



SNOWY MONARO
REGIONAL COUNCIL

BUSINESS PAPER

PUBLIC EXHIBITION COPY

Ordinary Council Meeting
19 December 2019

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

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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 Bidhawal people and their Ancestors past and present.

Webcasting

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

**ON THURSDAY 19 DECEMBER 2019
COMMENCING AT 5:00PM**

BUSINESS PAPER

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- 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**
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13.2	Request for Lease - Snowy River Health Centre <i>Item 13.2 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, (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 (dii) of the Local Government Act because it contains and information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	

- 13.3 Sale of Council Land - Percy Harris Street Leesville by Auction off the Plan
Item 13.3 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 13.4 Request to extend lease
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 Legal Actions and Potential Claims Against SMRC as at 30 November 2019
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- 13.6 Audit, Risk and Improvement Committee - Minutes of Meeting held on 23 October 2019
Item 13.6 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.
- 13.7 Delegate Preschool Compliance Report
Item 13.7 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 13.8 Tender Award - Snowy Oval Amenities Building
Item 13.8 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 13.9 Award Of Tender For The Reseal And Relining Of The Snowy 1 Reservoir - Cooma Water Supply System
Item 13.9 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

8.1 MOD4028/2019 MODIFICATION TO AMEND CONDITIONS OF HIGHVIEW ESTATE SUBDIVISION

Record No:

Responsible Officer:	Group Manager Development & Building Certification
Author:	Manager Development Assessment
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage
Delivery Program Objectives:	8.1.2 Land use is optimised to meet the social, environment and economic needs of the region
Attachments:	<ol style="list-style-type: none"> 1. Draft Modified Conditions of Consent (<i>Under Separate Cover</i>) 2. Proposed Amended Plan (<i>Under Separate Cover</i>) 3. Applicants Request and Justification of modification MOD4028/2019 (<i>Under Separate Cover</i>) 4. Roads and Maritime Services Response to MOD4028/2019 (<i>Under Separate Cover</i>) 5. Traffic Reports and Modelling submitted by the Applicant MOD4028/2019 (<i>Under Separate Cover</i>) 6. Redacted Submissions MOD4028/2019 (<i>Under Separate Cover</i>) 7. Application Form MOD4028/2019 (<i>Under Separate Cover</i>)

Applicant Number:	MOD4028/2019
Original DA Number:	DA0079/2007
Applicant:	Coast Plan Consulting
Owner:	Village Style Retirement Services Pty Ltd and Wytown Pty Ltd
DA Registered:	6/11/2018
Property Description:	Lot 23 DP1227047, Lot 17 DP1216242 and Lot 32 DP1118132
Property Number:	108937, 108938, 106919
Zone:	R2 – Low Density Residential, RU1 – Primary Production, R1 – General Residential, R5- Large Lot Residential
Current Use:	Partially developed residential subdivision.
Approved Use:	Residential Subdivision 224 lots.
Proposed Modification:	<ul style="list-style-type: none"> • Amend Condition 58 to delete the requirement to carry out a Traffic Study in lieu of constructing the Barry Way intersection. • Amend the Masterplan for the proposed subdivision to delete the access to the proposed subdivision from Kosciuszko Road. • Change the staging numbers of the original Stages 9 to 12 as indicated on the submitted Masterplan.

	<ul style="list-style-type: none"> • Delete Condition 61 as a result of the deletion of the access to Kosciusko Road. • Delete Condition 69 & 70 as a result of the deletion of the access to Kosciusko Road. • Amend Condition No 2 of the Development Consent so that each stage of the subdivision is to be proceeded in ascending numerical order up to Stage 9 as indicated on the amended staging plan submitted with this application. This will allow some flexibility in the completion of the development and will not result in any conflict with any of the current and amended conditions of the consent.
Permitted in Zone:	Yes.
Recommendation:	<p>That the modification be partially approved as follows:</p> <ul style="list-style-type: none"> • Amend relevant conditions to reflect revised staging plan. • Amend Condition No 2 of the Development Consent so that each stage of the subdivision is to be proceed in ascending numerical order up to Stage 9 as indicated on the amended staging plan submitted with this application. This will allow some flexibility in the completion of the development and will not result in any conflict with any of the current and amended conditions of the consent. <p>All conditions relating to the construction of both the Barry Way and Kosciuszko Road intersections remain unamended.</p>

EXECUTIVE SUMMARY

The purpose of this report is to seek the approval for MOD4028/2019 which is an application to modify DA0079/2007 to remove the requirement for an access to the later stages of the development from the Kosciuszko Road; to restage the later stages; and to amend the condition requiring an alternative to the construction of the Barry Way intersection.

This modification will be the eleventh submitted since the original approval of the development in 2007.

The application was notified and advertised with five submissions received relating principally to traffic and road issues currently being experienced in the already developed portion of the subdivision and the concern that this modification will further exacerbate those issues. These submissions have been considered in the assessment of the modification.

It is recommended that the application be partially approved with only conditions relating to the restaging of the subdivision to be amended and those conditions relating to the intersections approved to access the development remain as per the existing approved development consent.

The application was to have been submitted to Council at an earlier meeting, however, at the request of the applicant the report was held back. It is understood that the applicant has had various discussions with the DPIE staff involved in the Go Jindabyne masterplan project in the interim period.

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 Council

A. Pursuant to section 4.55(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) it is recommended that MOD4028/2019 being an amendment to DA0079/2007 on Lot 23 DP1227047, Lot 17 DP1216242 and Lot 32 DP1118132 be approved in part (being those conditions relating to the restaging of the subdivision) subject to the amended conditions of consent attached.

B. Notify anyone who made a submission to MOD4028/2019 according to the regulations

BACKGROUND

DA0079/2007 was an approval for the staged subdivision of 207 residential lots described as 'Highview Estate', Jillamatong Street, Jindabyne. The subdivision was to occur over 12 stages. The approval has been modified nine times mostly relating to the splitting of stages and the removal of a condition requiring a second access into the development (MA2016/0002). MOD0022/2009 increased the number of lots to be subdivided from 207 to 224 by reducing the size of a number of the lots on Twynam Street.

This is the eleventh modification to DA0079/2006.

Previous Amendments to DA0079/2006

MOD0067/2007	Staged Subdivision Comprising 205 Lots - Modification to Stage 2.
MOD0003/2008	Modification of Conditions 55 & 57.
MOD0016/2008	Modification to Conditions 71 and 73.
MOD0022/2009	Section 96(2) Modification for decrease in Lot sizes, allowing for an increase in lots in the subdivision.
MOD0013/2010	Modification - Amendment to Condition No 5.
MOD0028/2014	Modify Stage 4C lot layout & increase lot sizes to 850m ² .
MOD0001/2016	Amend layout & provide a layout for Stage 8 Highview Estate.
MA2016/0002	Amend staging and lot layout for stages, 6, 7 and 8, create a 'development lot' for the further development for the purposes of seniors housing and inclusion of the construction of a new sewer pump station to service proposed lots within the development.
MOD4009/2018	Modification Stage 7 Stage 7A 12 lots Stage 7B 10 lots Stage 7C 13 lots. Amended proposal will result in reduction of lots from 36 to 35.
MOD4021/2019	Modify Condition 58 to reflect the conditions imposed by DA4001/2018 – 24 Lot Rural Residential Subdivision.

THE APPLICATION

This application requests the following amendments to DA0079/2007:

- Amend Condition 58 to delete the requirement to carry out a Traffic Study in lieu of constructing the Barry Way intersection.
- Amend the Masterplan for the proposed subdivision to delete the access to the proposed subdivision from Kosciuszko Road.

8.1 MOD4028/2019 MODIFICATION TO AMEND CONDITIONS OF HIGHVIEW ESTATE SUBDIVISION

- Delete Condition 61 as a result of the deletion of the access to Kosciuszko Road.
- Delete Condition 69 & 70 as a result of the deletion of the access to Kosciuszko Road.
- Change the staging numbers of the original Stages 9 to 12 as indicated on the submitted Masterplan.
- Amend Condition No 2 of the Development Consent so that each stage of the subdivision is to proceed in ascending numerical order up to Stage 9 as indicated on the amended staging plan submitted with this application. This will allow some flexibility in the completion of the development and will not result in any conflict with any of the current and amended conditions of the consent.



Figure 1 – showing existing approved staging and the intersection with the Kosciuszko. This plan omits the Barry Way intersection which is still a required under the existing conditions of consent.



Figure 2 – the proposed amended masterplan reflecting the restaging of stages 9 to 12 and the deletion of the Kosciuszko intersection.

Modification to conditions relating to staging of the subdivision

The restaging of the later lots (stages 9 to 12) as reflected in figure 2 and the modification of condition 2 (also relating to staging) are considered to be of a minor nature and have been reflected in the draft conditions of consent.

Modification of conditions relating to the deletion of the Kosciuszko Road Intersection

The applicant seeks to delete from the Masterplan the second major access to the subdivision, being an intersection with the Kosciuszko Road and stages 9-12. The removal of the intersection from the Masterplan would have the effect of also deleting conditions 61, 69 and 70 which relate to the construction requirements of the intersection.

MA2016/0002 proposed a number of amendments to the subdivision including the deletion of the requirement to construct an intersection onto the Barry Way. This requirement is reflected in condition 58 of the approval. A report was presented to Council (under the Administrator), which recommended that condition not be deleted, but amended to allow for the timing of its construction to be delayed to a later stage. The Administrator instead amended condition 58 to include an alternative to the construction of the intersection being that the applicant could **“undertake a comprehensive traffic study in consultation with Council officers’ to determine what treatment if any is required to service current and future stages of the development. Should this option be exercised, the traffic study must be approved by Council”**.

The applicant is proposing that they will seek to have condition 58 amended to reflect its original drafting, if the conditions relating to the construction of the Kosciuszko intersection are deleted. This would have the effect of the Barry Way intersection being constructed without further representations from the applicant.

As part of the approval of the rural residential subdivision (DA40001/2018) an amendment was made via MOD4021/2019 to condition 58, bringing forward the requirement for the Barry Way intersection with Jillamatong Street from stage 8, to within 12 months of the release of the subdivision certificate for stage 7B. This is reflected in the current conditions of consent for Highview Estate.

The applicant does not propose to change the timing of the construction of the Barry Way intersection in this modification, but instead seeks to remove the alternative to carry out a traffic study which may challenge the requirement for the intersection.

Whilst this is a positive change it is predicated on the removal of the other major access to the development being an additional intersection on the Kosciuszko Road which would provide access to the later stages of the subdivision.

The applicant contends that:

“The construction of the intersection of Jillamatong and Barry Way will be capable of providing an acceptable level of service for the traffic leaving the proposed development without the need to construct the intersection to Kosciuszko Highway. The construction of the access Barry Way is a safer option for traffic entering and exiting from the subdivision rather than the construction of the intersection to Kosciuszko Road which is a main road with significantly more traffic.”

As such the modified development application (if approved) would remove conditions that relate to the construction of this intersection being conditions 61, 69 and 70.

Condition 61 was imposed by the RMS as it related to a new direct access point to a classified state road. The modified development application was referred to the RMS for their advice. The RMS requested additional information including traffic modelling from the applicant to determine the impact of the removal of the access. The RMS provided the following response:

RMS has reviewed the information and additional traffic modelling provided by the applicant. It is noted that distributions of development traffic through the roundabout at the intersection of Barry Way and Kosciuszko Road heavily favours traffic to/from the township of Jindabyne. Upon review of the model, RMS has redistributed a portion of the development traffic away from Jindabyne (i.e. west on Kosciuszko Rd) to reflect a worst case scenario and notes the roundabout continues to perform at a satisfactory level of service, without the additional Kosciuszko Road development access.

In relation to the proposed application to modify the current development consent (MOD4009/2018), RMS provides the following comments:

- *Amend Condition 58 – This condition relates to the requirement to construct a local road connection and as such RMS considers this a matter for Council.*
 - *Amend to Masterplan to delete the Kosciuszko Road access – RMS does not object to the removal of this access from the Masterplan.*
 - *Delete Condition 61 – RMS notes this condition relates to the construction of the Kosciuszko Road access and does not object to the deletion of this condition.*
-

- *Delete conditions 69 & 70 - RMS notes these conditions relate to access via the Kosciuszko Road access and does not object to the deletion of these conditions.*
- *Amend Condition 2 – RMS considers this a matter for Council.*

Whilst the RMS is advising that it has no objection to the removal of condition 61 (Kosciuszko Road access) and associated conditions, it appears to have based this decision only on traffic modelling that related to the impact that the removal of the Kosciuszko intersection would have on the Barry Way roundabout (which is within the classified state road network). However, the RMS did not consider the impact upon the local and regional road and intersection network if the additional Kosciuszko Road intersection was not to be constructed, as these roads and intersections are the responsibility of Council.

The removal of the intersection with the Kosciuszko Rd, whilst supported by the applicant's traffic modelling, would have the effect of creating a subdivision with only one entrance and exit point for the majority of the allotments.

Whilst there are subdivisions in the region which have a similar number of allotments accessing via a single road it is not considered ideal. Council has received a considerable level of feedback from residents both in relation to this modified development application and other subdivisions such as those in East Jindabyne. Residents in stages 9 to 12 and the approved rural residential estate, would have no way out of the subdivision should the main collector road which connects the early and later stages become blocked. This is a matter which should be considered when deciding whether to allow the removal of the Kosciuszko Road intersection.

It is contended that as the applicant's supporting traffic reports (authored by SECA Solutions) were prepared to respond to issues raised by the RMS they deal principally with the impact of the removal of the subject intersection on traffic flows on the Barry Way and Kosciuszko Road and not local roads within Jindabyne township. It is considered that the removal of the intersection will impact existing local roads when residents access their properties in the later stages of the Highview Estate. The traffic studies do not adequately address the traffic generated by higher density uses such as dual occupancy developments and merely assume that each allotment will be developed for single dwellings nor do they refer to the approved child care centre which will use the Barry Way for access.

The removal of the subject intersection will have the effect of directing northbound traffic that wishes to access the later stages of the subdivision either to Munyang Street/Gippsland/Jillamatong Streets or require them to travel along Kosciuszko Road through Jindabyne to access the subdivision via the Barry Way. Both of these alternatives will have amenity impacts on residents by directing traffic through residential streets. In particular the lower sections of Gippsland Street are narrow and currently see traffic volumes and roadside parking issues which create congestion and safety concerns for residents. Further direction of traffic into these local streets will have the effect of compounding these issues for residents.

It should also be noted that the applicants have held discussions with the Go Jindabyne Masterplan team regarding the possibility of a town bypass road being included as part of the final Masterplan. Should the subdivision gain an alternative access via a bypass road it may have the effect of removing the need to construct the Kosciuszko intersection as currently shown. This would allow for an alternative access to later stages of the subdivision, however it would not be prudent to remove the required Kosciuszko intersection under this modification due to the timing of the Go Jindabyne Masterplan process, as there is the possibility that such a bypass road may not be realised.

As such it is recommended that the request to delete the Kosciuszko Road intersection from the master plan and the associated deletion of conditions 61, 69 & 70 be refused and that condition 58 remain unchanged.

ASSESSMENT

The following is an assessment of modified development application MOD4028/2019 having regard to those matters to be considered under section 4.55 (1)(a) of the EP&A Act 1979:

Section 4.55 (1)(a) Environmental Planning and Assessment Act

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*

Council Response:

It is considered that the proposed modification is generally of minimal environmental impact and therefore can be considered under the provisions of section 4.55(1)(A) of the Act.

Partial approval of the modification is recommended. It is considered that the amendments proposed to the staging of the development can be supported, however the removal of the Kosciuszko intersection is not in the public interest due to the potential negative impacts that would be caused by the increasing traffic volumes through existing residential streets. In addition to this the removal of the intersection would require that all traffic from dwellings/dual occupancies in stages 9 -12 and the approved rural residential subdivision would be directed through the subdivision (via Rawson Street) to the Barry Way intersection or to Jillamatong Street through Gippsland Street to enter or leave the subdivision.

- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*

Council Response:

Having regard to the nature, scale, character, magnitude and type of amendments proposed in this Section 4.55 application, it is considered the development to which the consent as modified relates is substantially the same development.

- (c) it has notified the application in accordance with:*

- (i) the regulations, if the regulations so require, or*
(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and
-

Council Response:

The application was notified and advertised, in accordance with the Snowy River DCP and the relevant statutory regulations for a period of fourteen (14) days and five (5) submissions were received.

(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

Council Response:

Consideration 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.

Total Number of submissions	5
Number objecting	5
Sub No.	Issues Raised
1	<ul style="list-style-type: none"> • The developer has on multiple occasions sought to remove vital access to Highview Estate from both Kosciuszko Road and Barry Way. • The Council allowed the developer to delay construction of the Barry Way access via Jillamatong Street in late 2016. It was supposed to be constructed at Stage 6. • The delay is causing traffic congestion issues to residents as there is currently only one way in and out through Jillamatong Street. • The developer wants to delay construction to the end of Stage 9 Highview. Earlier this year, July 2018, the developer proposed linking his Rural Residential subdivision (adjacent to later stages of Highview Estate) to the staging plan of Highview. The council resolved (Resolution 221/18 on MOD4009/2018) to require construction of the intersection after 7B Highview, or, Stage 3 Rural Residential. • The developer wants to avoid constructing a major access to the estate, which Council has previously seen as a significant part of the overall traffic plan for the town. • object on the grounds that the Barry Way / Jillamatong Street access will be insufficient for traffic flows from all 12 Stages of Highview (plus the Rural Residential 23-Lot subdivision). • A direct access to Kosciuszko Road from Highview is needed so that traffic intending to leave town does not need to travel through town. • For the combined size of these two subdivisions, it is a safety issue – there needs to be two major access points, separated by enough distance, it is unwise to lock in such a large number of vehicles with only a single major access point. • To propose to remove this vital connector road, for any reason whatever, seems a very short-sighted and unwise proposition.

