and Soho Street Cooma.

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## **7.5 POLO FLAT ROAD**

That Council:

- A. Approve the changes to the line marking in Polo Flat to extend the Double (BB) barrier lines from its existing position to the intersection of Holland Road
- B. Approved enhanced line marking to the entrance of the SMRC Depot Cooma to include edge marking, Stop Sign and associated line marking and centre line marking.
- C. Look into options to address the differences in the alignment of the neighbouring property's front boundary to SMRC Depot – Cooma.

## **7.6 BUSINESS BUS**

That Council approves the request for the visit of the Business Bus to the locations and dates in Cooma, Bombala and Jindabyne.

## **7.7 SNOWTUNES**

That Council approves the Traffic and Transport Management Plan for the Snowtunes event to be held at the Claypits Jindabyne on 30<sup>th</sup> and 31<sup>st</sup> August.

## **7.8 REDUCTION OF SPEED LIMITS IN SHARP STREET AND BOMBALA STREET**

That Council notify RMS of the recommendation to the change of speed zones from 60km/h to 50km/h in Sharp Street and Bombala Street, Cooma.

## **7.1 PARK ROAD JINDABYNE**

That Council

- A. Do not endorse the installation of 5 Minute Parking Replacement of NO PARKING restrictions between Kalkite Street and the School Crossing in Park Road with 5 MINUTE PARKING restrictions, and so maintain the existing NO PARKING restrictions.
  - B. The installation of NO STOPPING SIGNS – 8:00 am to 9:30 am and 2:30 pm to 4:00 pm – SCHOOL DAYS ONLY – SCHOOL BUSES EXCEPTED, in Park Road between Kalkite Street and Gippsland Street; and,
  - C Do not endorse the no stopping sign on the Northern side of Park Road, from the School crossing to Kurrajong Street.
-

## **7.2 PEAK AT THE PEAK (WITHDRAWN)**

That Council approve the request by Havas Pty Ltd for the temporary closure of Mount Gladstone Road, Cooma for a period of two hours on either the 1<sup>st</sup> May or 8<sup>th</sup> May 2019 for the purpose press event subject to the submission of completed paperwork.

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**9.1.10 MINUTES OF THE RECREATIONAL FACILITIES COMMITTEE MEETING HELD ON 18 MARCH 2019**

Record No:

Responsible Officer: Director Operations & Infrastructure  
Author: Open Space & Recreation Manager  
Attachments: 1. Minutes Recreational Facilities Committee 18 March 2019

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**EXECUTIVE SUMMARY**

The Recreational Facilities Committee meeting was held on the 18 March 2019 in the Cooma Council Chambers. The Committee's minutes and recommendations are presented for Council's consideration.

**OFFICER'S RECOMMENDATION**

That Council

Receive and note the minutes of the meeting of the Recreational Facilities Committee held on 18 March 2019.

**RECOMMENDATION OF THE RECREATIONAL FACILITIES COMMITTEE – 18 MARCH 2019**

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# Minutes



## Recreational Facilities Committee

**Date/Time** Monday 18 March 2019 at 5.00pm  
**Location** Council Chambers  
**Attendance**

Member (Representing)	Present	Apology	Absent
John Rooney, Mayor SMRC	✓		
Rogan Corbett, Councillor SMRC	✓		
John Castellari, Councillor SMRC		✓	
James Ewart, Councillor SMRC (left at 6.20pm)		✓	
Sue Haslingden, Councillor SMRC (via phone)		✓	
Neroli O'Neill, Community Representative	✓		
Alannah Dickeson, Recreation Planner SMRC		✓	
Glen Hines, Group Manager Facilities	✓		
Jane Kanowski, Open Space & Recreation Manager	✓		
Suzanne Dunning, Community Representative	✓		
John Britton, Cooma Lions Club	✓		
Chris Reeks, Cooma Lions Club	✓		
Steve Aldous, Mountain Bike Club			✓
Mathew Jamieson, Cooma Little Athletics	✓		
Louise Jenkins, Community Representative	✓		

### 1 Apologies

As per above attendance table.

### 2 Confirmation of Previous Minutes – 21 January 2019

It was noted that the Minutes of the meeting held on 21 January 2019 were an accurate record of the meeting. **Moved:** Chris Reeks **Seconded:** John Britton

### 3 Business Arising from the Previous Minutes

#### 3.1 Monaro Aquatics Presentation

Discussion regarding the main points from the presentation at the previous meeting and the main points of concern from the perspective of Monaro Aquatics are:

Snowy Monaro Regional Council

- Shade in the toddler pool area for spectators
- Upgrade of the plant room
- Lock on the back gate
- Input into the upgrade.

A project manager is to be appointed and Monaro Aquatics will be consulted appropriately as a stakeholder.

### **3.2 Mt Gladstone**

Jane has contacted the Cooma Correctional Centre to arrange a meeting on site to discuss the walking trail extension from the southern viewing platform back around to the carpark on the eastern side of the communication towers. Rogan is also available to attend.

The increased usage of Mt Gladstone as a destination for Mountain Biking demonstrates a need to improve the existing facilities at the picnic area. The toilet facilities are inadequate and in poor condition. Funding for this was included in the Building Country Communities application but at this time has not been approved. Funding for additional MTB trails has been received - John Barilaro met with delegates on site to announce this project prior to Christmas.

Also maintenance is required to the fencing along the Greendale Rd boundary and also access improved to the picnic area at the Snowy Mountains Highway turnoff - Jane will follow up and schedule the work to be done.

Mayor Rooney has had a meeting with Wolfgang Zahlauer (Miss Heidi's Tea House) who has raised several issues including:

- Go-carts using the road at night which he believes is dangerous and has reported it to the police
- the toilet facilities being inadequate for the increased patronage
- Armco railing in sections where it is on both sides of the road is too narrow for bus access
- drainage in one section of the road - the stormwater pit blocks up
- timber sign at the bottom entry to the reserve from the highway has collapsed – needs to be replaced

Glen is to follow up with Graham Hope to investigate road and drainage issues that have been raised.

### **3.2 Norris Park**

Works are completed on the toilet block – a disabled access and pathway from the car park in Crisp St to the walking path and toilets is being scoped.

### **3.3 Southern Cloud Memorial & Cooma Showground fence**

An order has been placed and we are still waiting on the contractor to complete the manufacture of the fence panels. Some tree pruning will be required prior to installation.

Chris asked if fencing could be installed in the areas that the Photinia hedge won't grow along the creek band at the Southern Cloud Park and also enquired about the feasibility of putting in an electric BBQ as it gets quite a bit of use.

Snowy Monaro Regional Council

The group discussed whether it would be worthwhile putting some interpretive signage relating to the creek.

### **3.4 Lions Park Project**

Funding has been received to continue with the development of the park. To include carparking, additional BBQ's and shelters, extension of walking path. Scoping and prioritising to be worked out. Chris asked if it would be possible for the Lions Club to manage this project – Glen to follow up to determine if this would be possible.

### **3.5 Badja Reserve Plan of Management**

Work has incorporated with the Major Projects for the Reserve – asking for tenders at the present time.

Council have approved the recommendation to extend the 50km speed zones on the the roads adjacent to the reserve – this recommendation to go to the traffic committee.

### **3.6 Multifunction Centre**

Glen is preparing a scope of work so that a project manager can be engaged for this project. They will continue to liaise with stakeholders to determine the priorities and scope out the works prior to it going out to tender.

### **3.7 Enclosing of Cooma and Bombala Pools & Upgrading of Jindabyne Pool**

A project manager will be engaged for this project and will include input and consultation with stakeholders including the former S355 Bombala Swimming Pool Advisory Committee. Glen is Investigating different styles and materials and talking to a couple of pool enclosure companies. Site visits to various indoor pool facilities is being planned.

### **3.8 Indoor Sporting Stadium**

Mayor Rooney reported that the Deputy Premier had announced an election promise to fund the indoor sports stadium and athletics track. There were conflicting views last time as to where the stadium should be located – additional consultation would need to be undertaken.

### **3.8 Cooma Athletics funding**

The installation of the discus nets is planned within the next month. Mat passed on thanks to staff for changing the mowing schedule and for the overall condition of Snowy Oval for the athletics season – it is in the best condition it has ever been.

### **3.9 Proposed Caravan Parking Area –Cooma**

Glen is meeting with the Caravan and RV Association to determine if there are any suitable sites for them to establish a free camping site in Cooma. The establishment is to be at their cost to set up and to manage. Glen is preparing a report to go to the April Council meeting.



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### **3.10 Time Walk**

Maintenance issues include cleaning and patching is required. John is to provide an updated costing for this work. This is ongoing – the Committee discussed the possibility of painting the concrete surface with epoxy paint. The previous quote was for around \$4,500 – John is to send details to Jane.

### **4 Disclosure of Interest**

Nil

### **5 General Business**

#### **5.1 Structure of the Recreational Facilities Committee**

Glen reported that a survey is being developed and will be available in the coming months. This will collect data from sporting groups and from the general public relating to recreational facilities throughout the region. It is hoped that this will assist in provision of appropriate sporting facilities and will highlight any areas that require additional ones. It will also allow Council to determine whether the existing ones are acceptable for the community and will hopefully identify emerging trends within the community.

Governance is reviewing all Section 355 committees and may be able to assist with the structuring of these across the Region.

#### **5.2 Men's Shed**

The DA for the shed has been conditionally approved – an environmental assessment has to be completed due to contamination issues. Glen is working with a consultant to finalise this.

There are a variety of community groups including the Cooma Multicultural Group, Artists, U3A that require premises. The Mulach St site has adequate space to accommodate an additional shed that could be used by these groups to set up a Community precinct which may benefit them as they would be able to share the costs. The Deputy Premier has provided funding for a shed for these community groups – however both these groups and the Men's Shed are not keen on sharing of the site.

#### **5.3 North Ridge Reserve (NRR)**

Louise had intended to apply for Crown Land grant funding for trail extension works and markers, signage and car park development (Balli PI) for North Ridge. She has received a quote for interpretive signage for the Balli PI entry to the NRR – Jane to follow up with Louise regarding the sign and the markers as this may be able to be included in the current budget. Designs for signage are required. Further scoping and consultation is required.

#### **5.4 Cooma Creek and Cooma Back Creek Corridors**

Clr Corbett is planning to set up a meeting with Suneil and the GM regarding putting in a submission to John Barilaro's office for funding to clean up the Back Creek.

Snowy Monaro Regional Council

Jane is to contact OEH to determine a contact person who will be able to provide clear direction as to what work is able to be undertaken within the creek corridors so that it can be progressed.

**6 Next Meeting**

The next meeting will be held on Monday 20 May 2019 at 5.00pm in the Cooma Council Chambers.

There being no further business the meeting closed at 6.40 pm.

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### 9.2.1 2019 SNOWY MONARO BUSINESS AWARDS

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Economic Development Officer
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	4.1 Attract diverse businesses and industries to the region, supporting their establishment and retention
Delivery Program Objectives:	4.1.3 Council is an active community partner in supporting regional business initiatives
Attachments:	1. DRAFT Business Case - Jindabyne Air Strip ( <i>Under Separate Cover</i> ) - <b>Confidential</b>
Cost Centre	7010
Project	Snowy Monaro Business Awards

#### EXECUTIVE SUMMARY

This year Council's Economic Development Officer is once again working with local Chambers of Commerce representatives to organise the Snowy Monaro Business Awards. The inaugural event in 2018 was widely acknowledged as a huge success and great for the region.

The Snowy Monaro Business Awards for 2019 are now open for nominations until Monday 6 May 2019.

This year includes 12 award categories, a people's choice, and a greater focus on Tourism in the region.

All Councillors are invited to attend the awards presentation dinner on Friday 31 May at the Perisher Station Resort, Jindabyne.

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

#### OFFICER'S RECOMMENDATION

That Council receive and note the information in the report on the 2019 Snowy Monaro Business Awards and encourage local businesses to nominate themselves for relevant categories.

#### BACKGROUND

The 2019 Snowy Monaro Business Awards will be presented at a gala dinner on Friday 31 May at the Perisher Station Resort, Jindabyne.

Nominations opened on Monday 1 April and will be accepted until Monday 6 May 2019.

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This year's organising committee includes representatives of the Cooma Chamber of Commerce, Jindabyne Chamber of Commerce and Snowy Monaro Regional Council. The organising committee has been working closely with the NSW Business Chamber (NSWBC), as winners of our awards can enter their Illawarra & Far South Coast Regional Business Awards which opens for entries on 3 June 2019.

Based on feedback and review of the 2018 awards program, this year the awards will have a focus on recognising the importance and contribution of Tourism to our local economy and resident/visitor experience with 6 specific categories for Tourism businesses. The organising committee will strongly encourage the winners of these specific categories to enter the Regional and State Tourism award programs which are also administered by the NSWBC.

The twelve award categories to choose from, which local businesses need to nominate themselves for, are:

**Tourism Awards**

Excellence in Ecotourism  
Excellence in Culture and Heritage  
Excellence in Adventure Experience  
Best Accommodation  
Best Caravan & Holiday Parks  
Excellence in Food Experience

**Business Awards**

Excellence in Sustainability  
Excellence in Innovation  
Outstanding Employer of Choice  
Outstanding Young Employee  
Excellence in Accessible Employment  
Excellence in Small Business

In addition, those who enter in one or more of the above categories will automatically be entered into a people's choice award. Four awards will be presented; one each in Bombala, Cooma, Jindabyne and the Region's small towns/villages (Adaminaby, Berridale, Bredbo, Delegate, Dalgety, Nimmitabel, Numeralla etc.). Our community will be able to vote for the winners via an online platform (such as Survey Monkey).

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The awards program showcases the important role local businesses play in strengthening the region's economy, and supports Council efforts to engage and develop stronger relationships with our local Chambers of Commerce and the broader business community.

### **2. Environmental**

Nil

### **3. Economic**

The program's income and expenses are managed by Council, as the organising committee is not a legally registered entity.

Ticket sales for the gala dinner and a range of sponsors enable the program to be self-funding and like 2018, we expect to make a profit of around \$4,000 for re-investment in the 2020 awards program.

The anticipated price per ticket for the gala dinner on 31 May is \$75.00 (we hope to have 200 attendees).

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#### **4. Civic Leadership**

Continued support and promotion of the Snowy Monaro Business Awards is identified as an 'Early State Action' in the Snowy Monaro Regional Economic Development Strategy.

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**9.2.2 CONSOLIDATION OF RESERVE NO. 530002 CENTENNIAL PARK AND LOT 6 DP 758280  
COOMA VISITORS CENTRE AS ONE CROWN RESERVE FOR GENERAL COMMUNITY USE**

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Land & Property Officer
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.2 Improve and maintain our public owned infrastructure and assets and facilities to a high standard
Delivery Program Objectives:	8.2.6 Council's infrastructure is maintained to meet compliance standards and to deliver high level services
Attachments:	Nil
Cost Centre	7040 – Cooma Visitors Centre
Project	PJ160207 – Cooma Centennial Park

**EXECUTIVE SUMMARY**

Cooma Visitors Centre is located on lot 6 DP 758280 and the property is licensed to Council from the Crown for \$8,365.50pa. The permitted use is for activities associated with and run by the Cooma-Monaro Shire Council only.

Centennial Park (Crown Reserve 530002) is vested in Council's Trusteeship and it is a Reserve for the purpose of public recreation. The Park is located on lot 701 DP 1023496.

It is proposed to request that Lot 6 (Visitors Centre) be added to Reserve 530002 in Council's Trusteeship and that the Purpose of the Reserve include the category of "General Community Use".

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

**OFFICER'S RECOMMENDATION**

That Council

- A. Request that the Crown add lot 6 DP 758280 to Reserve 530002 comprising Centennial Park and add an additional purpose of "General Community Use" to the Reserve.
- B. Relinquish Licence LI 453017 for the use of the Cooma Visitors Centre when Lot 6 DP 758280 is added to Reserve 530002.

**BACKGROUND**

Cooma Visitors Centre is located on lot 6 DP 758280 and the property is leased from the Crown for \$8,365.50pa. The permitted use is for activities associated with and run by the Cooma-Monaro Shire Council only.

Centennial Park (Crown Reserve 530002) is vested in Council's Trusteeship and it is a Reserve for the purpose of public recreation. The Park is located on lot 701 DP 1023496.

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Council is proposing to refurbish the Visitors Centre and to provide all accessible access via a ramp. The ramp has been designed so that it encroaches onto Centennial Park (over the boundary of lot 6).

During discussions with the Crown they suggested that Council should apply to have lot 6 DP 758280 (Visitors Centre) included in Crown Reserve 530002 (Centennial Park) under Council's Trusteeship. This would mean that Council could then relinquish the lease, saving \$8,365.50pa in rental fees.

This would not affect the operation of the Visitors Centre as Council would request that an additional purpose of "General Community Use" be added to Reserve 530002. At present the purpose (category) assigned to Centennial Park is Public Recreation. The additional category (purpose) would then permit the use of Centennial Park for markets and other similar pursuits in addition to public recreation.

Discussions with the Crown confirmed that this request would be favourably considered should Council resolve to proceed.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The change in categorisation (purpose) of Centennial Park (R.530002) and the amalgamation of the visitor's centre into Crown Reserve 530002 will afford Council more flexibility to manage both facilities. The change in categorisation from Public Recreation to General Community Use will benefit the community by allowing more flexibility in respect to the use of both allotments.

### **2. Environmental**

There will be no environmental impact.

### **3. Economic**

There are no fees attached to this procedure and there will be a cost saving of \$8,365.50pa in lease fees.

### **4. Civic Leadership**

Council constantly looks for cost saving measures to ensure that the community receives value for money.

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### 9.2.3 SUPPORT FOR UPGRADING THE JINDABYNE AIRSTRIP

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Economic Development Officer
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	4.1 Attract diverse businesses and industries to the region, supporting their establishment and retention
Delivery Program Objectives:	4.1.1 Council's Regional Economic Development Strategy provides a framework that fosters and grows the Region's diverse businesses
Attachments:	Nil

#### EXECUTIVE SUMMARY

The Jindabyne Aero Club are seeking Council support of a grant application that will enable the Club to undertake upgrades to the Jindabyne Airstrip (sealing of the runway) and construct an improved terminal building for use by visitors. The intention is that the airstrip will become more attractive to private commercial and recreational flights. The upgrade will also benefit local emergency services especially the Rural Fire Service and National Parks and Wildlife Service. There is no intention that the airstrip will host public commercial air transport services.

The Aero Club is applying for funding of \$1.693m under the Growing Local Economies Fund, which is part of the Regional Growth Fund of the NSW State Government. The Aero Club is a small organisation and would be completely reliant on the grant funding for the project if successful. It has indicated that it will need assistance to manage the funds and milestone payments for the project if it proceeds, which may include Council underwriting the grant funding to contractors. This would require strong Council involvement in managing the project finances and carries some financial risk.

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

#### OFFICER'S RECOMMENDATION

That Council, having understood the risks outlined in the report,

- A. Provides in principal support for the Aero Club submitting their business case for grant funding to the NSW Government;
  - B. Provides in principal support for an arrangement with the Jindabyne Aero Club whereby Council would, where required, pay any contractor payments not exceeding approved grant funding that are due for works prior to the grant funds being received, subject to the grant funds once received being used to refund the Council in full; and
  - C. If the grant application is successful, develop a formal agreement with the Jindabyne Aero Club to formalise the details of any such arrangement and/or find alternative arrangements which eliminates Council exposure to any risk or administrative burden arising from Council's support for the project.
-

## BACKGROUND

The Jindabyne Aero Club Inc. (JAC) purchased Jindabyne Airstrip from the Snowy Monaro Regional Council in January 2018.

JAC have since been seeking funding under the NSW Government's Regional Growth Fund (RGF) to further develop the site; to upgrade the runway from gravel to a sealed surface and build a public terminal building.

JAC are awaiting the decision on a previous opportunity under this grant program, but they were also invited to submit a business case under the RGF Growing Local Economies grant funding stream.

If the grant is awarded, the project may only proceed if Council agrees to auspice the project and manage the grant funds, as JAC do not have the capital available to fund milestone payments to the suppliers themselves. JAC's expectation is that Council will also assist with contracts and covering any progressive payments as they become due.

The business case must be submitted to the State Government by Friday, 19 April 2019, and the current draft recognises that as well as the grant being awarded, the project is only viable if the related Development Application(s) are approved. The required development applications will be managed by the Jindabyne Aero Club and have not been lodged as yet, with the Aero Club likely to wait until the grant application is determined before lodging any application. A development application involving an increase in flight movements at the airfield is likely to be 'Designated Development' under the *Environmental Planning and Assessment Act, 1979*, meaning that preparation of an Environmental Impact Statement would be required. The cost of having this prepared has been allowed for in the grant application.

Based on the cost of the airfield upgrade in the grant application, Council will be the consent authority for any such development application, although other government agencies may also have an approval role in the application. This raises the question of whether there is a potential conflict of interest for the Council if it is financially involved in the grant application. However to be clear the Council would have no profit motive contingent on the outcome of the development application, as its involvement in the grant would only be as a facilitator of the contractor payments and grant funds on a cost neutral basis once the project reaches the stage where actual upgrading works can begin. No movement of funds would actually take place until any relevant development application was approved, and indeed would be contingent on this occurring.

As with any other development involving contractor work, one other possibility that may arise is that the Council may have an opportunity to quote for the work to seal the runway itself. If this was the case and Council was successful in obtaining the work, this would alter the arrangements between Council and the Aero Club, with the relevant grant funding in this case required to be used to pay Council for the work rather than a contractor.

Strategic support for the project is provided in the Council and Department of Premier and Cabinet (DPC) endorsed Regional Economic Development Strategy (REDs), where the upgrade of Jindabyne 'airport' is identified as an Infrastructure Priority and a candidate project for assisting in the achievement of Strategy 1 in the REDS, which is:

*'Develop the Region's year round tourism offering and accessibility from major markets'.*

It also aligns with the vision of the REDS for the further economic development of Snowy Monaro, which is:

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*‘Connecting its communities and growing its strengths in tourism, energy generation, farming, forestry and manufacturing.’*

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The proposed project would improve resident and visitor access to Jindabyne and the broader Snowy Monaro Region by reducing travel time for travellers from Sydney and Melbourne (whom can afford to pay for charter flights), as well as improve the accessibility/practicality of the airstrip for emergency services.

The proposed upgrades will not compete with the Snowy Mountains Airport near Cooma, as the airstrip will not be able to host public commercial air transport services.

### **2. Environmental**

The direct environmental impact of this report’s recommendation to Council is nil as it only concerns submission of a business case to the NSW Government. There is no guarantee grant funding would be received.

Any environmental impacts of the project itself will be assessed under relevant Development Applications, and any issues must be addressed prior to the project commencing.

### **3. Economic**

A foreseen risk for Council is the project going over-budget and the possible request for Council to contribute to the project costs. This risk could arise from

- Under budgeting or estimation of the project costs based on current engineering plans and supplier quotes for the project.
- Delays to the project timeline because of poor weather conditions (anticipated project duration is 3 – 4 months).
- Delays to the grant payment because of project reporting and evaluation by the NSW Government.

At this stage the Aero Club only requires in principle support for the arrangements with Council. If the grant application is successful a detailed agreement will need to be formalised and at this time there would need to be contingencies incorporated that will minimise any financial risk for the Council.

An alternative would be to enter into a legally-binding agreement that clearly specifies that Council would not be exposed to any financial liability and that the Aero Club is responsible to ensure budget requirements are met.

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#### **4. Civic Leadership**

Upgrading the Jindabyne airstrip has been identified as an action in two key Council strategies which may unlock opportunities to grow our local economy. These include the Snowy Monaro Regional Economic Development Strategy and the Draft Destination Management Plan.

Both of these plans identify that updates to the airstrip would support the development of the Region's Year-Round Tourism Offering and accessibility by improving connections to capital city markets. It is not intended that the airstrip would compete with the Snowy Mountains Airport because it would not have the necessary capacity with the upgrade to handle public passenger aircraft.

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### 9.3.1 ADOPTION OF THE SNOWY MONARO REGIONAL COUNCIL LIQUID TRADE WASTE POLICY

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Group Manager Water & Wastewater Services
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	7.2 Water, waste, sewer and stormwater management practices are contemporary and efficient
Delivery Program Objectives:	7.2.1 Water and sewer management services and operations meet legislative and quality requirements
Attachments:	<ol style="list-style-type: none"><li>1. Media Release for Draft Liquid Trade Waste Policy on Exhibition <i>(Under Separate Cover)</i></li><li>2. Draft Liquid Trade Waste Policy for adoption report <i>(Under Separate Cover)</i></li><li>3. Comments received on the Draft LTW policy <i>(Under Separate Cover)</i></li></ol>
Cost Centre	2170 – Liquid Trade Waste
Project	
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

As reported to Council on 6 December 2018, the draft Liquid Trade Waste Policy was placed on public exhibition for a period of 28 days with submissions closing on Friday 8 February 2019.

Only two comments were received from internal staff. These comments have been incorporated into the policy and all relevant amendments have been made to the final policy for adoption.

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

#### OFFICER'S RECOMMENDATION

That Council approve:

- A. adoption of the Snowy Monaro Regional Council Liquid Trade Waste Policy, and
- B. the implementation of the Liquid Trade Waste regulation region wide as described in Table 1

#### BACKGROUND

Regulation of Liquid Trade Waste (LTW) has not been implemented region wide and the adoption of the policy will facilitate the implementation of the regulation region wide.

It will also harmonise the charging regime region wide over a period of 2 years.

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The reason for the staged implementation is to enable the water and sewer department to undertake an education campaign so there is better understanding of the legal requirement for the discharge of LTW to Council's sewerage system.

A summary of the different regimes in the different areas and the plan of action in these areas are summarised in Table 1.

TABLE 1

REGION	CURRENT STATUS	PROPOSED IMPLEMENTATION
Bombala and Delegate	Application and inspections not undertaken but charges have been applied to "Large" and "small" dischargers which is not clearly defined.	<ul style="list-style-type: none"><li>• 2019 July – Large and small discharge charges <b>will be removed</b></li><li>• 2019 July - Application fees will apply</li><li>• 2020 July – All trade waste charges as per the F&amp;C will apply</li></ul>
Cooma and Nimmitabel	Not commenced.	<ul style="list-style-type: none"><li>• 2019 July - Application fees will apply</li><li>• 2020 July – All trade waste charges as per the F&amp;C will apply</li></ul>
Adaminaby, Berridale, East Jindabyne, Jindabyne	Fully implemented with charges applying as per the 2019 Revenue Policy	Status quo remains and all charges will apply as per the 2020 fees and charges

## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

The region wide implementation of the LTW regulation will ensure the social wellbeing of the community and the treatment plant operators are being managed through monitoring and inspection of discharges to the environment ensuring they meet the required standards.

### 2. Environmental

Uncontrolled discharge of liquid trade waste could lead to short term and long term environmental pollution with dire consequences if not managed well.

### 3. Economic

Health benefits from controlled activities that reduces pollution results in a healthy community contributing to the economic benefits to the entire community.

#### **4. Civic Leadership**

The LTW policy when adopted by Council will pave the way to a smooth implementation of the regulation region wide.

The draft policy was presented to Council on 6 December 2019.

The cost of the program and any interim revenues have been included in the budgets.

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### 9.3.2 REQUEST FOR LETTER OF SUPPORT: BEGA LOCAL ABORIGINAL LAND COUNCIL EPA GRANT APPLICATION

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Group Manager Resource & Waste Management
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	7.1 Protect, value and enhance the existing natural environment
Delivery Program Objectives:	7.1.3 Council delivers a range of initiatives to the Snowy Monaro community to enhance their awareness and engagement of sustaining our pristine natural environment
Attachments:	1. Request from Bega LALC for Support
Cost Centre	N/A
Project	N/A
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

The Bega Local Aboriginal Land Council (LALC) have requested a letter of support from Snowy Monaro Regional Council for their NSW EPA Aboriginal Land Clean-Up Prevention Project grant funding application.

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

#### OFFICER'S RECOMMENDATION

That Council provide a letter of support to the Bega Local Aboriginal Land Council for their NSW EPA Grant Funding application for the ALCUP project.

#### BACKGROUND

The Bega Local Aboriginal Land Council (LALC) owns a number of properties within the Bega Valley Council region with one additional property located in the Snowy Monaro Regional Council region, being near Berridale. In 2017 the Bega LALC received a grant from the EPA to remove illegally dumped material from their properties, including the Berridale property. Grant funds were also used to install surveillance cameras and gates to control access to their land. Snowy Monaro Regional Council provided assistance to the Bega LALC project by waiving \$550 worth of landfill disposal fees.

Bega LALC is once again submitting a grant application to the NSW EPA Aboriginal Land Clean-up and Prevention (ALCUP) Grant program. They will be focussing on removing illegal dumping on the 27 properties they own throughout the Bega Valley Shire as well as cleaning up any illegal dumping at their Berridale Property.

On 21 March 2019 SMRC received a request (refer attachment 1) to provide a letter of support to the Bega LALC for their grant application.

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An additional request was also received for financial support. The representative from the Bega LALC has been advised to make a request for financial support through the next round of the Council Support and Donations program.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The social impact to the community will be positive, with the area being cleared of unwanted waste and the environment being protected.

### **2. Environmental**

The project being undertaken by the BEGA LALC will provide positive environmental impacts through the removal of illegal dumped waste on private property. This material will then be disposed of at an appropriate Waste Management Facility.

### **3. Economic**

There is no financial impact to SMRC through providing the letter of support. The request for donation of funding will be considered through the donations process.

### **4. Civic Leadership**

On 13 January 2017 the former Administrator considered a request for financial support to the Bega LALC for their previous clean-up program. Under resolution ADA9/17 the administrator resolved to provide financial support to the value of \$550 by waiving the disposal fees associated with any dumped materials.

This is considered to be a worthwhile project.

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**Patrick Cannon**

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**From:** Glenn Willcox <ceo\_begalalc@commander.net.au>  
**Sent:** Thursday, 21 March 2019 10:58 AM  
**To:** Patrick Cannon  
**Subject:** Bega LALC Support for EPA ALCUP Project  
**Attachments:** In Kind Support ; Stony Creek Road\_Map for SMRC\_190321.pdf

G'day Patrick,

Thank you for your time on the telephone earlier today.

The Bega LALC are about to submit an application to the EPA for ALCUP program funds to undertake dumping clean up and control measure installation on the LALC land estate. See program guidelines at the link below.

<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/wastegrants/alcup/18p0874-aboriginal-land-clean-up-and-prevention-guidelines-round-4.pdf>

Our only land holding in the Snowy Monaro Regional Council area is at Berridale. We don't anticipate there to be much if any waste to be removed from the Berridale land holding as we did extensive clean up work and installed surveillance cameras and gates to control access to the land. We will be active on 27 landholdings in the Bega Valley Shire Council area.

However, it would greatly assist our application if we could secure a support letter from SMRC and if possible, a commitment to waive any fees for disposal of collected waste.

The project is scheduled to run from May to November 2019.

I have attached a map of the land holding and correspondence regarding support for our previous ALCUP project.

Please contact me at your convenience should you require further information.

We await your response.

Best

Glenn Willcox  
CEO  
Bega Local Aboriginal Land Council  
Ph 02 6492 3950  
PO Box 11  
Bega  
NSW 2550

**Office** - Level 1, 187 Carp St, Bega  
(Enter from Church St)



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### 9.3.3 TENDER - PARSONAGE CREEK BRIDGE REPLACEMENT

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Manager Construction
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	9.1 Transportation corridors throughout the region are improved and maintained
Delivery Program Objectives:	9.1.2 Our local road network is planned, built and repaired to improve movement across the region
Attachments:	1. Evaluation and Probity Form ( <i>Under Separate Cover</i> ) - <b>Confidential</b> 2. Tender Assessment ( <i>Under Separate Cover</i> ) - <b>Confidential</b>
Cost Centre	Bridges Sealed - 1850
Project	Parsonage Creek Bridge
Further Operational Plan Actions:	Nil

#### EXECUTIVE SUMMARY

Bridge replacement works on Parsonage Creek Bridge (Delegate Road, Bombala) is the culmination of a project commenced by the former Bombala Shire Council, under the Fixing Country Roads and the Federal Bridge Renewal Programs.