<p>2</p>	<ul style="list-style-type: none"> • Delaying the construction of the intersection of road 6 (Jillamatong St) to Barry Way from will increase the traffic load as the construction of new properties commences. • Object to the deletion of the Kosciuszko Road intersection as The Barry Way / Jillamatong Street access will be insufficient for traffic flows from all 12 Stages of Highview (plus the Rural Residential 23-Lot subdivision). For the combined size of these two subdivisions, it is a safety issue – there needs to be two major access points, separated by enough distance so that in event of fire or other disaster, if one is unavailable for a time, the other will still be usable. It is unwise to lock in such a large number of vehicles with only a single major access point.
<p>3</p>	<ul style="list-style-type: none"> • Proposal to further delay the completion of the Jillamatong linkage to Barry Way until after stage 9 of the Highview Estate, rather than either after Stage 7, or Stage 3 of the Rural Residential, (whichever occurred first) is yet another delaying tactic. The connection should have been completed after stage 6 but Council allowed it to be delayed until the completion of stage 7. However, it should not be delayed again. • The reason is that all the traffic from the new subdivision is going to be shunted on to a very narrow section of Jillamatong and on to Gippsland Street. • Proposal to remove direct access to Kosciuszko Road via the proposed linkage road a strategy designed to save the developer money rather than long range planning that will endure sensible integrated traffic flow for Jindabyne and Highview Estate. • At present only one entry and egress through Jillamatong Street and for safety reasons if that gets blocked for any reason, having an alternative entry and exit for Highview Estate is both desirable and sensible. • Since the council resolution of July 2018 gave clear consent conditions for the developer regarding the Jillamatong / Barry Way connection to be completed at the end of stage 7 of the subdivision, I see no valid reason why that should be changed in any way.
<p>4</p>	<p>Object to the development on safety concerns due to only one way in and out of the development.</p>
<p>5</p>	<ul style="list-style-type: none"> • I do not agree with the developer that the construction of the intersection of Jillamatong and Barry Way will be capable of providing an acceptable level of service for the traffic leaving the proposed development without the need to construct the intersection to Kosciusko Hwy . • I strongly feel that both the Barry Way & Kosciusko Hwy intersections are needed for the proposed development. • Safety is biggest concern that the only exits and entrance for the subdivision all on the west side. • Will take some time for fire ,police or ambulance to get there if they have to go up Gippsland St to enter Jillamatong or around to the Barry way /Jillamatong entrance. It would be much better if they can also enter estate from Kosciusko Hwy. • The traffic at peak periods in holiday periods can be intense and already builds up on winter mornings and if every vehicle needs to leave via Jillamatong either side this will lead to congestion and gridlock in the estate as every street will feed traffic into Jillamatong. • Streets are narrow and have flow through traffic issues already and cause time delays without the addition of many more stages with traffic trying to flow rather than alternately exit in two directions.

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| | <ul style="list-style-type: none">• Vehicles wishing to exit Jindabyne to go to Cooma or Canberra will have to drive thru the whole estate to then join Kosciuszko Hwy travel along it for an extra approximate 3 + kilometres.• Concerns there are no parks in the subdivision plans for the later stages |
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Consideration of Submissions

There is no proposal to delay the construction of the Barry Way intersection in this modification. The amendment is to remove the option for the developer to provide a traffic study in lieu of the works should the Kosciuszko Road intersection be permitted to be deleted. All traffic will not be directed onto Jillamatong Street as there will be an intersection constructed on the Barry Way. The applicant has sought in the past to remove the Barry Way access to the site, however, this is the only occasion which the Kosciuszko exit has been proposed to be removed. In the case of the Barry Way intersection, the application to remove this access was rejected by Council in 2016, however an amended condition was included to allow for a delay to the construction to a later stage, and to provide an option for a traffic study to be undertaken to potentially justify whether the intersection need not be constructed. As part of this application, the applicant is seeking to amend the condition relating to the Barry Way intersection by removing the option for a traffic study and to complete the Barry Way intersection in accordance with the condition. The Barry Way intersection will be required to be constructed prior to the release of the subdivision certificate for stage 7C.

The applicant has provided modelling (SECA Solutions) that indicates that the traffic generated by the development will be able to be accommodated through the Barry Way intersection and the further along through the Barry Way roundabout. Council does not have traffic studies to contradict this, however acknowledged that there could be safety issues with only one access point to the development. Whilst there are however a number of other subdivisions of a similar size (Tyrolean Village and East Jindabyne) that also only have one road out of their developments, the single point of access has been raised as a contentious safety issue through public forums and the Go Jindabyne project. As such, permitting additional residential developments with single point access is not considered to be in the long-term public interest.

The proposed location of the Kosciuszko Road intersection is in an area of landscape value and a compromise may be available to relocate the entrance to a more suitable location in the future., however this was not raised as an option in this application. However this could also include consideration of any proposals promoted through the Masterplan project.

Whilst the applicant has provided traffic analysis that attests to the ability of the road network to cope with the removal of the intersection Council is required to assess the cumulative impacts of its decisions, and with future growth of Jindabyne promoted through the Masterplan process, it is not considered appropriate to remove the requirement for additional infrastructure at this juncture. As such it is considered appropriate that an access from the development to Kosciuszko Road be maintained.

Conclusion

The Snowy Monaro Regional Council is the consent authority for this application. It is considered that the modification as submitted be partially approved with the conditions modified as per the amended conditions of consent. This relates only to the changes to staging.

The removal of any access to the Kosciuszko Road is not supported and the applicant will be required to construct the access to the site during the later stages of the development. It is considered that the removal of the requirement for the intersection with the Kosciuszko Road is not in the public interest as it would result in all traffic to access the site having to do so via the Barry Way, or through Jillamatong Street via Gippsland Street, which could lead to safety issues for those residents in the later stages of the development who will have only one access out of the development into Jindabyne via Rawson Street.

Whilst it is acknowledged that the RMS have supported the removal of the intersection, they have based their assessment solely on the impact the removal would have on the classified state road network (in this Kosciuszko Road and the Barry Way roundabout). They do not have to consider the impact of the removal of the intersection on the local road network both within the existing developed areas of Jindabyne and the yet to be developed stages of Highview Estate.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

It is considered that the amendment of conditions relating to restaging will have little to no social impacts for the region. The Kosciuszko Road intersection will still be required to be constructed at stage 9.

2. Environmental

It is considered that there will be minimal environmental impact as a result of this modification as it proposed.

3. Economic

All infrastructure is required to be constructed by the applicant as such there are minimal economic impacts on the community in relation to this application.

4. Civic Leadership

As the application received five (5) submissions and the removal of the intersection has broader community impacts it is considered appropriate that it be determined by Council and not under delegated authority.

8.2 DA4180/2019 DEMOLISH EXISTING STRUCTURES AND CONSTRUCTION OF NEW SERVICE STATION AND SKI HIRE SHOP

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:
1. Response from applicant to Councils resolution to defer determination of DA4180/2019 *(Under Separate Cover)*
 2. Draft conditions of consent *(Under Separate Cover)*
 3. Proposed site plan with acoustic wall detailed *(Under Separate Cover)*
 4. Revised Development Drawings *(Under Separate Cover)*
 5. Statement of Environmental Effects *(Under Separate Cover)*
 6. Environmental Site Assessment *(Under Separate Cover)*
 7. Preliminary Hazard Analysis *(Under Separate Cover)*
 8. Preliminary hazard analysis further information *(Under Separate Cover)*
 9. Waste Management Plan *(Under Separate Cover)*
 10. DCP Responses *(Under Separate Cover)*
 11. Submissions *(Under Separate Cover)*
 12. Response to Submissions *(Under Separate Cover)*
 13. Application form, checklist and associated documents *(Under Separate Cover)*

Further Operational Plan Actions:

Applicant Number:	DA4180/2019
Applicant:	TFA Project Group
Owner:	BP Australia Pty Ltd
DA Registered:	16/05/2019
Property Description:	Lot 19 DP 219584 Ph Clyde
Property Number:	105634
Zone:	Zone B2 Local Centre
Current Use:	Service Station and Associated Ski Hire Retail/Rental Premises
Proposed Use:	Service Station and Associated Ski Hire Retail/Rental Premises
Permitted in Zone:	Yes
Recommendation:	That the DA4180/2019 be approved subject to attached conditions of

	consent.
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Report Update – action since Council meeting 21 November 2019

This item was presented to Council at its meeting on 21 November 2019. Council resolved at this time (Resolution 407/19) to defer its determination to enable TFA Group (the applicant on behalf of BP Australia) to have further discussions with the General Manager from Rydges Horizons Snowy Mountains, in relation to items he raised in the open forum, regarding the acoustic wall and the fuel venting system.

In response to this resolution, the applicant has advised that discussions were held with the General Manager of Rydges Horizons Snowy Mountains on 22 November 2019, and following those discussions, the applicant has submitted a written reply to Council on the matters discussed (attachment 1) with an amended plan showing an extension of the proposed acoustic wall (attachment 3).

The amended plan proposes additional acoustic fencing along the boundary adjoining Rydges to mitigate potential noise impacts to the manager’s residence. The response also includes a further explanation as to the location, operation and likely impact of the fuel vents.

The applicant has articulated the advice included in the original report, which demonstrated that the fuel vents are located in compliance with the relevant Australian Standards, and are designed in accordance with NSW EPA requirements for vapour recovery. The written response provides further explanation that the vents act as a closed system with minimal venting to the atmosphere. This is due to the vents acting predominately to draw air in to the fuel system when fuel is withdrawn from the tanks by customers refuelling vehicles.

The applicant points out that the GM Horizons Snowy Mountains suggested he would refer the revisions to the body corporate for further discussion, however no timeframes were included.

The applicant points out that through their actions and subsequent plan amendment, they have met the requirements of Resolution 407/19 and are seeking Council’s determination of the application prior to the end of 2019.

The application (including the amended plan) is presented to Council for determination.

The report as deferred by Council is reproduced below, with notes added to reference the amended plan:

The purpose of this report is to seek approval for the demolition of an existing service station and attached ski hire and the construction of a new service station, ski hire retail/rental space and the removal and installation of new underground petroleum storage system. The site is zoned B2 – Local Centre Zone. The proposed development is for the replacement of an existing approved development and is permitted with consent within this zoning. The site is currently accessed via the Kosciuszko Road and the application proposes to utilise this access point for the development. The application proposes to establish more formalised parking areas in a currently unformed area of the site with internal vehicular and pedestrian access from this area of the site to the redeveloped service station and retail premises.

The application was notified and publicly advertised for a period of twenty one (21) days and fourteen (14) submissions were received. The submissions were referred to the applicant and amendments were made to the proposed plans in response.

The development has been considered against the requirements of section 4.15 of the *Environmental Planning and Assessment Act 1979 (EPA Act)* and has achieved an acceptable level of compliance and as such pursuant to Section 4.16(1)(a) of the *EPA Act* it is recommended that consent to Demolish Existing Structures & Construct a New Service Station & Ski Hire Shop on Lot 19 DP 219584 Ph Clyde, be granted subject to conditions attached.

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

RECOMMENDATION

That

- A. Pursuant to Section 80(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that consent be granted to Demolish Existing Structures & Construct New Service Station & Ski Hire Shop on Lot 19 DP 219584 Ph Clyde, subject to conditions attached.
- B. Any person who made a submission is notified according to the regulations.

SITE DESCRIPTION & SITE HISTORY



Figure 1 - A photograph of the existing building (source *Statement of Environmental Effects*)

The subject site is located at 60 Kosciuszko Road, Jindabyne. The existing land use on site is a service station with main fuel canopy over 4 fuel pumps and attached ski hire retail/rental premises. The service station was approved in 1965 with the ski hire component approved in 1974.

The site is approximately 3364sqm in size, it is generally flat in nature around the existing service station and forecourt area but slopes down to the rear. The eastern area of the site is lower than the service station forecourt and is currently utilised as an unsealed parking area without formalised access to the service station and ski hire business.



Figure 2 - Aerial view of the site in context with the surrounding land uses.

The development site fronts Kosciuszko Road with existing access via two entry / exit crossover points. At present there is a dirt lane which provides rear access to the service station. The application does not propose to continue with the use of this lane with all service and visitor access to the site from Kosciuszko Road directly.

The site adjoins the Rydges Horizons Resort to the West and the Lake Jindabyne Foreshore Reserve to the North and East.

PROPOSED DEVELOPMENT IN DETAIL

- Demolition of the existing structures on site including the service station / ski hire store building and existing bowser canopy;
- Construction of a new service station and shop tenancies including lower level storage and service area and covered bin enclosure and bowser canopy to allow for bus refuelling;
- Removal of existing underground tanks and installation of an underground petroleum storage system (UPSS) including 2 x 110kL fuel tanks compliant to current Australian Standards;
- The installation of 6 x new under canopy fuel pumps to replace existing pumps;
- The installation of remote fuel fill points and removal of existing fill points;
- The installation of a new oily water tank and a new oily water separator to replace existing

Internal Referrals

The development application was referred to the following sections of Council for comment:

Section	Comments
Liquid Trade Waste	Acceptable subject to conditions
Water and Wastewater	Acceptable subject to conditions
Development Engineering	Acceptable subject to conditions
Environmental Health Officer	Acceptable subject to conditions

LEGISLATIVE REQUIREMENTS ASSESSMENT UNDER SECTION 4.15 OF EP&A ACT

As required by the Environmental Planning and Assessment Act, 1979, Section 4.15, the following relevant matters are addressed below:

- Suitability of the site;
- Environmental planning instruments (State Environmental Planning Policies, Local Environmental Plans);
- Draft environmental planning instruments;
- Development control plans;
- Environmental (natural and built), social and economic impacts;
- Submissions; and
- Public interest.

1 The suitability of the site for the development

The site is currently established as a service station and ski hire which has been on site for some 50 years. The redevelopment of the site is not seeking to create new additional uses other than the inclusion of a café within the service station in line with the modern running of such businesses. The land is zoned B2 – Local Centre which permits the development as proposed with consent. The redevelopment will provide additional car parking to what is currently on site and improve the circulation of traffic through the premises lessening the impact on the Kosciuszko Road. As such it is considered that the site is suitable for the development as proposed.

2 The provisions of any environmental planning instrument

2.1 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. Relevant SEPP's examined below:

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

Complies – the application seeks to remove four existing trees from the site which will be within the building footprint. Removal of these trees as part of a development consent is permitted under the provisions of the SEPP and Councils DCP.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

Complies - The development is determined to be “traffic generating development” under schedule 3 of the ISEPP as it is a service station that has access to a classified road. Kosciuszko Road is a classified state road and as such the development application must be referred to the Roads and Maritime Services under the provisions of clause 104 (3) of the ISEPP. Under Clause 104 (3) before determining an application to which the clause applies the consent authority must give written notice to the RMS and take into consideration the following matters:

- (i) any submission that RMS provides in response to that notice within 21 days after notice was given
- (ii) the accessibility of the site concerned, including:
 - (A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and
 - (B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and
- (iii) any potential traffic safety, road congestion or parking implications of the development.

The RMS provided Council with a submission based on additional information requested from the applicant. This submission did not object to the development as proposed in the revised development plans and requested that Council include several conditions of consent.

It is considered that the development has improved the existing movement of people and service vehicles to and from the site via an internal reconfiguration of the bowser location and the increase in height of the canopy. Under the requirements of clause 104 (3)(11) (B) Council must consider the potential to minimise travel to the site by car. In this case the minimisation of the need to travel to the site is negated by the very nature of the development being a service station, however the ski hire/retail component of the development can be accessed via existing footpaths adjacent to the site from the central business and retail area of Jindabyne.

The development has improved the existing onsite parking provision by creating formalised parking areas within internal vehicular circulation and access. By increasing the height of the canopy and the reconfiguring of the pump locations current queuing of vehicles that happens from the site at peak times will be reduced.

State Environmental Planning Policy No 55 (Remediation of Land)

Complies – The SEPP aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Clause 7 states that:

- 1) A consent authority must not consent to the carrying out of any development on land unless:
 - (a) *it has considered whether the land is contaminated, and*
 - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for*
-

which the development is proposed to be carried out, and

- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

An environmental site assessment (ESA) was undertaken from 31 October to 2 November 2016 and on 17 November 2016. The assessment sampled the soil to decide whether the site was subject to any land contamination following issues raised from the results of a fuel infrastructure and line testing assessment undertaken at the site. The environmental site assessment found that the contamination levels of impact do not pose a potential health risk, and no potentially complete ecological exposure pathways have been identified as part of the ESA study. Therefore, it is considered that the site is environmentally suitable for an ongoing use for petroleum purposes.

It is proposed that at the completion of the removal of the existing tanks, a Site Validation Report detailing validation of the existing tank excavation will be issued to the site auditor for review. Upon review of the Site Validation Report, the site auditor will issue an interim audit advice (IAA) which endorses the validation of the Underground Petroleum Storage System (UPSS) excavation. A copy of the Site Validation Report and IAA will be issued to Council.

Prior to the issue of the Occupation Certificate a site audit statement would be required to be prepared and provided to Council.

If contaminated material is encountered during demolition and construction works, remediation will be required to be undertaken in accordance with the Contaminated Land Management Act 1997 and a site clearance certificate provided to Council prior to the issue of the Occupation Certificate.

State Environmental Planning Policy No 64 (Advertising Signage)

Complies - The proposed signage is considered to satisfy the requirements of SEPP 64.

The development application proposes the following signage:

- 1 x six (6) metre high pylon price board sign to replace existing site I.D. sign on the Kosciuszko Road frontage;
- 1 x four (4) metre high tenancy I.D. sign;
- New canopy fascia signage;
- New retail building fascia signage; and
- New promotional signage fixed flush to the retail building walls and glazing.

Part 2 of State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) states that a consent authority must not grant development consent for signage unless the consent authority is satisfied that the signage is consistent with both the objectives of the SEPP and the assessment criteria of Schedule 1. The applicant has demonstrated that the proposed signage is compatible with the visual character of the site, provides effective communications for the site (i.e. petrol prices, products available etc.), and is of a high quality design and finish and as such is consistent with the aims and objectives of the SEPP.

Assessment against Schedule 1

1.Character of the area	The proposed signage is in keeping with the use of the site as a service station. There is no “particular theme” for outdoor advertising in the locality.
2 Special areas	It is not considered that the proposed signage detracts from the amenity or visual quality of the area. The development is not proposed in an environmentally sensitive, heritage or conservation area, nor is it within a rural area or open space. It is well distanced from residential areas and is considered fit for the purpose proposed.
3 Views and vistas	There are specific views or vistas associated with the site. The proposal will not dominate the skyline or reduce the quality of any vistas and it will not impact on the viewing rights of other advertisers.
4 Streetscape, setting or landscape	The proposed signage is of a height considered both appropriate for the nature of the use and general context of the surroundings. Given the length of the site frontage, the proposed signage is not considered to contribute to visual clutter.
5 Site and building	The proposed signage is proportional to the scale and type of use proposed. It is erected to convey that the business on site is a service station and ski hire and includes fuel pricing and logos.
6 Associated devices and logos with advertisements and advertising structures	Lighting and logos are a part of the advertising proposed.
7 Illumination	The proposed pylon and fascia signage will be internally illuminated to one illumination setting without need for change. As the development is for a service station on a public road it is designed to ensure that it will not adversely impact the safety of vehicles, aircraft or pedestrians. It will not detract from the amenity of residences or the neighbouring tourist accommodation. The intensity of the illumination could be adjusted if required but this is deemed likely to be necessary. The illumination will not be subject to a curfew.
8 Safety	It is not considered that the proposed signage would reduce the safety of a public road. It is designed to be seen by motorists and the application has been referred to the RMS for comment and no issues regarding signage were raised. It is not considered that the signage will reduce the safety of pedestrians by obscuring sightlines as it is proposed to be well above eyelevel.

State Environmental Planning Policy No 33 (Hazardous and Offensive Development)

Complies - SEPP 33 aims to ensure that measures proposed to be employed to reduce the impact of a hazardous or offensive industry development are taken in to account and that the consent

authority has sufficient information in order to assess that development. SEPP 33 ensures that only those proposals which are suitably located, and able to demonstrate that they can be built and operated with an adequate level of safety and pollution control, can proceed.