Currently the design of the replacement bridge has been completed by the Snowy Mountains Engineering Corporation (SMEC) and demolition of the bridge has commenced.

This report is seeking Council approval to award the Tender for the supply and construction of the bridge as designed by SMEC.

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

#### OFFICER'S RECOMMENDATION

That Council approve the recommendation of the Tender Evaluation Committee for the tender (VP139309) with a total contract price of \$666,900 (ex GST) over two financial years.

#### BACKGROUND

Parsonage Creek bridge was built in 1939 (78 years old). The bridge spans over Parsonage Creek and was built in 1939. It is located on the southwest border of the Bombala on Delegate Road, near the intersection of Delegate Road and Monaro Highway. The bridge has a narrow trafficable width, suffered vehicle damage and the current deck is not suited to supporting current compliant guard railing. Delegate Road is an identified B-double route providing access to the logging/forestry and saw mill industry.

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The initial scope of work included a detailed structural analysis and design for widening options and construction of the designed overlay deck. The objective was to achieve a wider deck that met both T44 and SM1600 design loads, meeting current and future transport needs.

Further investigations have determined that, to deliver a bridge capable of achieving both T44 and SM1600 load limits, a replacement of Parsonage Creek Bridge is the only viable option.

The design of the replacement bridge was awarded to SMEC following a Request for Quotation and assessment of the responses received.

Demolition work is currently nearing completion and Tenders for the supply of the replacement Bridge materials and components advertised.

Two complying tenders were received with one tenderer providing an alternate option.

Due to the variations in the scope covered by the various tenders, both tenderers were asked to provide detailed costing for supply and construct of their preferred tendered option.

Based on the received responses, both tenders were then suited for direct comparison. The options and Tenders were reviewed and assessed (see attached) which determined that the tenderer would provide a bridge that meets requirements, can be completed in the shortest timeframe, and at the lowest cost.

This proposed construction approach is also consistent with advice from SMEC that the proposal meets the design requirements.

The work can be carried out without disruption to the community, and minimal environmental impact.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

A bypass via Wedmore Road and Sandy Lane has been established for the duration of the project.

The replacement bridge is designed to meet the requirements of industry Higher Mass Vehicles; up to 68 tonne.

### **2. Environmental**

Once completed the impact on Parsonage Creek will be consistent with the previous bridge.

Council has obtained the required permit from Fisheries Department, and has completed a Part 5 Environmental Assessment prior to construction.

### **3. Economic**

An allocation was made in 2018/2019 financial year of \$1, 771, 194, which followed a review of the draft Level 3 reports and replacement proposal.

As Parsonage Creek Bridge is part of Councils Regional Road network and has an approved budget:

- \$247,000 Fixing Country Roads Grant ,
-

9.3.3 TENDER - PARSONAGE CREEK BRIDGE REPLACEMENT

- \$200,000 Roads to Recovery,
- \$247,000 Federal Bridge Renewal Program,
- \$173,597 Regional Road Repair Program,
- \$173,597 Regional Road Block Grant, and
- \$730,000 Council General Fund.

Awarding of this contract is within the current approved budget.

Estimated Expenditure	Amount	Financial year	Ledger	Account string															
Regional Road Block Grant	\$173,597	2018/19																	
Regional Road General Fund	\$173,597	2018/19																	
Federal Bridge Renewal Program	\$274,000	2018/19																	
Fixing Country Roads (Restart)	\$2740,00	2018/19																	
Roads to Recovery	\$200,000	2018/19																	
Roads to Recovery	\$200,000	2019/20																	

#### 4. Civic Leadership

Council is the Roads Maintenance Authority with an obligation to maintain bridges servicing the road network at a level of service acceptable to the community.

Council has approved the construction of Parsonage Creek Bridge in the 15 March 2018 Council Meeting: Resolution 65/18.

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#### 9.3.4 TENDER FOR OPTION ASSESSMENT AND DETAILED DESIGN OF THE TIMOR ST SEWAGE PUMPING STATION AND REALIGNMENT OF RISING MAIN AND SECTION OF GRAVITY MAIN.

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 Plan for the option assessment and detailed design for the Timor St Sewage Pumping Station ( <i>Under Separate Cover</i> ) - <b>Confidential</b>
Cost Centre	14-2130
Project	260249
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

The Tender for the Options assessment and the detailed Design for the Timor St Sewage Pumping Station and Realignment of Rising main to the Bombala Sewage Treatment Plant and realignment of a section of gravity main was advertised on the Vendor Panel website. It was a public tender and was open to all through the Vendor Panel.

The tender closed on 14 March 2019. A total of 4 tenders were received and was first evaluated for the non-price criteria. All four tenders met the non-price criteria and was further evaluated to finalise the award of the tender.

The award of this tender is not to the lowest priced tender due to the higher score achieved through the non-price and price criteria assessment.

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

#### OFFICER'S RECOMMENDATION

That Council approve

- A. to award the tender for a lump sum amount of \$154,000 (incl. GST) based on the tender evaluation recommendation.

#### BACKGROUND

The Sewage Pumping Station (SPS) at Timor St Bombala is an old technology pumping station with the following operations and maintenance issues.

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9.3.4 TENDER FOR OPTION ASSESSMENT AND DETAILED DESIGN OF THE TIMOR ST SEWAGE PUMPING STATION AND  
REALIGNMENT OF RISING MAIN AND SECTION OF GRAVITY MAIN.

1. The pumping station is deep and poses a very high risk and creates work, health and safety (WHS) issues. It is a confined space with no space to manoeuvre.
2. The pumping station poses high risk to maintain and clean due to the depth and the confined space.
3. The pumping station has only one pump currently in operation. Without bringing many modifications to the existing pumping station, it is difficult to install another standby pump which is necessary keeping in mind the close proximity to the Bombala River.
4. The structure of the pumping station is beyond repair therefore modification to the existing pump station to install the standby pump is not an option.
5. The internal access structure is dangerous and unusable.

The commencement of the options study and the detailed design is the first phase in the upgrade and renewal of the SPS at Timor St Bombala. The below is the list of benefits from this upgrade and renewal of the SPS:-

1. This will eliminate the need of inlet pumping station at the new Bombala Sewage Treatment Plant (STP) which will reduce the overall capital, operational and maintenance cost of the STP.
2. Within this project, the inverted syphon of the sewerage main is proposed to be removed to eliminate the risk of polluting the environment by minimising the infiltration or polluting the river.
3. The new pumping station will be designed according to the current WHS standards and by addressing the inverted syphon of sewerage main will reduce the depth of the proposed pumping station.
4. The existing manhole in a close proximity to the Bombala River are very deep and poses risk to staff. The introduction of a new pumping station will remove the requirement of these deep manholes and will improve overall operation and maintenance of the infrastructure.
5. With the proposed upgrade of this infrastructure, an overflow tank/structure will be constructed to address any potential overflow. The current infrastructure doesn't provide this regulatory and contingent flexibility in the operation of SPS.

## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

The availability of clean drinking water that meets Australian Drinking Water guidelines and sewerage services with environmentally compliant transportation, treatment and disposal of sewer is vital for the social wellbeing of the community.

### 2. Environmental

The replacement of the sewage pumping station to address Work, Health and Safety and Environmental issues to improve the quality of service to the community and reduce the potential risk to the environment.

### 3. Economic

Estimated	Amount	Financial	Ledger	Account string
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9.3.4 TENDER FOR OPTION ASSESSMENT AND DETAILED DESIGN OF THE TIMOR ST SEWAGE PUMPING STATION AND  
REALIGNMENT OF RISING MAIN AND SECTION OF GRAVITY MAIN.

Expenditure		year																
Timor ST SPS – Bombala	\$200,000	2018-2019	P	L	2	6	0	2	4	9								
	\$																	
	\$																	
Funding (Income/reserves)	Amount		Ledger		Account string													
Reserve	\$200,000																	
	\$																	
	\$																	

The proposed upgrade of the pump station will be fully funded from Reserve.

#### 4. Civic Leadership

Council needs to ensure that the communities that are provided with water and sewerage services have water supply that meet the drinking water quality standards and the sewerage treatment does not have any adverse effects on the environment.

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#### 9.4.1 SMEC FLUID LAB BUILDING

Record No:

Responsible Officer:	Director Environment & Sustainability
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:	2.2.2 Facilities for the provision of arts and cultural activities have been planned for in partnership with other government agencies and the community
Attachments:	1. Report to Council 15 February 2018
Cost Centre	
Project	
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

At its meeting of 21 February 2019 Cllr Haslingden submitted the following question:  
*Can Council bring a report to Council as mentioned in Part C of the resolution regarding the SMEC Fluid Lab on the 15 February 2018?*

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

#### OFFICER'S RECOMMENDATION

That Council receive and note the information.

#### BACKGROUND

The full Council Resolution (13/18) from 15 February 2018 regarding the SMEC fluid lab building was as follows:

*That Council*

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

A copy of the report to Council's meeting of 15 February 2018 is attached for reference, particularly in regard to some of the challenges and operational issues which need to be addressed with the site, as highlighted in the "Environmental" section of that report. . It is still unclear as to the extent of required contamination removal or remediation. The report to the 15 February 2018 meeting also included a draft of the proposed MOU with SMEC.

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The SMEC Technical Working Group also made an address to Council at its meeting of 17 January 2019 regarding the proposed concept for a museum at the SMEC Fluid Lab building in Cooma.

Council had previously resolved (Resolution 13/18) to provide \$20,000 to co-fund a feasibility study with SMEC regarding the proposal for converting the former Fluid Lab building to a museum. The feasibility study was finalised and provided to the Working group.

Council also requested further details from SMEC regarding cost estimates for the proposed project works. Draft costing estimates were provided on 26 July 2018.

The estimated cost of upgrading and fitting out the building was around \$12million. In discussions with SMEC representatives, it was also suggested that if the building was to be handed to Council, that additional funding would be required to ensure the on-going maintenance would not be a financial burden to Council. The prospect of an additional 'sinking fund' was touted. In essence, a project budget of around \$15m was required.

An on-site meeting was held on 5 October 2018 with members of the working group, SMEC representatives, Local Member and Deputy Premier Mr John Barilaro, and Council representatives (Mayor, General Manager, Director Environment and Sustainability).

It is understood that the technical group had made approaches to the Local Member to provide funding for the proposal. At the on-site meeting, the Local Member advised that while happy to consider a possible funding source, that other issues (such as funding for rural roads) were seen as a higher priority for government funding.

Until such time as the funding details can be established and agreed, Part C of Resolution 13/18 is still the subject of further discussion with SMEC. It is not considered advisable to enter into an MOU for the acquisition of the building until such time as funding for any required remediation, upgrading works, and on-going maintenance has been established.

Some of the earlier discussions with SMEC revolved around the building being allocated to Council at a "fit for purpose" standard. The building in its current condition has many deficiencies, as was outlined in the report to Council on 15 February 2018, including Fire Safety, Access, Sanitary facilities, and Public access requirements.

The most recent advice from the SMEC project manager (1 April 2019) was that there has been no further progress as funding was not provided prior to the State Election. The SMEC project manager has been advised that Council is still open to discussions regarding the possible future use of the site.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

There are potential positive social outcomes if the site can be economically transformed

### **2. Environmental**

Various environmental aspects have been identified with the site, which would need to be addressed through responsible project management if funding sources are identified which make the site acquisition feasible. These were previously highlighted to Council in a report to the Council meeting on 15 February 2018.

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### **3. Economic**

Preliminary project costs of \$12m have been identified. The need for an additional amount as a 'sinking fund' to offset on-going operational and maintenance costs has also been identified. Details of the actual site area proposed to be transferred to Council have not been established.

### **4. Civic Leadership**

Council resolution 13/18 required certain actions to be undertaken, with further progress stalling due to the need to identify funding sources.

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

Record No:

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

#### EXECUTIVE SUMMARY

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

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

#### OFFICER'S RECOMMENDATION

That Council

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

#### BACKGROUND

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

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

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- Depending on whether SMEC agrees to upgrade the building to 'fit for purpose', there are a lot of costs involved in converting the Fluid Lab to use such as a museum or educational facility. The extent to which SMEC is willing to upgrade needs to be clarified.
- Funding the operations of the building into the longer term needs to be canvassed in the study
- Informal discussions with the SMEC representatives indicated that they are considering DA's for a range of possible future uses for the remainder of the site. Council needs to be fully aware of the potential overall cost of waiving (i.e. Council donating) DA fees/contributions for "any future DA's" as was earlier requested.
- There was also a previous request for Council to 'waive' any fees involved in the disposal of asbestos containing materials (ACM) from the demolition of the former office buildings at the site. The Statement of Environmental Effects (SEE) supplied with the DA for the demolition works was not definitive on the amounts of ACM to be removed, stating that further investigation and sampling was required to determine the extent of possible ACM buried or contained in soil around the site, and the method of dealing with those quantities. Prior to consideration of that request, verification of actual quantities would be required. Council could agree to 'waive' fees for disposal of bonded ACM from the buildings to a specified weight limit (e.g. 10 Tonnes, 20 Tonnes), but not for any surface or in-soil ACM (the SEE states there is an unknown volume of soil, beneath the surface that is potentially contaminated by ACM (up to 27,000m<sup>3</sup>).

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

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

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

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

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

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

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

The proposed consultants brief from SMEC involves the following;

*"The key tasks are outlined below:*

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

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

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

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

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

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

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

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

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

#### QUADRUPLE BOTTOM LINE REPORTING

##### 1. Social

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

##### 2. Environmental

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

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

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

**3. Economic**

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

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

**4. Civic Leadership**

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

*That Council*

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

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

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

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



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

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

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

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

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

*'Background*

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

*Definitions*

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

*General Conditions*

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

*Termination*

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

*Press Announcements*

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

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*Branding*

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

*Costs*

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

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

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12.1 REQUEST FROM SMEC TO CONTRIBUTE TO COST OF STUDY FOR FLUIDS LAB  
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## **MEMORANDUM OF UNDERSTANDING**

**Snowy Monaro Regional Council**

and

**SMEC Holdings Ltd**

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12.1 REQUEST FROM SMEC TO CONTRIBUTE TO COST OF STUDY FOR FLUIDS LAB  
ATTACHMENT 1 DRAFT MEMORANDUM OF UNDERSTANDING - SMEC HOLDINGS LTD Page  
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**Joint Use Project Agreement – Memorandum of Understanding**

**1. Rationale**

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

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

**2. Outcomes of Joint Use Project Agreements**

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

**3. The Goals of MoU**

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

**4. Parties**

This MoU is between the parties listed below.

**5. Company Details**

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

**6. Partner Details**

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

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

**7. Subject Area**

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

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

**8. Purpose and Process**

The purpose of this MoU is to:

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

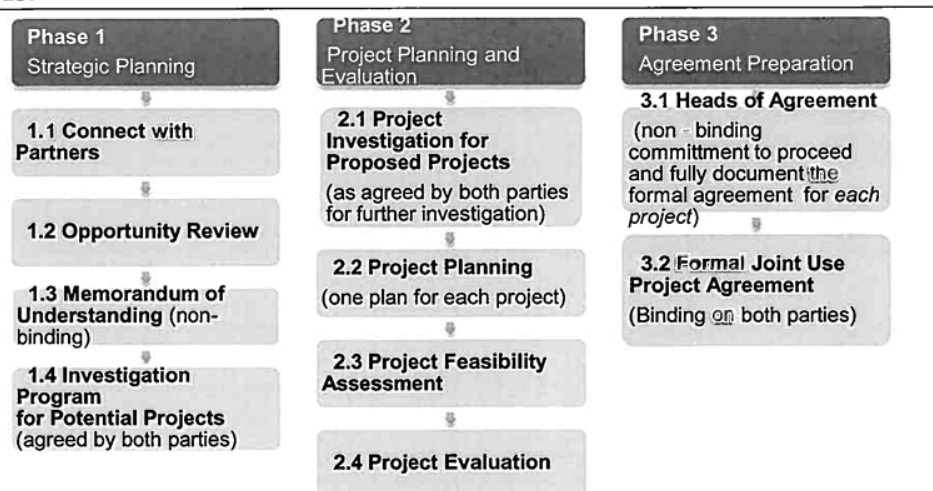
The purpose of the JUP Advisory Group is to:

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

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

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12.1 REQUEST FROM SMEC TO CONTRIBUTE TO COST OF STUDY FOR FLUIDS LAB  
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At the commencement of Phase 2, the JUPA Advisory Group will complete a *Project Investigation Proposal*. Throughout this process, individual projects will be subject to review and evaluation at each step (refer to section 11) with formal project evaluation occurring at step 2.4.

#### 9. JUPA Advisory Group Roles and Responsibilities

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

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

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

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

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



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

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

The membership of the JUPA Advisory Group will commit to:

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

**10. Meetings**

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

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

**11. Resources and Information**

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

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

**12. Communication**

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

**13. Dispute Resolution**

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

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

**14. Term**

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

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

**15. Review and Evaluation**

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

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

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

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

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

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

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

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

17. Execution

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

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#### 9.4.2 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. In Progress Councillor Questions for Period Ending March 2019
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 March 2019.

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

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

#### OFFICER'S RECOMMENDATION

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

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## SMRC Councillors' Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
2	05 April 2018	21.4	<b>Disability Friendly Premises for Council Meetings</b> <b>Councillor John Castellari</b> Question: Could Council identify disability friendly premises for our meetings so that we are inclusive of all our population?	Glen Hines	After exploring the option of providing a chair lift for the Council Chambers, staff are developing options for an alternate space for Council meetings. A report will be provided to Council soon.  30 Oct 18 Glen Hines – 10:06 AM Supplier inspected proposed stairwell 17/10, with preference for the public entry stairwell due to clearance issues in the internal stairwell from the ground floor. This option prevents access to disabled toilets. Waiting for finalised report from Technician.	03/04/2019	N
					31 Aug 2018 - 12:49 PM - Glen Hines Price estimate for installation of wheel chair lift to public entry stairwell requested. Continuing EOI process for new civic centre 21 Aug 2018 - 9:22 AM - Glen Hines Council has resolved to investigate a new Civic Centre in Vale St. Call for EOI for master plan and concepts is currently out with suitable architectural firms and two site meetings have been conducted. Interim solution for "accessible" meeting is the use of the library or multi-function centre – neither have available webcasting capabilities. Staff are investigating feasibility of a platform wheelchair lift for the current chambers 16 Aug 2018 - 9:55 AM - Debbie Constance Action reassigned to Glen Hines by: Debbie		

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p>Constance</p> <p><i>11 Apr 2018 - 2:13 PM - Debbie</i>  Constance A report will be presented to Council on changes required to make the existing building compliant and other possible premises under Council's ownership. - Ongoing</p>		
3	05 April 2018	21.5	<p><b>Upgrade in Polo Flat area</b>  <b>Councillor Rogan Corbett</b></p> <p>Question When will there be an in-depth review of Polo Flat as the area has potential for expansion. The entrances and drainage problems, and the lay out has to be addressed ASAP.</p>	Mark Adams	<p>29/03/19 – MA:  Further to the announcement of Snowy 2.0, Department of Premier and Cabinet have organized a meeting with government agencies to discuss Polo Flat. Discussions will be ongoing and future updates will be provided to Council at the relevant time.</p> <p>11/03/19 – MA:  Following the announcement of Snowy 2.0 proceeding, a meeting has been held with Snowy Hydro. Discussions are currently being held with other government agencies in relation to the impacts of 2.0, of which Polo Flat will be a part.</p> <p>20 Dec 2018 – Mark Adams Still waiting for more information on the flood study aspect.  6 Dec 2018 A presentation was made to the Cooma Chamber of Commerce on 5</p>	30/07/2018	Y



No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p><i>November to provide an update on the work that has been done. Preliminary information Cooma Chamber of Commerce on 5 November to provide an update on the work that has been done. Preliminary information has been received for the flood study</i></p> <p><i>31 Oct 2018 Mark Adams – The traffic count data has been completed, however the flood study is still in progress.</i></p> <p><i>14 Sep 2018 - 12:56 PM - Katherine Miners</i> Traffic counts and flood studies are still being undertaken. Currently we are getting updated traffic counts along Polo Flat Road and the Monaro Highway to inform a future grant application and strategies. Further, flood modelling is being done as part of the Cooma Flood Study and Floodplain Risk Management Plan (which is also being done for Michelago, Bredbo and Berridale).</p> <p><i>28 May 2018 - 5:07 PM - Katherine Miners</i> Staff working with Office of Regional Development on costings and a report is to be provided to Council.</p> <p><i>13 Apr 2018 - 2:21 PM - Debbie Constance</i> Action reassigned to Mark Adams by: Debbie Constance</p>		
8	17 May 2018	21.5	Motorhome Dump Points	Glen Hines	2/4/19 – GH Facilities to arrange site meetings with Water	02/04/2019	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
			<p><b>Councillor John Castellari</b></p> <p>Question: Can Council please liaise with the Campervan and Motorhome Club of Australia (CMCA) to discuss the possibility of installing dump points in, initially in Jindabyne and elsewhere in the SMRC area?</p>		<p>and Waste Water for proposed locations in Jindabyne and Berridale. W&amp;WW have stated that no additional dump point will be possible for Bombala at this time. Public access to the existing Bombala dump point will be contingent on widening of the adjacent carpark which may be included in Ginger Leigh Stage 2 pending funding</p> <p>26/2/19 – Glen Hines Water Sewer to advise suitable locations and consider impact on current infrastructure. Once advice received Facilities can work with CMCA on funding and installation. Current dump points are</p> <ul style="list-style-type: none"> <li>- Polo Flat Cooma</li> <li>- Bombala Caravan Par (can be made public with widening of carpark)</li> <li>- Jindabyne Holiday Park</li> </ul> <p>Proposed for further “publicly accessible” dump points</p> <ul style="list-style-type: none"> <li>- Berridale</li> <li>- Jindabyne</li> <li>- Bombala</li> </ul> <p>29/1/19 – Glen Hines Meeting scheduled for 5 February with CMCA representative to discuss potential caravan/RV parking sites in Cooma. Dump point installation options will also be discussed and reported to Council</p>		

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p><b>3/12/2018 - 10:30 am – Glen Hines</b>            Advice received from Water Sewer –            The locations for dump points which were identified previously are as follows:            •Berridale shopping Centre manhole            •Jindabyne – manhole near the bowling club            The suitability for long vehicles have not been assessed for this. Staff are looking at locations which are visible to the public so as to avoid illegal dumping. The suitability of the Jindabyne location is to be determined and maps of both locations developed.            30 Oct 18 Glen Hines– 10:09 AM            Bombala dump point has been upgraded for compliance. Water Sewer have providing potential locations for Berridale as Berridale shopping Centre manhole. The option being discussed for Jindabyne is the manhole near the bowling club.  <b>31 Aug 2018 - 1:22 PM - Glen Hines</b>            No further progress on this. Meeting with Water            / Sewer requested 31/8  <b>02 Aug 2018 - 2:26 PM - Glen Hines</b>            Information is to be provided to CMCA regarding grant funding. A meeting is to be scheduled with            Water and Sewer Group Manager on return from leave to consult with regards to impact on present infrastructure.</p>		

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p>23 Jul 2018 - 1:32 PM - Glen Hines Facilities staff are currently scoping suitable sites as well as upgrading existing dump points. For additional sites consultation with Water and Sewer will be required to ensure impacts/connection to the sewer system can be managed with a preference that dump points are contained within caravan parks. CMCA have sent through the required documentation for staff to complete to apply for the relevant funding.</p> <p>28 Jun 2018 - 1:53 PM - Glen Hines Contact made with CMCA Sean Constable for meeting late July in Cooma. Will discuss potential overnight sites as well as dump points</p> <p>23 May 2018 - 10:56 AM - Erin Donnelly Action reassigned to Glen Hines by: Erin Donnelly</p>		
42	18 Oct 2018	17.2	<p><b>Clr Corbett - Tree Stumps</b> When will the three tree stumps be removed and new trees planted on the corner of Sharp St and Creek St, and gutters repaired in Sharp St west?</p>	Jane Kanowski	<p>02 April 2019 – JK Requested stump grinding company to mark out the sections of kerb that require cutting and liaise between both parties.</p> <p>05 March 2019 – Jane Kanowski – Ongoing – work to be scheduled and coordinated with staff and contractor to commence by end of March.</p> <p>30 Jan 2019 – Jane Kanowski – Ongoing – work to be scheduled and coordinated with</p>	02/04/2019	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p>staff and contractor to commence by end of March.</p> <p>30 Jan 2019 – 8:54am – Jane Kanowski – Media release published in Monaro Post on 15 January 2019 and Council's Facebook page to ensure that the community is aware of Council's decision and the reasons for the removal of the trees. Collation of quotes and finalising the costs is almost complete. A letter (31 January) has been sent to Mr. Mondello advising the most appropriate time for the removal and other arrangements.</p> <p>26/11/2018 – Jane Kanowski Work will be scheduled in consultation with the Roads section.</p> <p>29 Oct 18 Jane Kanowski - Discussion with Manager Construction regarding the removal of these stumps as there is an issue with the kerb – it will need to be cut in the sections adjacent to the stumps, then the stumps ground and removed and the kerb repaired.</p>		
57	15 Nov 2018	18.3	<p><b>Delegate School of Arts, Drainage Councillor Anne Maslin</b></p> <p>What is the time frame for repair work to be done on gutters and downpipes to improve drainage at the Delegate School</p>	Glen Hines	<p>2/04/19 – GH Crown advised that owner is SMRC (former BSC) and this was not clear due to an administrative error at time of transfer. This excludes Council from pursuing funding for the toilets through</p>	02/04/2019	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
			of Arts?		<p>Crown Land. Inspection and planning as per below to continue as planned and Staff will investigate funding possibilities and present to Council</p> <p>26/2/19 – Council resolved to allocate \$50K (21 March) to undertake building inspection and developing scope of works for drainage works and project management. Land and Property liaising with Crown regarding boundary adjustment or establishing easement to facilitate drainage works. Grant application to be submitted to Crown for installation of public toilets and rear of block (est \$80K+)</p> <p>29/1/19 – Awaiting Crown Land advice on boundary adjustment. Investigation ongoing with the scope to be included under Major Projects team undertaking the street drainage works.</p> <p>3/12/18 – Glen Hines</p> <p>Group Manager Facilities, Commercial Land Officer and Bombala Property Maintenance Officer attended the Delegate School of Arts 27/11/18, meeting with Committee Members and inspecting the building and grounds. Staff are preparing a scope that will be shared with the Major Projects team undertaking the</p>		

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					street drainage works and if possible be packaged into this body of work with funds already allocated in the Facilities capital projects for this facility.		
66	20 Dec 2018	18.1	<b>SMAG's Inquiries and Suggestions for Council Communication with Residents and Community Groups</b> Councillor John Castellari  1. Has Council and the GM received the letter form the Snowy Mountains Action Group (SMAG) of 29 November 2018 addressed to the General Manager proposing options to improve communications between Council and regional communities and requesting advice on a timeframe for responses to earlier letters?  2. What are the General Manager's thoughts on the proposed Council Organisational Chart and the proposed system for the management of phone and written communications received from ratepayers?  3. When can the SMAG expect to receive a formal reply form Council to the proposal?	Peter Bascomb	1 April 2019 – Nola Brady: Following receipt of another email from SMAG, SMRC Governance provided an update on the progress of the positive engagement with the S355 committees across the region.  13/02/2019 – Peter Bascomb – 1. The General Manager wrote to SMAG on 7 January 2019 and I have offered to attend any meeting of SMAG or its constituent groups to facilitate discussions. The letter was sent to councillors by email. 2. The website has been updated, and Council has a Customer Service Charter including performance criteria. Letter was sent on 7 January 2019.	01/04/2019	Y
72	17 Jan 2019	18.2	<b>Street Corners, Cooma</b> Councillor John Last	Gary Shakespeare	01/04/2019 – Gary Shakespeare The last remaining corner (Sharp/Bombala Streets) is scheduled to be completed by the end	01/04/2019	Y



No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
			Why is it that the street corners have not been completed, even though it appears the masonry work has been completed?		of May.  07 March 2019 – GS Works are now completed except for a starting date for the basalt garden bed on Elm corner intersection.  31 January 2019 – Steve Baldwin The plants have arrived and have been planted in stages and the remaining areas will be planted in the coming weeks. The project had to be shut down over the holiday period.		
84	7 February 2019	18.1	<b>Alcohol Free Zones in Cooma</b> Councillor Rogan Corbett  Question: The Alcohol free signs in Cooma say 2018, are they coming down, or do we have to reapply to renew it?  Answer: Director Environment and Sustainability – Council resolution was to put the signs in place for a short period last year. A report will come to Council to commence the alcohol free zones, if Council wishes.	Kristy Harvey	3/04/2019 – KM: A report is being provided to the 17 April 2019 Council meeting.  11/03/19 – MA: Feedback is still being sought from the Police in relation to the period the Alcohol Free Zone was in place in 2018 prior to the commencing the process to reinstate signage. Staff will start approaching stakeholders ahead of preparing a report for the April council meeting.	11/03/2019	Y
86	7 February 2019	18.3	<b>THERRY STREET DESIGN</b> Councillor Bob Stewart  Question: Could we please see a costing on	Linda Nicholson	04/04/2019 LN An estimate of the project costs for the proposed modifications to the Therry St River area is underway.  5 March 19	04/04/2019	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
			the new Therry Street river design, and was the design sourced out of the area?		An estimate of the project costs for the proposed modifications to the Therry St River area is underway. The design was completed by the consultant who is responsible for the design works for Therry St, Maybe St and Forbes St Streetscape upgrades to ensure consistent themes are adapted throughout the area. This consultant's register business address is not within the SMRC area.		
90	21 February 2019	18.4	<b>SMEC FLUID LAB</b> Question: Can Council bring a report to Council as mentioned in Part C of the resolution regarding the SMEC Fluid Lab on the 15 February 2018?	Peter Smith	29/03/19 – PS: Report going to 17 April Council meeting.  11/03/19 – PS: Report to be provided as requested.	11/03/2019	Y
92	7 March 2019	12.1	<b>Private Vehicle Use</b> Councillor John Last  Question: Does the Mayor use his private vehicle on Council business? If that is the case, on what basis is the Mayor paid for the use of his private vehicle, how much a kilometre, and what other expenses does he receive in association with operating his private vehicle. Is there a Council vehicle available for the Mayor to use, in the event of him not using his private vehicle?	Sarah Cleverley / General Manager	26/3/19 – PB: Councillor expenses are governed by the <i>Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy</i> ( <a href="https://www.snowymonaro.nsw.gov.au/documentcenter/view/5773">https://www.snowymonaro.nsw.gov.au/documentcenter/view/5773</a> ). All Councilors are entitled to claim expenses for the use, on Council business, of their private vehicles in accordance with clause 5.1 of the policy. The current rates are \$0.68/km for vehicles with engines below 2.5 litres and \$0.78 for vehicles with engines above 2.5 litres. The Mayor's vehicle has an engine of 2 litres. Council maintains a small pool of vehicles that may be booked for use by staff and Councilors	26/03/2019	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					that do not otherwise have a Council vehicle.		
93	7 March 2019	12.2	<p><b>Learner Bike Track Neighbourhood Meeting</b></p> <p>Question: Why is it that we were only notified the day before of a proposed inspection of the area adjoining Nijong Oval? The proposed use of the area was for a biker's learning track. Did the area marked out on the ground correspond with the area shown on the report given to Council?</p> <p>Why was it that the notice of a proposed neighbourhood meeting was only placed in the paper the day before the inspection?</p> <p>Why was it that the inspection was timed for 4pm?</p>	Luke Johansson	<p>25/03/2019 - LJ</p> <p>The Group Manager Asset Management and Engineering Services emailed SMRC Councillors on Friday 22 February (the day following the Council resolution to conduct further Community Consultation). This was not a day before, rather 5 business days prior. See email confirmation below:</p> <p>The markings drawn on site were an indication of the proposed learner bike track footprint. They were an approximate replication of the overall area proposed for the project.</p> <p>The Council meeting was held on Thursday 21 February and the next Monaro Post print was Wednesday 27 February, a day before the Thursday 28 February neighborhood meeting. It could not have been published any earlier. Flyers were placed in the following mailboxes/business premises on Monday 25 February 2019 to directly notify them of the upcoming meeting.</p> <ul style="list-style-type: none"> <li>• Cooma Visitors Centre</li> <li>• Cooma Library</li> <li>• Cooma Sports Store</li> <li>• Sportspower Cooma</li> <li>• Blue Sky Outdoors</li> <li>• Bike Shop @ Sharp Street Bridge</li> <li>• 1 Soho St, Cooma</li> </ul>	25/03/2019	Y

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<ul style="list-style-type: none"> <li>• 20 Barrack St, Cooma</li> <li>• 22 Barrack St, Cooma</li> <li>• 24 Barrack St, Cooma</li> <li>• 26 Barrack St, Cooma</li> <li>• 28 Barrack St, Cooma</li> <li>• 30 Barrack St, Cooma</li> <li>• 32 Barrack St, Cooma</li> <li>• 29 Vulcan St, Cooma</li> <li>• 1 Mulach St, Cooma</li> <li>• 3 Mulach St, Cooma (4 x Units)</li> <li>• 5 Mulach St, Cooma</li> <li>• 9 Mulach St, Cooma</li> <li>• 10 Mulach St, Cooma</li> <li>• 11 Mulach St, Cooma</li> <li>• 12 Mulach St, Cooma</li> <li>• 14 Mulach St, Cooma</li> <li>• 1 Creek St, Cooma</li> <li>• 2 Creek St, Cooma</li> <li>• 4 Creek St, Cooma</li> <li>• 5 Creek St, Cooma</li> <li>• 6 Creek St, Cooma</li> <li>• 8 Creek St, Cooma</li> <li>• 9 Creek St, Cooma</li> <li>• 10 Creek St, Cooma</li> <li>• 12 Creek St, Cooma</li> </ul> <p>4pm was selected for the proposed time as it was later in the afternoon that allowed for the community to attend with as little disruption as possible; before the dinner time rush, but at</p>		

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					the end of a working day.		
94	7 March 2019	13.3	<p><b>200m High Wind Towers Proposed for Yandra Cluster - CWP Renewables</b> Councillor Anne Maslin</p> <p>Question: Could Council be provided with a visual showing meaningful height comparisons between the proposed 200 metre high towers and a normal sized house, and a 130 metre (i.e. already existing) wind tower?</p> <p>As both presentations to Council, CWP has failed to present meaningful visual elevations.</p>	Peter Smith	28/03/19 – PS: Diagrams and photomontages were emailed to Councilors on 5 April 2019.	28/03/2019	Y
95	21 March 2019	12.1	<p><b>Monaro Cancer Council Donation</b> Clr Old</p> <p>Question: Would the Council consider sponsoring me in the Go-fund me page for Dance Spectacular?</p> <p>Answer: Taken on Notice</p>	Nola Brady	1 April 2019 – Nola Brady : The General Manager advised Cr Old at the meeting held on 21 March 2019 that any Donation requests were required to be put through the Donation and Sponsorship process run twice per year. However if Councillors wanted to support and sponsor Cr Old from a personal perspective they were able to do so.	21 March 2019	Y
96	21 March 2019	12.2	<p><b>Sharp Street Cooma</b> Clr Last</p> <p>Question: The access to 9 Sharp Street Cooma and other residences facing Sharp Street is in need of repair. On a recent visit I noticed as least 2 potholes. Can the</p>	Gary Shakespeare	01/04/2019 – Gary Shakespeare Pot Hole repair work was conducted by maintenance crews during the weeks 25/29 March and 01/05 April 2019.	01/04/2019	Y

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
			appropriate department attend to the proper filling in of these potholes and perhaps other potholes that have appeared since my inspection? Answer: Taken on Notice.				
97	21 March 2019	12.3	<b>Potholes - South East Rural</b> Clr Last Question: There are potholes at the entrance to South East Rural. Can Council attend to the filling in of these potholes? South East Rural is at the northern end of Commissioner Street. Answer: Taken on Notice.	Gary Shakespeare	01/04/2019 – Gary Shakespeare Pot Hole repair work was conducted by maintenance crews during the weeks 25/29 March and 01/05 April 2019.	01/04/2019	Y
98	21 March 2019	Note 36	Tabled Letter – Road Works on Perkins Road, Binjura	Gary Shakespeare	03/04/2019 – Gary Shakespeare Letter sent to Jill Griffiths providing: <ul style="list-style-type: none"> <li>• Copy of the Plan of Subdivision showing Right of Carriageway along approximately 400m of Perkins Road.</li> <li>• Information on how to approach Council for a decision on any approach to Crown Lands to acquire Perkins Road as a Council Public Road.</li> </ul> 01/04/2019 – Gary Shakespeare The issues raised by Kim Taylor in a letter dated 20 March 2019 regarding Mittagang Road are being investigated and a more detailed answer provided shortly.	03/04/2019	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					25/03/2019 – AS Sent letter tabled by Clr Last to GS for review.		
99	21 March 2019	Note 37	Tabled Letter – Road Works on Mittagang Road	Gary Shakespeare	01/04/2019 – Gary Shakespeare The issues raised by Kim Taylor in a letter dated 20 March 2019 regarding Mittagang Road are being investigated and a more detailed answer provided shortly.  25/03/2019 – AS Sent letter tabled by Clr Last to GS for review.	01/04/2019	N



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### 9.4.3 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 Resolution Action Sheet for Period Ending March 2019
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 March 2019.

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

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

#### OFFICER'S RECOMMENDATION

That Council receive and note the In Progress Resolution Action Sheet Update for the period ending March 2019.

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## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
1	19 October 2017	227/17	18.1	<b>Notice of Motion for Rail Trail Feasibility Study</b> That Council fund a feasibility study for the opening of a Monaro Rail Trail from Queanbeyan to Bombala during the 2019 Financial year;  A. Either by obtaining Grant Funding from the NSW Government; or B. Allocate \$75 000 in the 2019 Financial Year Council Budget in the event grant funding is unavailable.	Peter Bascomb	26/3/19 – PB: Council approved the brief for the feasibility study. Expressions of interest will now be sought. Refer to item 198 – Council resolution 112/19 to accept the project brief and proceed to call for quotations  11 December 2018 – Monaro Rail Trail Inc. has completed a preliminary feasibility study that will be used to develop the scope of Council's project. This will be developed in the first half of 2019.		Y
6	14 December 2017	313/17	16.8	<b>Beyond the Social Plan: Integrating Social Planning Objectives into the Integrated Planning and Reporting Framework</b>  1. That Council receive and note the information in the report about the integration of social planning into Council's Integrated Planning and Reporting documents. 2. That staff resources be directed into incorporating social planning objectives into the Integrated Planning and Reporting suite,	Kristy Harvey	29/03/19 – MA: Included in the 2020 draft Operational Plan is to commence a community development strategy including a socio-demographic profile.  11/03/19 – Peter Smith: In regard to items 1 and 2, there are numerous Operational Plan items adopted by Council in the current Operational Plan which have social and community outcomes. At its meeting of 21 February 2019 Council	15/01/2018	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>including the Community Strategic Plan currently under development.</p> <p>3. That staff prepare a Social Demographic Profile for the information of Council and the community.</p> <p>4. That the Integrated Planning and Reporting suite, supported by the Social Demographic Profile, take the place of a stand-alone Social Plan.</p>		<p>considered a report regarding progress against the Operational Plan items and adopted that report by exception.</p> <p>More information can be found at <a href="https://www.snowymonaro.nsw.gov.au/918/Community-and-Economic-Profile">https://www.snowymonaro.nsw.gov.au/918/Community-and-Economic-Profile</a></p> <p>4/02/2019 – Kristy Harvey – no further update at this time.</p> <p>20 December 2018 – Kristy Harvey No further update at this time. Will be worked on during 2019.</p> <p>31 Oct 2018 – No further update at this time. Please note the following: 3. A working document has been created which is essentially condensed publicly available data from ABS and our Profile ID tool. It's a primitive version of what the</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>Social Demographic Profile would look like. This plan is to be reported to Council 26 Jul 2018 - 10:27 AM - Katherine Miners Community Services Officer will be preparing the Social Demographic Profile. A and B have been completed.</p> <p>04 May 2018 - 4:15 PM - Meghan Quinn Cooma Community Development Planner Kristy Harvey is working on the Social Demographic Profile. Community Development Planners worked to ensure social planning objectives were included in the Community Strategic Plan.</p> <p>We will also undertake a thorough review of the Delivery and Operational Plans when those drafts become available to staff. During this review, we will provide feedback to ensure that social objectives, including the Disability Inclusion Action Plan, are included. It is critical that the relevant actions are allocated to the right departments (roads, for instance) to ensure delivery.</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
9	15 February 2018	49/18	22.5	<p><b>Extension of Contract 2014/002 for the Provision of Street, Shopping Centre &amp; Toilet Cleaning Services in Jindabyne</b></p> <p>That Council</p> <p>A. Approve the extension of the current contract with Crystal Lake Cleaning for street, shopping centre and public toilets in Jindabyne for a further 12 months until 28 February 2019 for the amount of \$117,581.88 incl. GST;</p> <p>B. Authorise the General Manager to execute an Addendum to the Contract to extend the period under the same terms and conditions; and</p> <p>C. Receive a report on the review of contracts for cleaning across the Snowy Monaro Regional Council LGA once completed.</p>	Janine Hudson	<p>26/3/2019 JH Tender evaluation has taken place and a report has been prepared for 17 April 2019 Council meeting.</p> <p>29 February 2019 JH Completed Report was presented to 7 February Council – Contract is now out for Tender and closes on 19 March 2019.</p> <p>30 January 2019 JH Report to 7 February Council Meeting 2 January 2019 – JH Part C - Report to Council on 17 January with draft contract attached for review and request to consent to advertise the Contract for Tender. 22 Nov 2018 – Lyn Bottrill Draft contract nearly completed ready for Council approval at January meeting</p> <p>30/10/18 – 10:16 AM Glen Hines No progress from previous update</p> <p>10/08/18 – 08:32AM Glen Hines No external consultant to be engaged – To be undertaken internally. Scope for all cleaning</p>	30/06/2019	N

SMRC Resolution Action Sheet – In Progress

					<p><i>contracts has been consolidated into spread sheet. Land and Property officer to create contract document. Land and Property Manager to review scopes for suitability.</i></p> <p><i>03 Oct 2018 - 9:07 AM - Lyn Bottrill</i></p> <p>Contracts being finalised.</p> <p><i>27 Aug 2018 - 12:43 PM - Lyn Bottrill</i></p> <p>Group Manager Facilities is dealing with this matter.</p> <p><i>02 Aug 2018 - 2:06 PM - Lyn Bottrill</i></p> <p>Glen Hines seeking services of a contractor.</p> <p><i>23 Jul 2018 - 3:31 PM - Lyn Bottrill</i></p> <p>Currently seeking appropriately qualified firm to carry out investigation into all Council cleaning contracts and adjust the terms to be the same in all contracts.</p> <p>It is anticipated that a report will be presented to Council in November 2018</p> <p><i>04 Jun 2018 - 8:18 AM - Lyn Bottrill</i></p> <p>Group Manager facilities will organise contractor to carry out investigation into all Council cleaning contracts and make a recommendation to Council.</p> <p><i>23 Apr 2018 - 12:15 PM - Lyn Bottrill</i></p> <p>Revised Target Date changed by: Lyn Bottrill</p> <p>From: 19 Mar 2018 To: 28 Sep 2018</p> <p><i>23 Apr 2018 - 12:10 PM - Lyn Bottrill</i></p> <p>Group Manager Facilities to continue with having the cleaning contracts for each of the former Councils standardised.</p>		
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## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
10	15 February 2018	50/18		<p><b>Potential Joint Project with the Department of Education – Cooma</b></p> <p>That Council endorse the continued pursuit of this project with a view to potentially entering into a binding joint use project agreement with the Department of Education in due course, but on the proviso that Council is successful in its grant application to the Regional Sports Infrastructure Fund to cover the cost of its portion of capital expenditure on the project.</p>	Mark Adams	<p>29/03/19 – MA: Discussions have commenced with Department of Premier and Cabinet on how election promise funding will be made available. No details have been provided as yet however discussions will continue.</p> <p>11/03/2019 – MA: There is no further update on this project however it should be noted that there has been an election promise made should the National Party be re-elected.</p> <p>4/02/2019 – Mark Adams – Council is still part of the reference group which is reconvening in February. There is no direct role for Council at this stage.</p> <p>20 December 2018 – Mark Adams Group Manager Economic Development and Tourism presented to the Councillors on 20 December 2018. The Project Reference Group met on 18 December 2018 and at this stage the Department of Education are not seeking a Joint Use Agreement in relation to the Performing Arts Centre. This will probably be a Shared Use Agreement at a later time and details will be formalised as the project progresses. The Department still want</p>	19/03/2018	N



SMRC Resolution Action Sheet – In Progress

					<p><i>Council to pursue funding for a joint use sports facility.</i></p> <p><i>6 Dec 2018 The latest plans are to be presented to at the Councillor workshop on 20 December.</i></p> <p><i>30 Oct 2018 Mark Adams – The Department of Education is still pursuing the Performing Arts Centre. They may approach Council again for a contribution as they may potentially seek a car parking arrangement at the Cooma Cemetery.</i></p> <p>Feedback received on the grant application for the sports aspect was that a strong application was presented however we were not successful due to the funding split and were advised that if the project was re-scoped to reapply.</p> <p><i>13 Sep 2018 - 4:56 PM - Katherine Miners</i> Council was unsuccessful in receiving a grant for the indoor sports centre. Clrs have been advised by email by Group Manager Economic Development and Tourism.</p> <p><i>26 Jul 2018 - 10:30 AM - Katherine Miners</i> Staff are still awaiting grant outcomes. Fortnightly meetings are being held with the project group. The group are looking at starting to talk about details of the Joint Use</p>		
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## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Agreement for a regional performing arts centre. 28 May 2018 - 5:15 PM - Katherine Miners Business case has been lodged for the Regional Sports Infrastructure fund and an Expression of Interest for the Federal Regional Growth Fund. Awaiting outcomes		
12	15 March 2018	64/18		<b>Creation of road reserve over Jerangle Road through lot 6 DP 754888 at Jerangle That Council</b> A. Accept the quotation from Bradley Surveying and Design Pty Ltd in the amount of \$9,500 B. Agree to the expenditure of an additional estimated \$2,000 to include the closure of the corresponding section of Crown reserve road passing through lots 5 and 6 in the survey plan. C. Authorise the General Manager to execute the necessary documents, including the Transfer of the closed section of Crown reserve road to the landowner in compensation. D. Apply to the Department of Primary Industries to take the sections of Crown reserve road within Jerangle Road into Council's public road assets register.	Janine Hudson	26/3/2019 JH Solicitor has advised lodgement of the subdivision plan has been awaiting consent from NAB as they hold the mortgage over one of the affected lots. NAB has arranged the Discharge of that Mortgage – the registration of Discharge is imminent and the plan will then be lodged forthwith.  29 February 2019 JH update request sent to solicitor still waiting reply  30 January 2019 JH still waiting for update from the landowner's solicitor. 2 January 2019 – Janine Hudson Have sent an email request to Andrew Freer who advised they will advise when	30/06/2019	N

## SMRC Resolution Action Sheet – In Progress

				<p>E. Gazette the entire length of Jerangle Road as a Council public road.</p>	<p>lodgement of the plan of subdivision has occurred  22 November 2018 – Lyn Bottrill  Landowners solicitor has been asked for further update. Presently awaiting response.</p> <p>24 Oct 2018 – 12:45 PM – Lyn Bottrill  Still waiting on landowner's solicitor to lodge the plan – mortgagor's consent needed.  03 Oct 2018 - 9:06 AM - Lyn Bottrill  Waiting on landowner's solicitor to lodge the plan.  27 Aug 2018 - 12:42 PM - Lyn Bottrill  Email sent to surveyor and solicitor asking for update on progress of registration of the plan.  02 Aug 2018 - 2:05 PM - Lyn Bottrill  Plan has been lodged. Email sent to solicitor acting for the other party asking for an update.  23 Jul 2018 - 3:30 PM - Lyn Bottrill  Waiting on registration of plan of subdivision  11 Jul 2018 - 1:07 PM - Lyn Bottrill  Documents returned to surveyor for lodgement with the LPI  21 Jun 2018 - 10:16 AM - Lyn Bottrill  Revised Target Date changed by: Lyn Bottrill  From: 30 Jun 2018 To: 30 Sep 2018  21 Jun 2018 - 10:02 AM - Lyn Bottrill</p>		
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## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>All documents have been executed by Council and sent back to the surveyor for lodgement at the LPI  <i>04 Jun 2018 - 8:18 AM - Lyn Bottrill</i>            Currently waiting on Subdivision Cert.  <i>23 May 2018 - 10:34 AM - Lyn Bottrill</i>            Application has been submitted to Council for Subdivision Certificate. When the Certificate is issued it will be sent along with the plan and Administration sheet to the landowners surveyor for lodgement at the LRS  <i>23 Apr 2018 - 12:16 PM - Lyn Bottrill</i>            Revised Target Date changed by: Lyn Bottrill            From: 16 Apr 2018 To: 30 Jun 2018  <i>23 Apr 2018 - 12:12 PM - Debbie Constance</i>            Surveyor has been contacted and is proceeding with survey of road.</p> <p>The Administration sheet and the plan have been sent to Cooma office by the surveyor. When they are received Council staff will progress the matter. - Ongoing</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
14	15 March 2018	71/18	15.3	<p><b>Lake Wallace Dam - Access to reservoir for fishing</b></p> <p>That Council:</p> <p>A. Do not allow public access to the Lake Wallace site as the risk to the water quality provided to the Nimmitabel community for human consumption is unmanageable;</p> <p>B. Confirms that the Lake Wallace site is to continue to be managed as a Conservation Area under the approved Offset Management Plan and Conservation Property Vegetation Plan;</p> <p>C. Develop a Management Plan for the reservoir, including review of consideration of establishing a refuge for aquatic threatened species with all relevant authorities; and</p> <p>D. Develop information and interpretive signage for the Conservation Area to be installed at Lake Williams, in Nimmitabel Township.</p>	Jane Kanowski	<p>02/04/19 – JK Sign has been completed and will be picked up today – installation at Lake Williams to be scheduled ASAP.</p> <p>05 March 2019 – JK Waiting on sign company to advise when the sign will be ready for installation.</p> <p>30 Jan 2019 – 8:51am – Jane Kanowski – the signs have been ordered and will be installed when received by the end of February.</p> <p>30/11/2018 – Jane Kanowski - To source an additional quote as one company declined to quote.</p> <p>29/10/18 Jane Kanowski – One quote has been received – as per Council policy need to</p>	28/03/2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>get an additional quote – waiting on a response.</p> <p><i>03 Sep 2018 - 1:21 PM - Jane Kanowski</i> A quote from Stockl Signs has been received. Another quote is required.</p> <p><i>20 Aug 2018 - 4:55 PM - Jane Kanowski</i> Contacted NGH - awaiting advice from them and obtaining quotes for signage</p> <p><i>28 Jun 2018 - 1:46 PM - Glen Hines</i> Jane Kanowski requested to contact NGH Environmental for interpretive signage subject matter</p> <p><i>28 Jun 2018 - 1:41 PM - Glen Hines</i> Action reassigned to Jane Kanowski by: Glen Hines</p> <p><i>21 May 2018 - 11:53 AM - Debbie Constance</i> Action reassigned to Glen Hines by: Debbie Constance</p> <p><i>11 Apr 2018 - 2:28 PM - Debbie Constance</i> Noted: Meeting arranged with DOI to handover actions. D) to be actions in the new financial year. Group Manager Facilities and Project Manager are meeting on Thursday 14 August to discuss Lake Wallace issues. Signs for Lake Williams will also be discussed.</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
15	15 March 2018	89/18		<p><b>Notice of Motion Cr Castellari - Update on Money for Roads</b></p> <p>That Council resolve that the Mayor provide regular updates on progress implementing the motion passed at the February 2018 council meeting, to approach State and Federal government for improved ongoing road funding in Snowy Monaro region.</p>	Debbie Constance	<p>1 April 2019 – SA DP John Barilaro has announced \$20m for the sealing of Bobeyan Road from Adaminaby to the ACT border. He also announced an election funding commitment of \$40m for Monaro and Kings Highway upgrades</p> <p>5 March 2019 – SA DP John Barilaro has announced \$17m for SMRC roads.</p> <p>11/02/19 Sarah Cleverley: Mayor, Deputy Mayor and GM met with Minister Pavey on 2 May 18. Funding has been requested from State Government. Discussions with the Deputy Premier are ongoing. Mayor scheduled to meet with Minister Pavey, Minister for Roads on 2 May to discuss funding</p>	Ongoing	N



## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
16	05 April 2018	118/18		<p><b>Proposed Road Closure &amp; Sale of old Lions Park at Bombala</b> That Council;</p> <p>A. Approve the partial road closure on the corner of High Street and Stephen Street Bombala so that the fence line becomes the boundary of lot 9 DP 995614;</p> <p>B. Engage the services of a land surveyor to provide a plan for the boundary adjustment;</p> <p>C. Authorise the General Manager to execute any documents necessary to complete the boundary adjustment and sale of the property;</p> <p>D. Readvertise the property on the open market for auction with an appropriate reserve; and</p> <p>E. Make the Report public once the matter is settled.</p>	Janine Hudson	<p>26/3/2019 JH Still waiting return of subdivision certificate from Council.</p> <p>29 February 2019 JH Plans with Council waiting for return of subdivision certificate</p> <p>30 January 2019 JH- Plan is with Council and waiting for return of Subdivision Certificate. 2 January 2019 – Janine Hudson Plans are lodged with Council for Subdivision Certificate waiting return of Certificate</p> <p>21 November 2018 – Janine Hudson 28 day notification period has ended. Council has received 8 submissions for the proposed closure. All submissions received had no objections with the proposed closure. Responses sent to those who made submissions advising of this. Documents have been prepared to close this council public road reserve: Subdivision Certificate has been sent for processing.</p> <p>25/10/2018 – Janine Hudson: The Submission period ends 8 November 2018, some submissions have been received from</p>	30/06/2019	N

SMRC Resolution Action Sheet – In Progress

					<p>adjoining landowners and the authorities, these submissions have been with no objection to the closure.</p> <p>25 Oct 2018 – Janine Hudson - The Submission period ends 8 November 2018, some submissions have been received from adjoining landowners and the authorities, these submissions have been with no objection to the closure.</p> <p><i>5 Oct 2018 – Janine Hudson Letters have been sent to adjoining landowners with notification of the proposed closure and notification letters to the authorities are being prepared. The advertisement has been placed in the Monaro Post for 11 October and 25 October. The 28 day period for submissions ends on 8 November. Submissions will be reviewed and the correct process followed.</i></p> <p><i>03 Oct 2018 - 9:05 AM - Janine Hudson</i> Action reassigned to Janine Hudson by: Janine Hudson</p> <p><i>03 Oct 2018 - 8:59 AM - Lyn Bottrill</i> Notifications sent out to commence road closing.</p> <p><i>27 Aug 2018 - 12:40 PM - Lyn Bottrill</i> Plan has been received. There are issues with a previous resumption which has not been registered on title. When these issues are sorted out and the notification period for</p>	
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SMRC Resolution Action Sheet – In Progress

					<p>road closing has expired, and the resumption issues have been resolved then the plan will be registered and the land will be listed for sale.</p> <p><i>02 Aug 2018 - 2:04 PM - Lyn Bottrill</i> Spoke to surveyor this week and he has promised to get the plan to me within the week.</p> <p><i>23 Jul 2018 - 3:39 PM - Lyn Bottrill</i> Still waiting on plan for boundary adjustment.</p> <p><i>11 Jul 2018 - 1:05 PM - Lyn Bottrill</i> Still waiting on plan from surveyor. Contact with the surveyor revealed that there were issues with the road alignment and he was working on it.</p> <p><i>21 Jun 2018 - 10:16 AM - Lyn Bottrill</i> Revised Target Date changed by: Lyn Bottrill From: 30 Jun 2018 To: 30 Sep 2018</p> <p><i>21 Jun 2018 - 10:03 AM - Lyn Bottrill</i> Surveyor has confirmed that Council will receive the plan etc. in about two weeks</p> <p><i>04 Jun 2018 - 8:17 AM - Lyn Bottrill</i> Currently waiting on survey plan for road closing.</p> <p><i>23 May 2018 - 4:24 PM - Lyn Bottrill</i> 23/5 Waiting on plan</p> <p><i>23 Apr 2018 - 12:16 PM - Lyn Bottrill</i> Revised Target Date changed by: Lyn Bottrill From: 16 Apr 2018 To: 30 Jun 2018</p> <p><i>23 Apr 2018 - 12:14 PM - Lyn Bottrill</i></p>	
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## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Surveyor has been engaged to provide a plan for boundary adjustment and road closure will commence as soon as a plan is available.  14/5 - Waiting on plan.		
19	19 April 2018	147/18	16.9	<b>Compulsory Acquisition of Lot 13 DP 239506 - Access to Jindabyne Sewerage Treatment Plant, Jindabyne Landfill and Sewer Pump Station 6</b> That Council A. Rescind resolution 131/14 of 26 August 2014 B. Proceed to acquire Lot 13 Deposited Plan 239506 by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Roads Act 1993 for the purposes of providing legal access to the Jindabyne Sewer Treatment Works, Jindabyne Landfill and Sewer Pump Station 6. C. Dedicate the land as Public Road in accordance with the Roads Act 1993 D. Note minerals are to be excluded from this acquisition E. Note this acquisition is not for the purpose of resale F. Make the necessary applications to the Minister for Local Government and the Governor	Lyn Bottrill	27/03/2019 – LB Waiting for the Valuer General to send an invoice for the value of the land.  4 March 2019 – LB Land has been gazetted to Council.  30 January 2019 – LB This property will be gazetted to Council in February 2019.  22 November 2018 – Lyn Bottrill Council has been advised that gazettal of the transfer of the stock route to Council will take place in February 2019. Roads, Waste and Waste Water have been notified  24 Oct 2018 - LB Minister's consent to the acquisition has been received and we are now progressing to finalise the matter by 30 November 2018 Lyn Bottrill - Council has been notified by Public Works that OLG has approved	30/06/2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				G. Authorise the Common Seal be affixed to all documentation required to be sealed to give effect to this resolution.		<p>acquisition and we are currently waiting on gazettal and notification from the Valuer General for the cost.</p> <p><i>03 Oct 2018 - 8:58 AM - Lyn Bottrill</i></p> <p>Waiting on Valuer General's valuation of the land.</p> <p><i>27 Aug 2018 - 12:39 PM - Lyn Bottrill</i></p> <p>This matter is still waiting on consent from the OLG</p> <p><i>02 Aug 2018 - 2:04 PM - Lyn Bottrill</i></p> <p>This matter is still with the Governor.</p> <p><i>23 Jul 2018 - 3:28 PM - Lyn Bottrill</i></p> <p>Waiting on reply from the OLG.</p> <p><i>11 Jul 2018 - 1:04 PM - Lyn Bottrill</i></p> <p>Application is with the OLG and we should receive word from the Valuer General within</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>the next month with respect to purchase price</p> <p><i>21 Jun 2018 - 10:15 AM - Lyn Bottrill</i></p> <p>Revised Target Date changed by: Lyn Bottrill</p> <p>From: 21 May 2018 To: 21 Oct 2018</p> <p><i>21 Jun 2018 - 10:04 AM - Lyn Bottrill</i></p> <p>Application has been sent to OLG for consent.</p> <p><i>04 Jun 2018 - 8:16 AM - Lyn Bottrill</i></p> <p>This matter has been submitted to the Dept of Local Gov. for consent.</p> <p><i>23 May 2018 - 10:33 AM - Debbie Constance</i></p> <p>Application has been submitted to the Dept of Local Government for consideration. - Ongoing</p> <p><i>01 May 2018 - 3:39 PM - Lyn Bottrill</i></p> <p>Dept. Finance notified of Council resolution and as soon as the Mayor signs the page of the Minutes containing the resolution it will be sent to Dept. of Finance to follow up with Application to the Minister and the Governor.</p>		