The SEPP 33 Risk Screening determined that a Preliminary Hazard Analysis (PHA) is required due to the Heat Radiation Effects, but that the PHA does not need to consider transport issues. The existing site is adjacent to residential accommodation buildings. The PHA determined the societal risk classification to be classified level 1- negligible. As such a Level 1 Qualitative Analysis was performed and provided to Council. Further assessment adjusting the population density measures used resulted in an increase in the risk classification to level 2 ALARP (as low as reasonably practical). The additional assessment provided recommendations with respect to the adjusted risk classification and the development plans were amended accordingly.

The proposed development seeks to reduce the potential hazardous impacts by installing UPSS have been designed and infrastructure will be installed to Equipment Level 1 in compliance with AS 4897-2008 - The design, installation and operation of underground petroleum storage systems.

The underground storage tanks will be designed and constructed to be of a standard not less than that required by AS 1692 "Tanks for the storage of Flammable and Combustible Liquids". All practicable measures will be taken to prevent loss of containment from any underground petroleum storage system.

A leak detection system will be installed and operated at sufficient frequency, sensitivity and reliability to provide a high level of confidence that a release of a petroleum product will be detected in sufficient time for a response to be implemented before an unacceptable risk is posed to human health, property or the environment. As a minimum standard, all underground petroleum storage systems are required to be monitored using a system that:

- Can detect a leak from any portion of the underground storage system;
- Uses equipment that has been installed, calibrated and commissioned in accordance with the manufacturer's instructions;
- Is capable of detecting a leak at a rate of 0.76 litres per hour or more with at least 95% accuracy and a probability of false detection of 0.05 or less (USEPA);
- Has been certified by an independent third party, consistent with the current USEPA protocols and system of verification (USEPA 1990);
- Reports with a frequency of not less than monthly; and
- Is operated by a suitably trained person.

It is proposed that the new underground petroleum storage system will include the following mandatory pollution protection equipment:

- Non-corrodible tank/s and non-corrodible piping;
 - Secondary containment for tank/s and piping;
 - Dispenser sump/s;
 - Fill point spill containment equipment;
 - Overfill prevention protection equipment;
 - Tank pit observation well/s; and
-

- Equipment that earths a storage system.

Groundwater monitoring well(s) will be installed (or retained if appropriate) on site, if the site is deemed suitable by a suitably qualified and experienced person. The number and location of groundwater monitoring wells to be installed on site is also to be determined by a suitably qualified and experienced person with a view to maximising the likelihood that the wells will intercept contaminated groundwater, whatever the groundwater flow conditions. A survey of ground water movement across the site and assessment of the suitability of the use of groundwater monitoring wells in accordance with section 4.5.7.1 of AS4897 - 2008 – ‘The design, installation and operation of underground petroleum storage systems’ must be undertaken as part of this process.

2.2 Permissibility of the development under the Snowy River Local Environmental Plan 2013

The proposal is considered to be consistent with the aims and objectives of the plan.



Figure 4 - The zoning of the subject site in context with the surrounding zones.

The subject site is zoned B2 - Local Centre under the Snowy River LEP 2013 ‘SRLEP’, where the following uses are permitted with consent:

*Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; **Commercial premises**; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Function centres; Home businesses; Home industries; Home occupations; Information and education facilities; Medical centres; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Roads; **Service stations**; Shop top housing; Tourist and visitor accommodation; Vehicle repair stations*

As such the development of a service station and ski hire (being a form of commercial premises) is permitted in the zone.

It is considered that the proposal is generally consistent with the objectives of the zone which are:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To provide for appropriate residential development in the form of shop top housing and other land uses that are complementary to, and support the vitality of, the local centre.

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. The following provisions from SRLEP 2013 are of relevance and have been assessed for compliance:

Clause 4.3 Height of building

The development complies - The maximum building height applying the site is 9m. At no point does the proposed building or associated canopy exceed the 9m height limit.

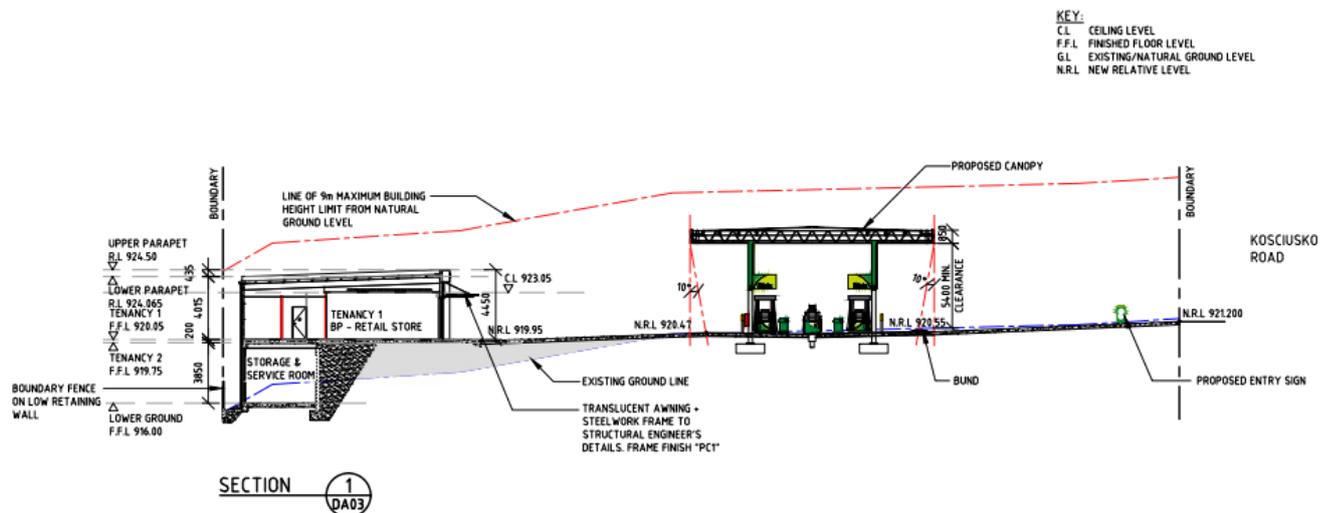


Figure 5 – section of the site showing the 9m height envelope

Clause 4.4 Floor space ratio

The development complies – The site has a maximum floor space ration of 0.5:1. The proposal is for 720sqm of floor space across the 3364sqm site resulting in a whole of site FSR of 0.21:1.

Clause 7.9 Essential services

The development complies – The use of the site is not proposing to change as such it has adequate provision of essential services to allow for the development to meet the provisions of the clause.

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.

4 Assessment against the relevant provisions Snowy River Development Control Plan 2013

The proposal has also been examined in detail against the provisions of Council’s Development Control Plan and has been found to achieve an acceptable level of compliance, the following DCP provisions are of relevance and have been assessed for compliance:

Provision	Response/Acceptable Solution
A3 Public Notification	<p>The application was notified and advertised in accordance with the provisions of the DCP and 14 submissions were received expressing concern over various aspects of the development. The issues raised in the submissions have been considered in detail below.</p> <p>As a result of the submissions the applicant made some minor changes to the proposed development plans. As the changes made to the proposed development plans were in response to the submissions raised and were of a lesser impact than the original proposal the modified plans were not renotified or advertised.</p>
C2 Design	
1 Visual Character Controls	
C2.1.1 Visual Landscape Character Assessment	Complies – It is considered that the proposed development will have a positive impact visual impact when viewed from surrounding locations. The upgraded structure will be more modern and have areas to incorporate facilities that are currently ad-hoc in their placement throughout the site. It will improve the carparking offered on the property and minimise the impact of having vehicles parked in the road reserve adjacent to the site.
C2.1-5 Building Design	Complies – the building proposed is of a modern design that is functionally appropriate for the use proposed. The building is proposed to utilise the site topography by placing storage and plant rooms under the building reducing the need for filling that area of the site. No exposed subfloor will be included in the design and the new structure will blend rather than contrast with the surrounding built form and will not use external reflective materials in its construction.
C2.1-6 Landscaping	Complies –The proposed site plan shows 278sqm of landscaped area, this is mostly situated along the boundary of the site. A final detailed landscaping plan will be required to be submitted to Council prior to the issue of the construction certificate.
2 Crime Prevention Through Environmental Design	
C2.2-1 Site Building and Layout	Complies – The development achieves the requirement for natural surveillance to and from the street. Entries to the property and premises are clearly visible and in prominent locations. There are no blank walls fronting the street, blind corners in pathways, stairwells, hallways and car parks. Due to the nature of the business it is proposed to incorporate CCTV surveillance as well as include appropriate landscaping which will help to delineate the vehicle

	movement areas.
2.2 Lighting	
C2.2.2 Lighting	<p>Complies – The development is proposed to incorporate appropriate lighting to mitigate safety impacts for both customers and staff.</p> <p>The applicant engaged an appropriately qualified light spill sub-consultant (Advanced Lighting Technologies) to prepare a light spill analysis and preliminary AS4282 assessment which illustrates external lighting impacts resulting from lighting installations. The applicant has advised that “it is noted that the lighting design will be in accordance with AS4282. All lighting will be directed down into the site with appropriate cut-off shields to not direct light or unacceptable glare to the neighbours. The light spill will be as per the light spill analysis (drawing no. 7922-1) dated 6 August 2019.”</p>
2.3 Landscaping and Fencing	
C2.2-3 Landscaping	Complies – no landscaping that obscures the site is proposed as part of the application. The site is proposed to be fenced to ensure the safety of pedestrians and customers.
2.4 Security and Operational Management	
C2.2-4 Security and Operational Management	Complies - The service station and ski hire building is orientated towards the refuelling forecourt for casual surveillance and security purposes with lighting and CCTV used onsite for security and surveillance purposes.
2.5 Building Identification and Ownership	
C2.2-5 Building Identification and Ownership	Complies – the building will include signage that clearly shows the ownership and use of the site.
2.6 Building Ownership and Maintenance	
C2.2-6 Building Ownership and Maintenance	Complies – The development will be maintained in accordance with the requirements of the BP business and any associated legislation which relates to the operation of a service station.
C3 Car-parking, Traffic & Access	
3. Vehicle Access	
C3.1-1 Permanent and Practical Legal Access	Complies - The development has access from a public road and no objection has been received from the RMS or Council Development Engineers to the proposed access arrangements. No additional vehicle crossovers are proposed and only an upgrade to the existing arrangements are proposed.
C3.1-4 Development Fronting Main or Arterial Roads	Complies – as per the requirement of the ISEPP the development was referred to the RMS and a response provided that the proposal satisfies the requirements for access to a classified road.

C3.1-5 Adequacy of Access	Complies - The proposed vehicular access to the site is considered appropriate for the proposal. The proposed design provides an appropriate layout for access and on-site queuing, in order to provide for the safe and convenient access of vehicles entering and exiting from Kosciuszko Road. Waste collection and fuel delivery vehicles can conveniently access the site, stand wholly within the service bay area whilst undertaking their operations and then exit the site in a forward gear with adequate clearances.
C3.1-6 Minimising Impacts	The proposed design provides an appropriate layout for access and on-site queuing, in order to provide for the safe and convenient access of vehicles entering and exiting from Kosciuszko Road.
4. Pedestrian and Cycle Access	
C3.2-1 Pedestrian and Cycle Access	Complies - The development will not impact on the existing pedestrian and cycle access in and around the site. The proposed development has been designed to minimise pedestrian and vehicle conflict where possible. The development will include adequate levels of illumination over the site and pedestrian access from the street frontage.
5. Car Parking Design	
C3.3-1 Design	Complies – The design of the parking spaces are in accordance with Councils specifications. The application proposes to include direction signage and be designed in accordance with AS/NZS 2890.1 2004. All parking spaces on site enable vehicles to enter and exit the site in a forward direction. Due to nature of the development, it is not possible for the parking spaces to be sited behind the building line. It is considered reasonable due to the use of the land for service station that the parking is in front of the building as is customary with this type of use.
C3.3-2 Safety	Complies - The proposed parking area has considered vehicles and pedestrian movements adequately as part of the design as well as including appropriate landscaping which will help to delineate the vehicle movement areas.
C3.3-3 Landscaping	Complies - The applicant has proposed appropriate landscaping to soften the look of the parking area, when viewed from the street.
6. Car Parking Provision	
C3.4-1 Car Parking	Does not comply however satisfactory justification of the carparking proposed has been provided by the applicant. Table C3.4-2 requires a total number of 39 parking spaces being: 11 spaces for retail premises; and 28 spaces for service station (15 spaces for convenience store GFA plus 13 spaces for site area). This is based on defining the ski hire as a ‘retail premises’ not

specifically as a ski hire. This is considered reasonable as the use of the retail space will not be specifically restricted to ski hire. Ski hire is a type of retail premises under the LEP and as such a change of use could occur without further approval of Council. It is unreasonable to penalise ski hire at this stage when any retail premises in town could change their use to ski hire without the requirement for additional parking.

The applicant proposes to provide 28 car parking spaces and 2 bus parking spaces. In addition to the 30 formal spaces provided, in practice the site also provides 8 'informal' spaces at the petrol pump parking under the refuelling canopy which will reduce demand for the formal service station parking spaces.

As such the site provides the equivalent of 38 parking spaces, by adding the above 8 informal spaces to the 30 formal ones, which is a substantial increase to the existing car parking provisions on site for the existing service station retail ski hire uses.

The applicant has provided the following justification as to the short fall which is considered reasonable in this case;

"We consider the proposed development would remain as a development with shared parking given the two existing uses compliment one another and therefore, a reduced parking requirement should be considered.

Overall, the proposed development is considered to provide an adequate number of car parking when making note of the above considerations around shared and informal parking provisions. Further, the proposed development is considered to be a substantial increase to the existing car parking provisions on site for the existing service station / shop uses.

Please note, it is considered the proposed parking provisions still provide an adequate and practical number of parking spaces for a ski hire premises for parking calculations."

C6 Signage & Advertising

<p>C6.1-1 All Signage and Advertising</p>	<p>Complies - The proposed signage is proportional to the scale and type of use proposed. It will convey important aspects to the use over the site including the fuel pricing and logos. The proposed pylon sign is of a height considered both appropriate for the nature of the use and general context of the surroundings. Given the length of the site frontage, the proposed signage is not considered to contribute to visual clutter. The proposed signage is not considered to compromise any important views or vistas given the visual context of the locality. Viewing rights of other uses will not be compromised. The proposed signage will not affect the amenity of the immediate area. The site's immediate surrounding area is within a local business zone and suitably distanced from any sensitive or heritage areas.</p>
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<p>C6.1-3 Signage in Business, Village and Tourist Zones</p>	<p>Complies - The proposed signage is proportional to the scale and type of use proposed. It will convey important aspects to the use over the site including the fuel pricing and logos. The proposal includes a six (6) metre high pylon sign (main ID sign) and a four (4) metre high pylon sign (tenancy sign). The proposed pylon signs are of a height considered both appropriate for the nature of the use and general context of the surroundings.</p> <p>Given the length of the site frontage, the proposed signage is not considered to contribute to visual clutter. The proposed signage is not considered to compromise any important views or vistas given the visual context of the locality. Viewing rights of other uses will not be compromised. The proposed signage will not affect the amenity of the immediate area. The site's immediate surrounding area is within a local business zone and suitably distanced from any sensitive or heritage areas.</p>
<p>Signage Types</p>	
<p>C6.2-2 Pole or Pylon Signs</p>	<p>Complies - The proposal includes a six (6) metre high pylon sign (main ID sign) and a four (4) metre high pylon sign (tenancy sign). The main site ID sign will provide necessary information for the service station use while the smaller secondary pylon sign will provide necessary identification for the tenancy.</p> <p>The proposed pylon signs are of a height considered both appropriate for the nature of the use and general context of the surroundings.</p>
<p>C8 Environmental Management</p>	
<p>C8.2-1 Land Contamination</p>	<p>Complies – The issue of land contamination has been dealt with under the provisions of SEPP 55 and it is considered the land is appropriate for the development proposed. Mitigation measures have been put in place by the applicant should contamination be detected during construction. The ongoing use of the property will be carried out in accordance with relevant legislation and improved monitoring through the installing of a new UPSS.</p>
<p>C8.3-1 Erosion and Sediment Control</p>	<p>Complies - The application included an appropriate sediment and erosion control plan and construction management plan.</p>
<p>C9 Energy & Water Efficiency, Water Supply & Effluent Disposal</p>	
<p>C9.2-1 Reticulated Town Water</p>	<p>Complies – The development is connected to reticulated water.</p>
<p>C10 Waste management & Recycling</p>	
<p>4.1 Design Stage</p>	<p>Complies - the development as proposed provides for suitable and sufficient waste and recycling and waste storage facilities.</p>

4.2 Demolition and Construction	Complies – the waste generated during the demolition of the building will be dealt with in accordance with the waste management plan submitted with the development application. Any waste that is deemed classified such as asbestos will be disposed of in accordance with required legislation. Conditions of consent will be included to ensure compliance with these requirements.
4.3 Ongoing Operation	Complies – the applicant has provided the following undertaking with respect to how the ongoing operation proposes to deal with waste. Council considers appropriate to comply with the provisions of the clause: <i>“Waste facilities will be provided in the enclosed refuse area located to the western side of the proposed building. The waste bins will be skip bins with covered, heavy lids and the refuse area will be screened from public view. The waste collection vehicle can effectively access the refuse area via the loading bay as well as access and egress the site in a forward direction. The loading bay will also function as bus parking outside waste collection / peak-hour times and will be appropriately managed on-site by the site manager.”</i>
E Non-Residential Development	
E3 Commercial & Retail Development	
E3.1-1 Land Use Compatibility	Complies – the proposed use is permitted on the land and is a redevelopment of an existing business that has been operating on the site since the 1960s. As such it is considered that as no change is being proposed to the use the land is compatible with the proposed use. The plant and waste facilities for the development have been located within the building and the plant and machinery room is situated to the north east of the site away from adjoining buildings. The development adjoins a tourist accommodation facility which does not overlook the site or gain any views through the site. The tourist facility is not approved to allow for permanent residential accommodation and as such the usual residential amenity issues in this case are reduced. The tourist accommodation facility was constructed many years after the existing service station has been operating on the site and therefore there is a reasonable expectation that the use would continue and be improved over time.
E3.1-2 Environmental Impacts	Complies – the redevelopment of the site and modernisation of the fuel delivery systems will reduce potential negative environmental impacts. The site is not adjoining nor does it use areas that are of high environmental significance. Stormwater will be managed onsite through appropriate means. The applicant provided the following response to this clause:

	<p><i>“All storage and operation of unleaded petroleum (flammable liquid) and diesel (combustible liquid) will be carried out in accordance with the relevant Australian standard (AS1940). The proposal will connect into the new oily water treatment system, which is considered to appropriately preserve the environmental integrity of the site, including any potential groundwater impacts. The proposed use will be suitably distanced from any areas of environmental value / sensitivity and any known hazard constraints. The application demonstrates compliance with all relevant local and State planning policies including the PLEP and SEPP 33, SEPP 55 and SEPP 64”.</i></p>
E3.1-3 Transport Infrastructure	Complies – the application demonstrates compliance with this requirement through the provision of access, circulation and parking arrangements on the site.
F1 Jindabyne Town Centre	
4.1 Urban Form	
F1.1-1 Views, Vistas and Landmarks	Complies – the development does not disturb or obscure any significant views or vistas (including those identified in the Jindabyne town Centre Masterplan).
F1.1-3 Street Corners	Complies – due to the nature of the development orientation of buildings is to the main street frontage to allow for access to the site via Kosciuszko Road. As the property does not extend to the adjoining street frontage there is no access provided from the minor road to the north east which services the Jindabyne Holiday Park. It is considered that the proposed design is appropriate for the site and use having an attractive building façade and a variety of architectural features including timber cladding, louvres, and colour scheme variation.
F1.1-5 Safety, security & Crime Prevention	Complies – the proposed development has considered the principles of Crime Prevention through Environmental Design in their design of the building, parking and service areas. It has opportunities for casual surveillance with views over the refuelling forecourt and car parking areas. The design also allows for clear lines of sight between the building and car park entrances, with the building entrances clearly visible from Kosciuszko Road. Low level shrubs and ground cover planting will ensure that opportunities for surveillance are provided and will allow for the safe movement of residents around the site. Adequate lighting of car parking areas, internal pathways and common areas will be provided to ensure opportunities for concealment are minimised.
F1.1-7 Universal Design/Accessibility	Complies - The proposed development has been designed to provide a clear travel path along the building line for people with a disability.
4.2 Traffic, access, parking and servicing	
F1.2-1 Vehicle	Complies – the developments vehicle access, and car parking

access & parking	requirements have been discussed above and deemed appropriate for the use proposed.
F1.2-2 Pedestrian and cycle access	The subject site is outside the mapped areas of key pedestrian and cycling connections.
4.3 Building and Site Design	
F1.3-1 Height	Complies with the provisions of the SRLEP for maximum height limit
F1.3-2 Density/ Floor Space Ratio	Complies with the provisions of the SRLEP for FSR.
F1.3-3 Setbacks	<p>The subject site is outside the mapped areas of Build to Lines and setbacks in the Jindabyne Town Centre Master Plan. As such no specific setback requirements are attached to the site.</p> <p>The proposed development however provides an appropriate setback from Kosciuszko Road and neighbouring properties. Landscaping will be provided within building setback areas and along property boundaries. Vehicle access points located within the road setback area will not have a detrimental impact on the appearance of the development or pedestrian and cycle movement and will be softened by landscaping along the property boundary.</p>
4.4 Building Exterior	
F1.4-1 Building Facades & articulation	Complies - The design provides a variety of architectural features including timber cladding, louvres, and colour scheme variation. The building includes a significant amount of articulation and windows have been used provide casual surveillance and encourage natural light. The shop facades facing the refuelling forecourt area will be predominantly clear glazed to provide activation to public spaces and adjoining roads.
F1.4-2 Building Entrances	Complies - the building entrances address the primary road frontage, they are clearly visible from the street. The entrances are designed to allow for all persons with all abilities to access the site.
F1.4-3 Solar access, overshadowing & Natural Daylight	Complies - it is considered that due to the height and design of the new service station retail store and shop building that it will not significantly impact on sunlight access or overshadow public open spaces.
F1.4-5 Signage and Advertising	Complies - the proposed signage has been assessed against the requirements of SEPP 64 and achieved an acceptable level of compliance.
F1.4-6 Materials and finishes	Complies - the proposed development utilises high quality materials and finishes in keeping with the proposed use. The materials proposed are in keeping with the Snowy River Design Guidelines in that they are non-reflective and colours that are considered appropriate under the guidelines. Where there are departures from the preferred colour

	schemes it is due to appropriate branding that is required to identity the use of the building as a service station.
4.5 Open Space and Landscaping	
F1.5-2 Landscape Design	Complies - the proposed development will include a variety of landscape features including new plants and areas of new groundcover planting. Landscaping will be provided in suitable areas to provide soften the edges of the development and provide a buffer to nearby uses. It is proposed that the development will use local native plants with low water demand and low fertiliser requirements.
F1.5-3 Deep soil zones	Complies - the few existing trees on the site will be removed to allow for the development. It is considered reasonable due to the nature of the development that low shrubs and groundcover will be utilised in the landscaping in lieu of large tree species.

5 Impacts of the Development – Environmental, Social & Economic

5.1 Access, transport and traffic

The proposed redevelopment provides for an improved site layout. This provides for improved site access, onsite parking and vehicle circulation that will reduce the current issues with queuing which occurs from the site onto the Kosciuszko Road. The development is categorized under Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) as “traffic generating development” being a service station with access to a classified road. In accordance with the provisions of clause 104 of the ISEPP the application was referred to the Roads and Maritime Services (RMS).

Clause 101 of the ISEPP provides considerations for development with frontage to a classified road. Kosciuszko Road is a classified state road however the access is existing, and the traffic generated by the development is not considered to be an increase in what is already experienced on the site. The development proposes to improve the existing vehicular flow paths through the site, reducing the current queuing that occurs onto the Kosciuszko Road in peak times, as such it was considered that a Traffic Impact Assessment (TIA) was not necessary in this case. The proposed development does not compromise the effective and ongoing operation and function of a classified roads.

Council received a submission from the RMS which sought further information from the applicant. This request was responded to by the applicant and the response provided to the RMS when received. In its final submission to Council the RMS has stated it has no objection to the proposal as outlined in the amended development plans and that the consent be the subject to conditions provided.

5.2 Visual Impacts

The development does not present any negative visual impacts and the revised design will improve the streetscape through a modern design and improved use of landscaping. The development does not overlook or overshadow adjoining development nor is it within view corridors.

5.3 Environmental Impacts

The proposal proposes to replace the existing underground petrol tanks as part of a strategic replacement program. The site currently comprises 5 underground tanks of various sizes. These fuel tanks will be removed from site and disposed of in accordance with AS 4976-2008 (Removal and Disposal of Underground Petroleum Storage Tanks). The proposed replacement fuel system will comprise of 2 x 110,000 Litre double-walled fibreglass tanks. These tanks will comprise a mixture of the standard fuel products such as, E10 Fuel, Unleaded 91, 95, 98 and Diesel. The proposed works include replacing the existing underground (single wall – steel) fuel storage tanks and pipelines, with new double walled non-corrodible (fibreglass) tanks and new non-corrodible product piping. The new UPSS will be designed and installed in accordance with AS 4897, the Australian Standards for the design, installation and operation of underground petroleum storage systems. These standards will ensure greater environmental controls – such as double walled tanks, double walled pressure pipework, automatic tank gauging, and electronic leak monitoring. Further, the tanks will be maintained to satisfy the requirements of AS1940-2004 The storage and handling of flammable and combustible liquids.

The removal of existing older style tanks and replacement with non-corrodible tanks will have a positive environmental impact and lessen the risk of leakage from the UPSS. Conditions of consent will be imposed to ensure that the disposal, installation and ongoing management of the UPSS will be undertaken in accordance with the relevant Australian Standards.

The applicant undertook an environmental site assessment (ESA) was undertaken on 31 October to 2 November 2016 and on 17 November 2016. This assessment sampled the soil to determine whether the site was subject to any land contamination following issues raised from the results of a fuel infrastructure and line testing assessment undertaken at the site. The environmental site assessment found that the contamination levels do not pose a potential health risk, and no potentially complete ecological exposure pathways have been identified as part of the ESA study. Therefore, it was considered that the site is environmentally suitable for an ongoing use for petroleum purposes.

The applicant was required to undertake a Preliminary Hazard Analysis (PHA) under the provisions of SEPP 33. The applicant provided the analysis as part of the statement of environmental effects. This analysis classified the risk as negligible taking into consideration that the site is adjacent to accommodation buildings. The PHA concludes that the risk levels associated with the proposed development are in general accordance with the Department of Planning guidelines for tolerable fatality, injury, environmental and societal risk. Several of the submissions received raised issues as to the calculation method used in the PHA with specific reference to the way that the population density was calculated. As a result, an addendum to the PHA was submitted to Council increasing the population density to determine if this had an impact on the original findings. It was determined that there would be an increase in the risk classification from level 1 – negligible to level 2 - as low as reasonably practicable (ALARP). The revised document provided recommendations in response to the ALARP classification, where appropriate the recommendations have been integrated into the revised plans.

The development will require forecourt spill protection. The applicant has stated that the contaminants would be separated prior to disposal to Councils stormwater system, as shown the stormwater plan submitted with the development application. This is not considered acceptable and a condition of consent will be imposed to ensure that no waste by-product will be directed to

Councils stormwater system and must be managed on site through consultation with Councils Liquid Trade Waste Officer.

As such the environmental impact of the existing development will be reduced by the site redevelopment and the environmental impacts of demolition of the existing building can be mitigated through adherence to appropriate conditions of consent and waste disposal plan.

5.4 Social and economic impact

No additional negative social impacts are anticipated from the redevelopment of the existing service station and retail premises. The site currently operates on a 24-hour 7 day per week schedule and this is not proposed to change. Existing noise impacts from the location of existing ice freezers and location of storage along the western boundary of the site will be minimised by the relocation of these functions and the installation of an acoustic fence.

The applicant has considered the principles of Crime Prevention through Environmental Design in the design and ongoing operation of the development.

It is considered that the development will have generally positive economic impacts on the locality by providing an improved service station and retail space for both residents and tourists.

6 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 "21" days.

Summary of Submissions

Total Number of submissions	14
Number objecting	14
Number supporting	0

A copy of the redacted submissions is attached to the report as is the applicant's response to submissions. As part of their response the applicant provided Council with amended plans which sought to address some of the concerns raised by the submissions. A supplementary document to the Preliminary Hazard Analysis (PHA) was prepared to revise the assumed population densities surrounding the site. The document included recommendations that were implemented where practicable in the amended plans.

Based on the submissions received the applicant has provided the following summary of the changes to the development plans:

- Relocation of fuel vents away from the bin storage and neighbouring buildings to rear;
 - Removal of bus parking bay at the south-west corner (adjacent the Rydges property managers residence/building);
 - New acoustic fencing from end of existing block wall fence to adjacent the proposed new bin store; **(Note amended plan submitted following meeting of 21 November, extending the length of the acoustic wall)**
-

- Nomination of existing colorbond boundary fence to remain on Rydges boundary;
- Removal of additional storage area behind bin store, this has reverted to landscaping and retaining walls have been adjusted to suit;
- Nomination of see-through vertical bar fencing to the walkway around the side and back of the bin store so that visibility is maintained to the rear corner of the BP site;
- Relocation of BP mechanical / refrigeration plant to the eastern end of the lower level storage area;
- Removal of BP lower level storage area;
- Addition of externally clad / solid walls to the lower level storage area for Tenancy 2
- Nomination of chain wire mesh fence to the rear boundary adjacent the rear of the building;
- Nomination of handrail fencing to the balance of lower carpark and driveway ramp along the Kosciuszko Road boundary;
- Slight relocation of some internal flood light poles around the entry and exit driveway crossovers;
- Nomination of replacement of the existing entry/ingress driveway with concrete; and
- Nomination of BP ice boxes, gas cylinder exchange cages and fire wood cage to the front of the Tenancy 2 shopfront:

Note: Bollards along the edge of the walkway, in front of the parking, have been removed in order to achieve this, and wheel stops will need to be shown instead. We have not shown the wheel stops on this plan.

Summary of Issues Raised and Response

Issue - Loss of residential amenity, due to proximity of the proposed building to Horizons building #1 creating noise, lighting, privacy, view loss and visual impacts

Response: Several of the submissions raised issues relating to “residential amenity” impacts on the adjoining Horizons holiday units. Under the provisions of the SRLEP2013 residential accommodation is a building or place used predominantly as a place of residence, it does not however include tourist and visitor accommodation. Horizons resort was approved by Council as a type of tourist and visitor accommodation and as such any permanent residential occupation of the space is not permitted. With respect to privacy and view loss the applicant has amended the building design to remove some built form from the corner and reinstate landscaping. The units in building #1 of the Horizons complex do not directly overlook the site with any of their primary living areas. These primary living areas and outdoor areas are orientated to look north towards Lake Jindabyne. As such it there would not be overlooking of these buildings from the BP site and it is not considered to have any current significant views from these buildings which will be disturbed or lost due to this development.

The subject site was an established service station and ski hire retail premises prior to the construction of the Horizons resort, and it is reasonable to allow for the its upgrade and redevelopment. The construction of the proposed service station building to the rear of the site in line with building #1 is not considered an unreasonable use of the site. In the proposal there is no rear access to the property and the applicant in response to concerns about noise, amended the

plan to provide for a 1.8m high acoustic wall along part of the western property boundary. This new acoustic wall will shield the adjoining resort buildings from any bus / refuse vehicles, roller door operations. **(Note the amended plan submitted following the meeting of 21 November extends the length of the acoustic wall)**. The existing colorbond boundary fence will remain on Horizons boundary. In addition the mechanical plant yard location originally proposed to be located on the western side of the building in close proximity to the adjoining holiday accommodation property has been relocated to the eastern end of the lower level storage area.

In response to issues raised regarding the impact on lighting the applicant engaged an appropriately qualified light spill sub-consultant (Advanced Lighting Technologies) to prepare a light spill analysis and preliminary AS4282 assessment which illustrates external lighting impacts resulting from lighting installations. The applicant has advised that *“it is noted that the lighting design will be in accordance with AS4282. All lighting will be directed down into the site with appropriate cut-off shields to not direct light or unacceptable glare to the neighbours. The light spill will be as per the light spill analysis (drawing no. 7922-1) dated 6 August 2019.”*

Issue –Location of bin and equipment storage

Response: Concerns were raised about the perceived noise and odour concerns as a result of the proposed bin storage location. It was suggested in some submissions that the bin store could be relocated to eastern side of the site away from the Horizons boundary. This is not practical due to the topography of the site. An appropriate gradient could not be achieved to allow for a heavy vehicle collecting waste to access this area of the site through the internal vehicle access drive. It is considered that the best location is as proposed where the bins can be accessed safely.

In response to issues raised regarding odour from the facility it must be noted that the bin storage is located within a roofed and screened enclosure. This is considered to limit any odours from the bin storage area which will be maintained in a clean orderly manner.

With respect to noise impacts during emptying, the service station redevelopment now includes a 1.8m high acoustic wall to the boundary in this location. This new acoustic wall will shield the adjoining resort buildings from any refuse vehicle operations in this area.

Issue - Hours of Operation and Change in nature of the business.

Response: The development application does not propose to change the hours of operation of the service station or ski hire business. Whilst there is an increase in size of the building this is to incorporate the more modern style of service station rather than that which was considered appropriate in 1965 when the existing service station was approved. More of the site is proposed to be utilised by the new building and incorporates a previously unformed car park into the site parking and circulation space. There is proposed to be a café within the service station shop, which is again in keeping modern requirements and expectations of customers. It is considered that the majority of peak traffic / use of the site is expected throughout the day. Any wild bean café use would be in the form of a small barista style coffee offer within the building only and not outside. The building whilst larger, is well within the floor space ratio allowable on site and as such is not considered overdevelopment.

Issue – That the Preliminary Hazard Analysis Report (PHA) did not adequately account for the population densities in the Horizons Resort

Response: The applicant provided the following response to the concerns raised about the PHA:

“Some of the submissions raised concern about the societal impact calculations within the preliminary hazard analysis (PHA) report originally submitted as part of the service station redevelopment. Specifically, the number of potential persons affected by an incident.

In response, TFA has provided a supporting cover statement addressing this concern.

In summary, the site classification is subject to the assumed population within the affected area of the adjoining accommodation resort. If the estimated occupancy of the resort was increased to 120 (as nominated in one of the submissions), or the driveways were included in the affected area calculation, the site classification would be changed from level 1 ‘Negligible’ amended to level 2 ‘ALARP’ (as low as reasonably practical).

As a result of this review, we have incorporated the recommendations detailed in the cover statement (where appropriate) into the revised proposed site layout plan (Drawing No. 17071-DA03_G) “

It is therefore considered that the applicant has responded to the concerns raised and implemented an appropriate response.

Issue – Impact of the Fuel System including vents, tank locations and fill points.

Response: Concerns were raised about the location of the fuel tanks and pumps, also the location of the fuel system vents which were proposed to be on the boundary of the property in close proximity to the managers residence of the Horizons complex.

The applicant in their response to the submissions the vent stack has been relocated away from the residential buildings at the rear and towards the front of the site. They have also proposed to install Stage 1 vapour recovery systems (VRS) in compliance with NSW DECC standards and Best Practice Guidelines for Vapour Recovery at Service Stations. The VRS must be designed and installed in compliance with Clause 4.3.6 AS 4897-2008. This is the benefit of redevelopment of an older service station site providing the ability to update the systems to meet current standards.

The applicant has provided the following advice as to the fuel system proposed which:

“will be a closed loop system whereby any vapours displaced / discharged from tank ullage space during tanker unloading (site refuelling) activities, will be drawn back into the tank under a Vapour Recovery pipework arrangement. During normal site operations, as fuel is withdrawn from the tanks and dispensed into customer vehicles, the vent stack will operate on a negative / suction action drawing in air to tank space.”

Issue –Site Access and the Provision and location of bus and car parking

Response: The application was referred to the RMS for their comment and they have no objections the development in its revised form. The circulation on site and the additional parking area with internal access will provide a better flow of traffic on the site and reduce the need for queuing onto the Kosciuszko Road which currently occurs in peak times.

Table C3.4-2 of the Snowy River DCP requires a total number of 39 parking spaces being:

11 spaces for retail premises; and

28 spaces for service station (15 spaces for convenience store GFA plus 13 spaces for site area).

This is based on defining the ski hire as a retail premises, not specifically ski hire. This is considered reasonable as the use of the retail space will not be specifically restricted to ski hire. Ski hire is a type of retail premises under the LEP and as such a change of use could occur without further approval of Council. It is unreasonable to penalise ski hire at this stage when any retail premises in town could change their use to ski hire without the requirement for additional parking.

The applicant proposes to provide 28 car parking spaces and 2 bus parking spaces. In addition to the 30 formal spaces provided, in practice the site also provides 8 'informal' spaces at the petrol pump parking under the refuelling canopy which will reduce demand for the formal service station parking spaces.

As such the site provides the equivalent of 38 parking spaces, by adding the above 8 informal spaces to the 30 formal ones, which is a substantial increase to the existing car parking provisions on site for the existing service station retail ski hire uses.

The applicant has provided the following justification as to the short fall which is considered reasonable in this case

"We consider the proposed development would remain as a development with shared parking given the two existing uses complement one another and therefore, a reduced parking requirement should be considered.

Overall, the proposed development is considered to provide an adequate number of car parking when making note of the above considerations around shared and informal parking provisions. Further, the proposed development is considered to be a substantial increase to the existing car parking provisions on site for the existing service station / shop uses.

Please note, it is considered the proposed parking provisions still provide an adequate and practical number of parking spaces for a ski hire premises for parking calculations."

7 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. It is an existing approved use and the redevelopment will see improved technologies installed as part of the new UPSS arrangements.

CONCLUSION:

It is considered that the proposed development generally complies with the relevant provisions of Section 4.15 of the EPA 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

It is considered that there will be minimal social impacts of the proposed development and any adverse impacts can be managed through appropriate conditions of consent.