## SMRC Resolution Action Sheet – In Progress

20	07 May 2018	162/18	11.1	<p><b>Proposal to Realign the Barry Way Jindabyne and to Address Issues with the Intersections of Barry Way with Eagle View Lane and Bungarra Lane</b></p> <p>That Council</p> <p>A. Approve the proposal to realign The Barry Way over the constructed road from the intersection with MR286 to the boundary of the national park.</p> <p>B. Approve the proposal to apply to the Crown to transfer those sections of The Barry Way which are Crown reserve road to Council.</p> <p>C. Authorise staff to negotiate with landowners for acquisition of the constructed Barry Way and, where possible, to offer to close corresponding sections of paper road and to dedicate the land to the landowner in compensation.</p> <p>D. To engage the services of a surveyor to identify those sections of the Barry Way which are not on line with the constructed road.</p> <p>E. To acquire any Crown land upon which the Barry Way has been constructed through the process of the Land Acquisition (Just Terms Compensation) Act 1991 through the authority of the Roads Act 1993.</p> <p>F. Authorise the General Manager to execute any documents necessary to complete the project.</p>	Lyn Bottrill	<p>27/03/2019 – LB No further update.</p> <p>4 March 2019 – LB Survey is ongoing. Surveyor has given assurance that work is progressing.</p> <p>30 January 2019 – LB No further update. It is anticipated that the survey work will be ongoing for approx. 12 months.</p> <p>22 November 2018 – Lyn Bottrill No further update. It is anticipated that the survey work will be ongoing for approx. 12 months</p> <p>24 Oct 2018 - LB Surveyors are presently working on identification plan. <i>03 Oct 2018 - 8:57 AM - Lyn Bottrill</i> Keven Spain engaged to carry out survey. <i>27 Aug 2018 - 12:38 PM - Lyn Bottrill</i> Surveyor selected and work to progress shortly. <i>07 Aug 2018 - 8:47 AM - Lyn Bottrill</i> Revised Target Date changed by: Lyn Bottrill From: 06 Jun 2019 To: 31 Dec 2019 <i>02 Aug 2018 - 1:55 PM - Lyn Bottrill</i> Call for expressions of interest from local land surveyors. Submissions currently being considered.</p>	31/12/2019	N
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## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				G. Authorise the expenditure and allocate an amount of \$135,000 in the 2018/19 year Budget with funding to be provided from Stronger Communities Project PP-219 (Undertake project to align the road with road reserves).		<p>23 Jul 2018 - 3:38 PM - Lyn Bottrill No EOI s received by due date. All surveyors were contacted and were given an extension of time to submit their EOI. Closing date is 27/7</p> <p>11 Jul 2018 - 1:02 PM - Lyn Bottrill Specification sent to three surveyors requesting that they submit expressions of interest. Due by cob 13/7</p> <p>21 Jun 2018 - 10:14 AM - Lyn Bottrill Revised Target Date changed by: Lyn Bottrill From: 06 Jun 2018 To: 06 Jun 2019</p> <p>21 Jun 2018 - 10:05 AM - Lyn Bottrill Draft specification with Group Manager Transport and Infrastructure for approval.</p> <p>04 Jun 2018 - 8:15 AM - Lyn Bottrill The specification is currently been developed for the work to be carried out by the surveyor. Council will call for expressions of interest to carry out the work.</p> <p>23 May 2018 - 10:29 AM - Lyn Bottrill Specification being developed to seek quotations from suitably qualified land surveyors.</p>		
21	17 May 2018	190/18	15.2	<b>Planning Proposal to amend Bombala Local Environmental Plan 2013 to introduce Zone SP2 – Infrastructure</b> That Council:	Mark Adams	3/04/19 – MA: Refer to item 181 – 7 March 2019 – resolution 90/19. Council resolved not to	18/06/2018	Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>A. Note the Alteration to Gateway Determination and covering letter provided by the Department of Planning and Environment;</p> <p>B. Note the outstanding issues affecting the Planning Proposal and its process thus far, including those previously raised in submissions to the process (attached);</p> <p>C. Collaborate with NSW Department of Primary Industries – Water on planning for Bombala water supply including development of Integrated Water Cycle Management (IWCM) Plan;</p> <p>D. Consult Government agencies on outstanding items, and report back to Council estimated cost of proceeding, and;</p> <p>E. Funding to be allocated from Bombala Reserves.</p>		<p>proceed with the planning proposal at this time.</p> <p>11/03/19 – MA: Refer to council report and resolution from 7 March Council meeting</p> <p>4/02/2019 - 4 February 2019 – Mark Adams: <i>The planning proposal has been discussed with Department of Planning and Environment staff and Council's water and wastewater team. The water and wastewater team have a timeline for the Integrated Water Cycle Management plan. Council will need to request an extension to the planning proposal as it expires in March. A report will be presented to Council to consider prior to the expiry date.</i></p> <p>20 December 2018 – Mark Adams <i>No further updates</i></p> <p>6 Dec 2018 – <i>No further updates</i></p> <p>31 Oct 2018 Mark Adams – Water and Wastewater are currently working with a consultant on the Bombala water issue and are looking at future options with a report to come in about six months' time. It is unlikely that the weir will be recommended as being</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>necessary for water supply purposes. This planning proposal expires in March 2019.</p> <p><i>13 Sep 2018 - 4:53 PM - Katherine Miners</i> Officer is considering how to progress the LEP following rejection of the officer's recommendation on 16 August 2018.</p> <p><i>06 Aug 2018 - 1:57 PM - Peter Smith</i> Further report to Council 16 August 2018</p> <p><i>26 Jul 2018 - 10:42 AM - Katherine Miners</i> A report will be presented back to Council with some further estimated costings. Information requested in C &amp; D will be incorporated in this report.</p> <p><i>28 May 2018 - 5:00 PM - Katherine Miners</i> Further report to be provided listing reports that are required to satisfy other agencies and costs of each additional report.</p>		
22	07 June 2018	<b>216/18</b>	12.1	<p><b>Progress Report - Investigation of Potential Caravan / RV Parking Sites in Cooma</b> That Council</p> <p>A. Receive and note the officers report on the progress of identifying caravan parking and RV parking opportunities; and</p> <p>B. Authorise staff to prepare a preliminary concept design and costings for addition of caravan</p>	Glen Hines	<p>26/03/2019 – GH CMCA Proposal - Report to be prepared for 16 May 2019 Council meeting</p> <p><i>07 March 2019 –GH</i> Construction Manager is reviewing initial site establishment. Costings based on site meeting held on 5 February, a report will be</p>	30/06/2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				parking and RV parking in the Council owned Carpark at 117 Commissioner St Cooma		<p>provided to CMCA. This will determine feasibility of CMCA proposal.</p> <p><i>29/1/19 – 15:55 – Glen Hines</i>  Follow up meeting scheduled for Tuesday 5 February with CMCA representative and Council Engineer to discuss site establishment, costing and determine viability.</p> <p><i>3/12/18 – 09:40 – Glen Hines</i>  Site inspection at Hawkins undertaken with Group Manager Transport Infrastructure 6<sup>th</sup> November for preliminary assessment on potential access issues. CMCA have requested an indication of costs for establishing entry exit to determine feasibility. Group Manager Facilities to request approximates costs from Roads engineers. CMCA have requested a time to present their proposal to Council which may be a incorporated into the Facilities presentation at the briefing session 20<sup>th</sup> December (TBC). At his stage staff are not proceeding with reports to Council on Commissioner St and Nijong RV parking proposals.</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>30 Oct 18 Glen Hines – 10:43 AM No update received from CMCA as yet. Expecting query on suitable date to present to Council.</p> <p>10 Oct – 08:52 AM Glen Hines – Met with CMCA regarding potential CMCA / RV operated facility in Cooma. Operational land in Hawkins St a potential location with excellent proximity to CBD. CMCA to present a proposal to Council at a date TBA</p> <p><i>31 Aug 2018 - 1:39 PM - Glen Hines</i> Price estimate received for incorporating caravan / rv parking at Nijong Oval along Barrack St - \$540K including \$92 K in drainage which may or may not be necessary. Still waiting for concept plans from Public Works</p> <p><i>09 Aug 2018 - 3:50 PM - Glen Hines</i> Nijong design / cost estimates due from Public Works Monday 13th Aug.</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Commissioner St carpark designs/costs on hold pending Vale St Civic Centre masterplan 24 Jul 2018 - 9:14 AM - Erin Donnelly Designs and estimates are still with Public Works. Enquiry has been made as to when these will be available. 28 Jun 2018 - 2:03 PM - Glen Hines Public Works have been engaged to provide concept and pricing estimates to redevelop/refurbish Commissioner St carpark inclusive of caravan / rv parking bays. Concepts and pricing have been added to the Nijong oval design brief to Public Works via Major Projects.		
23	07 June 2018	221/18	18.2	<b>Notice of Motion - Skate Park</b> That Council A. Support the Jindabyne Skate Park Association's bid to expand and redevelop the Jindabyne Skate Park to a world class venue, by providing seed funds of \$10,000 from the Jindabyne reserves (or elsewhere as council sees fit), to enable a professional park design to be developed, and B. Once the design is completed, partner with the Jindabyne Skate Park Association to apply for grants from	Mark Adams	221/18 – MA: Staff will continue to seek an appropriate funding opportunity and when such funding arises Council will decide whether to apply. Timing of such funding is unknown.  11/03/19 – AD: Further to the below, staff are working with the Jindabyne Skate Park Association to find funding options. Youth Development Officers have assisted the Skate Park Association to set up a meeting in the next consultation sessions as part of the Go Jindabyne process.	9/07/2018	Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				appropriate State and/or Federal funding programs to redevelop the park.		<p><i>4 February 2019 – Mark Adams</i> Project has been included in the Ask of Government document.</p> <p><i>20 December 2018 – Alannah Dickeson</i> Currently waiting on a suitable grant to apply for funding</p> <p>Report presented to 6 December Council meeting. Awaiting resolution. 31 Oct 2018 Mark Adams – Part A) the concept plan is now complete and will be presented to the 6 December Council Meeting to receive and note. Part B) Ongoing.</p> <p>Concept plan finalised and money almost completely expended. This project is nearly completed.</p> <p><i>30 Jul 2018 - 11:29 AM - Katherine Miners</i> Council officers have been liaising with the Skate Park Association and potential designers. One designer has been recommended. We are awaiting funds to be transferred but will proceed with a design in the meantime.</p>		



## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
27	21 June 2018	238/18		<p><b>University of Canberra 'Tourism Governance Strategy'</b></p> <p>That Council:</p> <p>A. Forms a regional tourism committee based on the UC report recommendation;</p> <p>B. Resolve to support Tourism Snowy Mountains as recommended in the UC report to market and promote the Snowy Mountains brand;</p> <p>C. Support Tourism Snowy Mountains by providing \$40,000 this financial year (already in budget from previous Councils contributions) and \$60,000 per year (included in draft 2018/19 budget) on an ongoing basis for the remainder of the Council term (last allocation in 2020/21 financial year);</p> <p>D. Not set up the district tourism committees contrary to the recommendation of the UC report;</p> <p>E. Note that an SMRC Destination Management Plan/Visitor Economy Strategy will now be prepared in conjunction with the Office of Regional Development and as</p>	Donna Smith	<p>29/03/19 – MA: Advertising for community members for committee will be carried out once the Destination Management Plan is finalised and adopted by Council.</p> <p><i>4 February 2019 – Mark Adams No further update at this time. 20 December 2018 – Mark Adams Advertising for committee members will commence in the new year.</i></p> <p><i>6 Dec 2018 Part A) the charter has been approved by the governance team with some additions and corrections to be made. Advertising for committee members can now begin.</i></p> <p><i>31 Oct 2018 Donna Smith – Part A) Still awaiting endorsement of the final charter from the governance team. All other parts are complete.</i></p> <p><i>13 Sep 2018 - 5:02 PM - Katherine Miners</i> Please note the following:</p> <p>a) The final charter has been prepared for the committee and are awaiting the governance team to endorse the document.</p>	23/07/2018	Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>required by the South East and Tablelands Regional Plan;</p> <p>F. Note that Economic Development and Tourism staff will continue to build links with external agencies such as Destination NSW, Destination Network Southern NSW, Visit Canberra, Tourism Snowy Mountains and the CBRJO tourism working group, and;</p> <p>G Explore with TSM and NSW Government through its various agencies the means by which ongoing significant funding for promotional activities by TSM may be generated.</p>		<p>e) The consultants have been appointed and preparation of the Destination Management Plan is beginning. A meeting was held with the consultants yesterday.</p> <p><i>30 Jul 2018 - 11:11 AM - Katherine Miners</i> Please note the following:</p> <p>A. The Regional Tourism Committee is to be formed and a committee charter is being prepared.</p> <p>B, C, D have been noted and completed in accordance with the resolution.</p> <p>E. A request for quotes will be sent to the consultants this week.</p> <p>F, G have been noted and completed in accordance with the resolution.</p>		
29	21 June 2018	253/18	22.3	<p><b>Council Property - Town View, Waterworks Hill, Bombala</b></p> <p>That Council</p> <p>A. Approve the proposal to demolish the residence located on lot 1 DP 1216130</p>	Lyn Bottrill	<p>27/03/2019 - LB</p> <p>Tenant has found alternative accommodation and has been given an extension to 7 April to move out of the cottage at Bombala Waterworks</p> <p>4 March 2019 – LB</p>	28/02/2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>B. Serve notice on the tenant to vacate the premises in accordance with the Residential Tenancy Act.</p> <p>C. Engage the services of a suitably qualified contractor to demolish the residence, clear the site and dispose of any asbestos in accordance with the EPA Act; and</p> <p>D. Authorise the expenditure and allocate an amount in the 2018 Financial Year Budget with funding to be provided from the Former Bombala LGA Reserve.</p>		<p>Tenant has until 31 March 2019 to vacate the premises.</p> <p>30 January 2019 – LB Disadvantaged housing in Delegate must be advertised. This is currently being done and the tenant will be given an additional written reminder to vacate.</p> <p>10/12/2018 – Lyn Bottrill Tenant has been notified that alternative housing has been found for him in Delegate. The accommodation in Delegate is managed by Council and the house needs work before anyone moves in. This work will take approx.. a month so it is intended to give the tenant at the Waterworks cottage notice to vacate when the work is completed.</p> <p>24 Oct 2018 – LB Commercial Land &amp; Property Officer investigating availability of housing in Delegate for tenant.</p> <p>8 Oct 2018 – 11:41 AM – Lyn Bottrill Enquiries currently being made to Southern Cross Housing re consideration of tenant at</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>Waterworks cottage for disadvantaged housing at either Bombala or Delegate.</p> <p>03 Oct 2018 - 8:51 AM - Lyn Bottrill</p> <p>Looking into disadvantaged housing for tenant in either Bombala or Delegate.</p> <p>27 Aug 2018 - 12:28 PM - Lyn Bottrill</p> <p>Enquiries made of real estate agents if they have any properties for rent in Bombala.</p> <p>Emailed tenant details to access assistance with rental bond.</p> <p>02 Aug 2018 - 1:52 PM - Lyn Bottrill</p> <p>Currently working with tenant to find suitable alternative accommodation.</p> <p>23 Jul 2018 - 3:54 PM - Lyn Bottrill</p> <p>Revised Target Date changed by: Lyn Bottrill</p> <p>From: 23 Jul 2018 To: 29 Sep 2018</p> <p>23 Jul 2018 - 3:29 PM - Lyn Bottrill</p> <p>Still waiting on tenant finding new premises.</p> <p>Council has supplied a letter saying that he has always paid his rent on time.</p> <p>11 Jul 2018 - 12:25 PM - Lyn Bottrill</p> <p>Tenant has been notified and is looking for new premises.</p> <p>Council resolution not to proceed to demolish the cottage until tenant has found new tenancy.</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
30	21 June 2018	255/18		<p><b>Request to Purchase Council Land in Percy Harris Street Leesville</b></p> <p>That Council</p> <p>A. Approve the release of proposed lots 14, 15 and 16 at Leesville Industrial Estate</p> <p>B. Engage the services of an independent valuer to value the three properties</p> <p>C. Advertise the sale of lots 14, 15 and 16 through local real estate agents and Council's website, and;</p> <p>D. Authorise the expenditure and allocate an amount of \$42,000 in the 2019 Financial Year Budget with funding to be provided from Property Reserves</p>	Lyn Bottrill	<p>27/03/19 – LB Modification of D/A has been prepared for lodgement to amend the stages of the subdivision.</p> <p>4 March 2019 – LB Plan of subdivision has been received at Council. Subdivision certificate has been applied for.</p> <p>30 January 2019 – LB Plan has not been received at this stage. Surveyor has been reminded.</p> <p>22 November 2018 – Lyn Bottrill Surveyor has agreed to have the plan completed by the end of January 2019</p> <p>24 Oct 2018 – Lyn Bottrill Surveyor has been reminded that we need the plan. <i>03 Oct 2018 - 8:56 AM - Lyn Bottrill</i> Waiting on plan <i>27 Aug 2018 - 12:29 PM - Lyn Bottrill</i> Awaiting plan from surveyor. As soon as plan is received expressions of interest will be sought from real estate agents in order to</p>	30/06/2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>select a real estate agent to place the properties on the open market.  <i>07 Aug 2018 - 8:47 AM - Lyn Bottrill</i>  Revised Target Date changed by: Lyn Bottrill  From: 23 Jul 2018 To: 31 Oct 2018  <i>02 Aug 2018 - 1:53 PM - Lyn Bottrill</i>  Waiting on valuation of land from valuer.  <i>23 Jul 2018 - 3:52 PM - Lyn Bottrill</i>  Surveyor has been requested to produce plan for registration of lots 14, 15, and 16.  Still waiting on valuation from valuer.  <i>11 Jul 2018 - 12:59 PM - Lyn Bottrill</i>  Surveyor has been requested to prepare plan of subdivision to enable the plan to be registered.</p> <p>Valuer has been asked to provide sales prices for the three blocks.</p>		
34	19 July 2018	237/18	21.2	<p><b>Sewerage service agreement for Discovery Holiday Park and other private dischargers in to Council's reticulated sewerage system (all areas of former Snowy River Shire)</b></p> <p>That Council approve</p> <p>1. The report be received and adopted by Council.</p>	Michael Broder	<p>02/04/19 MB  Discovery Holiday Park was contacted on 02/04/19 re the agreement and he informed me that they are waiting on the \$5,000 Bank Guarantee to be issued and will get in contact with me as soon as this action has been completed.</p> <p>05 03 19 – MB - Attempts to contact the owners of Snowy Mountains Resort and</p>	30/04/2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>2. The Sewerage Services agreement be executed between Snowy Monaro Regional Council and Discovery Holiday Parks Pty. Ltd and other listed businesses.</p> <p>3. As part of the agreement the sum of \$5,000 be the bond in the form of a Bank Guarantee for these businesses that require a Sewerage Services Agreement, excluding the Sailing Club, the Adaminaby Bowling Club and the Snowy Museum.</p>		<p>Function centre have resulted in no response. Further email sent to the owners of the premises asking them to get in contact with the LTW Officer as a matter of Urgency in relation to the Sewerage Services Agreement. They have been given 14 days to comply and if there is no response then Notice of intention to serve an order will be taken under the POEO Act.</p> <p>23 Jan 19 – MB - Signed agreement was received on 23 January 2019 and on checking the document it was found to be defective. A new Agreement has been forwarded to Discovery Holiday Parks Pty Ltd on the 05 03 19 requesting that the Agreement be signed by all parties as required in the document and returned to the SMRC for execution by the GM and or Councillors (Mayor) A request was also made to post the 5k bond in favour of Council and to include a copy of the Public Liability Insurance for 20,000,000</p> <p>05/02/2019 Rahul Patel - Under discussion with Discovery Holiday Park to sign agreement.</p>		



## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>03/12/2018 Mike Broder – Still awaiting a response from Discovery Holiday Park. Staff to follow up.</p> <p>31 Oct 18 – Michael Broder - Agreements have been sent to Discovery Holiday Park in Adelaide and to the Snowy Mountains Resort Pty Ltd. Both companies are having their agreements looked at by Solicitors as at 30 October 2018. Letters will be forwarded to other dischargers when time permits.</p> <p>08 Oct 18 – Agreements have been sent to the businesses, no response to date. Staff are following up</p>		
38	02 August 2018	256/18	15.1	<p><b>Notice of Motion - John Castellari - Delegate and Regional Townships</b></p> <p>That council considers the submission from Delegate resident Jane Love concerning the following requests:</p> <ul style="list-style-type: none"> <li>That Council liaise with NSW Police and the Youth Council to explore the viability of Police Citizen Youth Clubs in each of our regional townships;</li> <li>That Council develop sealed bike park facilities in Delegate and other townships that do not have them; and</li> </ul>	Mark Adams	<p>29/03/19 – MA: Staff are investigating a new lead regarding the PCYC.</p> <p>11/03/19 – MA: The funding agreement has been signed with Create NSW to receive a \$3million grant. Staff have been liaising with the Department Project Team; however work on the project is not progressing until after the state election due to an election promise by the Government to allocate \$40million for a new high school in Jindabyne.</p>	3/09/2018	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<ul style="list-style-type: none"> <li>That Council develop these resources as part of a program of shared community resources.</li> </ul>		<p>11/03/19 – MA: Informal discussions held with police indicate that there are too many competing groups to make setting up a PCYC worthwhile at present.</p> <p>4 February 2019 – Mel Sass Awaiting confirmation from the PCYC Commissioner on a meeting time.</p> <p>20 December 2018 – Mel Sass No further information has been received on the PCYC however the Monaro Police District Commissioner has met with the Youth Command. The Commissioner has not been advised if anywhere in the LGA is included as potential to set up a PCYC.</p> <p>Youth Development Officers have contacted the Youth Command to try and set up a meeting with the Youth Commissioner. If the outcome of the meeting is unsuccessful the Bombala Youth Councillors will draft a letter to the Youth Command and the local MP for support.</p> <p>6 Dec 2018 - No further updates from the Police on the PCYC at this stage.</p> <p>Jane Love has been connected with two community members in Bombala who are working to independently launch a youth hub called "The Bombala Youth Booth".</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>They've just completed a survey to assess need and interest in the Youth Booth, and have met with Bombala Youth Councillors to discuss ideas. Staff are working with them to register as a Not for Profit organisation and apply for funding, but they also plan to reach out to Council in the New Year for support.</p> <p>No further progress has been made on the bike facilities aspect.</p> <p>31 Oct 2018 – John Graham &amp; Melissa Sass: The Monaro Command Superintendent Paul Condon has taken our request for a PCYC to the State Police Commissioner. The Commissioner needs to allocate funding and appoint two additional police officers to the Monaro Command before we can move any further. Superintendent Condon is supportive of the request and has indicated he will involve Council in any further meetings or correspondence regarding the feasibility of a PCYC.</p> <p>In the interim, the Youth Development Team has been engaging with a group of community members in Bombala who are hoping to launch the "Bombala Youth Booth". Council staff are supporting the</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>group to register as a not-for-profit and will provide advice on grant funding once that process is complete.</p> <p>31 Oct 2018 John Graham – Youth Development Officers met with members of the Berridale community on 31 October to discuss plans for a Berridale BMX track. The Bombala site will be looked at next year. Quotes to rebuild and redesign the tract at Delegate has been requested.</p> <p>Youth Development Officers have been in discussion with NSW Police regarding Police Citizen Youth Clubs, looking at a location in either Bombala or Berridale. The Monaro Superintendent has advised that funding for an extra 2 officers is needed and has reached out to the Premier.</p> <p>Youth Development Officers have looked at the existing bike tracks in Delegate and Bombala and have noted that they are in a significant state of disrepair. An estimate of \$250,000 has been quoted to restore the tracks. For ongoing maintenance it has been estimated that \$30,000 would need to be allocated each year.</p>		

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Staff will be in contact with Jane Love to discuss.		
41	02 August 2018	261/18	19.3	<p><b>Council's Property at 204 Maybe Street Bombala</b></p> <p>That Council</p> <p>A. Retain and approve the expenditure of \$ 46,848.90 in accordance with the quotations</p> <p>B. Approve an additional \$25,000 to paint the residence inside and out</p> <p>C. To authorise the General Manager to approve further funding for electrical works if the wiring is found to be non-compliant during the refurbishment.</p> <p>D. To authorise the expenditure and allocate \$72,000 to fund the works from the former Bombala LGA Reserves.</p>	Kelly Heffernan	<p>26 March 2019 – KH</p> <p>The builder has submitted his request for completion payment. An inspection has revealed there are a number of items that need rectification prior to this final payment being processed. Staff and the builder are to meet early next week. Painting inside is almost complete.</p> <p>7 March 2019 – KH</p> <p>The builder is expecting the work to be completed by the end of March.</p> <p>29 January 2019 – Kelly Heffernan – Builder is making great progress with work almost completed on the kitchen and bathroom. Work has also commenced on the fascia/guttering and fence.</p> <p>19 December 2018 – Kelly Heffernan – Builder has engaged Contractor to make the new balustrade. Works will begin in the new year.</p> <p>4 December 2018 – Kelly Heffernan – The builder has collected the keys to start work on 204 Maybe Street.</p>	30/04/2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>3 December 18 – Kelly Heffernan – Alan Walker has been contacted and he has advised he will make a start on this property in early December with a majority of the work to be done after Christmas.</p> <p>29 Oct 18 Kelly Heffernan – Alan Walker was advised to commence with the quote he provided Council. A commencing date to be advised this week.</p> <p>Two quotes have now been received. A third quote has been promised by a local builder with no response after a number of reminders. The two quotes will be assessed and renovations will commence once this has been decided shortly</p> <p><i>21 Aug 2018 - 11:28 AM - Kelly Heffernan</i> Arrangements have been made for a quote on Friday 24.8.2018</p> <p><i>09 Aug 2018 - 3:34 PM - Kelly Heffernan</i> I have contacted the builder who provided the quote for \$46,848.90 to undertake the works. He will get back to me by Friday 10th August with a proposed start and finish date for this project.</p> <p>There are two painters who will be providing</p>		

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						a quote for the painting inside and out following inspection over the coming weekend. A third is to be contacted over the coming days. <i>09 Aug 2018 - 3:32 PM - Glen Hines</i> Action reassigned to Kelly Heffernan by: Glen Hines		
42	02 August 2018	264/18	19.6	<p><b>Request to Remove Trees - 57-59 Massie Street Cooma</b> That Council</p> <p>A. Receive and note the report Request to Remove Trees – 57 – 59 Massie Street Cooma;</p> <p>B. Note the options presented on page 2 of the report and;</p> <p>i. Council remove the trees on Council land;</p> <p>ii. Share the cost of removing the trees that straddle both Council and Mr Mondello's land; and</p> <p>iii. Mr Mondello be responsible for removing the trees solely on his land;</p> <p>iv. Council supply traffic management control provided trees are removed at the same time.</p>	Jane Kanowski	<p>2/4/19 – JK Council rescinded motion to remove the trees</p> <p>5/03/2019 – Jane Kanowski – ongoing – community have been informed via media release. Estimate of landfill costs to be established.</p> <p>30/01/2019 – Jane Kanowski – Media release published in Monaro Post on 15 January 2019 and Council's Facebook page to ensure that the community is aware of Council's decision and the reasons for the removal of the trees. Collation of quotes and finalising the costs is almost complete. A letter (31 January) has been sent to</p>	30/06/2019	Y



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				<p>C. Advertise its reasons for removing the trees; and</p> <p>D. D.Formally advise Mr Mondello of its decision in writing</p>		<p>Mr. Mondello advising the most appropriate time for the removal and other arrangements.</p> <p>30/11/2018 – Jane Kanowski – Second quote received - waiting on the 3<sup>rd</sup> – a reminder has been sent.</p> <p>29 Oct 18 Jane Kanowski – A Media Release has been sent to the Communications team for distribution to notify the public. Quotes have been requested from 3 contractors and awaiting on these.</p> <p>03 Sep 2018 - 1:19 PM - Jane Kanowski A letter has been sent to the owner to notify him of the Council resolution. Liaising with the Communications team to write a press release and inform the community of this decision.</p> <p>08 Aug 2018 - 2:58 PM - Glen Hines Action reassigned to Jane Kanowski by: Glen Hines</p>		
44	16 August 2018	276/18		<p><b>Lease of Council Operational Land to Cooma Men's Shed</b></p> <p>That Council</p> <p>A. Resolve to enter into "peppercorn lease" arrangement to a value nominated by Council on Lot 3 of DP 537242 in Mulach St Cooma with the Cooma Men's Shed (AMSA) for a</p>	Lyn Bottrill	<p>27/03/19 – LB No further update.</p> <p>4 March 2019 – LB Remediation investigations taking place to ensure that the land has been remediated.</p> <p>30 January 2019 – LB</p>	31/03/2019	N

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				<p>period of Five (5) years (with two (2) optional periods of five (5) years each) pending outcome of a development applications</p> <p>B. Authorise the General Manager to negotiate the terms of the lease</p>		<p>Waiting on completion of advertising period for D/A.</p> <p><i>22 November 2018 – Lyn Bottrill</i> Still waiting for Cooma Mens Shed to submit a development application with Council. Once the D/A consent has been issued a lease will be arranged.</p> <p><i>24 Oct 2018 – Lyn Bottrill</i> Still waiting on D/A to be lodged.</p> <p><i>8 Oct 2018 – 11:44 AM – Lyn Bottrill</i> Waiting on D/A being lodged prior to finalising lease. Environmental Services has been requested to notify Property Officer when D/A is lodged.</p> <p><i>03 Oct 2018 - 8:48 AM - Lyn Bottrill</i> Waiting on submission of D/A</p> <p><i>31 Aug 2018 - 1:14 PM - Lyn Bottrill</i> Draft lease is currently being prepared in accordance with the resolution. The lease</p>		

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						will be finalised upon determination of the development application. <i>27 Aug 2018 - 12:14 PM - Lyn Bottrill</i> Awaiting outcome of development application. In the meantime draft licence agreement will be drafted. <i>21 Aug 2018 - 11:18 AM - Glen Hines</i> Action allocated to Lyn Bottrill to assist GM in preparing lease		
49	16 August 2018	289/18	19.3	<p><b>Update on the potential Joint Use Projects being explored with the Department of Education</b></p> <p>That Council</p> <p>A. Receive and note the report; Endorse the preparation and submission of a grant application to Round 2 of the request for up to \$3 million grant funding and Council allocation of \$500,000 (using the internal reserve 'former Snowy River LGA'), bringing the total project value to \$3.5m, for a new library/community centre/innovation hub as part of a Joint Use Project with the Department of Education and Training, and upgrade to the car park in Kalkite Street to multi-level to cater for the community parking</p>	Mark Adams	<p>29/03/19 – MA: Nothing further to report at this stage due to the recent election.</p> <p>11/03/19 – MA: The funding agreement has been signed with Create NSW to receive a \$3million grant. Staff have been liaising with the Department Project Team; however work on the project is not progressing until after the state election due to an election promise by the Government to allocate \$40million for a new high school in Jindabyne.</p> <p><i>4 February 2019 – Mark Adams</i> <i>A public announcement was made on 1 February 2019 that the grant application was successful. Staff are now seeking to re-engage with the Department of Education.</i></p>	17/09/2018	N

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				<p>needs of the development, with design options and refined costings to be provided as the project develops.</p> <p>C. Endorse engagement of a consultant to assist with grant preparation with funds to be provided from re-directed funds under Innovation and Business Development - Project PJ 100069.</p>		<p><i>20 December 2018 – Mark Adams Council is expecting the outcome of the grant in January.</i></p> <p>6 Dec 2018 Still awaiting outcome.</p> <p>31 Oct 2018 Mark Adams – Awaiting outcome of the Regional Cultural Fund grant.</p> <p>15 Oct 2018 - Grant application submitted.  <i>13 Sep 2018 - 5:09 PM - Katherine Miners</i>  A grant application is being prepared to be submitted on 21 September under the Regional Cultural Fund.</p>		

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
57	6 September 2018	314/18		<p><b>Proposed Acquisition of Land in Cooma</b></p> <p>That Council</p> <p>A. Acquire Lots 400 and 434 DP 750535 and lot 461 DP 41999 by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Local Government Act 1993 for the purpose of saleyards.</p> <p>B. That the land be dedicated as Operational land in accordance with the Local Government Act 1993</p> <p>C. That minerals be included in this acquisition</p> <p>D. That this acquisition is not for the purpose of resale</p> <p>E. That the necessary applications be made to the Minister for Local Government and the Governor.</p> <p>F. That the Common Seal be affixed to all documentation required to be sealed to give effect to this resolution.</p> <p>G. That following the acquisition of the three Crown allotments, the eleven lots comprising the Cooma saleyards be consolidated into a single allotment.</p>	Lyn Bottrill	<p>27/03/19– LB Still waiting on consent from the Crown</p> <p>4 March 2019 – LB Waiting on consent from the Crown</p> <p>30 January 2019 – LB Letter of notification has been prepared. Consent of Crown has been requested.</p> <p>22 November 2018 – Lyn Bottrill Compulsory process has been commenced. The process will take approx.. 12 months to complete</p> <p>30 Oct 18 – Glen Hines 10.22 Documentation for acquisition currently being prepared. Documentation for acquisition currently being prepared.</p> <p>28 Sep 2018 - 8:33 AM - Lyn Bottrill Preliminary investigations are being carried out to commence the compulsory acquisition process.</p>	8/10/2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				H. That this project be funded from the former Cooma Monaro Shire Council reserve fund.				
69	4 October 2018	346/18	8.6	<b>Report on Staffing Levels</b> That Council authorise the General Manager to make minor changes to staffing levels of non-senior Staff, and bring a report back to Council once completed to inform Councillors of what changes have been made.	Peter Bascomb	1 April 2019 – NB – Minor adjustments completed however Council approved engagement of consultant to undertake organisation structure review following the report to Council in March 2019.	01/04/2019	Y
74	4 October 2018	353/18	15.1	<b>Clr Castellari Notice of Motion - Rooftop Solar</b> That Council A. Support the Albury City Council motion regarding legislative changes to enable the implementation of a program similar to that implemented by Darebin City Council in Victoria; B. Advocate for the legislative changes to local members and relevant Ministers; C. Carry out due diligence with a business case which includes funding options, power under current legislation that would provide solar subsidy schemes for residence and businesses within the SMRC council area; and	Peter Bascomb	11/02/19 – Peter Bascomb A. Complete. B, C and D, no action to date.		N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				D. Provide for public consultation process once the above has been carried out.				
88	1 November 2018	394/18	12.1	<p><b>Planning Proposal 461 Barry Way, Moonbah to Amend Snowy River Local Environmental Plan 2013</b></p> <p>That:</p> <p>A. The report from the Senior Strategic Land Use Planner on the Planning Proposal 461 Barry Way (Lot 101 DP 817374) be received.</p> <p>B. The Planning Proposal be submitted to the Minister of NSW Planning &amp; Environment for a Gateway Determination in accordance with Section 3.34 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>C. The Department of Planning and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the Planning Proposal.</p> <p>D. In the event NSW Department of Planning &amp; Environment issues a Gateway Determination to proceed with the Planning Proposal, consultation be undertaken with the community and government agencies</p>	Alexanda Adkins	<p>29/03/19 – AA: Staff are still awaiting advice from Office of Environment and Heritage.</p> <p>11/03/19 – AA: Application has been referred to the Office of Environment and Heritage as per the Gateway Determination. Will be placed on public exhibition once advice has been received from OEH – estimated to be April 2019.</p> <p>4 February 2019 – Mark Adams The Gateway Determination has been received and the applicant contacted. Looking to progress to public exhibition and consultation with government agencies.</p> <p>20 December 2018 – Mark Adams Staff are expecting to receive Gateway Determination imminently</p> <p>6 Dec 2018 B. Planning proposal has been submitted to the Minister of NSW Planning and Environment for a Gateway Determination.</p>	3/12/2018	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				in accordance with Schedule 1, Division 1, Clause 4 of the <i>Environmental Planning and Assessment Act 1979</i> and any directions of the Gateway Determination.		C. Council has advised Department of Planning and Environment that Council wishes to be issued with an authorisation to use Delegation for the Planning Proposal Cannot be actioned until a determination is given.		
89	1 November 2018	395/18	12.2	<b>DA Best Practice Guideline and Processing Times</b> That Council endorse the following recommendations; 1. Council staff develop a Snowy Monaro Region Development Guide that also includes a rural and regional context; 2. Increased promotion of pre-lodgement meetings with applicants and a media campaign be undertaken; 3. Creation of a user friendly information portal on Council's website; 4. Development assessment staff actively participate in the review of the consolidated LEP and DCP with the Strategic Planning Group to achieve practical workable provisions; 5. A review and report be presented to the General Manager on resourcing requirements for Building Surveying and Development Engineering staff in order to reduce development application referral times, assist with	John Gargett	4/4/2019 – JG: 1. Being developed 2. Completed 3. Being developed 4. Completed 5. To be provided in proposed structural review of organisation 6. Completed 7. Completed. Brief for corporate system incorporates use of mobile IT platforms and DA tracking 8. Completed 9. Report being compiled and to be reported to Council May 2019 10. Completed. Step included in DA assessment processes 11. Completed. Step included in DA assessment processes  11/03/19 – KM: Ongoing.	3/12/2018	N



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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>approvals relating to the issuance with Complying Development Certificates and provide efficient and timely advice to applicants;</p> <p>6. Councillors continue to be provided with a list of applications lodged with Council on a monthly basis and a list of determined development applications on a monthly basis;</p> <p>7. Ensure that when the corporate IT platform is implemented it includes online tracking of applications and use of mobile IT platforms, to improve efficiencies in administration of development assessment and building certification processes;</p> <p>8. That checklists and guidelines are updated and expanded to ensure applicants have detailed information to ensure applications are submitted with all relevant information as required by Part 1 of Schedule 1 of the EP&amp;A Regulation (in accordance with Clause 51 of the EP&amp;A Regulation);</p> <p>9. A review be undertaken and report be put forward to Council proposing amendments to the Bombala, Snowy and Cooma DCP's to align notification requirements as being commensurate with impacts and to reduce the number</p>		<p><i>1 February 2019 – John Gargett:</i></p> <p><i>1. To be developed</i></p> <p><i>2. Ongoing</i></p> <p><i>3. To be developed</i></p> <p><i>4. To be undertaken</i></p> <p><i>5. To be undertaken</i></p> <p><i>6. Lists have been and will be continued to be provided</i></p> <p><i>7. Ongoing</i></p> <p><i>8. Completed</i></p> <p><i>9. To be undertaken</i></p> <p><i>10. Ongoing</i></p> <p><i>11. Ongoing</i></p> <p><i>20 December 2018 – John Gargett</i></p> <p><i>No further update at this time</i></p> <p>6 Dec 2018 DA Best Practice Guideline and Processing Times is to be developed.</p>		

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				<p>of development applications being notified;</p> <p>10. That development applications be determined based on the information held at the time where an applicant has been requested to provide additional information (under Clause 54 of the EP&amp;A Regulation) but has failed to respond within 21 days; and</p> <p>11. Additional information requests be provided to applicants in a timely manner. The response time on these requests be increased from 14 days to 21 days.</p>				
104	6 December 2018	545/18	10.7	<p><b>Cooma Town Clock Proposal</b></p> <p>That Council:</p> <p>A. Receive and note the design and location of the Cooma town clock;</p> <p>B. Endorse a public consultation process to determine whether a Town Clock is supported by the community; and</p> <p>C. Approve the allocation of \$50,000 from Council's 'Other Reserves' towards the construction of a Cooma town clock should that be supported by the community and subject to a further report back to</p>	Gary Shakespeare	<p>07/03/2019 - GS</p> <p>Report is scheduled for Councillor consideration at the 17 April Council meeting 7 March 2019 – LN</p> <p>Public consultation is continuing. A report will be presented to Council in April.</p> <p>30/01/2019 – Gary Shakespeare -</p> <p>Public consultation is being undertaken as per Council's recommendation. A report will be presented to Council in March</p>	30/04/2019	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				Council once public consultation has been completed.				
105	6 December 2018	546/18	10.7	<b>Licence Agreement Renewal - Baanya Hall Trustee's Incorporated - Berridale Out of School Hours Care</b> That Council A. Approve the renewal of Licence to Baanya Hall Trustee's Incorporated for five (5) years; and B. Authorise the General Manager and Mayor to sign and affix the Council Seal to the Licence.	Janine Hudson	26/3/2019 JH Baanya Hall Trustees are to meet this week. Council should receive a signed copy of the Licence Agreement once this meeting has taken place.  29 February 2019 JH have requested the signed Licence Agreement to be sent to Council from Baanya Hall Trustee's.  30 January 2019 JH Licence Agreement is with Baanya Hall Trustee for signing, waiting for return of signed Licence Agreement to finalise 2 January 2019 – JH Approval has been received from the NSW Aboriginal Land Council on 17 December for the Licence to proceed. The Licence will be sent to The Trustee's for signing.	30/04/2019	N
107	6 December 2018	548/18	12.1	<b>Response to Notice of Motion - Waste Access Charge</b> That Council A. Receive and Note the Report B. Replace multiple waste access charges with a single waste access charge on	Patrick Cannon	26/3/19 – PC: The Waste Committee discussed the proposed 2019/20 fees and charges which also included a discussion of the impact on the Waste Management Charge if vacant farmland and/or vacant rural properties were		N

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				vacant blocks during the development of the 2019/20 fees and charges.		<p>removed from the number of properties which the charge applied to. In order to maintain the level of revenue the charge raised under the 2018/19 fee structure, the charge would be either \$117.50 or \$121 per occupied property, depending on whether only 'Farmland' rated vacant properties or 'Farmland' and 'Rural Res' rated vacant properties were excluded from the amount to be levied. The Committee has put forward the two charges for discussion with Councillors during the further development of the fees and charges for 2019/20.</p> <p>Clarification was received from Councillor Stewart, Councillor Miners, Councillor Ewart and Councillor Corbett regarding the intention of resolution 548/18, which was confirmed as being in relation to properties rated as 'Farmland'.</p> <p>11/03/19 – Ps: Clarification has been sought from Council as the resolution wording is not considered by some councillors as being accurate. For example, it appears that the intention was to only apply a reduction to property classified</p>		

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						<p>as 'farmland' which would exclude the removal of a waste management charge from vacant land less than 40ha.</p> <p><i>4 February 2018 – Rindy Coulton</i> A verbal update was provided to the Waste Committee on 31 January 2019, and the Committee will review fees and charges during the February meeting</p> <p>20 December 2018 – Mandy Thurling A report will be provided to the Waste Management Committee on 31 January 2019</p>		
110	6 December 2018	554/18	12.7	<p><b>Draft Liquid Trade Waste Policy</b> That Council</p> <p>A. Receive and note the information in the report;</p> <p>B. Approve the draft Liquid Trade Waste Policy be placed on public exhibition for a period of 28 days; and</p> <p>C. Receive a report after the exhibition period with the submissions received and the consideration of any changes required prior to adoption.</p>	Gnai Ahamat	<p>03 April 2019 - RP A report is being presented to 17 April 2019 Council meeting for adoption of the policy.</p> <p>5 March 2019 – Gnai Ahamat Submissions on the draft LTW Policy closed on 8 February 2019. A report will be forwarded to Council with the comments received. The draft policy will be reviewed to incorporate any changes required. This revised final policy will be submitted to Council for adoption in March/April 2019.</p> <p>5 February 2019 – Gnai Ahamat</p>	03/04/2019	N

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						Draft Liquid Trade Waste Policy was placed on public exhibition on 15 January 2019. A report will be presented to Council based on the submissions received.		
111	6 December 2018	555/18	13.1	<b>Implementation of Liquid Trade Waste Regulation in the former Cooma and Bombala Shire areas</b> That Council A. Receive and note the information in the report; B. Approve to conduct an education program on Liquid Trade Waste including assessment and inspection of premises to be implemented in the former Cooma and Bombala Council areas from February 2019 to June 2019; and C. Approve the implementation of Liquid Trade Waste Regulation including charging and inspections to commence from July 2020 in the former Cooma and Bombala Council areas.	Michael Broder	03 April 2019 - RP Information package has been completed. The media release is being prepared for the implementation of LTW. The liquid trade waste policy adoption report is being submitted to 17 April 2019 Council meeting. Initial Inspection will commence post adoption of this policy.  05 March 2019 - MB Planning still taking place with the information package almost complete which will be handed out to potential dischargers to the sewer main in Cooma, Bombala, Nimmitabel and Delegate when the inspections of all commercial premises are commenced.  5 February 2019 – Gnai Ahamat Planning underway to finalise education program on Liquid Trade Waste including assessment and inspection of premises to be implemented in the former Cooma and Bombala Council.	30/06/2019	N

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113	6 December 2018	558/18	15.1	<b>Clr John Castellari - Feral Deer</b> That Council <ul style="list-style-type: none"> <li>• Work with NSW Local Land Services, local landholders, and other stakeholders to develop, as a priority for grazing land biosecurity in our region, effective strategies to reduce deer numbers to manageable proportions;</li> <li>• Work through the CRJO and LGNSW to lobby the NSW State Government to remove the current game status of deer under the Game and Feral Animal Control Act, with the view to have them declared as a pest animal; and</li> <li>• Explore the possibilities of a commercial venison meat industry in our region.</li> </ul>	Mark Adams	29/03/19 – PS: Refer to Council resolution 111/19 from 21/3/19 and item 197. Discussions have been held with Mr Rowley regarding sending a letter of support to the new Minister.  11/03/19 – KM: Report is being presented to Council on 21 March 2019.  4 February 2019 – Mark Adams Research is progressing and a report is being prepared  20 December 2018 – Mark Adams Economic Development Officer is researching the issue and will provide a report to Council in due course which will include a suggested policy position.		N
117	20 December 2018	575/18	10.3	<b>Proposed Acquisition of Shannons Flat Community Hall</b> That Council <p>A. Agree to accept the gift of Shannon's Flat Community Hall and approximately 800m2 of land surrounding the hall.</p> <p>B. Classify the property as "community land" upon transfer to Council.</p> <p>C. Engage the services of a surveyor to survey lot 78 DP 750527 and create a</p>	Lyn Bottrill	27/03/19 – LB Contacted the surveyor on 25 March and he agreed to prioritize the plan of subdivision. 4 March 2019 – LB Waiting on plan of subdivision from the surveyor.  29 February 2019 JH plan for subdivision has been requested and waiting for return of plan from the Surveyor.	30/06/2019	N

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				plan of subdivision of the land to excise the hall and surrounding land within the immediate fence line. D. Agree to bear all costs associated with the subdivision and registration of the plan including any legal costs. E. Fund the costs of approximately \$8,000 from former Cooma Reserves.		30 January 2019 – LB Mr Luton has agreed to the proposal going ahead with a signed consent. Kleven Spain has been engaged to provide a plan of subdivision to excise the hall.		
123	17 January 2019	9/19	12.1	<b>Opening of a Section of Crown reserve road - Towrang Vale Road</b> That Council A. Approve the application to the Crown to have a section of Towrang Vale Road as outlined in the plan attached to this report, transferred to Council as a Council public road; and B. Require the developer to agree to be responsible for all the costs associated with the transfer of the portion of crown public road to Council	Lyn Bottrill	27/03/19 – LB Road has been gazetted to Council and has been placed on Council's road grading program  4 March 2019 – LB Waiting on gazettal of road to Council.  30 January 2019 – LB Council's planning department has been requested to confirm that the developer will be responsible for any costs associated with the transfer of the portion of crown public road to Council. Letter sent to the Crown requesting that the road be gazetted to Council.	31/03/2019	N
126	17 January 2019	17/19	18.17	<b>Mayoral Minute</b> That Council write to Bruce Chadderton, District Manager – Bombala of Forestry Corporation of NSW, thanking him for their assistance in removing the platypus	John Rooney / Sarah Cleverley	08/04/19 Letter provided		Y



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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				viewing platform form the Bombala river bank.				
127	17 January 2019	19/19	19.2	<b>Southern Lights Project</b> That Council: A. Support the request for funding from the NSW State Government to the value of \$61.4M for the Southern Lights project - smart street lighting program B. Write to the local member seeking support for the Southern Lights project to be funded by the NSW State Government C. Support the rollout of LED lighting with smart technology capability for all street lights in the local government area.	Sarah Cleverley	8/4/19 – Support as requested provided.		Y
129	7 February 2019	29/19	10.1	<b>Draft Library Strategy and Community Transport Strategy</b> That Council endorse the Draft Library Strategy and Community Transport Strategy to be placed on Public Exhibition for a period of 28 days commencing 13 February 2019.	Bianca Padbury	5/4/19 – Bianca Padbury: Feedback from the Public Exhibition of the Draft Library Strategy and Draft Community Transport Strategy are being considered. Once this task has been completed a report will be presented to Council seeking adoption of both Strategies.  5/3/19 – Peter Cannizzaro	30/4/2019	N

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						Public Exhibition period ending 13 March 2019. A report will be prepared for Council following the closure of the Public Exhibition period and after any feedback has been considered.		
130 A	7 February 2019	30/19	11.1	<b>Snowy Monaro Draft Destination Management Plan</b> That Council A. Receive this report presenting the draft Snowy Monaro Destination Management Plan (DMP) B. Endorse commencement of the general public exhibition of the draft DMP for a period of four weeks.	Mark Adams	29/03/19 – MA: The public exhibition period has closed and staff are in the process of reviewing submissions and finalising the Destination Management Plan to be reported to Council for adoption.  11/03/19 – KM: Destination Management Plan has been placed on public exhibition; closing 13 March 2019.		Y
130 B	7 February 2019	31/19	12.1	<b>Snowy Monaro Planning and Land Use Discussion Paper</b> That Council: A. Receives the report from the Senior Strategic Land Use Planner. B. Endorses the draft Snowy Monaro Planning and Land Use Discussion Paper (Attachment 1) to be placed on public exhibition for 8 weeks. C. Endorses the proposed community consultation framework (Attachment 2).	Alexandra Adkins	29/03/19 – PS: Refer to item 209 and resolution 124/19 from Council meeting 21 March 2019 – period for submissions has been extended to 18 April 2019.  11/03/19 – KM: Community consultation is underway.		Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
131	7 February 2019	32/19	12.2	<p>That Council</p> <p>A. Note the successful outcome of the trial “NO STOPPING” operation;</p> <p>B. Note that Ranger Services does not have the resources to repeat this operation;</p> <p>C. Note that the demand for “free” parking, both in summer and winter, is increasing as tourist and visitor numbers coming to Jindabyne and the Snowy Monaro Region is growing annually;</p> <p>D. that the recently announced <i>Jindabyne 2036 Masterplan</i> and/or a review of Council’s <i>Lake Jindabyne Southern Foreshore Management Plan 2005</i> would be the appropriate instruments to facilitate the development of a long term solution to meet the increasing visitor demand for “free” parking/camping – (noting that there is now no such thing as “free” parking); and</p>	Gina McConkey	<p>4/3/19 – GM:</p> <p>Costings for a 17 week period to cover for a casual Ranger throughout the winter period have been forwarded through to finance. Durable stickers to attach to the existing signage from the previous year to update dates have arrived. An advertisement for the casual Ranger position is currently being drafted.</p>	October 2019	Y

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				E. Support funding an additional Ranger on a casual basis for the winter season “no stopping” patrols during 2019.				
132	7 February 2019	33/19	12.3	<b>Myack St Berridale Intersection Upgrade</b> That Council A. Receive and note the report on SCF Major Project Program PP-155 Myack Street Intersection upgrade. B. Approve the re-allocation of \$57,100 from former Snowy River Balancing Project PP 222 Upgrade to Jindabyne Clay Pits area at lake Jindabyne Foreshore (Balancing Project) to the PP-155 Myack Street Intersection Project.	Linda Nicholson	04/04/2019 – LN Construction planning of the works underway.  5 March 2019 – LN - design of upgrade has been completed, construction planning of the works underway.	05/03/2019	N
135	7 February 2019	35/19	13.1	<b>Snowy Monaro Regional Council Contract for Provision of Street, Shopping Centre &amp; Toilet Cleaning at Jindabyne Town Centre</b> That Council A. Approve the advertising of the Contract for the Provision of Street, Shopping Centre and Toilet Cleaning Services, Jindabyne Town Centre for Tender; and	Janine Hudson	26/3/2019 JH Tender evaluation has taken place and a report has been prepared for 17 April Council meeting.  29 February 2019 JH Completed Report was presented to 7 February Council – Contract is now out for Tender and closes on 19 March 2019.	30/04/2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>B. That a further report be brought to Council to endorse the successful Tenderer.</p> <p>C. Approve the temporary extension of the current Contract with Crystal Lake Cleaning for street, shopping centre and public toilets in Jindabyne until 30<sup>th</sup> June 2019.</p>				
138	7 February 2019	38/19	15.1	<p><b>Notice of Motion - Cr Haslingden Playground Motion</b></p> <p>That Council allocate an amount of \$300,000 from the Bombala Reserves, to be spent on the Stage 2 playground upgrades in Bombala, in accordance with the playground strategy being developed</p>	Linda Nicholson	<p>04/04/2019 – LN Finalisation of project plan still underway.</p> <p>5 March 2019 – LN Finalisation of project plan underway that incorporated complete upgrade; including carpark, roadworks, playground, lighting, amenities, BBQ, shelters and shade upgrades.</p>		N
139	7 February 2019	39/19	15.2	<p><b>Clr John Castellari - Support JERCs Approach to Snowy Hydro to Rezone Land</b></p> <p>That Council actively support through written submission and face to face meetings as appropriate, the proposal to Snowy Hydro being put forward by the Jindabyne East Residents' Committee (JERCs) concerning the future use of the</p>	Peter Bascomb	08/04/19 – Discussed at a meeting with Snowy Hydro staff 4 March		N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				Old Kosciusko Road land release, as detailed below.				
141	7 February 2019	41/19	17	That Council write to NSW Planning Minister, Anthony Roberts, requesting funding for the development of a Michelago Master Plan along the lines proposed by the General Manager in his letter to the Deputy Premier on 11 December 2018.	Peter Bascomb / Mayor Rooney	8/4/19 – Council formally advised by Minister for Planning that funding would not be provided  11 March 2019 – NB Mayor Rooney advised at 7 March meeting that funding has not as yet been agreed with NSW Government 7 Feb 2019 NB Received and Noted		Y
142	7 February 2019	42/19	19.1	That Council:  A. Receive and note the report B. Consider the implications of funding legacy site improvements when adopting its fees and charges for 2019/20 and onwards  C. Note that council will contact the New South Wales Environmental Protection Authority (EPA) to determine the extent of rehabilitation required for the legacy sites  D. Note that the General Manager will investigate possible long term funding options required to rehabilitate waste facility sites for further consideration.	Peter Smith	7 February NB Received and Noted.		Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
151	21 February 2019	54/19	10.2	<b>Lease Agreement Renewal - Boral Resources (Country) Limited - Bombala That Council</b> A. Approve the renewal of a 5 year Lease to Boral Resources (Country) Pty Ltd; and B. Authorise the General Manager and Mayor to execute and Affix the Council Seal to the Lease.	Janine Hudson	26/3/2019 JH The Lease Agreement is still being reviewed by Boral and should be returned by end of April.  07 March 2019 - JH The Lease Agreement is with Boral Resources and will go to their board meeting to be reviewed and executed and returned to council. Once received, the Lease Agreement will be presented to the General Manager and Mayor for executing.	30/04/2019	N
153	21 February 2019	56/19	10.4	<b>Delegate Preschool and Delegate School of Arts</b> That Council A. Approve \$50,000 from former Bombala reserves to fund an independent building assessment of the Delegate Preschool and the Delegate School of Arts to determine storm water and drainage mitigation scopes and to fund project management of subsequent drainage works and construction of new amenities block for the School of Arts, and B. Continue to liaise with the Crown for funding for the new School of Arts toilet amenities to be located at the rear boundary of Lot 11 Section 8 DP	Lyn Bottrill	27/03/19 – LB Crown has notified Council that Delegate School of Arts was transferred to Council ownership in 1983. This property is not eligible for CRIP grant funding but staff are looking to apply for grant funding through the Stronger Country Community Fund program to remedy the drainage problem.	30/06/2020	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				758346 to include connection of services.				
154	21 February 2019	57/19	10.5	<b>Proposed boundary adjustment impacting Learner Bike Track project</b> That Council defer consideration of the boundary adjustment for Lot 4 DP32321 to the meeting on the 21 March 2019, and between now and the next meeting, the project manager and councillors may contact local residents to discuss	Luke Johansson	11 March 2019 – NB Further communication with local residents is being undertaken.		N
156	21 February 2019	59/19	12.2	<b>DA10.2018.1280.1 - To Erect a Shed (Men's Shed)</b> That A. Pursuant to section 4.16 of the <i>Environmental Planning and Assessment Act 1979 (as amended)</i> approval is granted for DA 10.2018.1280.1 to Erect a Shed (Men's Shed) on Lot: 3 DP: 537242 Mulach Street COOMA 2630, subject to the conditions attached, subject to a satisfactory contamination report; B. Any person who made a submission is notified according to the regulations.	Tim Pepperell	29/03/19 – PS: Refer also to item 44. DA currently cannot be finalised pending results of contamination report.  11/03/19 – TP: Contamination report is currently being organised by the facilities team as requested by Council.		N



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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
162	21 February 2019	65/19	13.6	<b>Impacts relating to amendments to the Government Information (Public Access) Act 2009.</b> That Council receive and note the report on the impacts of the GIPA amendment 2018.	Nola Brady	1/4/2019 – Nola Brady : The internal process is being monitored to improve efficiency.  11 March 2019 – NB New process has been implemented – new forms online and frontline staff area aware of the triage process – it will be monitored in March and improved as required. Communication to local real estates and legal firms will occur in March to advise of the new process.	30 March 2019	Y
164	21 February 2019	67/19	13.8	<b>Transfer of Crown Roads in the Township of Dalgety to Council</b> That Council A. Write to the Crown requesting the following roads be transferred to Council: ☐ Barnes Street - 222m sealed ☐ Campbell Street - 245m unsealed B. Include the roads in Council's roads assets register. C. Provide the budget for the construction and maintenance of the road.	Janine Hudson	26/3/2019 JH This is still with the Crown and awaiting response.  29 February 2019 JH Letter to the Crown has been sent requesting transfer of the Roads to Council and have received confirmation from Crown that the request has been received and is being processed.	30/04/2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
165	21 February 2019	68/19	13.9	<b>Parking in the laneway at the rear of the Jindabyne Town Centre</b> That Council A. Approve the proposal to enter into public consultation with the shopkeepers and owners in Jindabyne Town Centre regarding changes to the laneway at the rear of the shops. B. Receive a further report regarding the results of the public consultation and the proposed way forward together with detailed costings.	Lyn Bottrill	27/03/19 – LB A good response was received from the shopkeepers and shop owners. Public consultation will be held at two sessions on 2 April at 2pm and 6.30pm  4 March 2019 – LB Letters to go to shop owners/shopkeepers this week advising of date for public consultation.	31/12/2019	N
171	21 February 2019	75/19	19.2	<b>Cmunt Court Matters</b> That Council continues with actions to recover the costs awarded through the Land and Environment Court and the NSW Court of Appeal by providing direction to Bradley Allen Love to have a detailed bill of costs prepared and commence the process to recover costs.	Gina McConkey	4/03/19 – GM: Direction provided to Bradley Allen Love on 26 February 2019. BAL to provide Council with a costs estimate of the full Enforcement Cost Process.		Y
173	21 February 2019	77/19	19.4	<b>Mr Norm Wilton - Bombala - Removal of Construction Spoil from Property</b> That Council authorise the General Manager to arrange Council Solicitors to make an offer in accordance with Council's advice.	Gary Shakespeare	01/04/2019 – GS No further update from Councils Solicitors.  05 March 2019 – SA Council's Solicitors are negotiating settlement following Council's resolution 77/19.	30 April 2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
174	21 February 2019	78/19	19.5	<b>Replacement of Council HR Water Cart</b> That Council approve the following: <ol style="list-style-type: none"> <li>To purchase the Fuso/All Quip combination from Hartwigs Trucks Pty Ltd for \$215,602 excluding GST</li> <li>Endorse sending plant 852 to Pickles Auctions with a reserve of \$40,000 <b>which equates to a net purchasing price of \$175,602 (exc. GST)</b></li> <li>Approve additional funding of \$40,602 from plant reserves.</li> </ol>	Stuart Sturgeon	01/04/2019 SS No changes to progress – ongoing.  Purchase orders raised 25.2.19 PU021331 – Cab Chassis PU021344 – Water Cart	May 2019	N
175	21 February 2019	79/19	19.6	<b>Approval for Controlled Discharge of Effluent into Bombala Sewerage System.</b> That Council receive and note the information detailed in the report and approve the following actions:- <ol style="list-style-type: none"> <li>Approve the proposed interim solution and authorise to receive the effluent from the Dongwha's premises.</li> <li>Inform the contractor in writing of Council's resolution to cease disposal into Delegate Sewerage System once the interim solution is constructed and available to use.</li> </ol>	Michael Broder	03 April 2019 - RP Investigation has been completed and the planning has commenced to modify the manhole near the Timor St Sewage Pump Station to receive the effluent. Bombala Waste Management will be issued with the approval to discharge and the concurrence for the liquid trade waste application.  05 March 2019 - MB Council has received concurrence from the Department of Industry Water for Bombala Waste Management to be able to discharge	30/04/2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>C. Approve appropriate disposal fees to be charged as per the current Council's Fees and Charges to the contractor (Bombala Waste Management Services) for the disposal.</p> <p>D. Approve that the proposed interim solution can be used by any other contractor once their liquid trade waste application is approved by Council and concurrence received from DoI water.</p> <p>E. Allocate Council funding for the design and construction of the septage ponds at Bombala STP as an on-going solution.</p>		<p>Sewage collected from the premises Dongwha Timber Mill Delegate Road Bombala.</p> <p>Investigations have begun on getting quotes for the installation pipework and modification of the Manhole 13 at the corner of Timor and Young Streets, Bombala. A letter has been forwarded to Bombala Waste Management of the need to cease discharging sewage to the Delegate Sewerage Main once the Timor Street, Bombala discharge point is operational. Staff from the Water and Waste Water are investigating the manhole at Timor Street, for installation of the necessary pipework to facilitate the Contractors to be able to discharge at the manhole.</p>		
177	7 March 2019	86/19	9.1.1	<p><b>February Youth Council Minutes</b></p> <p>That Council adopt the minutes of the Youth Council meeting of 5 February 2019</p>	Melissa Sass	No further action required.		Y
178	7 March 2019	87/19	9.2.1	<p><b>Smart Cities Pilot Program</b></p> <p>That Council receive and note the information in the report regarding the Smart Cities Pilot Program, and to seek further funding to carry out the Smart Cities Program.</p>	Sarah Blyton	No further action required.		Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
179	7 March 2019	88/19	9.3.1	<b>Update: Low Rise Medium Density Housing Code</b> That Council A. Receive and note the report on Low Rise Medium Density Housing Code, and Request the General Manager to consult with the LGNSW as to what actions they are undertaking and write to State Government and Local Member.	Alexandra Adkins	29/03/19 – AA: Consultation is able to be commenced as election has now been held and will be progressed with the General Manager.		N
180	7 March 2019	89/19	9.3.2	<b>Planning Proposal Lot 32 DP 1118132 Barry Way Jindabyne</b> That A. The report from the Senior Strategic Land Use Planner on the Planning Proposal Lot 32 DP 1118132 Barry Way be received; B. The Planning Proposal be submitted to the Minister of NSW Planning & Environment for a Gateway Determination in accordance with Section 3.34 of the <i>Environmental Planning and Assessment Act 1979</i> ; C. The Department of Planning and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the Planning Proposal;	Alexandra Adkins	29/03/19 – AA: Planning proposal has been sent to Department of Planning and Environment for Gateway Determination and are currently awaiting a response. Authorisation to use delegation will be provided with the Determination.		Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				D. In the event NSW Department of Planning & Environment issues a Gateway Determination to proceed with the Planning Proposal, consultation be undertaken with the community, Go Jindabyne Team and Government agencies in accordance with Schedule 1, Division 1, Clause 4 of the <i>Environmental Planning and Assessment Act 1979</i> and any directions of the Gateway Determination.				
181	7 March 2019	90/19	9.3.3	<p><b>Planning Proposal to Amend Bombala Local Environment Plan 2012 to Introduce Zone SP2 Infrastructure</b></p> <p>That Council:</p> <p>A. Note the Alteration to Gateway Determination and covering letter provided by the Department of Planning and Environment (attachment 10 &amp; 11).</p> <p>B. Note the outstanding issues affecting the Planning Proposal and its process thus far, including those previously raised in submissions to the process (attachment 3-8).</p>	Alexandra Adkins	<p>29/03/19 – AA:</p> <p>A. Noted</p> <p>B. Noted</p> <p>C. Letter was forwarded to Department of Planning and Environment on 13 March 2019 to advise the Planning Proposal is not proceeding.</p> <p>D. The Water and Wastewater team are proceeding with Integrated Water Cycle Management Plan and their findings will be considered once the process has concluded.</p> <p>Investigations are currently underway by the major projects team.</p>		Y