2. Environmental

The environmental impacts of the development have been considered in the assessment of the application against the provisions of s4.15 of the EPA Act.

3. Economic

The development is not considered to have any adverse economic impacts on the region, any works required to be undertaken will be at the cost of the developer.

4. Civic Leadership

Due to the number of submissions received the application has been referred to Council for determination in accordance with Council's adopted policy.

Councillors were invited to attend an inspection of the site scheduled for 2 October 2019, with 2 Councillors attending at that time. Another Councillor attended the Jindabyne office in the previous week to view the plans and speak to staff regarding the proposal.

The application was presented to the November Council meeting. Council resolved (Resolution 407/19) to defer the item, to enable further discussion between the applicant and the General Manager of Rydges Horizons Snowy Mountains.

The applicant (TFA Group on behalf of BP Australia) undertook this discussion with the General Manager on 22 November. The applicant has provided a written response to Council (which is attached to this report), which outlines the discussion had with Rydges Horizons Snowy Mountains General Manager and includes an amended plan detailing an extended length for the proposed acoustic wall.

The applicant has met the intention of Resolution 407/19 and the application is re-presented to Council for determination.

8.3 DA 10.2019.1371.1 - MICHELAGO BANK OF BINS

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Urban and Rural Planner
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:	10.1.1 Council has a transparent and bold growth objective which provides a framework for decision making
Attachments:	<ol style="list-style-type: none"> 1. Development Plans (<i>Under Separate Cover</i>) 2. Site Plan (<i>Under Separate Cover</i>) 3. Statement Of Environmental Effects (<i>Under Separate Cover</i>) 4. Objector Submissions (Redacted) (<i>Under Separate Cover</i>) 5. Applicants Response to Objections (Redacted) (<i>Under Separate Cover</i>) 6. Draft Determination (<i>Under Separate Cover</i>)

Further Operational Plan Actions:

Applicant Number:	10.2019.1371
Applicant:	Council
Owner:	Council
DA Registered:	18/09/2019
Property Description:	UN: 105371245
Property Number:	UN: 105371245
Area:	Michelago
Zone:	RU5 Village and SP2 Infrastructure
Current Use:	RFS Shed
Proposed Use:	Waste Management Facility – Bank of Bins
Permitted in Zone:	Yes
Recommendation:	Approval

EXECUTIVE SUMMARY

The purpose of this report is to seek approval for a change of use of an existing shed to a storage facility for a community bank of bins (B.O.B).

The proposed development involves the change of use of an existing shed (previously used by the RFS) to a bin storage facility. There will be minimal external changes to the building including the addition of two 'whirly birds' for ventilation, an awning over the pedestrian access door and replacement of a previously removed water tank (additionally some minor changes may be required for BCA compliance). Internally, the building will hold seventy-five 360L bins (40 for recycling and 35 for general waste) in a

103m² (approx.) area and an additional 18m² (approx.) area will be reserved for storage.

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

RECOMMENDATION

That

- A. Pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* that consent to DA 10.2019.1371.1 for a change of use for an existing building to a Waste Management Facility (Bank of Bins), is granted subject to the conditions attached;
- B. Any person who made a submission is notified according to the regulations.

BACKGROUND

The proposed development involves the change of use of an existing shed (previously used by the RFS) to a bin storage facility. There will be minimal external changes to the building. Internally, the building will hold 75 x 360L bins (40 for recycling and 35 for general waste) in an area of 103m² (approx.) with an additional 18m² (approx.) area reserved for storage.

This facility will replace the current system of rural bin collection for the Michelago area which consists of a bin pickup once a week on Saturday mornings at a set location. The bins will be serviced at the same time as the weekly kerbside service (currently collected on Fridays).

The current shed was constructed in the early 1990s and was utilised by the Michelago RFS since this time, in 2018 an approval was issued for the erection of a new RFS shed next door to the existing shed.

ASSESSMENT

The application has been assessed against the provisions of the following documents:

State Environment Planning Policies (SEPPs)	Infrastructure SEPP (2007)
Local Environmental Plan (LEP) (including draft LEPs)	Cooma Monaro LEP 2013
Development Control Plans	Cooma Monaro DCP 2014

SECTION 79C

Application:	10.2019.1371.1
Officer:	Quinn Maguire
Date:	10/12/2019
Development Proposal:	Change of Use – Conversion of a decommissioned fire shed to house a

	Bank of Bins (BOB)
On Land Comprising:	Ryrie Street MICHELAGO 2620 UN: 105371245
Zone:	SP2 - Infrastructure
Notification /Advertising:	14 days, neighbours (including those separated by road) and advertisement in the Monaro Post
Type of Development:	Change of Use
Integrated Approval Bodies	<input type="checkbox"/> Department of Planning <input type="checkbox"/> NSW Environmental Protection Agency <input type="checkbox"/> NSW Rural Fire Service <input type="checkbox"/> Roads and Maritime Services <input type="checkbox"/> Office of Environment and Heritage <input type="checkbox"/> Office of Water <input type="checkbox"/> Fisheries <p>Conditions of consent/reasons for refusal are attached to the file and included in the determination.</p>
External Referrals/Concurrence Authorities:	<input type="checkbox"/> Department of Planning <input type="checkbox"/> NSW Environmental Protection Agency <input type="checkbox"/> NSW Rural Fire Service <input type="checkbox"/> Roads and Maritime Services <input type="checkbox"/> Office of Environment and Heritage <input type="checkbox"/> Office of Water <p>Conditions of consent/reasons for refusal are attached to the file and included in the determination.</p>
Internal Referrals:	<input checked="" type="checkbox"/> Building Surveyor <input checked="" type="checkbox"/> Development Engineer <input checked="" type="checkbox"/> Water/Waste Engineer <input type="checkbox"/> Environmental Health Officer <input type="checkbox"/> Heritage Officer <input type="checkbox"/> Strategic Planner
Additional information submitted:	Additional information submitted in response to submissions of objection
Compliance with the EPAA 1979:	The application has been considered with regard to the matters raised in section 4.15 of the Act. On balance, it is considered that the proposed development is acceptable and that development consent be granted.

Assessing Officer:	<i>Quinn Maguire</i>
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2.0 PROPOSED DEVELOPMENT IN DETAIL

The proposed development involves the change of use of an existing shed (previously used by the RFS) to a bin storage facility. There will be minimal external changes to the building, including the addition of two 'whirly birds' for ventilation, an awning over the pedestrian access door and replacement of a previously removed water tank (however, additional changes may be required for BCA compliance). Internally, the building will hold 75 x 360L bins (40 for recycling and 35 for general waste) in an area of 103m² (approx.) with an additional 18m² (approx.) area reserved for storage.

This facility will replace the current system of rural bin collection for the Michelago area which consists of a bin pickup once a week at a set location. This collection involves all members using the service bringing their bins to the pickup location where the two Council trucks wait for 3 hours every Saturday morning.

Servicing the bins will be at the same time the kerbside collection is undertaken (currently on Fridays). This will remove the current requirement for staff and the collection vehicles to attend on both Fridays and Saturdays.

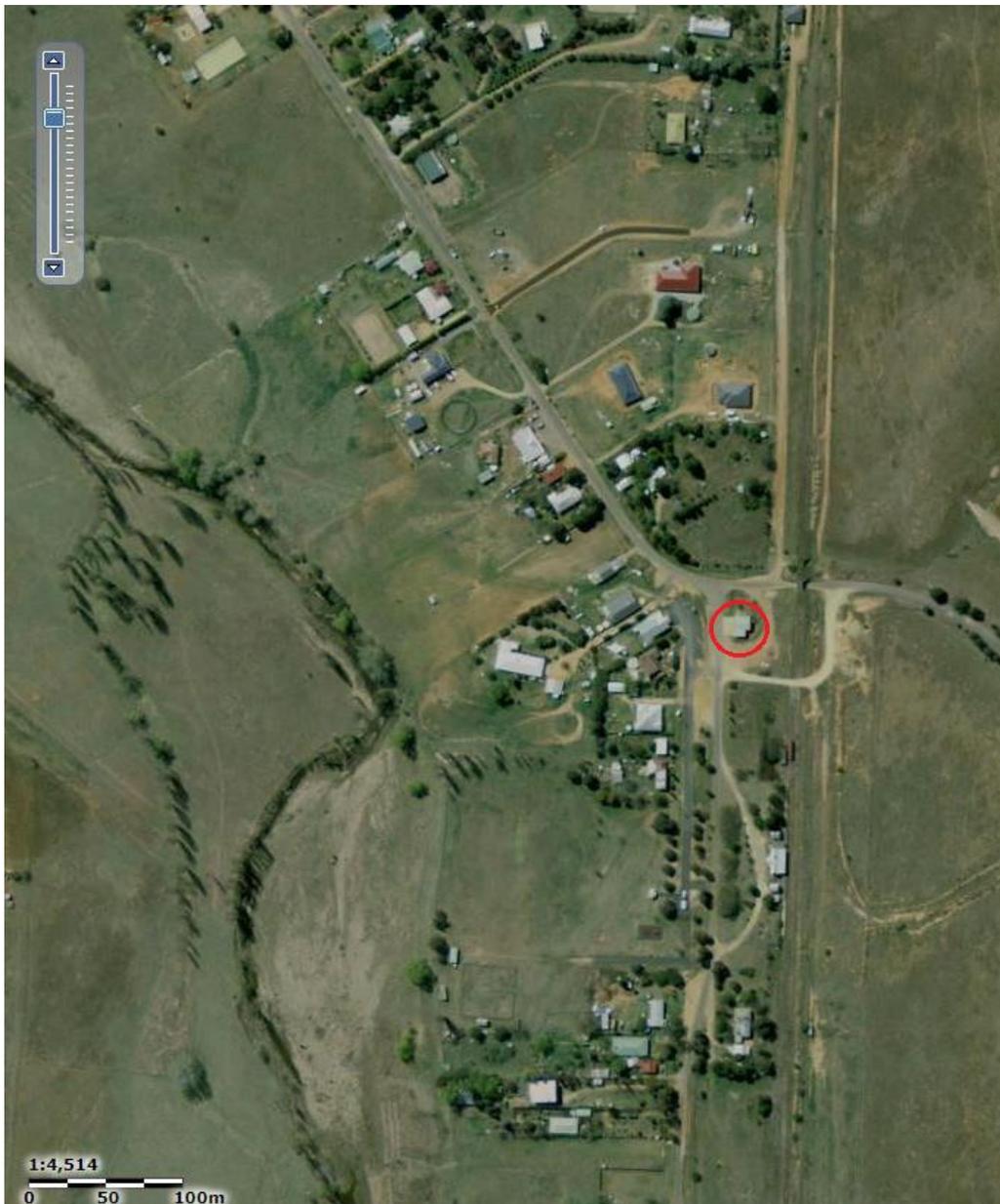
3.0 ASSESSMENT UNDER SECTION 4.15 OF EP&A ACT

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



Date of Site Inspection	25/12/2019
Slope	gentle slope exists – no impediment to development exists
Significant vegetation	nil on-site evident
Adjoining development	RFS Shed on adjoining land Residential development, Community Hall, Childcare within general vicinity
Suitability of proposed works	generally acceptable having regard to constraints of the land

Streetscape	proposal generally compatible with adjoining development
Stormwater disposal	Overflow from rainwater tanks and runoff from hard stand areas to be directed to Council's mains
Services	Electricity connected to building, no other Council or mains services connected
Views	nil impact to and from site
Contamination	nil identified
Bushfire	the subject site is not classified as bushfire prone
Flooding	nil impact
Vehicular access	acceptable subject to conditions
Aboriginal sites	nil identified on-site
Threatened species	nil identified on-site
Grasslands	nil identified on-site
Rivers/streams	not applicable
Effluent disposal	Nil – no bathroom facilities
Prevailing winds	nil impact
Easements	nil affected by this proposal
Other matters	nil

Previous Development History

The site has an existing shed which was previously utilised by the Michelago branch of the RFS who have since built a new RFS shed next door which they will transition into in the near future.

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. The SEPP's examined include (where applicable):

<i>State Environmental Planning Policies</i>	<i>Compliance/Relevance</i>
SEPP 21 – Caravan Parks	Not relevant
SEPP No. 30 - Intensive Agriculture	Not relevant
SEPP 33 - Hazardous and Offensive Development	Not relevant
SEPP No. 36 - Manufactured Home Estates	Not relevant
SEPP No. 44 - Koala Habitat Protection	Not relevant
SEPP No. 55 - Remediation of Land	Not relevant

SEPP No. 62 - Sustainable Aquaculture	Not relevant
SEPP 64 – Advertising and Signage	Not relevant
SEPP 65 – Quality Residential Flat Building	Not relevant
SEPP – Building Sustainability Index: BASIX 2004	Not relevant
SEPP (Affordable Rental Housing) 2009	Not relevant
SEPP - Housing for Seniors or People with a Disability - 2004	Not relevant
SEPP (Infrastructure) 2007	Complies
SEPP- Major Development - 2005	Not relevant
SEPP (Exempt and Complying Development Codes) 2008	Not relevant
SEPP (Rural Lands) 2008	Not relevant
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not relevant
State Environmental Planning Policy (State and Regional Development) 2011	Not relevant
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	Not relevant
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Not relevant

Cooma Monaro LEP 2013

- The subject land is zoned: RU5 Village and SP2 Infrastructure
- Definition of land usage under CMLEP 2013: Waste Management Facility
- The proposal is permissible with development consent from Council pursuant to Zone *RU5* of the CMLEP 2013.
- The proposal **is** considered to be consistent with the aims and objectives of the plan.

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

Provision	Response
PART 5 Miscellaneous provisions	
Clause 5.3 Development near zone boundaries	Complies – Development considered to meet the objectives of both RU5 village and SP2 Infrastructure
PART 6 Additional local provisions	
Clause 6.10 Essential Services	Complies - development is considered to have adequate access to all required essential services

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

Cooma-Monaro Development Control Plan 2014

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

Provision	Response
2 General Development Controls	
2.1 Streetscape	Complies –no specific requirements for
2.2 Building height and bulk	N/A
2.3 Building Setbacks	N/A
2.4 Crime and Safety	Complies- assessed on merits, applicant has proposed a number of safety measures including lighting, lockable doors, limited operating hours and surveillance systems, this is considered to be appropriate, conditions will be provided to ensure ongoing compliance
2.5 Vehicular access and roads	Complies- access considered suitable
2.6 Stormwater	Complies- all overflow from tanks and runoff from hardstand areas to be directed to Council’s stormwater system
2.7 Energy efficiency	N/A
2.8 Erosion and sediment control	N/A
2.9 Landscaping	N/A
2.10 Off-street parking and delivery vehicle facilities	Complies - it is considered that four spaces are appropriate for the scale of the proposed development and expected use, it is noted that three of the spaces may be used for garbage truck access but this will be for an expected period of around an hour per week and is not considered to have a significant impact. Spaces need to be marked prior to occupation.
2.11 Infrastructure and Easements	Complies- no easements or infrastructure impacted by this development
3 Controls for Specific Development Types	
3.1 Alterations and Demolitions	
3.1.1 Alterations and additions to existing buildings	Complies – no significant alterations proposed, alterations and additions included in application are considered to be in

	keeping with the existing building
6. Provisions for Specific Locations	
6.6 Groundwater vulnerable land	Complies- no significant ground disturbance proposed, all roof and hard surface runoff to be directed to council infrastructure
8 Public Notification Requirements	
8.2 Prescriptive Requirements	14 days, adjoining neighbours and additionally advertised in the Monaro Post

The proposal has also been examined in detail against the provisions of Council's relevant Development Control Plan (Section 4.15(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*)

Clause 93 – Fire safety change of use of buildings where the applicant does not seek the rebuilding, alteration, enlargement or extension of a building

(1) Is the fire protection and structural capacity of the building will be appropriate to the building's proposed use.	Fire safety measures to be implemented prior to the issue of an occupation certificate, current building considered suitable for use however, some upgrades may be required.
(3) The building complies (or will, when completed, comply) with such of the Category 1 fire safety provisions as are applicable to the building's proposed use.	

3.7 Impacts of the Development – Environmental, Social & Economic

Access, transport and traffic	Existing access considered suitable by Council's development engineers; however, additional parking space is to be paved and safety measures implemented (e.g. bollards) to ensure potential hazards are managed such as the location of the existing drain and pedestrian access area.
Impacts on supply of utilities	No significant impacts foreseen, development will be mostly self-sufficient
Water supply and potential impacts on surface and ground water	No significant impacts foreseen, current building gutters directed to ground around shed, new rainwater tank will help prevent any negative impacts from ground water runoff

<p>Air quality, pollution and microclimate impacts (eg odour)</p>	<p>Some impacts expected; however, due to the facility being enclosed, the frequency of waste pickups and the use of odour mitigating measures it is expected that the impacts should not be significant.</p>
<p>Noise and vibration</p>	<p>The proposed facility will replace the existing collection method which involves two garbage trucks being present in Michelago adjacent to this site for 3 hours every Saturday, (trucks are running with compactors operating for the entirety of the process) plus the vehicle movements for any persons using the service.</p> <p>In contrast to this the proposed development will be available for waste drop off 7am-8pm Weekdays and 8am-8pm on Weekends, this is not expected to increase the number of people using the service. In this way the times where noise may be emitted on the site are increased but the concentration of noise will greatly decrease.</p> <p>The time that trucks will be present on the site will reduce significantly from two trucks for 3hrs every Saturday morning, to 1-2 trucks (one for general waste every week, one for recycling every second week) for approximately an hour, once per week, on a week day, usually between the hours of 7:30am and 2:30pm.</p> <p>On this basis it is considered that the proposed development will greatly reduce concentrated noise emissions on the weekends in Michelago, and truck movements/noise will be limited to weekdays to aid in mitigating potential impacts</p> <p>Conditions will provided to ensure ongoing compliance with the proposed operating hours to help mitigate any potential noise impacts on the surrounding area.</p>
<p>Safety, security and crime prevention</p>	<p>The proposed facility will replace the existing collection method which involves two garbage trucks being present in Michelago for 3 hours every Saturday, (trucks are running with compactors operating for the entirety of the process) plus the vehicle movements for any persons using the service.</p> <p>In contrast to this the proposed development will be available for waste drop off 7am-8pm Weekdays and 8am-8pm on Weekends, however, this is not expected to increase the actual number of people using the service. In this way the number of days on which noise may be emitted on the site (vehicles, noise from people using the site) are increased but the concentration of noise will greatly decrease (there will not be a concentrated usage as there currently is for the present 3 hour Saturday service).</p> <p>The time that trucks will be present on the site will reduce significantly from two trucks for 3hrs every Saturday morning to 1-2 trucks (one for general waste every week, one for recycling every second week) for approximately an hour, once per week on a week day, usually between the hours of 7:30am and 2:30pm.</p> <p>On this basis it is considered that the proposed development will reduce concentrated noise emissions on Saturdays in Michelago, with noise emissions from collection vehicles limited to weekdays.</p> <p>Conditions will provided to ensure ongoing compliance with the proposed operating hours to help mitigate any potential noise impacts on the surrounding area.</p>

Site and internal design issues	No significant issues identified. Some concerns raised in submissions regarding the proximity of the development to the centre of the Michelago township and community buildings, these are addressed as part of the public submissions considerations.
Cumulative impacts	The proposed development is expected to lower the number of truck movements in the Michelago village area particularly during the weekends. This also provides an ongoing ability for residents outside the village to participate in waste and recycling collection activities. Due to noise complaints made to the EPA regarding the Saturday morning stationary collection service, Council was required to assess alternative options.
Impact on pedestrian movements and safety	No significant impacts identified no existing pedestrian pathways in vicinity, conditions to ensure safety measures are implemented to ensure vehicles do not enter the pedestrian access area for the proposed development

3.8 Public Submissions

The proposed development was placed on public exhibition and adjoining landowners were notified in accordance with the provisions of Chapter 8 of the Cooma-Monaro Development Control Plan 2014 for a period of 14 days.