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>C. Notify the Department of Planning and Environment that it does not wish to proceed with the current Planning Proposal PP_SMONA_001_00 at this time in view of issues noted at B.</p> <p>D. Council proceed with its Integrated Water Cycle Management (IWCM) Plan and consider its findings/recommendations, including to resubmit a proposal for the weir,</p> <p>E. Council proceed with investigating heavy vehicle bypass options for the Township of Bombala</p>				
182	7 March 2019	91/19	9.3.4	<p><b>Construction of new RFS Shed at Michelago</b></p> <p>That Council :</p> <p>A. Enter into a 5 year lease with Transport for NSW via their agent John Holland Rail;</p> <p>B. Agree to purchase the property through the Land Acquisition (Just Terms Compensation) Act 1991 at Valuer General's valuation within the 5 year period;</p>	Linda Nicholson	<p>4/4/19 - LN</p> <p>Contracts have been awarded, works to begin on site by end of April. Lease agreement with JHG Rail / TfNSW underway. Land purchase agreement yet to be undertaken.</p>		N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>C. Seek grant funding for the purchase of land purchase;</p> <p>D. Accepts the lowest lump sum tender price from Cooma Steel Pty Ltd in the total lump sum amount of \$225,657.27 (Excl.GST) [\$248,223.00 (Incl.GST)] and award Contract 058/2019 for the construction of the Michelago RFB Shed and Site Works to Cooma Steel Pty Ltd</p> <p>E. Accepts the lowest lump sum tender price from HOMZ4U Pty Ltd Trading as Illustrious Homes in the total lump sum amount of \$65,352 (Excl.GST) [\$71,887.20 (Incl.GST)] and award Contract 057/2019 for the construction of the Michelago RFB Shed Building Fitout to HOMZ4U Pty Ltd Trading as Illustrious Homes, and</p> <p>Authorise the expenditure and allocate an amount of \$291,009.27 (Excl GST) [\$320,110.20 (Incl.GST)] in the 2019 Financial Year Budget with</p>				



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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				funding to be provided from multiple year allocations from the Rural Fire Fighting Fund for which Council has been formally advised in writing is available for these works				
183	7 March 2019	92/19	9.4.1	<b>Debt Management and Financial Hardship and Assistance Policies</b> That Council: A. Receive and note both the Debt Management Policy and the Financial Hardship and Assistance Policy, and B. Adopt both the Debt Management Policy and the Financial Hardship and Assistance Policy.	Sherie Reed	5/4/19 – Matt Payne: Adopted Debt Management and Hardship Policies on 7 March 2019. Both Policies are on Council's Website.	18 March 2019	Y
184	7 March 2019	93/19	9.4.2	<b>Councillor nominations for Go Jindabyne Working Groups</b> That Councillor Beer and Councillor Castellari be nominated as Council's representatives for the Go Jindabyne community working groups	Peter Smith	28/03/19 – PS: Department of Planning and Environment were notified of nominations on 11 March 2019.		Y
185	7 March 2019	94/19	9.4.3	<b>Road Naming Proposal</b> That Council: A. Approve the proposed name of Black Sallee Lane; B. Authorise the General Manager to advertise the proposed name of Black Sallee Lane; and	Brendan Harper	5/4/19 – Peter Cannizzaro: The recommendations contained in the report to Council on 7 March 2019 were adopted on this date.	7 March 2019	Y

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				C. Authorise the proposed name of Black Sallee Lane be submitted to the Geographical Names Board for their consideration				
186	7 March 2019	95/19	10.1	<b>Notice of Motion Cr Stewart</b> That: A. The Mayor table evidence to support his statement on the ABC radio that the Bombala Council would be bankrupt again if it were to be reinstated; and the former Bombala Council failed to deliver a satisfactory standard of service, and B. If the Mayor cannot provide evidence for his statement, he retract the statement he made on the radio via the same ABC radio.	Peter Bascomb	8/4/19 The Mayor tabled a document and spoke to it at the 21 March Council meeting.		Y
187	7 March 2019	96/19	10.2	<b>Notice of Motion - Cllr Peter Beer - Michelago Masterplan</b> That Council, A. As a result of the Council meeting held on 7 February and the decision concerning the future development of Michelago, hold a briefing session; and	Peter Smith	28/03/19 - PS: Workshop arranged for 11 April 2019. NSW Chief Planner (Gary White) is doing a presentation, then Council staff will cover items requested by Council.		Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				B. The purpose to inform Councillors of at least the following: 1. Information on any lodged DAs or submissions for the growth of Michelago; 2. The basis for statements concerning the growth of Michelago to be the 2 <sup>nd</sup> largest town within the SMRC; 3. The link between the South East and Tablelands Regional Plan and the future development of Michelago; and 4. The relationship between the questions in Council's adopted Snowy Monaro Planning and Land Use discussion paper, Michelago and Smiths Road (p69-p74), with the South East and Tablelands Regional Plan and the statement about growth form Council.				
188	7 March 2019	98/19	13.1	<b>Possible Participation in a Class Action on Behalf of NSW Councils</b> That Council accept the recommendations Point A and Point B contained in the body of the report	Peter Bascomb	8/3/19 Statewide Mutual has been advised by letter that SMRC will be market testing its general insurance requirements in time for any new insurance policy to commence 1 July 2020.		Y

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
189	7 March 2019	99/19	13.2	<b>Consultancy Fees - Response to Question with Notice 18.8 (17 January 2019)</b> That Council defer item to obtain a clear statement on consultancy fees.	Matt Payne	5/4/19 – Matt Payne: A report will be presented to the Council Meeting on 17 April 2019.	5 April 2019	Y
190	21 March 2019	104/19	8.1	<b>DA4107/2018 NBN Telecommunications Facility</b> That Council  A. Defer DA4107/2018B Telecommunications to the earliest possible meeting, pending further information on the current house sites, both future and present, a clear explanation on the EME Reports, and the effect on adjoining properties.  B. A site visit be organised for interested Councillors.	Sophie Ballinger	29/03/19 – PS: Site visit was arranged for 11 April 2019 and applicant requested to address concerns raised at Council meeting.		N
191	21 March 2019	105/19	8.2	<b>DA10.2018.1290.1 Installation of "The Nimmity Bell"</b> That  A. Pursuant to section 4.16(1)(a) of the <i>Environmental Planning and Assessment Act 1979 (as amended)</i> consent be granted for the installation of the "Nimmity Bell" (ancillary structure to the use of land for a community	Sophie Ballinger	Item completed.		Y

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				facility) in accordance with DA10.2018.1290.1 on Lot: 6 Sec: 42 DP: 758776, 39 Bombala Street NIMMITABEL subject to the conditions attached;  Any person who made a submission is notified according to the Regulations				
192	21 March 2019	106/19	9.1.1	<b>MINUTES OF THE CEMETERY ADVISORY COMMITTEE MEETING DATED 4 FEBRUARY 2019</b> That the recommendations of the meeting of the Cemetery Advisory Committee held on 4 February 2019 be adopted.	Gina McConkey	Item Completed.		Y
193	21 March 2019	107/19	9.1.2	<b>Monthly Funds Management Report - February 2019</b> That Council A. Receive and note the report indicating Council's cash and investments position as at 28 February 2019; and  Receive and note the Certificate of the Responsible Accounting Officer	Mark Nesbitt	5/4/19 – Matt Payne: Receive and note – no action required.	21 March 2019	Y
194	21 March 2019	108/19	9.1.3	<b>Lease Agreement Renewal - Renee Yvonne Pirozzi, Jeremy Christopher Fernando, Naomi June White and Adam John Woolacott trading as Snowy Mountains Physiotherapy</b> That Council	Nicholine Wong	26/03/2019 – NW Facility Officer to take steps to have lease renewal documents drawn up and prepared for execution.	30/05/2019	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				A. Approve the renewal of a five year Lease with a two year option to Renee Yvonne Pirozzi, Jeremy Christopher Fernando, Naomi June White and Adam John Woolacott trading as Snowy Mountains Physiotherapy; and Authorise the General Manager and Mayor to execute and Affix the Council Seal to the Lease				
195	21 March 2019	109/19	9.1.4	<b>Bombala Health Funding Agreement</b> That Council A. Approve the use of the Sandy Creek Crossing Property rent free for the full time Doctor excluding utilities and immediate lawn and garden maintenance; and Approve a Deed of Agreement be prepared by Council's Solicitor expiring 30/06/2021	Janine Hudson	26/3/2019 JH Notification of result given to Health NSW and Council Solicitor will be requested to prepare a Deed of Agreement.	30/06/2019	N
196	21 March 2019	110/19	9.2.1	<b>Business Connect Bus Visit</b> That Council approve the visit of the Business Connect Bus to the following locations: A. Cooma – outside the Visitors' Centre in Sharp Street, 19 March 2019;	Graham Hope	01/04/2019 – GH Completed		Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				B. Jindabyne – Outside the Post Office in Gippsland Street, 21 March 2019; and Bombala – Corner of Forbes Street and Maybe Street, 20 March 2019				
197	21 March 2019	111/19	9.2.2	<b>Commercial Harvesting of Wild Deer</b> That Council: A. Receive and note the information in the report Commercial Harvest of Wild Deer; and B. Given the findings and discussions to-date, support the commercial deer harvesting industry and future growth opportunities in the region.	Sarah Blyton	Noted.		Y
198	21 March 2019	112/19	9.2.3	<b>Monaro Rail Trail Feasibility Study</b> That Council A. Receive and note the report Monaro Rail Trail Feasibility Study; and B. Endorse the draft Contract Brief for this project, noting that it includes consideration of the full track route concept from Queanbeyan through to Bombala, but will also look at the advantages and disadvantages of the track	Alanna Dikeson	29/03/19 – MA: Staff are proceeding with B and C.		Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				beginning at Queanbeyan or Michelago; and C. Endorse staff proceeding to seek quotes from potential contractors and appointment of a successful contractor as per normal procurement and project procedures.				
199	21 March 2019	113/19	9.2.4	<b>Update on implementation of Regional Economic Development Strategy (REDs)</b> That Council receive and note the information in this report on implementation of the Regional Economic Development Strategy (REDs).	Sarah Blyton	Item adopted at Council meeting.		Y
200	21 March 2019	114/19	9.2.5	<b>Proposed Acquisition of Crown land - Part lot 209 DP 729704</b> That Council A. Acquire 3210m <sup>2</sup> of lot 209 DP 729704 by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Roads Act 1993 for the purpose of road; B. Include minerals in this acquisition; C. Make the necessary applications to the Minister for	Lyn Bottrill	27/03/19 – LB Council's solicitor has been asked to provide a Deed of Agreement for the landowner to cover all costs associated with the land acquisition.		N



## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				Local Government and the Governor D. Affix the Common Seal to all documentation required to be sealed to give effect to this resolution; and Request the owner of lot 6 DP 709106 to enter into a Deed of Agreement with Council requiring the owner of that land to be responsible for all costs associated with the acquisition, survey, transfer fees, solicitors fees and LRS fees etc. prior to commencing the process				
201	21 March 2019	115/19	9.3.1	<b>MINUTES OF THE BIOSECURITY WEEDS ADVISORY COMMITTEE MEETING DATED 21 FEBRUARY 2019</b> That the recommendations of the meeting of the Snowy Monaro Region Biosecurity (Weeds) Advisory Committee held on 21 February 2019 be adopted.	Gina McConkey	Minutes adopted.		Y
202	21 March 2019	116/19	9.3.2	<b>Stronger Communities Fund Major Project Program - Status Update</b> That Council receive and note the SCFMPP progress report to 7 March 2019.	Linda Nicholson	04/04/2019 – LN Completed	04/04/2019	Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
203	21 March 2019	117/19	9.3.3	<b>ADOPTION OF THE SNOWY MONARO REGIONAL COUNCIL LIQUID TRADE WASTE POLICY</b> That Council defer item 9.3.3 Adoption of the Snowy Monaro Regional Council Liquid Trade Waste Policy to the next Council Meeting in April 2019.	Gnai Ahamat	03 April 2019 - RP The report was deferred at the 21 March Council meeting and is being resubmitted to 17 April 2019 Council meeting for the adoption of the policy.	17/04/2019	N
204	21 March 2019	118/19	9.4.1	<b>Answers to Questions Without Notice</b> That Council receive and note the In Progress Councillor Questions 21 March Council Meeting – In Progress for the period ending February 2019.	Amanda Shepherd	25/3/19 AS: Received and Noted.	25/03/2019	Y
205	21 March 2019	119/19	9.4.2	<b>Resolution Action Sheet Update</b> That Council receive and note the In Progress Actions - 21 March Council Meeting– In Progress for the period ending February 2019.	Amanda Shepherd	25/3/19 AS: Received and Noted.	25/03/2019	Y
206	21 March 2019	120/19	9.4.3	<b>2019 ANZAC Day Support</b> That Council A. Approve the contribution from Council in the form of 'In Kind' support to RSL Sub-Branches in the amount of \$3,558 to be drawn from the 2019 FY Budget accounts, as per the economic section of this report, for Traffic Control purposes	Nola Brady	1/4/2019 – Nola Brady: Snowy River Sub Branch advised of the support for this year for the community events. Departments advised of traffic control support approved.	1 April 2019	Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>B. Approve the amount of \$2,000 to be drawn from the 2019 FY Budget accounts, as per the economic section of this report, in the form of a donation request to Snowy River RSL Sub-Branch for 2019 ANZAC Day Service; and</p> <p>C. Support the full review for ANZAC Day Service Contributions from Council prior to the 2020 ANZAC day Services.</p>				
207	21 March 2019	121/19	9.4.4	<p><b>Public WIFI</b> That Council does not provide public Wi-Fi services outside of those provided by the public library services and visitor centres.</p>	Scott Goudie	1/4/2019 – Nola Brady: No further action required	1 April 2019	Y
208	21 March 2019	122/19	10.1	<p><b>Notice of Motion Cr Corbett - Elm Trees</b> That Council:</p> <p>A. Rescind motion 264/18 of the Ordinary Council Meeting 2 August 2018 Confidential session; and</p> <p>B. Request the General Manager to arrange for an arborist's report on the future management of the trees on Council property, with a view to retaining the trees while minimising</p>	Jane Kanowski	02/04/2019 –JK Quotes to be obtained from Arborists to supply the requested report.	30/6/19	N

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				the risks of damage to neighbouring properties.				
209	21 March 2019	124/19	11.2	<b>Clr Haslingden - Motion of Urgency</b> That Council extend the public consultation period for the Planning & Land Use Discussion Paper currently out on public exhibition, so that an extension for submissions be adopted with a deadline of April 18 2019	Katherine Miners	29/03/19 – KM: Submission period has been extended until 18 April 2019.		Y
210	21 March 2019	126/19	13.1	<b>Legal Actions and Potential Claims Against SMRC as at 28 February 2019</b> That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 28 February 2019 report.	Sandra McEwan	5/4/19 – Sandra McEwan: Receive and note – no further action required.	21 March 2019	Y
211	21 March 2019	127/19	13.2	<b>Delegate Disadvantaged Housing</b> That Council continue with the current arrangement of Facilities staff managing the tenants and maintenance on the properties pending community consultation, and bring a report back to Council.	Kelly Heffernan	26 March 2019 – KH Facilities Team to prepare a plan as to the best way to communicate with the Delegate Community.	30/04/2019	N
212	21 March 2019	128/19	13.3	<b>Buckley's Rural Services Weed Control Contract 2016-2019</b> That Council does not approve the variation to the fixed price weed control	Brett Jones	29/03/19 – PS: Item completed, contractor notified and discussions have been held with contractor.		Y

## SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				contract for the land area within the former Snowy River Shire Council.				
213	21 March 2019	129/19	13.4	<b>Corporate Information System Project Report</b> That Council approve the recommendations in the body of the report Corporate Information System Project Report.	Scott Goudie	1/4/2019 – Nola Brady: Vendors advised of Council decision and Implementation project to commence following contract and pricing negotiation.	1 April 2019	Y
214	21 March 2019	130/19	13.5	<b>Organisation Structure Proposal</b> That Council  A. Receive and note this report; B. Receive and note the report provided to Councillors under separate cover; and C. Authorise the General Manager to proceed to engage with an external service provider in accordance with Council's Purchasing and Tendering Policy to carry out this proposed review.	Luke O'Sullivan	2/4/2019 – Luke O'Sullivan: A request for proposal has been issued to the market seeking proposals to complete the work.	4 April 2019	Y

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#### 9.4.4 GRANT APPLICATIONS - ACTIVITY SYNOPSIS AS AT 31 MARCH 2019

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Grants Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	11.2 Council utilises sound fiscal management practices, pursues and attracts other sources of income
Delivery Program Objectives:	11.2.3 Alternative sources of revenue to rating income are identified and maximised
Attachments:	Nil
Cost Centre	4010 – Finance (Grants Management)

#### EXECUTIVE SUMMARY

This report provides an update on Grants activity for the quarter ended 31 March 2019.

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

#### OFFICER'S RECOMMENDATION

That Council receive and note the information related to Grants activity for the quarter ending 31 March 2019.

#### BACKGROUND

This report provides an update on Grants activity as at 31 March 2019.

#### QUADRUPLE BOTTOM LINE REPORTING

##### 1. Social

Council receives recurrent funding for some operations including the Financial Assistance Grant, RFS subsidies, Library Funding, Community Services and Aged Care, and Roads (Regional and Roads to Recovery).

##### 2. Environmental

A number of grants provide environmental benefits. Example: Council's Biosecurity Management endeavours and Green Team aims have benefited from additional grant funding.

##### 3. Economic

All Community Strategic Plan (CSP) key themes benefit from collaboration, advocacy and the seeking of additional funding streams. A concerted approach to advocating and identifying appropriate grant funding opportunities for Council initiatives improves the financial sustainability of Council.

#### Grant Applications 2018-19 Financial Year:

Please note: For reference ease, a few key developments are indicated by light shading below.

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**Grant Applications – Successful**

Funding Program & Origin	Grant Request	Project Details	Grant Awarded
Stronger Communities Fund 2019 (SCF) - STATE	\$200,000  NIL	Capital - 1 x SMRC project: - Completion of a New Shared Community Facility in Cooma \$200,000.  3 x External Recipient Group Projects: SCF2019-1 Dalgety Show Society Showground Upgrade Works \$30,000; SCF2019-2 Snowy Alpine Heritage Assoc. – Jindabyne Heritage Centre Planning \$95,000; SCF2019-3 Monaro FM Community Radio – New Roof \$14,000	\$200,000  \$139,000
Safe & Secure Water Program (SSWP) - STATE	\$40,000	Scoping Study- Snowy Monaro Villages Water Safety Program (Bredbo, Nimmitabel, Kalkite, Eucumbene Cove & Adaminaby). EOI secured an invitation to submit a detailed application - SSWP146.  <b>March 2019</b> - Migrated to approval stage by State Government under the transition process towards new program parameters for SSWP. Funding capped at \$40,000 being 50% of estimated TPC for scoping phase.	\$40,000
Safe & Secure Water Program (SSWP) - STATE	\$35,000	Scoping Study - Jindabyne and East Jindabyne Water Treatment Plant; EOI secured an invitation to submit a detailed application - SSWP075 Detailed Application submitted 24/4/18. Funding capped at \$35,000 being 50% of estimated TPC for scoping phase.	\$35,000
Aged Care Approvals Round 2018-19 - Part B Capital Grant - COMMONWEALTH	\$4,000,000	Capital - Expansion of Yallambee Lodge; 8 beds to cater for challenging behaviour plus 8 beds for rural & remote residents.	\$4,000,000
Youth Week 2019 - STATE	\$1,861	Operational - Youth Week (10-18 April 2019), funding total includes a transport subsidy element (\$400). YW2019-107	\$1,861
Safe and Secure Water Program - STATE	\$15,000,000	Capital - Upgrade of the Bombala and Delegate Water Supply Systems. *Approval letter received by SMRC 11th January 2019. ECM DSI # 3129823  <b>Background:</b> October 2018 - Business Case lodged under the Regional Communities Development Fund (STATE) \$14,680,068.	\$15,000,000
New Council Implementation Fund 2018 (NCIF) - STATE	\$5,300,000	Post-merger operational.  <b>Background:</b> Direct Ministerial Request –	\$3,500,000

9.4.4 GRANT APPLICATIONS - ACTIVITY SYNOPSIS AS AT 31 MARCH 2019

		Additional Funding Sought for New Council Implementation Purposes.	
Stronger Communities Fund 2018 (SCF) - STATE	\$961,093	Capital – 3 x SMRC projects: <ul style="list-style-type: none"> <li>- Cooma Multi-Function Centre Upgrade \$500,000;</li> <li>- Jindabyne Playground (Banjo Paterson Park) - Flying Fox \$100,000;</li> <li>- Cooma Truck Wash Facility Upgrade (Balance of funds) \$361,093. <b>Background:</b> Direct Ministerial Request - Balance of funds to deliver the full scope of works due to partial offer (\$600,000) under the Fixing Country Truck Wash (FCTW) program.</li> </ul> NOTE 1) Funding delivered by State under SCF 2018. NOTE 2) RNSW1166 Funding agreement execution 25 <sup>th</sup> January 2019 - \$600 000 via FCTW Program.	\$961,093
	NIL	12 x External Recipient Groups Projects: <p>SCF2018-1 Cooma North PS \$100,000;</p> <p>SCF2018-2 Cooma Rotary Club \$2,000;</p> <p>SCF2018-3 Monaro Family Support Service \$120,000;</p> <p>SCF2018-4 Berridale PS P&amp;C \$10,000;</p> <p>SCF2018-5 Cooma Men's Shed \$150,000;</p> <p>SCF2018-6 Bombala &amp; District BCC \$250,000;</p> <p>SCF2018-7 Snowy Mountains Neighbourhood Centre \$60,000;</p> <p>SCF2018-8 Monaro Air Rifle Club \$25,000;</p> <p>SCF2018-9 Delegate Progress Association \$11,200;</p> <p>SCF2018-10 Cooma Pony Club \$35,000;</p> <p>SCF2018-11 Adaminaby PS \$23,000;</p> <p>SCF2018-12 St Patrick's Parish School \$3,500.</p>	\$789,700
Regional Growth Fund - Regional Cultural Fund Round 2 - STATE	\$3,000,000	Capital - Construction of the Jindabyne Community Library and Innovation Hub; Involves partnership with the Department of Education. RCF18A093	\$3,000,000
Regional Growth Fund – Stronger Country Communities Fund Round 2 (SCCF2) - STATE	\$10,762,531	Capital – Seven (7) projects encompassing 14 individual capital project elements to be delivered by Council.	\$6,158,227



		<p><b>SCCF2-0349 SMRC Boating Facility Upgrade Program \$550,000</b></p> <ul style="list-style-type: none"> <li>- Lake Jindabyne Boat Ramp \$250,000; Lake Eucumbene Boat Ramp (Old Adaminaby) \$300,000</li> </ul> <p><b>SCCF2-0357 SMRC Public Facility Upgrade Program \$207,430</b></p> <ul style="list-style-type: none"> <li>- Bombala Arts &amp; Innovation Centre Building Upgrade \$207,430</li> </ul> <p><b>SCCF2-0664 SMRC Shared Trails Upgrade Program \$500,000</b></p> <ul style="list-style-type: none"> <li>- Tyrolean to East Jindabyne \$350,000; Mt Gladstone \$150,000</li> </ul> <p><b>SCCF2-0665 SMRC Town Centre Upgrade Program \$414,900</b></p> <ul style="list-style-type: none"> <li>- Lions Park (Cooma) \$414,900</li> </ul> <p><b>SCCF2-0666 SMRC Pool Upgrade Program \$3,052,000</b></p> <ul style="list-style-type: none"> <li>- Bombala Pool Upgrade \$1,483,360.50; Cooma Pool Upgrade \$1,568,639.50</li> </ul> <p><b>SCCF2-0977 SMRC Sporting Facilities Upgrade Program \$960 000</b></p> <ul style="list-style-type: none"> <li>- Jindabyne Sports Ground Upgrade \$450,000; Nijong Oval Learn to Ride Bike Path \$210,000; Bombala Showground \$80,000; Dalgety Showground \$100,000; and Delegate Showground Irrigation \$120,000</li> </ul> <p><b>SCCF2-0996 SMRC Town Centre Upgrade Program \$473,897</b></p> <ul style="list-style-type: none"> <li>- Cooma Creek Beautification \$473,897</li> </ul> <p><b>Background:</b> 14 x Applications for 29 project elements; Council Resolution 146/18 link. Submitted 4/5/18</p>	
2019 NSW Seniors Festival Grants Program (Category 2) - STATE	\$2,250	Operational - 'Mountain Muster'; Seniors focused outings and workshops in February 2019.	\$1,800
Community Safety Fund 2018 STATE	\$125,406	Capital - 'Lighten Up Snowy' project, safety lighting infrastructure (44 locations across 8 site areas, including skate parks and library locations). CSF19057	\$108,680
Heritage Near Me – Strategic Grants	\$83,600	Capital – Auspice for Imperial Hotel	\$83,600

9.4.4 GRANT APPLICATIONS - ACTIVITY SYNOPSIS AS AT 31 MARCH 2019

Program - STATE		Bombala site. Ref: HNMSTR1600289	
Crown Land Plan of Management Funding - STATE	\$81,688	Operational – Development of SMRC Crown Land Plan of Management	\$81,688
Restoration & Rehabilitation Grant - Environmental Trust - STATE	\$74,525	Operational - Vegetation/Environmental Management – Hawkweed Monitoring (UAV/Drone related); 2018/SL/0038	\$74,525
SES Unit Building Grant - STATE	\$5,471	Capital - Bombala SES Building; Automated roller doors (2).	\$5,471
Direct Ministerial Request – Funding Approved by Department of Premier & Cabinet - STATE	\$200,000 (Maximum claim)	Capital - Options Study for Bombala & Delegate Water Systems.	\$200,000
Local Government Road Safety Program Project – RSO Related - STATE	\$1,500	Operational - Australasian Road Safety Conference 2018 Registration.	\$1,500
Recycling Relief Fund - EPA - STATE	\$51,033 <i>*January 2019 EPA confirmed amount</i>	Operational - Offset price rises associated with increased recycling costs as a result of China's National Sword policy. RRF/0022	\$46,549*
Be Connected - Get Online Week - PHILANTHROPIC/COMMONWEALTH	\$1,500	Operational - Get Online Week event; Library related.	\$1,500
Be Connected - Activation Grant - PHILANTHROPIC/COMMONWEALTH	\$2,000	Operational - Digital support for older Australians; Library related.	\$2,000

**Grant Applications – Unsuccessful**

Funding Program & Origin	Grant Request	Project Details
Aged Care Approvals Round 2018-19 - Part B Capital Grant - COMMONWEALTH	\$8,000,000	Capital - Establishment of a residential aged care facility in Jindabyne (new service).
Safer Communities Fund - Round 3 Infrastructure - COMMONWEALTH	\$10,399	Capital – Installation of CCTV cameras at Cooma & Bombala library sites.
Safer Communities Fund - Round 3 Infrastructure - COMMONWEALTH	\$110,808	Capital - Jindabyne Township Safety Lighting project; CPTED related.
Saving our Species Contestable Grants - Environmental Trust - STATE	\$299,044	Operational - Biosecurity 8 year project; Vegetation & environmental identification, mapping and conservation. 2018/SSC/0042
Fixing Country Truck Washes - STATE	\$796,902	Bombala Truck Wash Upgrade. Lodged 18/12/18.
2019 Women's Week Event Grant Program - STATE	\$1,000	Operational – Women's Day in Delegate. November 2018 Reference: WWG2019168
Music NSW – Indent Event Development Grant - STATE	\$2,500	Operational - 'Regional Sundown Tour'; Youth Council related, event platform for young regional musicians.
Aged Care Regional, Rural & Remote Infrastructure - COMMONWEALTH	\$488,455	Capital – Yallambee Lodge Upgrade. October 2018 Reference: WWQ5SZL
Aged Care Regional, Rural & Remote Infrastructure - COMMONWEALTH	\$465,718	Capital – Snowy River Hostel Upgrade. October Reference: R7K8N7K

9.4.4 GRANT APPLICATIONS - ACTIVITY SYNOPSIS AS AT 31 MARCH 2019

Aged Care Regional, Rural & Remote Infrastructure - COMMONWEALTH	\$152,069	Capital – Werri Nina Centre Kitchen Upgrade. October 2018 Reference: 8G22VML
Building Better Regions Fund Round 2 - COMMONWEALTH	\$3,500,000	Capital - Adaminaby STP Upgrade (50% of Total Project Cost).
Safe & Secure Water Program - STATE	\$3,193,000	Capital - Adaminaby STP Upgrade (Balance - 50% of construction phase cost); EOI secured an invitation to submit a detailed application: SSWP058 Detailed Application Lodged 20/7/2018

**Grant Applications – Lodgements Pending Outcome**

Funding Program & Origin	Grant Request	Project Details
Crown Reserve Improvement Fund Program (CRIFP) 2019-20 - STATE	\$15,477	Capital - Solar system, inverter & smart metering at Snowy River Holiday Park – Dalgety CP Trust.
Crown Reserve Improvement Fund Program (CRIFP) 2019-20 - STATE	\$149,676	Capital - Apex Park (Bombala Caravan Park) electrical and drainage upgrades.
Crown Reserve Improvement Fund Program (CRIFP) 2019-20 - STATE	\$20,000	Operational - Michelago Cemetery. General upgrade works related to treefall risk mitigation.
Crown Reserve Improvement Fund Program (CRIFP) 2019-20 - STATE	\$194,547	34 x Operational - Vegetation Management projects. Noxious weed control on Crown land.
Landfill Consolidation and Environmental Improvements (Stream 1) - STATE	\$200,000	Delegate Landfill – Partial capping and closure.
Local Government Heritage Advisors 2019-21 - STATE	\$10,000 <i>per annum</i>	Operational - Snowy Monaro service delivery across 2 years. Reference: LG026-19-21HA015.
Local Government Small Heritage Grants Program 2019-21 - STATE	\$10,000 <i>per annum</i>	Operational – Facilitate delivery of ‘Snowy Monaro Regional Council Local Heritage Grants’ program across a 2 year span. Reference: LG026-19-21SHG018
Regional Growth Fund - Growing Local Economies Fund (GLE) - STATE	\$12,939,350	Capital - Lake Jindabyne Shared Trail Project; Project migrated for consideration under GLE with the support of Department of Premier & Cabinet.  <b>As at 2019</b> - Negotiations continue with the DPC, with capital cost estimates in review.
Safe & Secure Water Program (SSWP) - STATE	\$60,000	Scoping Study - Michelago Water and Sewage Infrastructure; EOI secured an invitation to submit a detailed application - SSWP147  <b>March 2019</b> : Negotiations with Dept. of Industry to migrate project to the revised SSWP.

**Grant Opportunities – Upcoming**

Funding Program & Origin	Fund Basics	Project Considerations	Close Date
Safe & Secure Water Program - STATE	The SSWP will co-fund eligible water and sewerage projects in regional NSW through improvements to public health,	The program is transitioning to a revised criteria; eligible applications remain open	To Be Confirmed

9.4.4 GRANT APPLICATIONS - ACTIVITY SYNOPSIS AS AT 31 MARCH 2019

	water security, environmental outcomes and/or social benefits.	under the former guidelines for submit by 1 April 2019. Progressive review of Water & Waste Water project options.	
Fixing Country Roads 2019 (FCR) - STATE	Competitive program with capped funding levels. Various streams under the FCR banner including Roads and Bridges Construction Stream; Bridge and Route Load Assessment Stream; Truck Washes Stream; and Fixing Country Rail. New FCR Guidelines and forms soon to be released.	Roads and Facilities Teams reviewing suitable projects.  Solid business case development required, with clearly articulated freight benefits.	Ongoing
Community War Memorials Fund (Round 2) - STATE	Grants to help conserve, repair and protect war memorials across NSW to support community commemoration. The Community War Memorials Fund awards grants of up to \$10,000.	Operational team are reviewing the scope of works required at the Bombala Cenotaph, in consult with the RSL as a key stakeholder.	25 April 2019
Local Sport Defibrillator Grant Program - STATE	The program provides NSW sports clubs and councils the opportunity to acquire an AED package for their club or sports facility at a reduced cost. SMRC is in Zone 2 - Up to 50 per cent of the AED package with maximum grant of \$1,300.	Facilities Team reviewing needs and nomination options.	6 May 2019
Regional Tourism Product Development Fund - STATE	Program offers between \$15,000-\$150,000 for new accommodation, infrastructure projects, visitor signposting, tour/itinerary development or new attractions/experiences. Funding must be, at least, matched dollar-for-dollar.	Review of opportunities in context of criteria & co-contribution availability.	30 June 2019
Regional Community Energy Fund - STATE	Fund will support renewable energy and storage projects owned or led by communities in regional NSW that are 'shovel ready' or in progressed stages of development. The maximum funding awarded for each project will be 50% of total project costs or \$3.5 million, whichever is lower.	Review of opportunities in context of criteria & co-contribution availability.	3 May 2019
My Community Project - STATE	Program enables individuals to put forward ideas for projects in their area, and a public vote will show which projects have the most community support to receive funding. Successful	'Sponsoring' a project means that, if successful, the Council itself will be expected to enter into a funding agreement with the NSW Government.	15 May 2019

9.4.4 GRANT APPLICATIONS - ACTIVITY SYNOPSIS AS AT 31 MARCH 2019

	projects will receive funding between \$20,000 and \$200,000. Funding will be distributed equally across all 93 NSW electorates, with the total funding pool for 2019 pitched as \$24.4M.		
Low Cost Loans Initiative for Councils - STATE	Program assists councils with the cost of borrowing to fund new infrastructure by providing a 50% refund of the interest paid on loans. Aims to help councils to bring forward delivery of infrastructure they have been planning to support their growing communities in new housing areas.	Strategic opportunity for Council to consider.	16 May 2019

#### 4. Civic Leadership

A proactive grant sourcing approach aligns strongly with the role and responsibilities of Council.