The applicant provided responses to the initial submissions and submitters were notified for an additional period of 14 days.

Summary of Submissions

Total Number of submissions	7
Number objecting	6
Number supporting	1

Submission – issues raised	Assessing Officer response
Noise from general use of the facility and collection of waste	<p>The proposed facility will replace the existing collection method which involves two collection trucks being present in Michelago for 3 hours every Saturday, (trucks are running with compactors operating for the entirety of the process) plus the vehicle movements for any persons using the service.</p> <p>In contrast to this the proposed development will be available for waste drop off 7am-8pm Weekdays and 8am-8pm on Weekends, this is not expected to increase the number of people using the service. In this way the times where noise may be present on the site are increased but the concentration of noise will greatly decrease.</p> <p>The time that trucks will be present on the site will reduce significantly from two trucks for 3hrs every Saturday morning to 1-2 trucks (one for general waste</p>

	<p>every week, one for recycling every second week) for approximately an hour, once a week on the usual village residential collection day, usually between the hours of 7:30am and 2:30pm.</p> <p>On this basis it is considered that the proposed development will reduce concentrated noise emissions from collection and resident vehicles on the weekends in Michelago, and truck movements/noise will be limited to weekdays to aid in mitigating potential impacts</p> <p>Conditions will be included to ensure ongoing compliance with the proposed operating hours to help mitigate any potential noise impacts on the surrounding area.</p> <p>Noise complaints had previously been lodged with the NSW EPA regarding the existing Saturday morning collection service. This proposal will provide an improved outcome in regard to noise emissions.</p> <p>Conditions are included to require the applicant to monitor noise, odour and pest/vermin matters.</p>
<p>Potential smell from waste</p>	<p>The applicant has confirmed that there will be odour abatement measures to mitigate the generation of odours from the proposed development. These include frequent removal of waste – the facility will be serviced by Council vehicles at least once a week for general waste and once a fortnight for recycling; however, residents utilising the service are asked to call Council if the bins are full before collection day so that additional servicing can be provided. The general waste bins will also be lined for easy cleaning and sanitisation, and odour mitigating pellets will be put in all bins.</p> <p>In addition to this, on inspection of the site it was noted that even on days with significantly high temperatures the interior of the building was significantly cooler than outside. It was also noted that because the facility is enclosed the lack of wind will also aid in preventing the spread of any odours present. Conditions are included to require the applicant to monitor noise, odour and pest/vermin matters.</p>
<p>Potential attraction of rodents/pests/insects to the area</p>	<p>Applicant has proposed frequent servicing of the facility to aid in the prevention of rodents/pests/insects to the area. In addition to this vermin abatement measures will be utilised including insect and pest repellents.</p> <p>Due to the facility being housed within an enclosed area there will be means of managing potential rodents/pests due to lack of access to the facility. Conditions are included to require the applicant to monitor noise, odour and pest/vermin matters.</p>
<p>Proximity to Town/Community Hall impacting on neighbourhood amenity and surrounding land values</p>	<p>The development is not directly neighbouring any residential building or community facility. The site is buffered by roads on the northern and western sides, with the eastern having a railway and to the south the new RFS shed. Development is sited a minimum of 20m from any community or residential building and in the context of the development and considering the mitigation measures proposed (discussed as other submission points) the proposed development is not foreseen to be a significant potential impact on the surrounding community or development. Conditions are included to require</p>

	<p>the applicant to monitor noise, odour and pest/vermin matters.</p>
<p>Potential chemical/waste runoff</p>	<p>Response provided by applicant <i>“Leachate generation will be minimised as the facility is housed within a building and is not open to the elements. Waste and Recycling materials will be enclosed in mobile garbage bins, with the waste bins also being lined. Bins are emptied into waste collection vehicles which are purpose built to contain the waste or recycling materials without leaking the leachate.”</i></p> <p>These measures are considered to be appropriate to mitigate significant impacts from the proposed development.</p> <p>It is noted that the facility will not accept chemical waste as it is still a domestic collection point and the proposed security measures will aid in preventing disposal of inappropriate waste or identification if there is a breach.</p>
<p>Potential for rubbish to become loose and</p>	<p>Due to the development being fully enclosed and that it will be serviced by vehicles designed specifically to contain the waste or recycling materials without leaking liquids or allowing rubbish to become loose.</p> <p>Additionally as the facility is housed within a building and is not open to the elements it mitigates issues of litter caused by wind and animals.</p>
<p>Traffic Increase/congestion</p>	<p>The proposed development will be available for waste drop off 7am-8pm Weekdays and 8am-8pm on Weekends, this is not expected to increase the number of people using the service. While this will increase the potential usage times the concentration of vehicles on weekends will greatly reduce.</p> <p>The time that trucks will be present on the site will reduce significantly from two trucks for 3hrs every Saturday morning to 1-2 trucks (one for general waste every week, one for recycling every second week) for 30min once a week on a week day between the hours of 7:30am and 2:30pm.</p> <p>On this basis it is considered that the proposed development will greatly reduce concentrated traffic movements on the weekends in Michelago, and garbage truck movements will be limited to weekdays to aid in mitigating potential traffic impacts.</p>
<p>Visual Impacts</p>	<p>Applicant has proposed some landscaping measures to improve the appearance of the building and vicinity. There are no other visual impacts identified, building is existing and no significant external changes are proposed, there is also no significant signage proposed other than signs showing opening hours or safety information.</p> <p>This type of development is considered to be consistent with other rural towns in the area; however, unlike the other 12 of these facilities within the Snowy Monaro area this facility will be enclosed which will make it less obvious and mitigate most of the significant visual impacts. See image below for example of existing open-air facility;</p>

	
<p>Impact on Tourism</p>	<p>The proposed development is not expected to have a significant impact on tourism in the area. Visually the shed already exists and the proposed landscaping/plantings are foreseen to increase visual amenity. No signage is proposed to identify the building as a waste management facility.</p> <p>In addition to this truck movements on weekends will be significantly reduced and the time that garbage trucks will be operating in the area will also be significantly reduced.</p> <p>This type of development is considered to be consistent with other rural towns in the area (there are currently 12 of these facilities within the Snowy Monaro area)</p>
<p>Potential health impacts</p>	<p>See the above comments on rodents/pests. In addition to this the frequent removal of waste and upkeep of the facility will aid in preventing any health impacts on the surrounding community or those using the facility.</p>
<p>Complaints about cost of Council rates or requests for compensation due to development</p>	<p>These issues are not considered to be relevant to the proposed development and cannot be considered as part of this assessment. Waste and recycling services are not funded from General rates.</p>
<p>Concerns over the ownership of the shed/materials</p>	<p>Some submissions raised concerns that the existing shed should be considered the property of the RFS or the Michelago Community. The Business and Infrastructure Co-ordinator for the Monaro NSW RFS branch has provided comment including that Page 42 of the RFS Brigade Management Handbook states the following “<i>Brigade assets do not include: The brigade station</i>”.</p> <p>In addition to this they also provided the following excerpt from the <i>Rural Fires Act 1997</i>;</p> <p><i>119 Maintenance and disposal of fire fighting equipment purchased from Fund</i></p> <p><i>(1) In this section: fire fighting equipment means fire fighting apparatus, buildings, water storage towers or lookout towers.</i></p> <p><i>(2) All fire fighting equipment purchased or constructed wholly or partly from money to the credit of the Fund is to be vested in the council of the area for or on behalf of which the fire fighting equipment has been purchased or</i></p>

	<p>constructed.</p> <p>(3) A council must not sell or otherwise dispose of any fire fighting equipment purchased or constructed wholly or partly from money to the credit of the Fund without the written consent of the Commissioner.</p> <p><i>(4) There is to be paid to the credit of the Fund:</i></p> <p><i>(a) if the whole of the cost of the purchase or construction of any fire fighting equipment was met by money to the credit of the Fund:</i></p> <p><i>(i) an amount equal to the proceeds of sale of any such equipment, and</i></p> <p><i>(ii) any amount recovered (whether under a policy of insurance, from the Bush Fire Fighters Compensation Fund under the Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987, or otherwise) in respect of the damage to, or destruction or loss of, any such equipment, and</i></p> <p>(b) if a part only of the cost of the purchase or construction of any such equipment was met by money to the credit of the Fund—an amount which bears to the amount that would be required by this subsection to be paid if the whole of that cost had been met by money to the credit of the Fund the same proportion as that part of the cost bears to the whole of that cost.</p> <p><i>(5) A council must take care of and maintain in the condition required by the Service Standards any fire fighting equipment vested in it under this section.</i></p> <p><i>(6) The Commissioner may, with the concurrence of the council in which fire fighting equipment is vested under this section, use any of the equipment not reasonably required by the council to deal with incidents in the area of the council to deal with incidents outside the area.</i></p>
<p>That the proposed facility is unnecessary (due to existing collection)</p>	<p>The proposed development is intended to replace the existing waste collection method. While the village was recently provided with a standard kerbside collection, this facility is aimed to provide waste and recycling options for residents who live outside the village collection area. It has been advised that previous suggestions to establish Banks of Bins in areas outside the village area, to service residents not located within the village kerbside collection area, were not supported.</p>
<p>That the original intention was to demolish the shed</p>	<p>The assessment is confined to the details of the application, accordingly this point is not relevant to the merit considerations. In the event that the building is to be demolished in the future a separate development approval would be required.</p>
<p>That the proposed development is a “dump” or “tip” facility</p>	<p>The proposed development is defined as a ‘waste management facility’ or ‘waste transfer station’ – but there will be no waste being disposed of or processed at the site – all waste will be transported to a suitable facility away from the Michelago township</p>

3.9 The public interest

The proposal has been considered in terms of the broader public interest. Matters raised through the notification period have been addressed above.

4.0 OTHER MATTERS

Developer Contributions	Nil
Property Vegetation Plan (PVP)	Nil
Crown Land	Nil
Approvals under other Acts	
Internal Referrals	Yes – Conditions provided

5.0 CONCLUSION:

The Snowy Monaro Regional Council is the consent authority for this application and is the owner of the property concerned.

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 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

The proposed development is considered to address the needs of a section of the community, specifically those residents who are outside of the village collection area. Providing reasonable access times provides flexibility to residents as they will not have to attend on a specific day or time period to participate in waste and recycling activities. There is still an ability for residents to arrange to meet for other social activities when they utilise the facility.

2. Environmental

The proposed development is considered to have positive effects through:

- Providing a more accessible waste and recycling management system for the surrounding community
 - Utilisation of an existing, re-purposed building
 - Mitigating the effects of noise emissions when compared to the concentrated impact of two collection vehicles attending for a 3 hour period each Saturday
 - Removing duplicated truck movements and making more efficient use of Council plant
-

3. Economic

The proposed development is considered to have positive economic impacts by providing the ability to use an existing, re-purposed Council asset, and will enable more efficient use of Council plant. The changed arrangement will reduce the overall number of truck movements, by removing the need to have collection vehicles attend Michelago on both Friday and Saturday, as collections will be completed on the one day.

4. Civic Leadership

The application is referred to Council for determination due to the number of submissions received and due to Council being the owner of the property.

9.1.1 MONTHLY FUNDS MANAGEMENT REPORT - NOVEMBER 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 30 November 2019.

Cash and Investments are \$84,306,418.

Certification

I, Matt Payne, Responsible Accounting Officer of Snowy Monaro Regional Council hereby certify, as required by Clause 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 30 November 2019.
- B. Receive and note the Certificate of the Responsible Accounting Officer.

BACKGROUND

Council's Cash and Investments 30 November 2019:

Cash at Bank	5,401,059
Investments	78,905,359
Total	84,306,418

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Total Cash and Investments are available to provide services and infrastructure to the community in accordance with the 2020 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 \$78,905,359 on 30 November 2019.

Investment Register – 30 November 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	1,699,848	0.70%	At Call
n/a	Westpac Bank - At Call	A1+	AA-	At Call	205,512	0.15%	At Call
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	2.02%	23-Jun-21
21-Mar-17	Bank of Queensland	A2	BBB+	TD	1,000,000	3.15%	20-Mar-20
26-Jun-17	Bank of Queensland	A2	BBB+	TD	4,000,000	3.30%	25-Jun-21
29-Aug-17	Westpac Bank	A1+	AA-	TD	4,000,000	1.84%	29-Aug-22
15-Sep-17	Westpac Bank	A1+	AA-	TD	1,000,000	1.94%	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
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
11-Sep-18	RaboDirect	A1	A	TD	2,000,000	3.33%	08-Sep-23
13-Sep-18	AMP Bank	A2	BBB+	TD	2,000,000	2.85%	14-Sep-20
21-Nov-18	AMP Bank	A2	BBB+	TD	1,000,000	2.65%	21-May-20
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
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
13-Mar-19	AMP Bank	A2	BBB+	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
10-Apr-19	Bankwest	A1+	AA	TD	1,000,000	2.20%	09-Apr-20
08-May-19	National Australia Bank	A1+	AA-	TD	1,000,000	2.30%	07-May-20
07-Jun-19	Rural Bank Limited	A2	BBB+	TD	4,000,000	2.10%	09-Jun-20
08-Jul-19	Suncorp Bank	A1	A+	TD	2,000,000	1.93%	05-Dec-19
16-Jul-19	Bankwest	A1+	AA	TD	1,000,000	1.85%	13-Dec-19
08-Aug-19	AMP Bank	A2	BBB+	TD	1,000,000	2.00%	07-Aug-20
27-Aug-19	ING Bank	A1	A	TD	3,000,000	1.44%	31-Aug-21
09-Sep-19	Macquarie Bank Limited	A1	A	TD	3,000,000	1.55%	03-Sep-20
10-Sep-19	National Australia Bank	A1+	AA-	TD	3,000,000	1.65%	09-Sep-20
17-Sep-19	Bank of Queensland	A2	BBB+	TD	1,000,000	1.85%	19-Sep-23
14-Oct-19	ME Bank	A2	BBB	TD	8,000,000	1.55%	13-Jan-20
23-Oct-19	Bank of Queensland	A2	BBB+	TD	1,000,000	1.80%	23-Oct-23
28-Oct-19	Suncorp Bank	A1	A+	TD	1,000,000	1.58%	28-Apr-20
26-Nov-19	Suncorp Bank	A1	A+	TD	1,000,000	1.50%	21-Aug-20
					78,905,359		

Understanding Ratings:

Credit ratings are one tool used by Council when making decisions about purchasing fixed income investments. Credit ratings are opinions about credit risk.

Standard & Poor's ('S&P') is considered one of the Big Three credit-rating agencies, which also include Moody's Investors Service and Fitch Ratings. S&P publishes financial research and analysis on stocks, bonds and commodities. S&P is known for its stock market indices such as the U.S. based S&P 500, the Canadian S&P/TSX, and the Australian S&P/ASX 200. S&P ratings express their opinion about the ability and willingness of an issuer, such as a corporation, to meet its financial obligations in full and on time. Credit ratings are not absolute measure of default probability. Since there are future events and developments that cannot be foreseen, the assignment of credit ratings is not an exact science.

Credit ratings are not intended as guarantees of credit quality or as exact measures of the probability that a particular issuer will default. S&P issues both short-term and long-term credit ratings. Below is a partial list based, on Council's Investment Register.

Short-term credit ratings (term less than 1 year)

S&P rates the issuer on a scale from A1 to D. Within the A1 category it can be designated with a plus sign (+). This indicates that the issuer's commitment to meet its obligation is very strong.

A1: obligor's (*a person or corporation who owes or undertakes an obligation to another by contract or other legal procedure*) capacity to meet its financial commitment on the obligation is strong.

A2: is susceptible to adverse economic conditions however the obligor's capacity to meet its financial commitment on the obligation is satisfactory.

Long-term credit ratings (term greater than 1 year)

S&P rates the issuer on a scale from AAA to D. Intermediate ratings are offered at each level between AA and CCC (for example; BBB+, BBB).

AA: has very strong capacity to meet its financial commitments. It differs from the highest-rated obligors (rated AAA) only to small degree. Includes AA-.