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#### **9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW**

Record No:

Responsible Officer:	General Manager
Author:	Senior Internal Auditor
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.1 Independent audit and risk framework drives accountability
Attachments:	1. Audit, Risk and Improvement Committee (ARIC) - Minutes of Meeting held on 6 March 2019 2. Audit, Risk and Improvement Committee (ARIC) - Chair's Discussion Summary of meeting held on 6 March 2019 3. Audit, Risk and Improvement Committee (ARIC) Charter
Cost Centre	3136 - Internal Audit

#### **EXECUTIVE SUMMARY**

The Audit, Risk and Improvement Committee met on 6 March 2019 in Council Chambers, Cooma. The minutes of meeting and Chair's discussion summary are presented for Council's information. The Committee recommended updates to its Charter which is attached to this report for Council's approval.

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

#### **OFFICER'S RECOMMENDATION**

That Council

- A. Receive and note the minutes and Chair's discussion summary of the meeting of the Audit, Risk and Improvement Committee held on 6 March 2019.
- B. Approve the Audit, Risk and Improvement Committee Charter

#### **BACKGROUND**

The Snowy Monaro Regional Council Audit, Risk and Improvement Committee (Committee) was established in June 2016. The current charter was adopted by Council in September 2017. The Committee comprises four independent members and one councillor.

The Committee provides independent assurance and assistance to Council in respect to risk management, the control framework, legislative compliance, internal audit and external accountability responsibilities. The Committee relies on the work of the internal audit to provide more in-depth assessment of the council's risk and control environment.

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The Committee, at its meeting on 6 March 2019 reviewed its charter and recommended the following updates:

- The Organisational Risk Officer added as a non-voting member of the Committee
- The reporting lines diagram on page 6 aligned with that in the Internal Audit Charter

The Committee would like to express its appreciation for the full support and cooperation that it has received from all levels of Council personnel and management in answering questions, facilitating audits and responding to audit concerns.

#### **QUADRUPLE BOTTOM LINE REPORTING**

##### **1. Social**

Advantages to the community from the Audit, Risk and Improvement Committee result in independent oversight of controls and operations, giving assurance to the Community that Council is systematically addressing risk, ensuring compliance and providing best practice.

##### **2. Environmental**

It is not expected that there will be any impact on the environment through the actions of the Audit, Risk and Improvement Committee.

##### **3. Economic**

Costs for the operations of the Audit, Risk and Improvement Committee are met in the budget as set.

##### **4. Civic Leadership**

An effective Audit, Risk and Improvement Committee has the potential to strengthen the control environment (of which it is part) and assist the General Manager and council to fulfil their stewardship, leadership and control responsibilities. The Audit, Risk and Improvement Committee has its own Charter which is resolved by Council. The Audit, Risk and Improvement Committee Charter outlines the authority, role and responsibility of the Audit, Risk and Improvement Committee.

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# Minutes

**Audit, Risk And Improvement Committee Meeting**

**6 March 2019**

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**AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING  
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630  
ON WEDNESDAY 6 MARCH 2019**

**MINUTES**

Notes:

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<b>2.</b>	<b>APOLOGIES.....</b>	<b>3</b>
<b>3.</b>	<b>DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST.....</b>	<b>3</b>
<b>4.</b>	<b>ADOPTION OF MINUTES OF PREVIOUS MEETING .....</b>	<b>4</b>
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9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - MINUTES OF MEETING HELD ON 6 MARCH 2019

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**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING  
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630**

**ON WEDNESDAY, 6 MARCH 2019  
COMMENCING AT 10AM**

**PRESENT:**

**Voting Attendees:** Max Shanahan, Chair  
Miles Pearson, External Member  
John Barbeler, External Member from 10.09am  
Adam Vine, External Member  
Councillor Anne Maslin, Council Member from 10.06am

**Non-Voting Attendees:** Peter Bascomb, General Manager  
Tarang Kamath, Senior Internal Auditor

**Guests:** Iliada Bolton, Executive Manager Innovation and Business Development  
Lawrissa Chan, Director - Financial Audit - Audit Office of NSW  
Peter Cannizzaro, Director Corporate and Community Services  
Matt Payne, Chief Financial Officer  
Jacqueline Sullivan, Management Accountant  
Michael Kharzoo, Audit Leader - Financial Audit - Audit Office of NSW  
Geri Hutchison, Quality Assurance Officer  
Councillor John Last, Council Member

**Secretariat:** Lisa McKenzie, IBD Administration Officer

**1. OPENING OF THE MEETING**

The Chair opened the meeting at 10:02AM with Acknowledgement of Country and showing respect to the First Custodians of Snowy Monaro lands.

**2. APOLOGIES**

Nil

**3. DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST**

Nil

## 9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

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#### 4. ADOPTION OF MINUTES OF PREVIOUS MEETING

##### 4.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING 5 DECEMBER 2018

<b>COMMITTEE RECOMMENDATION</b>		<b>ARIC1/19</b>
THAT the minutes of the Audit, Risk And Improvement Committee Meeting held on 05 December 2018 are confirmed as a true and accurate record of proceedings.		
<b>Moved Mr Pearson</b>	<b>Seconded Mr Vine</b>	<b>CARRIED</b>

#### 5. BUSINESS ARISING

##### Attendance of Councillor

Clr Maslin joined the meeting at 10.06am during discussion of Item 5.1 Audit, Risk and Improvement Committee Recommendations.

##### Attendance of External Member

Mr Barbelier joined the meeting at 10.09am during discussion of Item 5.1 Audit, Risk and Improvement Committee Recommendations.

#### 5.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE RECOMMENDATIONS

Record No:

Responsible Officer:	General Manager
Author:	Senior Internal Auditor
Key Direction:	4. Leadership Outcomes
Delivery Plan Strategy:	10.2 Sound governance practices direct Council business and decision making
Operational Plan Action:	10.2.1 Independent audit and risk framework drives accountability
Attachments:	1. Audit, Risk and Improvement Committee Recommendations
Cost Centre	3136 – Internal Audit

##### EXECUTIVE SUMMARY

The Audit, Risk and Improvement Committee (Committee) makes resolutions in relation to the reports presented at its meetings. This paper serves to provide a report on the progress of the Committee recommendations.

<b>COMMITTEE RECOMMENDATION</b>		<b>ARIC2/19</b>
That the Audit, Risk and Improvement Committee		
A. Note the progress report on Committee recommendations from the meetings of this Committee.		
B. Recommend that Resolution ARIC88/18 is kept on the Committee's recommendations progress report until the completion.		
<b>Moved Mr Pearson</b>	<b>Seconded Mr Vine</b>	<b>CARRIED</b>

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## 5.2 WORK HEALTH AND SAFETY

Record No:

Responsible Officer: Group Manager People & Culture  
Author: Risk & HR Officer  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.4 Council will manage service delivery in an efficient and sustainable way as an employer of choice  
Delivery Program Objectives: 10.4.1 Council employs an engaged multi -skilled, workforce and encourages staff to take ownership of service delivery in a responsible and efficient manner  
Cost Centre 6010  
Project Quarterly Activity Reporting

### EXECUTIVE SUMMARY

The Work, Health and Safety report for the September 2018 Quarter was submitted to the Audit, Risk and Improvement Committee (ARIC) Meeting on 5 December 2018. The report referred to a number of incidents with common characteristics and ARIC requested a further report to be tabled at the next ARIC meeting that outlines any remedial actions that have or are being taken to mitigate these risks.

This report details remedial action taken by Council's WHS and RTW Officer to mitigate further incidents.

### COMMITTEE RECOMMENDATION

ARIC3/19

That the Audit, Risk and Improvement Committee receive and note the Work, Health and Safety report.

CARRIED

## 6. PRESENTATIONS

Nil

## 7. SPECIAL AGENDA ITEMS

### 7.2 INTERNAL AUDIT RECOMMENDATIONS

Record No:

Responsible Officer: General Manager  
Author: Senior Internal Auditor  
Key Direction: 4. Leadership Outcomes  
Delivery Plan Strategy: 10.2 Sound governance practices direct Council business and decision making  
Operational Plan Action: 10.2.1 Independent audit and risk framework drives accountability  
Attachments: 1. Progress Report - Audit 16-02 - Fraud Control Health Check

#### 9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

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##### Recommendations

2. Progress Report - MIR 17-01 - Review Platypus Country Visitor Information Centre Recommendations
3. Progress Report - Audit 16-04 - Governance Health Check Recommendations

Cost Centre

3136 – Internal Audit

#### EXECUTIVE SUMMARY

Progress to date on internal audit recommendations is updated by responsible officers in the CAMMS global collaboration system. Internal Audit uses this system to monitor, follow-up and validate progress on recommendations. Prior to each meeting, Internal Audit extracts and prepares a report for the Audit, Risk and Improvement Committee. There are three recommendations that have been completed since the last meeting and five recommendations that are not due.

#### COMMITTEE RECOMMENDATION

ARIC4/19

That the Audit, Risk and Improvement Committee

- A. Note the report on internal audit recommendations
- B. Note the progress reports

- (a) Audit 16-02 - Fraud Control Health Check (SMRC)
- (b) MIR 17-01 - Review Platypus Country Visitor Information Centre
- (c) Audit 16-04 Governance Health Check

CARRIED

#### Attendance of Executive Manager Innovation and Business Development

Executive Manager Innovation and Business Development joined the meeting at 10.20am during discussion of Item 7.2 Internal Audit Recommendations.

#### 7.1 STATUS REPORT - RISK MANAGEMENT - DECEMBER 2018 TO FEBRUARY 2019

Record No:

Responsible Officer:	Executive Manager Innovation & Business Development
Key Direction:	4. Leadership Outcomes
Delivery Plan Strategy:	10.2 Sound governance practices direct Council business and decision making
Operational Plan Action:	10.2.1 Independent audit and risk framework drives accountability
Attachments:	<ol style="list-style-type: none"><li>1. DRAFT - Enterprise Risk Management Framework 2019</li><li>2. DRAFT - Policy - Enterprise Risk Management 2019</li><li>3. DRAFT Information Sheet - Risk Appetite Risk Tolerance</li><li>4. DRAFT Information Sheet - Risk Reporting 2019</li><li>5. DRAFT Risk Management Committee Terms of Reference</li><li>6. IBD Action and Task Progress Report - Organisational Risk</li></ol>
Cost Centre	3135 – Risk Management

#### 9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

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Project Operational Report

##### EXECUTIVE SUMMARY

This status report provides an update on the activities relating to Enterprise Risk for the period December 2018 to February 2019.

The position of Organisation Risk Officer is vacant and a seconded resource is undertaking some of the critical work while recruitment is underway.

##### COMMITTEE RECOMMENDATION

ARIC5/19

That the Audit, Risk and Improvement Committee:

- A. Receive and note the information in the risk management status report for the period December 2018 to February 2019.
- B. Provide any feedback by 13 March 2019 through the Chair of the Audit, Risk and Improvement Committee to the Executive Manager Innovation and Business Improvement on
  - a. DRAFT Enterprise Risk Management Framework;
  - b. DRAFT Enterprise Risk Management Policy;
  - c. DRAFT Information Sheet - Risk Appetite / Risk Tolerance;
  - d. DRAFT Information Sheet - Risk Reporting
  - e. DRAFT Risk Management Committee Terms of Reference

Moved Mr Pearson

Seconded Mr Vine

CARRIED

##### Attendance of Director - Financial Audit - Audit Office of NSW

Director - Financial Audit - Audit Office of NSW joined the meeting at 11.05am during discussion of Item 7.1 Status Report - Risk Management - December 2018 to February 2019.

##### Attendance of Executive Manager Innovation and Business Development

Executive Manager Innovation and Business Development left the meeting at 11.10am after discussion of Item 7.1 Status Report - Risk Management - December 2018 to February 2019.

#### 7.3 FRAUD AND CORRUPTION CONTROL

Record No:

Responsible Officer:	General Manager
Author:	Senior Internal Auditor
Key Direction:	4. Leadership Outcomes
Delivery Plan Strategy:	10.2 Sound governance practices direct Council business and decision making
Operational Plan Action:	10.2.1 Independent audit and risk framework drives accountability
Cost Centre	3136 – Internal Audit

##### EXECUTIVE SUMMARY

#### 9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

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Fraud and Corruption Control activities is a standard item on the Audit, Risk and Improvement Committee Agenda. The report advises the Committee of any allegations of fraudulent or corrupt conduct reported to the General Manager or to an external body such as ICAC.

##### COMMITTEE RECOMMENDATION

ARIC6/19

That the Audit, Risk and Improvement Committee note the report Fraud and Corruption Control.

CARRIED

#### 7.4 SMRC OPERATIONAL PLAN 2019 - LEADERSHIP

Record No:

Responsible Officer: General Manager

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

Cost Centre 3136 – Internal Audit

##### EXECUTIVE SUMMARY

In May 2018 Snowy Monaro Regional Council adopted the Snowy Monaro 2040 Community Strategic Plan, as required by the NSW Local Government Act 1993 and following a period of public exhibition.

The 2018-21 Delivery Program and 2019 Operational Plan details the priority objectives and actions in response to the Snowy Monaro 2040 Community Strategic Plan that is within Council's organisational capacity to achieve.

The Audit, Risk and Improvement Committee, at its meeting on 5 December 2018, requested (Resolution No. ARIC97/18) *that a verbal report by the General Manager regarding Council plans and direction be included in all meetings as a standard agenda item.*

##### COMMITTEE RECOMMENDATION

ARIC7/19

That the Audit, Risk and Improvement Committee receive and note the information in the report on Snowy Monaro Regional Council Operational Plan 2019.

CARRIED

##### Attendance of IBD Administration Officer

IBD Administration Officer was absent from the meeting from 11.23am during Item 7.4 SMRC Operational Plan 2019 - Leadership returning at 11.48am during Item 7.8 External Provider Recommendations.

##### Attendance of Director Corporate and Community Services, Chief Financial Officer and Management Accountant



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Director Corporate and Community Services, Chief Financial Officer and Management Accountant joined the meeting at 11.30am during discussion of Item 7.4 SMRC Operational Plan 2019 - Leadership.

#### 7.8 EXTERNAL PROVIDER RECOMMENDATIONS

Record No:

Responsible Officer: General Manager  
Author: Senior Internal Auditor  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making  
Delivery Program Objectives: 10.2.1 Independent audit and risk framework drives accountability  
Attachments: 1. Progress Report - Audit Office NSW - Final Management Letter Recommendations 2016-2017  
2. Progress Report - Audit Office NSW - Interim Management Letter Recommendations 2017-2018  
3. Progress Report - Audit Office NSW - Final Management Letter Recommendations 2017-2018  
Cost Centre 3136 – Internal Audit

#### EXECUTIVE SUMMARY

External Audits are performed at Snowy Monaro Regional Council for various stakeholders. This report serves to inform the Audit, Risk and Improvement Committee (the Committee) of the results of audits performed, progress on recommendations of the audits and relevant information provided by the stakeholders.

#### COMMITTEE RECOMMENDATION

ARIC8/19

That the Audit, Risk and Improvement Committee note the progress reports on recommendations from the Audit Office of New South Wales

- A. Final Management Letter 2016-2017
- B. Interim Management Letter 2017-2018
- C. Final Management Letter 2017-2018

CARRIED

#### Attendance of General Manager

General Manager was absent from the meeting from 11.43am during Item 7.8 External Provider Recommendations returning at 11.46am during same Item.

#### Attendance of Councillor

Clr Maslin was absent from the meeting from 11.50am during Item 7.8 External Provider Recommendations returning at 11.52am during same Item.

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#### 7.9 QUARTERLY BUDGET REVIEW STATEMENT (QBR) DECEMBER 2018

Record No:

Responsible Officer: Director Corporate and Community Services  
Author: Chief Financial Officer  
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 - December 2018  
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 September 2018 Quarterly Budget Review Statement (QBR) was adopted by council on 6 December 2018 and the December 2018 QBR was adopted on 21 February 2019.

#### COMMITTEE RECOMMENDATION

ARIC9/19

That Audit, Risk and Improvement Committee receive and note the Council adopted December 2018 Quarterly Budget Review Statement.

CARRIED

#### Attendance of Senior Internal Auditor

Senior Internal Auditor was absent from the meeting from 11.55am during Item 7.9 Quarterly Budget Review Statement (QBR) December 2018 returning at 11.58am during same Item.

#### Adjournment of Meeting

At 12.05pm the meeting adjourned for lunch

#### Resumption of Meeting

The meeting resumed at 12.32pm

#### 7.10 FINANCIAL STATEMENT PREPARATION PLAN 2019

Record No:

Responsible Officer: Director Corporate and Community Services  
Author: Financial Accountant  
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation  
Delivery Plan Strategy: DP7.1 Ensure that legislative obligations are met throughout all Council departments.  
Operational Plan Action: OP7.3 Completion of Financial statutory and regulatory reports in accordance with specified requirements.

#### 9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

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Attachments: 1. Financial Statement Preparation Plan 2019

##### EXECUTIVE SUMMARY

The attached Plan is presented to the Audit Risk and Improvement Committee for consideration and endorsement to ensure that financial statutory obligations for the Council are met and that participants are aware of their responsibilities for delivering the Financial Statements for the 2019 financial year.

##### COMMITTEE RECOMMENDATION

ARIC10/19

That the Audit, Risk and Improvement Committee

- A. Receive and note the attached Financial Statement Preparation Plan 2019.
- B. Request that a revised version of the plan updated as per the comments provided during the meeting be shared with the Committee by 31 March 2019 through the Senior Internal Auditor.

Moved Mr Barbeler

Seconded Mr Pearson

CARRIED

##### Attendance of IBD Administration Officer

IBD Administration Officer was absent from the meeting from 12.32pm during Item 7.10 Financial Statement Preparation Plan 2019 returning at 12.34pm during same Item.

##### Attendance of Audit Leader - Financial Audit - Audit Office of NSW

Audit Leader - Financial Audit - Audit Office of NSW joined the meeting over telephone at 12.43pm during discussion of Item 7.10 Financial Statement Preparation Plan 2019.

#### 7.11 AUDIT OFFICE OF NEW SOUTH WALES - ANNUAL ENGAGEMENT PLAN 2019

Record No:

Responsible Officer: Director Corporate and Community Services  
Author: Chief Financial Officer  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 11.2 Council utilises sound fiscal management practices, pursues and attracts other sources of income  
Delivery Program Objectives: 11.2.2 Provision of statutory reporting enables our leaders to make decisions on Council's financial sustainability  
Attachments: 1. Annual Engagement Plan 2019  
Cost Centre 4010 Financial Services

##### EXECUTIVE SUMMARY

The Audit Office of New South Wales' Director of Financial Audit, Lawrissa Chan, presents the attached Annual Engagement Plan (AEP) for consideration and endorsement to assist with ensuring that the financial statutory obligations for the Council are met within the legislative timeframes for the financial year ending 30 June 2019.

The Report to Parliament "Report on Local Government 2018" is also presented (attachment circulated separately 28 February 2019).

#### 9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

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##### COMMITTEE RECOMMENDATION

ARIC11/19

That the Audit, Risk and Improvement Committee

- A. Receive and note the attached Annual Engagement Plan (AEP) for the financial year ending 30 June 2019.
- B. Note the requirement to schedule an extraordinary Audit, Risk and Improvement Committee meeting between 16 to 25 October 2019 for the presentation of the Engagement Closing Report.
- C. Receive and note the Audit Office of New South Wales' Report to Parliament "Report on Local Government 2018" issued on 28<sup>th</sup> February 2019 (to be handed out by the Audit Office of NSW at the ARIC meeting on 6 March 2019).

CARRIED

##### Attendance of Councillor

Clr Maslin was absent from the meeting from 1.02pm during Item 7.11 Audit Office of New South Wales - Annual Engagement Plan 2019 returning at 1.04pm during same Item.

##### Attendance of Audit Leader - Financial Audit - Audit Office of NSW

Audit Leader - Financial Audit - Audit Office of NSW left the meeting at 1.05pm after discussion of Item 7.11 Audit Office of New South Wales - Annual Engagement Plan 2019.

##### Attendance of Management Accountant

Management Accountant left the meeting at 1.07pm after discussion of Item 7.11 Audit Office of New South Wales - Annual Engagement Plan 2019.

#### 7.5 MINUTES OF LOCAL EMERGENCY MANAGEMENT COMMITTEE AND LOCAL RESCUE COMMITTEE MEETINGS

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Group Manager Asset Management & Engineering
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:	<ul style="list-style-type: none"><li>1. Draft LEMC Meeting Minutes</li><li>2. Draft LRC Meeting Minutes</li><li>3. Fire and Rescue Report</li><li>4. REMO Report</li><li>5. RFS Report</li><li>6. SES Report</li></ul>

##### EXECUTIVE SUMMARY

The Snowy Monaro Local Emergency Management Committee (LEMC) is a committee established under Section 28(1) of the State Emergency & Rescue Management Act (1989), as amended and is defined in

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Schedule 2 as an organisation.

The LEMC meets 4 times a year and is chaired by the Group Manager Asset Management & Engineering. The Local Rescue Committee meets immediately after the LEMC on the same day.

#### COMMITTEE RECOMMENDATION

ARIC12/19

That the Audit, Risk and Improvement Committee receive and note the information in the Minutes of Local Emergency Management Committee Meeting.

CARRIED

#### Attendance of Quality Assurance Officer

Quality Assurance Officer joined the meeting at 1.07pm during discussion of Item 7.5 Minutes of Local Emergency Management Committee and Local Rescue Committee Meetings.

#### 8.1 GAP ANALYSIS - FRAUD CONTROLS IN LOCAL COUNCILS

Record No:

Responsible Officer: Chief Financial Officer  
Author: Quality Assurance Officer  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making  
Delivery Program Objectives: 10.2.1 Independent audit and risk framework drives accountability  
Attachments: 1. Fraud Controls Gap Analysis - ELT Report, 20 February 2019  
Cost Centre: 3120 – Corporate Governance

#### EXECUTIVE SUMMARY

This report presents to ARIC the findings from a gap analysis report prepared by the Quality Assurance Officer, in response to the New South Wales Auditor-General's Performance Audit Report, 'Fraud Controls in Local Councils', published by the NSW Audit Office in June 2018, and subsequent Office of Local Government (OLG) Circular issued in November 2018. The findings in this report were presented to the Executive Leadership Team (ELT) on 20 February 2019.

#### COMMITTEE RECOMMENDATION

ARIC13/19

That Audit, Risk and Improvement Committee receive and note the information contained within the attached gap analysis report on Fraud Controls in Local Government.

CARRIED

#### Attendance of Councillor

Clr Maslin was absent from the meeting from 1.12pm during Item 8.1 Gap Analysis - Fraud Controls in Local Councils returning at 1.12pm during same Item.

#### Attendance of Director Corporate and Community Services, Chief Financial Officer and Quality Assurance Officer

#### 9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

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Director Corporate and Community Services, Chief Financial Officer and Quality Assurance Officer left the meeting at 1.22pm after discussion of Item 7.5 Gap Analysis - Fraud Controls in Local Councils.

#### 7.6 AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER REVIEW

Record No:

Responsible Officer: General Manager  
Author: Senior Internal Auditor  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making  
Delivery Program Objectives: 10.2.1 Independent audit and risk framework drives accountability  
Attachments: 1. Audit, Risk and Improvement Committee Charter  
Cost Centre 3136 - Internal Audit

#### EXECUTIVE SUMMARY

The Audit, Risk and Improvement Committee Charter requires that the Charter is reviewed at least once every year and any substantive changes are to be recommended by the Committee and approved by Council.

#### COMMITTEE RECOMMENDATION

ARIC14/19

That Audit, Risk and Improvement Committee

- A. Recommend the following changes:
- i. Section 4.2 - Add the Organisational Risk Officer as a non-voting member of the Committee
  - ii. Section 6.1 - Change Reporting Lines diagram to align with the Committee's reporting lines as per the Internal Audit Charter
- B. Recommend that the updated Charter be presented to Council for approval.

Moved Mr Pearson

Seconded Mr Vine

CARRIED

#### 7.7 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING DATES FOR FINANCIAL YEAR 2019/2020

Record No:

Responsible Officer: General Manager  
Author: Senior Internal Auditor  
Key Direction: 4. Leadership Outcomes  
Delivery Plan Strategy: 10.2 Sound governance practices direct Council business and decision making  
Operational Plan Action: 10.2.1 Independent audit and risk framework drives accountability  
Cost Centre 3136 – Internal Audit

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#### EXECUTIVE SUMMARY

To confirm the meeting schedule for the Audit, Risk and Improvement Committee for the Financial Year 2019/2020.

COMMITTEE RECOMMENDATION		ARIC15/19
That the Audit, Risk and Improvement Committee		
A. Recommend that preferred meeting dates for June 2019 and Financial Year 2019/20 be gathered using online tool "Doodle Poll".		
B. Recommend that the date for meeting in June 2019 be decided and communicated out of session.		
C. Recommend that the preferred dates for Financial Year 2019/20 be presented and resolved at the Committee next meeting in June 2019.		
Moved Mr Pearson	Seconded Mr Vine	CARRIED

## 8. REPORTS

### 8.2 INTERNAL AUDIT ACTIVITIES - DECEMBER 2018 TO FEBRUARY 2019

Record No:

Responsible Officer:	General Manager
Author:	Senior Internal Auditor
Key Direction:	4. Leadership Outcomes
Delivery Plan Strategy:	10.2 Sound governance practices direct Council business and decision making
Operational Plan Action:	10.2.1 Independent audit and risk framework drives accountability
Attachments:	1. Strategic Internal Audit Work Plan 2018-2022
Cost Centre	3136 – Internal Audit

#### EXECUTIVE SUMMARY

This report serves to inform the Audit, Risk and Improvement Committee (the Committee) of the Internal Audit activities for the period December 2018 to February 2019.

COMMITTEE RECOMMENDATION		ARIC16/19
That the Audit, Risk and Improvement Committee		
A. Note the report of Internal Audit activities for the period December 2018 to February 2019.		
B. Note the updates made to Annual Internal Audit Work Plan for Financial Year 2018-2019		
		CARRIED

#### Attendance of Councillor

Clr Last joined the meeting at 2.25pm after discussion of Item 8.2 Internal Audit Activities - December 2018 to February 2019.

#### 9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

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##### Attendance of Councillor

Clr Last left the meeting at 2.39pm after discussion of Item 8.2 Internal Audit Activities - December 2018 to February 2019.

##### 8.3 DRAFT ANNUAL INTERNAL AUDIT WORK PLAN FOR FINANCIAL YEAR 2019/20

Record No:

Responsible Officer: General Manager  
Author: Senior Internal Auditor  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making  
Delivery Program Objectives: 10.2.1 Independent audit and risk framework drives accountability  
Attachments: 1. DRAFT Annual Internal Audit Work Plan for Financial Year 2019/20  
Cost Centre 3136 - Internal Audit

##### EXECUTIVE SUMMARY

The Audit, Risk and Improvement Committee Schedule of Review dictates that a draft of the Annual Internal Audit Work Plan for the next financial year needs to be provided to the Committee at its meeting in March.

Internal Audit is unable to schedule all the audits proposed for Financial Year 2019/20 in the Strategic Internal Audit Work Plan 2018-2022 due limited number of working days available for the Senior Internal Auditor.

##### COMMITTEE RECOMMENDATION

ARIC17/19

That Audit, Risk and Improvement Committee

- A. Receive and note the information in the report on draft Annual Internal Audit Work Plan for Financial Year 2019/20
- B. Provide inputs on the draft plan and recommend incorporation into the Strategic Internal Audit Work Plan 2019-2023

Moved Mr Pearson

Seconded Mr Vine

CARRIED

##### 8.4 AUDIT, RISK AND IMPROVEMENT COMMITTEE SCHEDULE OF REVIEW

Record No:

Responsible Officer: General Manager  
Author: Senior Internal Auditor  
Key Direction: 4. Leadership Outcomes  
Delivery Plan Strategy: 10.2 Sound governance practices direct Council business and decision making



#### 9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

#### ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - MINUTES OF MEETING HELD ON 6 MARCH 2019

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MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL  
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Operational Plan Action: 10.2.1 Independent audit and risk framework drives accountability  
Attachments: 1. SMRC ARIC Schedule of Review  
Cost Centre 3136 – Internal Audit

##### EXECUTIVE SUMMARY

Attached the Schedule of Review for the Audit, Risk and Improvement Committee for information.

##### COMMITTEE RECOMMENDATION

ARIC18/19

That the Audit, Risk and Improvement Committee note the information contained in the Schedule of Review for the coming periods.

CARRIED

#### 8.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE PERFORMANCE ASSESSMENT QUESTIONNAIRE

Record No:

Responsible Officer: General Manager  
Author: Senior Internal Auditor  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making  
Delivery Program Objectives: 10.2.1 Independent audit and risk framework drives accountability  
Attachments: 1. Audit, Risk and Improvement Committee Performance Assessment Questionnaire  
Cost Centre 3136 - Internal Audit

##### EXECUTIVE SUMMARY

The Audit, Risk and Improvement Committee Charter requires a performance assessment of the Committee to be performed once every two years.

The Chair requested the Senior Internal Auditor to place the indicative questionnaire on the Committee meeting agenda to enable discussion during the meeting.

##### COMMITTEE RECOMMENDATION

ARIC19/19

That Audit, Risk and Improvement Committee

- A. Receive and note the information in the attached performance assessment questionnaire
- B. Recommend that the Senior Internal Auditor circulate the questionnaire and the results be presented to the next Committee meeting (June 2019).
- C. Recommend that the questionnaire be sent to Clr Castellari as this is Clr Maslin's first meeting.

Moved Mr Barbeler

Seconded Mr Pearson

CARRIED

Attendance of General Manager

MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL  
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General Manager left the meeting at 3.01pm after discussion of Item 8.5 Audit, Risk and Improvement Committee Performance Assessment Questionnaire.

**Adjournment of Meeting**

At 3.02pm the meeting adjourned for afternoon tea.

**Resumption of Meeting**

The meeting resumed at 3.12pm.

**Attendance of Executive Manager Innovation and Business Development**

Executive Manager Innovation and Business Development joined the meeting at 3.12pm before discussion of Item 9.1 Extensive Service Level Analysis Resource & Waste Management.

**9. GENERAL BUSINESS**

**9.1 EXTENSIVE SERVICE LEVEL ANALYSIS RESOURCE & WASTE MANAGEMENT**

Record No:

Responsible Officer:	Executive Manager Innovation & Business Development
Author:	Project Specialist Innovation & Business Development
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1.1.1 Ensure that legislative obligations are met throughout all Council departments.
Operational Plan Action:	OP7.5 Complete reporting requirements in accordance with legislation.
Attachments:	1. Extensive Service Level Analysis Resource and Waste Management (Under Separate Cover) 2. Response from Group Manager Resource & Waste Management - Implementation Update
Cost Centre	3131 Business Development
Project	Extensive Service Level Analysis Resource & Waste Management

**EXECUTIVE SUMMARY**

Innovation and Business Development completed an Extensive Service Level Analysis on Resource & Waste Management in January 2018.

The Service Review involved consultation with various key stakeholders and informed a lot of work currently being undertaken in the 18/19 Operational Plan.

On completion of the report it was recommended by Innovation & Business Development that all Key Findings and Proposed Actions were approved and authorised for implementation into the organisations Business Intelligence software for monitoring and review.

**COMMITTEE RECOMMENDATION**

ARIC20/19

That the Audit, Risk and Improvement Committee

A. Receive and note the Resource & Waste Management Extensive Service Level Analysis Final

9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - MINUTES OF MEETING HELD ON 6 MARCH 2019

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MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL

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Report

- B. Request that Group Manager Transport Infrastructure (Operations) present the results and actions taken on the *Road Maintenance Deep Dive Service Review* at the Committee's next meeting (June 2019).
- C. Recommend that the status on the *Extensive Service Level Analysis Resource and Waste Management* be presented to the Committee's meeting in 12 months (March 2020).

Moved Mr Vine

Seconded Mr Barbeler

CARRIED

**10. NEXT MEETING**

Date for the Committee's next meeting will be communicated out of session.

There being no further business the Chair declared the meeting closed at 3.40pm.

CHAIRPERSON

The above minutes of the Audit, Risk And Improvement Committee Meeting of Snowy Monaro Regional Council held on 6 March 2019 were confirmed by Committee at a duly convened meeting on 14 June 2019 at which meeting the signature hereon was subscribed.

## 9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

### ATTACHMENT 2 AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - CHAIR'S DISCUSSION SUMMARY OF MEETING HELD ON 6 MARCH 2019

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Snowy Monaro Regional Council  
Audit, Risk and Improvement Committee  
March 2019  
Chair's Discussion Summary

	<b>Summary of Committee Discussion</b>
<b>5</b>	<b>Business Arising</b>
<b>5.1</b>	<b>Audit, Risk and Improvement Committee Recommendations</b>
	The committee reviewed progress with the various action items noting that several items were being addressed in the papers provided. Committee members requested that the Resolution No. ARIC88/18 is kept on the Committee's recommendations progress report until the completion.
<b>5.2</b>	<b>Work Health and Safety</b>
	The committee noted the Work, Health and Safety report and commented positively on the steps taken. The committee suggested that council staff should be informed about the actions taken. The committee members discussed whether it should be kept aware of the undergoing reviews of work, health and safety given its importance and General Manager's concerns on resilience of WH&S processes. The Chair noted that work health and safety was a standard topic in the committee's work program and would be considered in October.
<b>6</b>	<b>Presentations</b>
	Nil
<b>7</b>	<b>Special Agenda Items</b>
<b>7.1</b>	<b>Status Report- Risk Management- December 2018 to February 2019</b>
	Executive Manager, Innovation & Business Development reported on progress in development of a risk management framework and other policies. The committee noted positively about the progress with internal resources developments but expressed concern about delays in development of BCP. The committee members agreed to provide feedback on drafts provided, out of session.
<b>7.2</b>	<b>Internal Audit Recommendations</b>
	The Audit, Risk and Improvement Committee noted progress with audit recommendations.
<b>7.3</b>	<b>Fraud and Corruption Control</b>
	The General Manager reported progress in the investigation of potential fraud/conflict of interest, noting that, while he had hoped the independent investigation would have been completed by January, it was taking longer than he had anticipated. The committee asked whether it had been raised with ICAC and he indicated that it had but they were satisfied that it could be dealt with within council.
<b>7.4</b>	<b>SMRC Operational Plan 2019- Leadership</b>
	The General Manager discussed the potential impact of Snowy 2.0 on council's activities, and, the continued concern about the effect staffing levels might have on councils' ability to delivery outcomes. This was welcomed by the committee. In response to questions by a committee member, the Chair noted that the objective of this session was not necessarily to discuss the progress of the operation plan, but to provide an opportunity for the General Manager to brief the committee on strategic and operational issues.

## 9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

### ATTACHMENT 2 AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - CHAIR'S DISCUSSION SUMMARY OF MEETING HELD ON 6 MARCH 2019

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<b>7.5</b>	<b>Minutes of Local Emergency Management Committee and Local Rescue Committee Meetings</b>
	The committee noted the report.
<b>7.6</b>	<b>Audit, Risk and Improvement Committee Charter Review</b>
	The Chair questioned whether a review was appropriate at this stage since OLG would potentially be providing more detailed guidance and changes this year. The committee member suggested some changes to the current charter including adding the Organisational Risk Officer as a non-voting member of the Committee, and revising the reporting lines diagram to align with the Committee's reporting lines as per the Internal Audit Charter.
<b>7.7</b>	<b>Audit, Risk and Improvement Committee Meeting dates for Financial Year 2019/2020</b>
	The committee agreed that additional meeting would be required to allow the Financial statements to be progressed in a timely manner. Dates were discussed and it was agreed that specific dates would be considered once all committee member were canvassed using doodle.com.
<b>7.8</b>	<b>External Provider Recommendations</b>
	The committee reviewed progress in implementing recommendations from the external auditor with the CFO, noting that, in some cases, the progress on dealing with an issue was dependent on the implementation of new systems.
<b>7.9</b>	<b>Quarterly Budget Review Statement (QBRs) December 2018</b>
	The committee noted the quarterly budget review statement.
<b>7.10</b>	<b>Financial Statement Preparation Plan 2019</b>
	<p>The committee discussed the draft financial statement plan. Issues raised included that need for clear dates so that progress can be monitored, clarity about quality processes and responsibilities, as well the need for a register of issues that have been raised and resolved. External dependences for which the CFO may not be directly responsible should be clearly identified and monitored. The committee asked whether there would be an earlier close but was informed there would not be. The committee noted that some of the financial elements had both a high inherent risk level and a high residual risk level, and encouraged management to look at how to lower the residual risk levels.</p> <p>The committee were interested in the assurance letter signed by the Mayor and Councillor and whether they were being provided with lower level assurance sign-offs to give them confidence that they could sign the letter.</p>
<b>7.11</b>	<b>Audit Office of New South Wales- Annual Financial Audit, Engagement Plan 2019</b>
	Lawrissa Chan, Director, Audit Office NSW, attended the meeting and briefed the committee on annual engagement plan. The key issues in the plan were discussed. The outcomes from the Audit Office's February 2019 report Local Government 2018 was also discussed. The Chair thanked Ms Chan for her attendance.

#### 9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

#### ATTACHMENT 2 AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - CHAIR'S DISCUSSION SUMMARY OF MEETING HELD ON 6 MARCH 2019

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Snowy Monaro Regional Council  
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Chair's Discussion Summary

<b>8</b>	<b>Reports</b>
<b>8.1</b>	<b>Gap Analysis- Fraud Controls in Local Councils</b>
	The committee reviewed the Quality Assurance Officer analysis of the New South Wales Auditor-General's Performance Audit Report, 'Fraud Controls in Local Councils'. The committee commented positively on the analysis document supporting the recommendations made.
<b>8.2</b>	<b>Internal Audit Activities - December 2018 to February 2019</b>
	The Senior Internal Auditor presented a report on his activities. The committee congratulated him on completing his probation period and his ongoing work in engaging with council staff. The committee also note the strategic audit plan.
<b>8.3</b>	<b>Draft Annual Internal Audit Work Plan for Financial Year 2019/20</b>
	Progress with the internal audit work plan was discussed, noting the comment in the report that internal audit is unable to schedule all audits for 2019/20 because of limited time available. The committee noted changes to the program. The committee discussed whether there might be opportunities in future for internal audit to focus its attention on strategic areas of risk to Council such as meeting community expectations.
<b>8.4</b>	<b>Audit, Risk and Improvement Committee Schedule of Review</b>
	Noted.
<b>8.5</b>	<b>Audit, Risk and Improvement Committee Performance Assessment Questionnaire</b>
	The committee noted the need for a self-assessment.
	<b>General Business</b>
<b>9.1</b>	<b>Extensive Service Level Analysis Resource &amp; Waste</b>
	The Executive Manager Management Innovation & Business Development presented a report on the analysis of Resource & Waste services. The committee noted the benefits of the report and deciding that there should be follow up of progress with the report and of similar preceding reports.

Max Shanahan

Chair, Audit, Risk and Improvement Committee



## **AUDIT, RISK and IMPROVEMENT COMMITTEE CHARTER**

### **1. Objective**

The Objective of the Audit, Risk and Improvement Committee (Committee) is to provide independent assurance and assistance to Snowy Monaro Regional Council (Council), on risk management, the control framework, legislative compliance, internal audit and external accountability responsibilities.

### **2. Authority**

Council authorises the Committee within the scope of its role and responsibilities through the Chair to:

- Obtain any information it needs from any employee or external party (subject to their legal obligations to protect information)
- Discuss any matters with the external auditor or other external parties (subject to confidentiality considerations)
- Request of the General Manager the attendance of any employee at Committee meetings.
- Obtain external legal or other professional advice considered necessary to meet its responsibilities. Prior discussion must be undertaken with the General Manager who will determine appropriateness of any reimbursement if any by Council.

### **3. The Snowy Monaro Regional Council Assurance Environment**

Snowy Monaro Regional Council has a range of activities to provide assurance to Council, the Committee and the General Manager.

Council uses a 'Combined Assurance – 3 Lines of Defence' model to define their assurance environment:

The 1st Line of Defence originates or initiates risk, and is responsible for managing the risks and having in place mechanisms to demonstrate controls are working effectively.

The 2nd Line of Defence monitors, reviews and tests effectiveness of 1st Line control and management of risks.

The 3rd Line of Defence independently evaluates and gives an opinion on the adequacy and effectiveness of both 1st Line and 2nd Line risk management approaches.

This approach demonstrates how assurance activities co-ordinate to provide assurance to the Council, the Committee, and the General Manager.

At Council this can be illustrated as:

Combined Assurance - 3 Lines of Defence		
1 <sup>st</sup> Line of Defence	2 <sup>nd</sup> Line of Defence	3 <sup>rd</sup> Line of Defence
<b>Management Controls</b>  Real-Time Focus	<b>Management of Risk</b>  Real-Time Focus + Review of 1 <sup>st</sup> Line	<b>Independent Assurance</b>  Review of 1 <sup>st</sup> Line and 2 <sup>nd</sup> Line
Management Controls	Risk Management Governance Regulatory Compliance Work Health Safety Environment	Internal Audit External Audit Office of Local Government
Review governance and compliance Implement improvements	Confirm governance and compliance Recommend improvements	Independently confirm governance and compliance Recommend improvements

#### 4. Composition and Tenure

The Committee will consist

##### 4.1. Voting members

- 1 x Councillor representative
- 4 x Independent external members (one of whom is recruited as Chair)

##### 4.2. Non-voting members

- General Manager
- Senior Internal Auditor (Head of Internal Audit)
- Organisational Risk Officer

##### 4.3. Invitees (non-voting) for specific Agenda items

- Representatives of the external auditor
- Other Council officers may attend by invitation from the Committee through the General Manager.

##### 4.4. Term of membership external appointments

Two external members shall be appointed for a maximum term of four years and two external members shall be appointed for a maximum term of three years and shall be appointed as follows:

- Two external members (one of whom shall be the Chair) shall be appointed for an initial period of two years with an additional two year appointment subject to a satisfactory performance assessment of their contribution to the Audit Committee.
- Two external members shall be appointed for an initial period of two years with an additional one year appointment subject to a satisfactory performance assessment of their contribution to the Audit Committee.



The performance review will be undertaken by the Council representative as Committee member in conjunction with the General Manager

External members may be re-appointed at the end of their tenure following a public advertisement and expression of interest processes

Vacancies shall be filled by public advertisement; an evaluation of candidates and a recommendation for appointment to Council.

#### **4.5. Skills**

The external independent members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Council.

At least one external independent member of the Committee shall have accounting or related financial management experience and an understanding of accounting and auditing in a public sector environment.

At least one external independent member of the Committee shall have internal auditing or related auditing experience.

At least one external independent member of the Committee shall have risk management experience.

### **5. Roles and responsibilities**

The Committee has no executive powers but assists the Council by providing independent assurance and assistance to Council on behalf of rate-payers.

The Committee is directly responsible to the Council for the exercise of its responsibilities. In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council operations rests with the General Manager.

The responsibilities of the Committee may be revised or expanded in consultation with or as resolved by Council.

The Committee's role includes assisting Council in its governance and exercising of due care, diligence and skill in relation to:

- Internal control systems
- Risk management systems
- Business policies and practices
- Protection of Council's assets
- Compliance with applicable laws, regulations, standards and best practice guidelines
- Understand the relevant legislative and regulatory requirements appropriate to Council;
- Contribute the time needed to study and understand the papers provided;
- Apply good analytical skills, objectivity and good judgment; and
- Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.

#### **5.1. Risk management**

- Review whether management has in place a current and appropriate risk management

framework that is consistent with AS/NZS ISO 31000:2009

- Review risk management plans and provide advice to the General Manager
- Seek assurance from management and Internal Audit that risk management processes are operating effectively
- Seek assurance from management and Internal Audit as to the adequacy and effectiveness of internal controls
- Review risk reports and provide advice to the General Manager
- Review whether a sound and effective approach has been followed in developing risk management plans for major projects or undertakings
- Review the impact of the agency's risk management on its control environment and insurance arrangements
- Review council's fraud control plan and be satisfied that council has appropriate processes and systems in place to capture and effectively investigate fraud related information
- Review whether a sound and effective approach has been followed in establishing council's business continuity planning arrangements, including whether disaster recovery plans have been tested periodically.

#### **5.2. Control framework**

- Review whether management's approach to maintaining an effective internal control framework, including over external parties such as contractors and advisors, is sound and effective
- Review whether management has in place relevant policies and procedures and that these are periodically reviewed and updated
- Determine whether the appropriate processes are in place to assess, at least once a year, whether laws, regulations, policies and procedures are complied with
- Review whether appropriate policies and procedures are in place for the management and exercise of delegations
- Consider how management identifies any required changes to the design or implementation of internal controls
- Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

#### **5.3. External accountability**

- Assess the policies and procedures for management review and consideration of the financial position and performance of the agency including the frequency and nature of that review (including the approach taken to addressing variances and budget risks)
- Review procedures around early close and year-end
- Review the financial statements and provide advice to the General Manager (including whether appropriate action has been taken in response to audit recommendations and adjustments), and recommend their signing by the responsible financial officers and Councillors
- Satisfy itself that the financial statements are supported by appropriate management signoff on the statements
- Review cash management policies and procedures
- Review policies and procedures for collection, management and disbursement of grants and tied funding
- Review the processes in place designed to ensure that financial information included in

Council's annual report is consistent with the signed financial statements

- Satisfy itself that Council has a performance management framework that is linked to organisational objectives and outcomes.

#### **5.4. Legislative Compliance**

- Determine whether management has appropriately considered legal and compliance risks as part of Council's risk assessment and management arrangements
- Review the effectiveness of the systems for monitoring compliance with applicable laws and regulations and associated government policies

#### **5.5. Internal Audit**

- Act as a forum for communications between the General Manager, senior management and internal and external audit
- Review and provide advice to the General Manager on the internal audit policies and procedures
- Review the risk based audit methodology
- Review the internal audit coverage and annual work plan, ensure the plan is based on Council's risk management plan, and recommend approval of the plan
- Advise the General Manager of the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved internal audit plan
- Oversee the coordination of audit programs conducted by internal audit and external audit and other review functions
- Review audit findings and related recommendations that have been assessed as the most significant according to the risk and audit finding represent to Council if the recommendation's related to the finding are not implemented
- Provided advice to the General Manager on significant issues identified in audit reports and action taken on these issues, including identification and dissemination of good practice
- Monitor management's implementation of internal audit recommendations
- Review the internal audit charter to ensure appropriate organisation structures, authority, access and reporting arrangements are in place
- Periodically review the performance of internal audit

#### **5.6. External audit**

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback of the audit services provided
- Review all external plans and reports in respect of planned or completed audits and monitor management's implementation of audit recommendations
- Provide advice to the General Manager on action taken on significant issues raised in relevant external audit reports and better practice guides

#### **5.7. Responsibilities of members**

Members of the Committee are expected to:

- Understand the relevant legislative and regulatory requirements appropriate to Snowy Monaro Regional Council;
- Contribute the time needed to study and understand the papers provided;

- Apply good analytical skills, objectivity and good judgment; and
- Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.

## 6. Reporting

The Committee will regularly, but at least once a year, report to Council on its operation and activities during the year. The report should include:

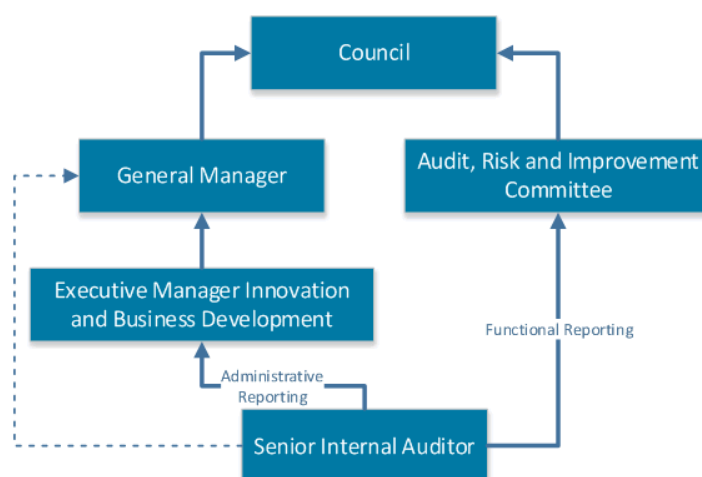
- An overall assessment of Council's risk, control and compliance framework, including details of any significant emerging risks or legislative changes impacting Council
- A summary of the work the Committee performed to fully discharge its responsibilities during the preceding year
- Details of meetings, including the number of meetings held during the relevant period and the number of meeting each member attended
- A summary of Council progress in addressing the findings and recommendations made in internal and external reports
- A summary of the Committee's assessment in the performance of internal audit

The Committee's Minutes will be presented to Council for information only through the General Manager's report to Council.

### 6.1. Reporting Lines

The Committee must at all times ensure it maintains a direct reporting line to and from internal audit and act as a mechanism for internal audit to report to the General Manager on functional matters.

The following reporting line is prescribed:



**7. Administrative arrangements**

**7.1. Meetings**

The Committee will meet at least four times per financial year. A special meeting may be held to review Council's financial statements.

The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members or the General Manager may make requests to the Chair for additional meetings.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Charter.

Meetings will follow Councils Code of Meeting practice.

**7.2. Attendance at Meetings and Quorums**

A quorum will consist of a majority of voting members in attendance.

Meetings can be held in person, by telephone or by video conference.

The Internal Audit Manager will be invited to attend each meeting unless requested not to do so by the Chair of the Committee. The Committee may also request through the General Manager, for other employees to participate for certain agenda items, as well as the external auditor.

The General Manager may attend each meeting but will permit the Committee to meet separately with the Chief Audit Executive in the absence of management on at least one occasion per year.

**7.3. Secretariat**

The Council will provide secretariat support to the Committee. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure minutes of the meetings are prepared and maintained. Minutes shall be approved by the Chair and circulated to each member and committee observers as appropriate within three weeks of the meeting being held.

**7.4. Conflicts of Interest**

Councillors, council staff and members of council committees must comply with the applicable provisions of Council's code of conduct in carrying out the functions as council officials.

Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

**7.5. Induction**

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

**7.6. Assessment Arrangements**

The Chair of the Committee will initiate a review of the performance of the Committee in full at least once every two years.

The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

**7.7. Review of Charter**

At least once every year the Committee will review this Charter. The review will include consultation with the Council.

Any substantive changes to this Charter will be recommended by the Committee and formally approved by Council.

**Recommended by Audit, Risk and Improvement Committee:** 6 March 2019 (ARIC14/19)

**Resolved by Council:**

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#### 9.4.6 PUBLIC EXHIBITION OF THE DRAFT 2020 OPERATIONAL PLAN, FEES AND CHARGES AND REVENUE POLICY

Record No:

Responsible Officer:	Group Manager Governance
Author:	Governance Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.1 Planning and decision making is holistic and integrated and has due regard to the long term and cumulative effects
Delivery Program Objectives:	10.1.2 Integrated Planning and Reporting guides long term planning and organisational sustainability
Attachments:	<ol style="list-style-type: none"><li>1. SMRC Draft 2020 Operational Plan (<i>Under Separate Cover</i>)</li><li>2. 2020 Statement of Revenue Policy (<i>Under Separate Cover</i>)</li><li>3. Draft 2020 Operating Plan Budget (<i>Under Separate Cover</i>)</li><li>4. Draft 2020 Capital Works Program (<i>Under Separate Cover</i>)</li><li>5. Draft 2020 Fees and Charges (<i>Under Separate Cover</i>)</li></ol>
Cost Centre	Governance 3120
Project	Integrated Planning and Reporting

#### EXECUTIVE SUMMARY

Under the *Local Government Act 1993*, Section 405, Council must have an annual *Operational Plan*, incorporating *Revenue Policy* adopted before the beginning of each financial year, outlining the activities to be undertaken in that year, as part of the Delivery Program. As part of this process the *Draft 2020 Fees and Charges*, *Draft 2020 Statement of Revenue Policy*, *Draft 2020 Capital Works Program* and *Draft 2020 Operational Budget* have also been reviewed and updated.

These documents have been developed in consultation with Community, staff and Councillors. It is proposed to place the documents on public exhibition from 26 April to 23 May 2019. Following receipt of submissions the final documents will be presented to Council at the 20 June 2019 Council meeting for adoption.

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

#### OFFICER'S RECOMMENDATION

That Council

- A. Resolve to place the *Draft 2020 Operational Plan*, incorporating the *Draft 2020 Fees and Charges*, *Draft 2020 Statement of Revenue Policy*, *Draft 2020 Capital Works Program* and *Draft 2020 Operational Budget* on public exhibition from 26 April to 23 May 2019 and invite written submissions,
  - B. Receive a further report at the 20 June 2019 Council meeting to consider written submissions and to adopt the *2020 Operational Plan*, incorporating the *Draft 2020 Fees and Charges*, *Draft 2020 Statement of Revenue Policy*, *Draft 2020 Capital Works Program* and *Draft 2020 Operational Budget*.
-

## BACKGROUND

### Draft 2020 Operational Plan

Each year Council is required to prepare a new Operational Plan detailing the actions that will be undertaken for the year to achieve the commitments made in the Delivery Program, this is to be adopted prior to the beginning of the new financial year.

Consultation was undertaken to determine the Actions for the period, taking into account: budgets, grants that have been received, Councillor expectations, legislative requirements and future organisational need.

Governance held workshops with Group Managers to review the current year's Actions and to determine if the 2019 Actions would be complete in the 2019 period or were to be carried over to the 2020 period.

There is a proposed change to Objective 8.2.3 as the Stronger Communities fund project comes to an end next year, the change in name of the Objective enables reporting on other Major Capital Projects. The proposed change to Objective 8.2.3 is from *Stronger Communities fund project delivers improved community infrastructure and assets through the Major Projects Program (MPP)* to *Provision of reporting on all Major Capital Projects*.

Community engagement was undertaken with 4 feedback surveys returned. The community was engaged via social media, Your Say, advertising via newspapers, local radio stations and at public events attended by staff, including local shows and the Planning and Land Use community drop in sessions held across the region. The surveys were forwarded to relevant Group Managers for review against their proposed 2020 Operational Plan Actions. The submissions have been attached to this report for your information.

The *Draft 2020 Operational Plan* was presented to the Councillor Workshop on the 4 April 2019, along with the surveys received during the community engagement period.

### Draft 2020 Fees and Charges

Council levies fees in accordance with Section 608 of the *Local Government Act, 1993*. Council may charge a fee for any service it provides. The purpose of raising fees is to recover or assist the Council in recovering the cost of providing these services.

Fees are substantially based on the user pay principle however, there is recognition of people's ability to pay, where Community Service Obligations (CSO) are identified. These services with CSOs are cross subsidised for the common good of the community.

When setting the Fees and Charges the following was taken into consideration, as per Section 610D of the *Local Government Act 1993*.

- The cost to the council of providing the service,
- The importance of the service to the community,
- Any factors specified in the regulations

When reviewing and setting fees for the year Council considers the requirements established in the Revenue Policy. Council's *Revenue Policy* is incorporated in the *Draft 2020 Operational Plan*.

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### **Public Exhibition**

In Accordance with Section 405 of the *Local Government Act 1993*, Council will place the *Draft 2020 Operational Plan*, incorporating the *Draft 2020 Fees and Charges*, *Draft 2020 Statement of Revenue Policy*, *Draft 2020 Capital Works Program* and *Draft 2020 Operational Budget* on public exhibition from 26 April to 23 May 2019.

Announcements will be made on social media, in the local papers and on the local radio stations during the exhibition period. The documents will available in Council offices, website, Your Say and available at other locations across the region.

### **QUADRUPLE BOTTOM LINE REPORTING**

#### **1. Social**

The *2020 Operational Plan* depicts Council's revenue and expenditure levels reflecting the actions and outcomes contained within the *Delivery Program*.

#### **2. Environmental**

There are no perceived environmental impacts as a result of the preparation of this report.

#### **3. Economic**

The *2020 Operational Plan* incorporates the *2020 Revenue Policy*, along with the *2020 Schedule of Fees and Charges*. These documents include a range of initiatives to be undertaken during 2020 that encourage regional economic growth.

#### **4. Civic Leadership**

The 2020 Operational Plan sets actions for the coming year based on the community's aspirations as defined in Council's Community Strategic Plan, *Snowy Monaro 2040*.

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## 10.1 CLR LAST - NO CONFIDENCE MOTION

Record No:

Responsible Officer: General Manager  
Author: Councillor John Last  
Attachments: 1. Letter from Clr Last - No Confidence Motion

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Councillor John Last has given notice that at the Ordinary Meeting of Council on 17 April 2019, he will move the following motion.

### MOTION

That Council no longer has confidence in Mayor Rooney.

### BACKGROUND

Nil.

### GENERAL MANAGER'S RESPONSE

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

#### 9.1 Notices of Motion

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

The General Manager  
Snowy Monaro Regional Council  
81 Commissioner Street  
COOMA NSW 2630

John Last  
Councillor  
PO Box 190  
COOMA NSW 2630

14 March 2019

Dear General Manager

I hereby give notice that will move the following Motion at the Council meeting on  
Thursday 21 March 2019:

1. That this Council no longer has confidence in Mayor Rooney.

Yours faithfully



**John Last**

*Councillor*

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## 10.2 SMEC HYDRAULIC MUSEUM

Record No:

Responsible Officer: General Manager  
Author: Councillor Sue Haslingden  
Attachments: Nil

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Councillor Suzanne Haslingden has given notice that at the Ordinary Meeting of Council on 17 April 2019, she will move the following motion.

### MOTION

That Council

- A. Fully support to concept of the SMEC Hydraulic Museum
- B. Form a working group to bring a report, business case and recommendations back to Council by 31 May 2019

### BACKGROUND

Over 12 months ago Council received a presentation and the SMEC Hydraulic Museum Feasibility Study.

Council made a considerable commitment to assist and fund this study.

There has been a time lag on moving the project forward, both locally, state and federally. It could be argued that if this project had been shovel ready, it potentially could have benefited from pre-election funding.

By developing a working group with the existing committee, a councillor or two and with access to staff, a business plan and recommendations can be drafted for presentation to Council so as to be potentially 'shovel ready' for any funding or other opportunities that become available.

### GENERAL MANAGER'S RESPONSE

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

#### 9.1 Notices of Motion

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

Record No:

Responsible Officer: General Manager  
Author: Councillor Anne Maslin  
Attachments: Nil

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Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 17 April 2019, she will move the following motion.

#### MOTION

That Council retain in the same bucket, the unspent Stronger Communities Fund budget from the Therry Street and Bombala Main Street projects, in order that those funds be utilised for improvements in Bombala's central tourist and business precinct.

#### BACKGROUND

The Bombala community has made it clear from the time of the amalgamation that the Main Street and Therry Street beautification projects are the main priority for the town.

The Therry Street project budget remains largely unspent, due to a breakdown in negotiations, such that the requisite land was not purchased, and the project was not able to proceed.

The large Therry St budget was transferred into the Bombala Main Street project.

The approved aspects of the Main Street beautification are considerably less than the designs commissioned, in that most of the constructed features have not been approved. This means that the project will now involve the less costly items such as planting trees and other plants, as well as some lampposts and a revamped roundabout.

The overall cost of this work will be a fraction of the original budget.

This motion seeks to ensure that the community retains the ability to improve the Main Street and Therry Street precinct with the allocated budget.

It is important for the community of Bombala that the funds promised to the town are actually spent on the projects that the community has always wanted. It would be a travesty if large sums of money ended up unspent in a "balancing project" that at this point is not moving forward.

#### GENERAL MANAGER'S RESPONSE

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

##### 9.1 Notices of Motion

- (1) *The deadline for lodging notices of motion in writing for inclusion on the business paper for consideration at any meeting of the Council, shall be eleven (11) days prior to the meeting.*
  - (2) *A councillor must give notice of business in writing no later than 4.00pm on the Tuesday that follows the ordinary meeting of council.*
-

10.3      REMAINING FUNDS OF THE STRONGER COMMUNITIES BUDGET

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- (3) *At an Ordinary meeting Councillors may give notice of motions in writing to be listed as matters on the business paper for the next Ordinary meeting of Council.*
  - (4) *The rules applying to the content of Questions also apply to the content of Notices of Motion.*
  - (5) *Councillors are to ensure, where it is intended that staff be asked to carry out some specific defined action, that a Notice of Motion is written in such a way that, if carried, the motion carries such clear and unambiguous direction.*
-

### 13. CONFIDENTIAL MATTERS

In accordance with Section 10A(2) of the Local Government Act 1993, Council can exclude members of the public from the meeting and go into Closed Session to consider confidential matters, if those matters involve:

- (a) personnel matters concerning particular individuals; or
- (b) the personal hardship of any resident or ratepayer; or
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; or
- (d) commercial information of a confidential nature that would, if disclosed;
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law; or
- (f) matters affecting the security of the council, councillors, council staff or council property; or
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege or information concerning the nature and location of a place; or
- (h) an item of Aboriginal significance on community land.

and Council considers that the closure of that part of the meeting for the receipt or discussion of the nominated items or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information, and discussion of the material in open session would be contrary to the public interest.

In accordance with Section 10A(4) of the Local Government Act 1993 the Chairperson will invite members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential matters.

#### RECOMMENDATION

1. THAT pursuant to Section 10A subsections 2 & 3 and Section 10B of the Local Government Act, 1993 (as amended) the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

##### **13.1 Purchase of Part Lot 1 DP101714 and Part lot 1 DP 222016 in Commissioner Street Cooma - Flood Mitigation Works Stage 2**

Item 13.1 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

##### **13.2 Tender Approval for Contract for Provision of Street, Shopping Centre and Toilet Cleaning Services Jindabyne**

Item 13.2 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

##### **13.3 Legal Actions and Potential Claims Against SMRC as at 31 March 2019**

Item 13.3 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.

##### **13.4 Consultancy Fees for the Year Ended 30 June 2018**

Item 13.4 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**13.5 Approval to Write Off Excessive Water Usage Charges on Rural Water Service Connection**

Item 13.5 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.