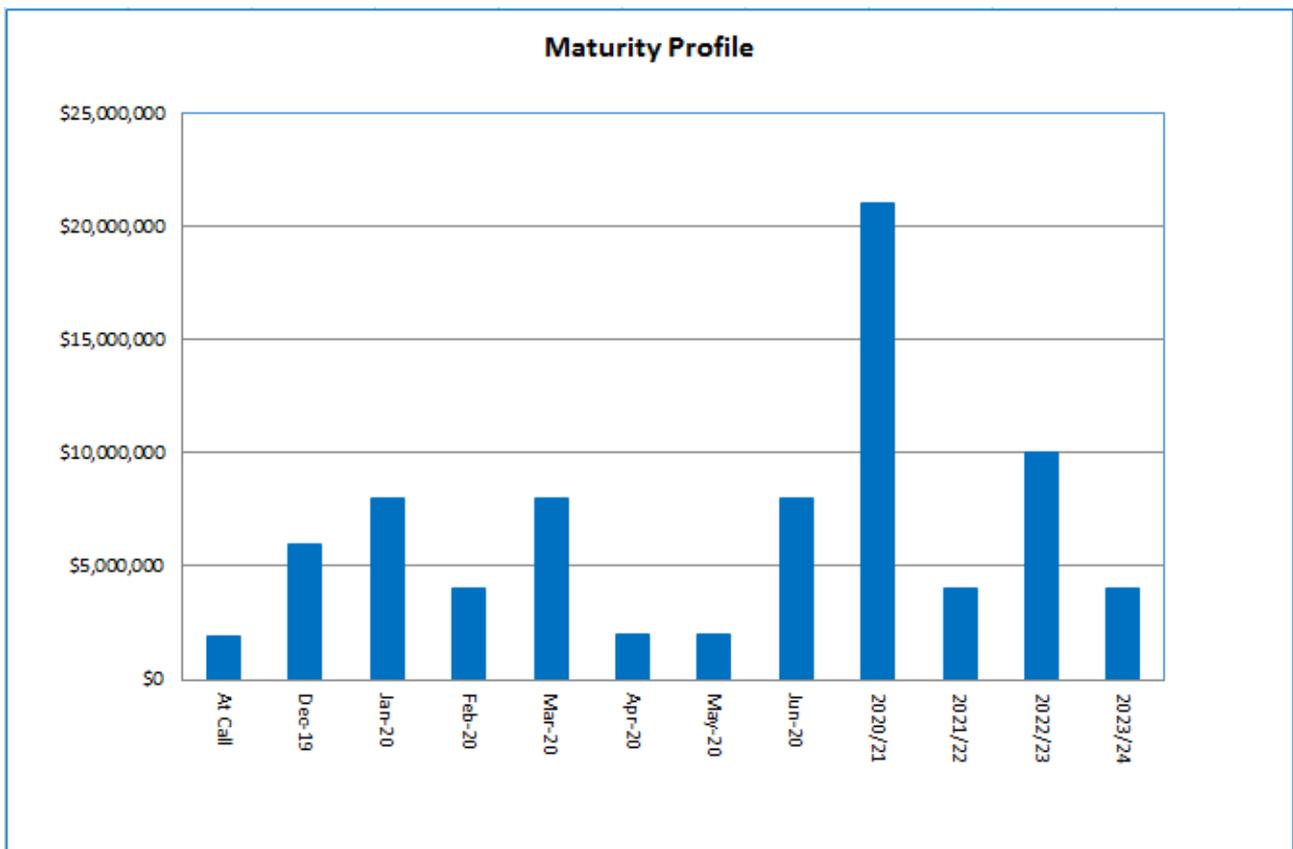
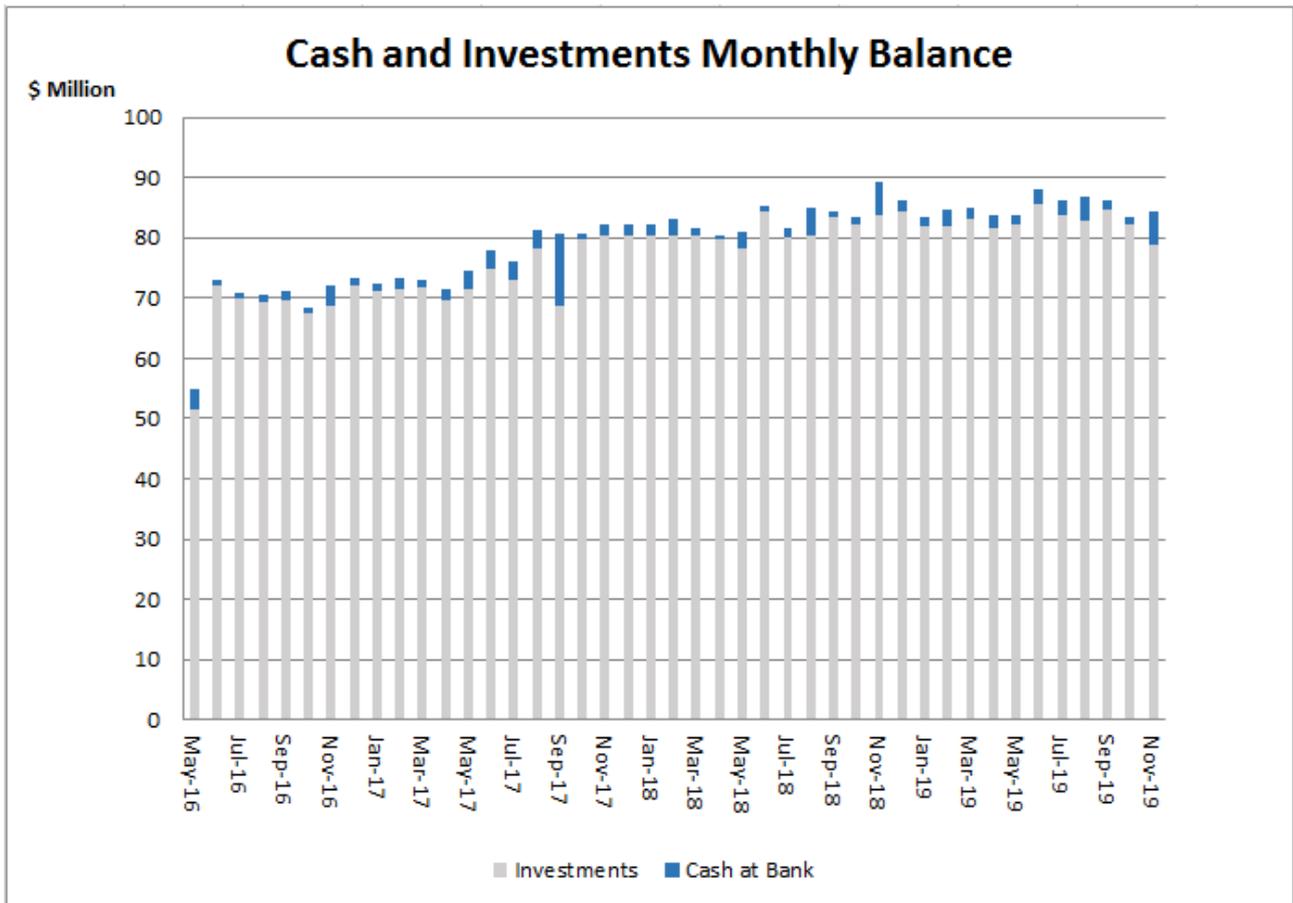
A: has strong capacity to meet its financial commitments but is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligors in higher-rated categories.

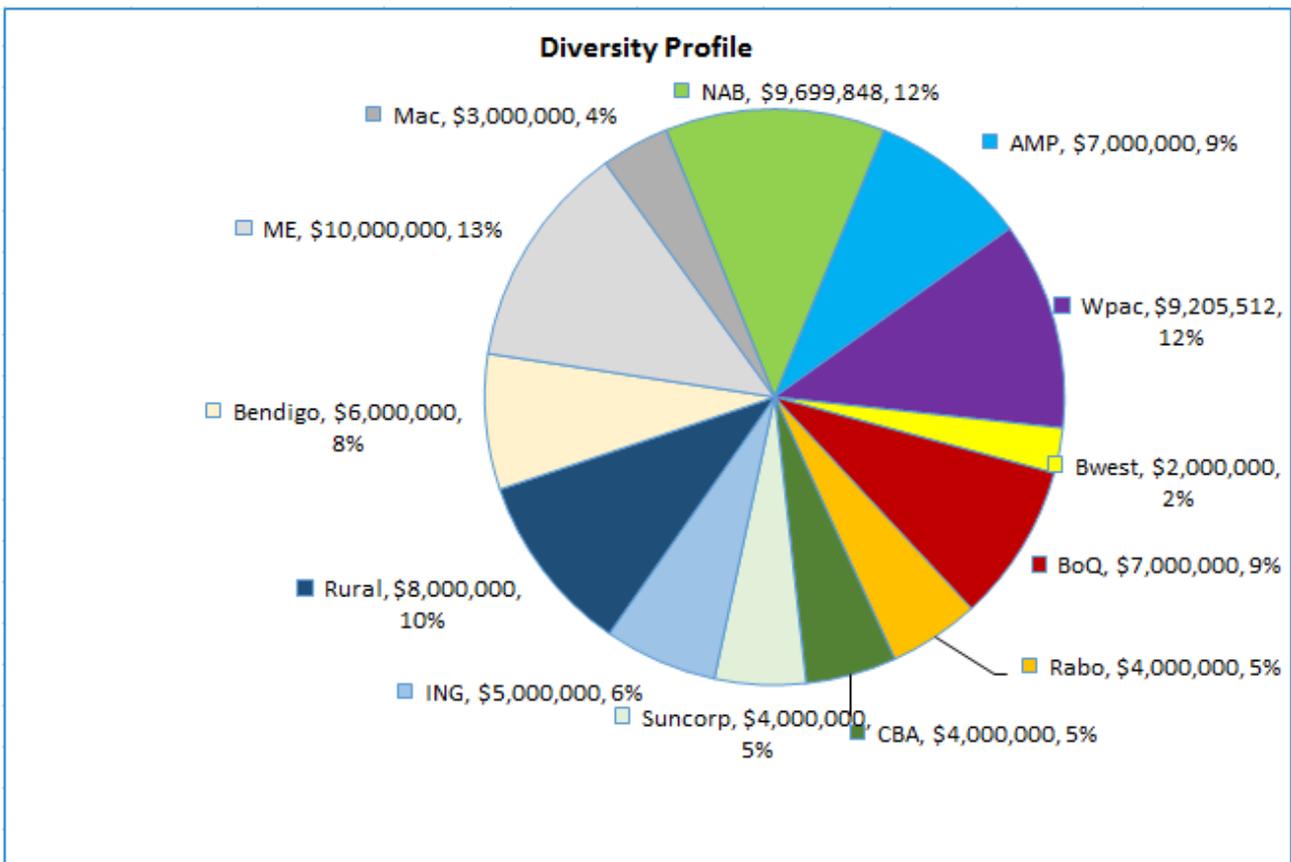
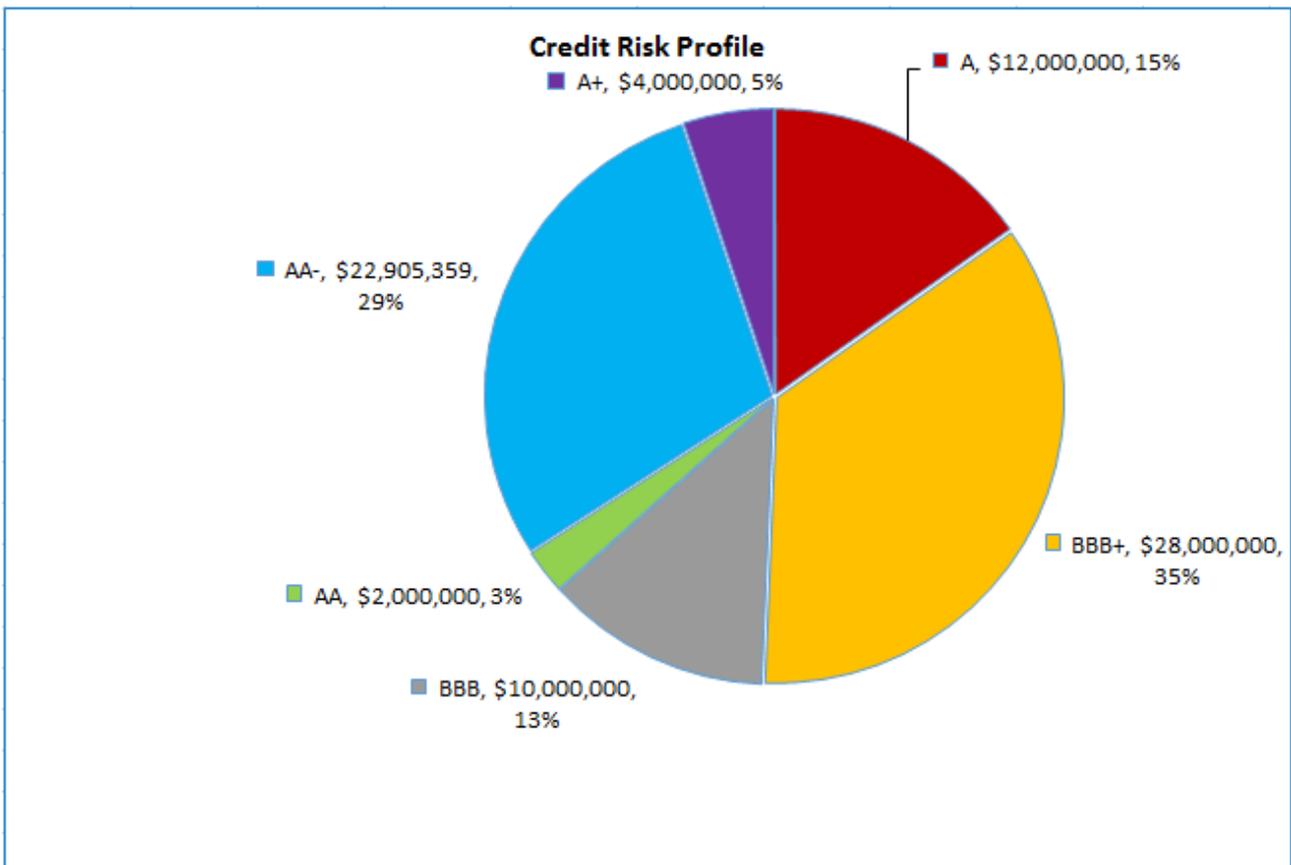
BBB: has adequate capacity to meet its financial commitments. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitments.

Ratings from 'AA' to 'CCC' may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

Source: S&P Global Ratings

Cash and Investments Charts:





Investment Portfolio Return:

Benchmarking is used by Council as a gauge for the performance of its portfolio against its investing universe (*universe*: securities sharing a common feature – liquidity, return patterns, risks and ways to invest). A suitable benchmark to review the return on Council’s portfolio is the Bank Bill Swap Rate (BBSW), or Bank Bill Swap Reference Rate – a short-term interest rate used as a benchmark for the pricing of Australian dollar derivatives and securities – most notably floating rate bonds.

Month	YTD Annualised Return	Monthly Average Interest Return	90 Day Bank Bill*	Margin
November	2.36%	2.26%	0.89%	1.37%
October	2.37%	2.25%	0.93%	1.32%
September	2.41%	2.31%	0.95%	1.36%
August	2.46%	2.48%	0.97%	1.51%
July (2019)	2.45%	2.45%	1.01%	1.44%

**The Australian Financial Market Association (AFMA)*

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.

9.1.2 YOUTH COUNCIL MINUTES AND AMENDMENTS TO THE YOUTH COUNCIL CHARTER

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Youth 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. October Youth Council Minutes 2. November Youth Council Minutes 3. Current Youth Council Charter

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Snowy Monaro Youth Council met on 1 October in Cooma and then held their final meeting for the year in Cooma on 19 November. The meeting minutes and the following officer's recommendations are submitted for Council's consideration.

OFFICER'S RECOMMENDATION

That Council

- A. Receive and note the minutes of the Youth Council meeting held on 1 October 2019.
- B. Receive and note the minutes of the Youth Council meeting held 19 November 2019 and that the following proposed amendments to the Committee's Charter be adopted:
 - 1) The Youth Council Charter is amended at 8.1.2 to state that: "In the case of Ordinary Members, for a 12 month period or at the discretion of Council. At the end of this period, Committee Members can remain on the Youth Council, however must lodge an application form with Snowy Monaro Regional Council. These applications will be assessed in line with points 4 of the Charter".
 - 2) At 8.1.2 of the Youth Council Charter, the following insertion is made: "In the case of the Executive Committee Members, a 12 month period or until the final Youth Council meeting of the year".
 - 3) That the title of "Publicity Officer", outlined in the Charter at 5.5 is amended to "Public Relations Officer".
 - 4) That the following addition is made at 6.4 of the Charter: "Coordinating a roster that allocates a Youth Council representative to attend every Council meeting".
 - 5) In addition to the Youth Council recommendations, that at section 4.1 of the Youth Council Charter the reference in the first paragraph to young people 'aged 14-24 years' be amended to read 'aged 12-24 years' to be consistent with the rest of the charter.

BACKGROUND

The last Youth Council meeting for the year presented an opportunity to reflect on the strengths of the Committee and to identify opportunities for continued growth and development. The proposed amendments to the Youth Council Charter reflect this opportunity.

The first recommendation refers to 8.1.2 "Tenure of Office". This section of the Charter provides the governance framework for the length of time a young person can sit on the Youth Council Committee. The proposed amendment would allow a young person to reapply to the Committee, beyond the 12 month term currently defined in the Charter. It is expected this will support the Youth Council to build and sustain momentum and tackle long term or large scale projects. Further, the amendment would increase opportunities for young people to develop leadership and advocacy skills, in line with the 2019-2022 Snowy Monaro Youth Strategy.

The second recommendation also refers to 8.1.2 "Tenure of Office". The proposed addition to the Charter would ensure a turnover of the Executive Committee Members. The Youth Council envisioned this amendment would provide equal opportunity and ensure effective and engaged leadership.

The final two recommendations reflect the Youth Council's ambition to increase engagement with Council and the community. The current Charter refers to the Executive Committee Member position of "Publicity Officer". This Member is essentially responsible for managing the Youth Council's social media platforms, however the Youth Council identified an opportunity to vary this position, in an effort to increase connections in the local community and importantly, to increase engagement with Council. The proposed recommendations would first, vary the title of the role at

5.5, from “Publicity Officer” to “Public Relations Officer” and second, vary the roles and responsibilities of that position at 6.4, as outlined above.

The existing Charter is attached for Council’s consideration.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The Youth Council seeks to foster a Snowy Monaro that is rich in opportunities for young people to live, work, study and play. Such an ambitious vision needs to be guided by a sound governance framework and the recommended updates to the Charter reflect this. If adopted, the amendments would support the Youth Councillors to develop the skills necessary to work towards their identified goals and to achieve increased outcomes for the community.

2. Environmental

There are no environmental impacts associated with this report.

3. Economic

There are no costs associated with adopting the recommendations in this report.

4. Civic Leadership

Ongoing support of the Youth Council demonstrates Council’s commitment to fostering a community where the voice of young people is valued and included in decision making processes. This commitment has positioned Council as a leader in the delivery of youth projects in the region and the proposed amendments will further this position.



Youth Council Committee Minutes

Address: Council Chambers, 81 Commissioner Street, Cooma NSW 2630

Date: 1/10/19 Time: 10:07

Minute Taker: Olivia Weston – Youth Council Secretary

Present

Position	Member (Name)	Present/Apology
Chair	Councillor James Ewart	Present
Youth Council Mayor	Zara Farrell	Present
Youth Council Deputy Mayor	Will Wright	Apology
Youth Council Secretary	Olivia Weston	Present
Publicity Officer	Rylie Marks	Apology
Youth Councillors	Zara Farrell, Lani Holfter, Josh Abrokwah, Josh McMahon, Alex McMahon, Molly Robinson, Olivia Weston	Present
	Tai Haines, Marlee Diver, Rylie Marks, Jake Barnes, Pippa Bright, Georgia Knowles	Apology
Council Staff (non-voting members)	Mel Sass, John Graham	Present

1 Opening of the Meeting

Chair, Councillor James Ewart opened the meeting at 10: 07 am.

2 Apologies

An apology for the meeting was received from Tai Haines, Marlee Diver, Rylie Marks, Jake Barnes, Pippa Bright, Georgia Knowles

3 Adoption of Previous Minutes

Minutes of the meeting held on 3rd September are confirmed as a true and accurate record of proceedings.
Carried Unanimously

4 Business Arising from Previous Minutes

4.1 NSW Youth Council Conference

4.1.1 Youth Councillors Abrokwah, Pond, Farrell, Marks and Barnes attended the NSW Youth Council Conference in Sydney.

4.1.2 The conference was held over 3 days and provided access to leadership and advocacy workshops and highlighted the key issues facing young people in NSW.

4.1.3 Networking with other Youth Councils from across NSW provided a learning and development opportunity which will be implemented locally.

4.1.4 Youth Councillors thanked Council for the opportunity to attend.

5 Correspondence

5.1 In:

5.1.1 Brooke Darlington, SMGS- Briefing Letter re: Stronger Country Community Funding
Action- Youth Council Secretary to email Brooke Darlington About presenting to the Youth Council

5.1.2 Melissa Goldman, Advocate for Children & Young People re: Children's Parliament

5.2 Out:

5.2.1 Councillor John Castellari re: Youth Council Presentation

6 Reports

Motion: To defer reports until after the Presentations from invited guests. **Carried unanimously**

6.1 **Youth Mayor-** Tabled

6.2 **Publicity Officer-** Nil Tabled

6.3 **Secretary -** Tabled

6.4 **Youth Development Officer -** Tabled

6.5 **Chair -** Tabled

Motion: That the Youth Council accept the reports as tabled. **Carried unanimously**

7 Presentations

7.1 L'Etape Australia- Volunteering Opportunity

7.1.1 Discussed L'Etape Race in Australia and volunteer recruitment strategy for the 2019 L'Etape in November. 200 Volunteer positions to be filled, 20-25 positions available for young people.

7.1.2 Discussed the Race Ambassadors for 2019. Approaching the Youth Council to get involved in recruiting local volunteers for the event. Discussed volunteering roles for the weekend. Needed 20-25 people for the Saturday.

Action- Youth Council Secretary to send out contact list to L'Etape staff.

7.2 Councillor John Castellari - Climate Action

7.2.1 Discussed the Climate Emergency Motion that was not carried at Council. Councillor Castellari thanked the Youth Council for providing a support letter.

7.2.2 Councillor Castellari gave an informative presentation about the current conditions of our climate on both a local and global scale.

7.2.3 Discussion about how climate change effects young people and tabled ideas about projects or initiatives that could be effective in taking action on climate change.

8 General Business

8.1 Stronger Country Communities Funding- Round 3

8.1.1 Council staff submitted an application for the "RYDER" project and upgrades at The Hub

8.1.2 Council staff supported the Bombala Youth Booth to submit an application for a pilot.

8.1.3 Expected to announce successful projects in January 2020.

8.1.4 The Youth Council were thanked for their input into these funding opportunities.

8.2 Amending the Youth Council Charter

8.2.1 Discussion about amending the Charter to allow young people to sit on the Committee for longer than 2 years. This arose after networking with other Youth Councils at the NSW Youth Council Conference

8.2.2 A longer Term on the Committee would allow for more mentoring and skill development.

8.2.3 **Motion:** The Youth Council endorse amending the Charter at 8.1.2. “Tenure of Office” to remove the reference to a time limit for ordinary members of the Youth Council. **Carried unanimously.**

Motion: That the term for Executive Committee members remains 12 months, with an election held in line with the Charter. **Carried unanimously.**

8.3 2020 Youth Council application process

8.2.4 Council staff asked for feedback about the 2019 application process.

8.2.5 Agreed that applications should remain open for the entire term 4 of school.

9 General Business not on notice

9.1 SMGS “Passion Project”

9.1.1 YDO Mel Sass tabled an email from Council’s General Manager, Peter Bascomb which outlined the “Passion Project” initiative held at SMGS recently and in particular, a presentation from a student, Aiden Moore.

Action - Youth Mayor Zara Farrell to email the Principal of Snowy Mountains Grammar School and invite Aiden Moore to the Youth Council Meeting to pitch his idea.

9.2 Youth Council cultural exchange program - Ryde City Council

9.2.1 Youth Councillor Lani Holfter tabled her idea to run a “cultural exchange program” with city based Youth Councils.

9.2.2 The project would aim to diversify the skills and knowledge of Youth Councillors.

10 Project Updates

10.1 SMYC Apparel

10.1.1 On sale at the Cooma Visitors Centre and hopes to be available in other locations by the end of the year.

11 Date of next Meeting

The next meeting will be held at 10:00am on Tuesday 19th at Council Chambers.

12 Close of Meeting: 12:10

There being no further business the meeting concluded at 12:01 pm

CHAIRPERSON

DATE

(The minutes are to be signed and dated here by the Chairperson at the next meeting, certifying the above as a correct record.)



Youth Council Committee Minutes

Address: Cooma Council Chambers, 81 Commissioner St Cooma, NSW 2630

Date: Tuesday, November 19 Time: 10:05am

Present

Position	Member (Name)	Present/Apology
Chair	Councillor James Ewart	Present
Youth Council Mayor	Zara Farrell	Apology
Youth Council Deputy Mayor	Will Wright	Present
Youth Council Secretary	Olivia Weston	Apology
Publicity Officer	Rylie Marks	Present
Youth Councillors	Josh Abrokwah, Georgia Pond, Bridget McIntosh, Josh McMahon, Jake Barnes	Present
Council Staff (non-voting members)	Mel Sass, John Graham	Present

1. Opening of the Meeting

Councillor James Ewart opened the meeting in at 10:05am

2. Apologies

An apology for the meeting was received from Youth Councillors, Zara Farrell, Olivia Weston, Katie Farrell, Marlee Diver, Pippa Bright, Molly Robinson, Georgia Knowkes, Alex McMahon.

To be noted: Youth Councillor Katie Farrell is fighting fires in Northern NSW with the RFS. Thanks Katie.

3. Adoption of Previous Minutes

Minutes of the meeting held on 3rd September are confirmed as a true and accurate record of proceedings, pending update to attendance to reflect that Georgia Pond was present. **Carried. All in Favour.**

SNOWY MONARO REGIONAL COUNCIL COMMITTEE MINUTES

4. Business Arising from Previous Minutes

Nil

5. Correspondence

In:

- 8 x 2020 Youth Council applications have been received.
- Email from Aiden Moore – Accepting the invitation to present at the November Youth Council Meeting

Out:

- 2020 Youth Council Applications open – Mailed out to Youth Interagency network, schools and sporting groups.
- SMRC Communication team – Email sent requesting support to promote the 2020 Youth Council application process.
- Invitation to SMGS Principal, Andrew Bell, inviting a student, Aiden Moore to attend the Youth Council meeting and present his “Passion Project”

6. Reports

6.1. Youth Mayor – Tabled

- Zara thanked the Youth Council for electing her as Youth Mayor for the 2019 Term and wished the Youth Council all the best for the coming year.

6.2. Publicity Officer – Tabled

6.3 Secretary – Tabled

6.4 Youth Development Officer

- 6.4.1 YDO John Graham – Provided an overview of the October School Holiday Program. Noted the purchase of a pop-corn machine to support pop-up cinema events. Provided an update of the planned project to install a mural on the water tank in Jindabyne with local artist, Mike Shankster.
- 6.4.2 YDO Mel Sass – Noted the launch of the Mental Health and Wellbeing Working Group – aiming to address the increasing rate of death by suicide in the Southern region. Mel thanked the Youth Council for their support to promote the Skate Park Working Bee as part of Graffiti Removal Day, the event saw 25 young people volunteer their time to clean up the park. Mel discussed a future project titled “25 for under \$25” which will see a list of 25 things to do for under 25 dollars in each major town in the region.

6.5 Chair

SNOWY MONARO REGIONAL COUNCIL COMMITTEE MINUTES

- 6.5.1** Councillor Ewart provided an overview of what Council had considered at the last meeting. . Noted that Council approved the mural project to go ahead in Jindabyne and also extend the initiative providing free entry to the region's swimming pools.

Motion: The Youth Council Move to accept the reports. **Carried all in favour.**

7. Presentations

7.1. Aiden Moore, SMGS student – Passion Project

- Aiden presented his concept to see the proposed Eden Railway Line to be extended to include a Cooma to Jindabyne link. Aiden outlined the proposed additional line would include stops at the Cooma airport, Berridale and East Jindabyne.
- Aiden provided an in-depth cost estimate, outlined benefits and mitigated environmental concerns.
- Time was allocated for questions.
- Councillor James Ewart suggested that Aiden could present his project to an upcoming Council meeting.
- The Youth Council recommended that Aiden share his concept with State and Federal Government and offered to support him in that endeavor.

Action: Mel Sass to share contact details for Aiden, with Councillor Ewart.

7.2. Mark Ware – Business Development Manager, Director of Corporate Services at SMGS

- Mark introduced himself and apologised that a student representative was not providing the presentation. He noted that end of year exams had interfered.
- Provided an overview of SMGS and their vision for the future. Noted the planned release of the school's Master Plan on the 5th of December.
- Mark outlined the vision for a shared use sporting facility to be located on property owned by SMGS. He noted an application had been submitted to the Stronger Country Community Fund Round 3 in an effort to see the project funded.
- Mark considered questions from the Youth Council.

7.3. Georgia Pond, Youth Councillor – Youth Outreach Program

- Georgia presented her concept for developing a Youth Outreach Program that would see the Youth Council engage with children and young people in the region's smaller villages.
- The presentation included a suggested itinerary which would see a Youth Council presence at local markets and community fairs.
- Initially the purpose of the Youth Outreach Program would be to consult with the smaller communities in order to identify unmet needs and interests of children and young people.

Action: Georgia to research and develop an in depth travel itinerary and proposed timetable for the 2020 Youth Council to consider.

8. General Business

8.1. Motion to amend the Youth Council Charter

SNOWY MONARO REGIONAL COUNCIL COMMITTEE MINUTES

- Further discussions were held regarding the proposed update to the Youth Council Charter, which would see changes made to 8.1.2 – “Tenure of Office”.
- In order to continue building momentum with the Committee and to maximise skill development and mentoring opportunities, the Youth Council determined that the Charter should be varied to allow for a young person to reapply for the Committee, following the initial 12 month Term.
- The Youth Council discussed the Executive Committee Positions and determined these Committee Members should hold office for 12 months. This is not currently clear in the Charter and should be updated.

Motion: The following insertion shall be made at Section **8.1.2 “Tenure of Office”** of the Youth Council Charter: “In the case of the Executive Members, a 12 month period or until the final Youth Council meeting of the year.” **Carried. All in favour.**

- **Motion: Section 8.1.2 “Tenure of Office”** shall be amended to state that: “In the case of Ordinary Members, for a 12 month period – or at the discretion of Council. At the end of this period, Committee Members are welcome to remain on the Youth Council, however must lodge an application form with Snowy Monaro Regional Council. These applications will be assessed in line with points 4 of the Charter.

8.2 Motion to declare the Executive Committee Member position vacant

- Councillor Ewart thanked the Executive Committee for their input and leadership throughout their term on the 2019 Youth Council.
- In line with the Charter, the Executive Committee positions are to be declared vacant at the final Youth Council Meeting of the year.

Motion: That the Executive Committee Member positions are declared vacant until an election is held at the first Youth Council meeting for 2020. **Carried. All in favour.**

9. General Business not on notice

9.1 Youth Councillor Josh McMahon – Increase communication with Council

- Discussion about the need for the Youth Council to have more of a presence at Council meetings, in an effort to raise out profile and legitimacy.
- The Youth Council discussed amending the Executive Committee roles and responsibilities to include a designated role that would be responsible for liaising with Council and the broader community.
- The group discussed that the current Executive Role of “Publicity Officer” should be renamed the “Public Relations Officer”. The roles and responsibilities would largely remain the same, however would also include the task of appointing a Youth Councillor to attend each Council Meeting and liaise frequently with local businesses and stakeholders.
- YDO Mel Sass outlined that this change would need to be reflected with an amendment to the Charter, which the Youth Council agreed to.
- Youth Deputy Mayor, Will Wright also suggested that the Youth Council host community consultation sessions to determine what community stakeholders expect from the Youth Council.

Action: Will to develop draft consultation survey and forward to Council staff for consideration.

SNOWY MONARO REGIONAL COUNCIL COMMITTEE MINUTES

Motion: That the Youth Council Charter is amended at **5.5** to read “Public Relations Officer”.
Carried.

Motion: That the following insertion is made at **6.4:** “Coordinating a roster that allocates a Youth Council representative to attend every Council meeting”. **Carried.**

10. Project Updates

10.1. Youth Councillor Lani Holfter – Cultural Exchange Program

- The project aims to bring Ryde City Youth Council to the Snowy Monaro region to experience life in a regional community and then for our Youth Council to visit Sydney for a metropolitan experience.
- Lani provided an update of her discussions with Ryde City Youth Council and suggested that a date in Winter would suit best.

Action: Lani to develop a draft project plan and cost estimate to be tabled in 2020.

Action: The YDO team connects with the Ryde City Council YDO to discuss logistics.

10.2. SMYC Apparel

- Apparel is for sale at the Cooma visitors Centre.
- John Graham requested volunteers to be involved in a photo shoot/media campaign to promote to product.

Action: John to send email request to the Youth Councillors

11. Date of next Meeting

The next meeting TBC

7 Close of Meeting

There being no further business the meeting concluded at 11:47am

CHAIRPERSON

DATE



SNOWY MONARO
YOUTH COUNCIL

Committee Charter



Record of Versions

Date Published	Reason for Amendments	Resolution	Author/Document Owner
14/12/2017	Adoption of Charter	308/17	Mel Sass
29/01/2018	Application of SMRC Style Guide		Mel Sass

Uncontrolled document when printed. Please refer to intranet for controlled document

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1 Committee Name

The committee will be called the Snowy Monaro Regional Youth Council

2 Committee Role

The primary roles of the Snowy Monaro Regional Youth Council are:

- To advocate for the needs of young people and provide a mechanism for their participation and involvement in decision making on community issues.
- To act in an advisory and consultative capacity to Council and staff on matters affecting young people in the community.
- To enhance the profile of young people in the Region; encouraging the community to develop an appreciation of young people and the contributions they make to the local area

3 Committee Responsibilities

The Snowy Monaro Regional Youth Council shall be responsible for:

- Advocating, providing advice and making recommendations to Council on matters affecting young people
- Co-coordinating, planning and implementing community activities and events including National Youth Week
- Identifying and initiating opportunities for participation and involvement of young people in community activity
- Promoting community awareness of issues impacting on young people
- Promoting positive images of young people, their achievements and contributions to our community.

4 Membership

The Youth Council will be made up of a maximum of twenty (20) representatives aged between 12 and 24 years. This must include a minimum of 1 young person from each of the major towns within the Snowy Monaro LGA (Bombala, Cooma & Jindabyne).

4.1 Nominating for Membership

The Youth Council will call for Membership nominations from interested young people living in the Snowy Monaro Region, aged 14 – 24 years. Nominations will be accepted from:

- Each of the Secondary Schools (including the Home Schools) in the Snowy Monaro Region
- Local Youth focused support services and agencies operating in the Snowy Monaro Region
- Community/self-nominations following public promotion in local newspapers and on social media platforms

Candidates for appointment must lodge a written and signed application form to the outgoing Snowy Monaro Youth Council or to Council via the Youth Development Officers.

4.2 Selection

Councils Youth Development Team will be appointed the task of establishing an independent selection Committee to appoint the incoming Youth Councillors. The Selection Committee will be comprised of:

- At least one Youth Councilor (who is not re-applying)
- The Chair of the Youth Council Committee (elected Council representative)
- At least one of the Youth Development Officers
- At least one youth sector stakeholder (youth worker, teacher, etc.)

5 Executive Committee Members

5.1 Chair

The Youth Council meetings will be chaired by the Councillor appointed by the Council. In the absence of the Councillor the Youth Mayor will be the chair.

5.2 Youth Mayor

The position of Youth Mayor is to be declared vacant at the first meeting of the Youth Council for the year. Nominations are to be called for the position, at which point an election will be held to appoint the Youth Mayor. The current Youth Mayor can be nominated for re-election. If more than one nomination is received for the position, a ballot is to be held to elect the Youth Mayor

5.3 Youth Deputy Mayor

The position of Deputy Mayor is to be appointed in line with 5.2

5.4 Secretary

The position of Secretary is to be appointed in line with 5.2

5.5 Publicity Officer

The position of Publicity officer is to be appointed in line with 5.2

5.6 Induction

Once elected, the Executive Committee is to receive an induction into the role and its requirements

5.7 Resignation

If an Executive Member resigns during their Term, a replacement can be re-elected as per 5.2. If no nominations are received, the position will be declared a casual vacancy.

6 Responsibility and Authority of the Executive Committee

6.1 Youth Mayor

The Role of the Youth Mayor will be:

- To Chair meetings in the absence of the Councillor
- To coordinate working groups and sub-committees
- To liaise with the Youth Development Officers and relevant Council Staff on behalf of the Youth Council
- To represent the Youth Council at public forums, external meetings and community events/activities
- To uphold the Charter

6.2 Youth Deputy Mayor

The Deputy Mayor will support the Youth Council Mayor to fulfil his/her obligations

6.3 Secretary

The Secretary is responsible for:

- Recording meeting attendance
- Taking minutes, and distributing them to the Youth Councilor's within 1 week of the meeting
- Preparing the Agenda and distributing to the Youth councilors at least 1 week prior to a meeting
- Liaise with the Youth Development Officer and Council staff to make necessary reports to Council

6.4 Publicity Officer

The Publicity Officer is responsible for:

- Developing and Managing the Youth Councils social media platforms (Facebook, Instagram etc.)
- Preparing Media Releases and collaborating with Councils Communications team to promote the events and activities of the Youth Council
- Other promotional activities where relevant

7 Budget

If at any time, a budget is allocated to the Snowy Monaro Regional Youth Council, the Youth Council shall make recommendations only, via the Youth Development Officers.

8 Proceedings

8.1 Committee Members

All Committee Members are bound by the provision of this Charter.

8.1.1 Vacancies

A vacancy on the Youth Council shall be filled in the same manner as the original appointment is made, outlined in 5.2. If no nominations are received the position will be considered a Casual Vacancy

8.1.2 Tenure of Office

Members of the Youth Council shall hold office:

- In the case of the Councillor (Chair), as determined by Council each year in accordance with the provisions of the Local Government Act
- In the case of Council Staff, while such persons continue to hold the employed position with Snowy Monaro Regional Council
- In the case of young people, for a 12 month period – or at the discretion of Council.

8.2 Meetings

- Youth Council meetings will be held on at least four (4) occasions per year, at time and day determined by the sitting Youth Council.
- Sub-Committees or Project Working Groups will be held as required, to deliver on community activities/projects identified as priorities by the Youth Council.
- Business will not be conducted at any meeting unless a quorum is present
- Guest speakers can attend meetings, but do not have voting rights.
- At least three (3) weeks notice of Meetings shall be provided to all committee members

- Meetings can be called by the Executive Committee Members, or Council's Youth Development Officer.

8.2.1 Quorum

The quorum of this Committee shall be nine (9) young people and *either* one (1) Council Staff member, or the Chair. At least one voting member from each of the 3 major townships (Bombala, Cooma & Jindabyne) must be present.

8.2.2 Voting

Each voting member shall be entitled to one (1) vote in respect to any matter and the decision of the Committee shall be by majority of votes cast in favour. The Councillor (or Chair) shall have a casting vote.

8.2.3 Attendance

Youth Councillors are required to attend all formal and working group meetings. If a member is absent for two (2) consecutive meetings without an Apology provided to the Secretary, their membership may be revoked by the Youth Council via vote.

8.2.4 Meeting Venue

The venue will be a location within the Snowy Monaro Region that is accessible to young people.

8.2.5 Variation of the Charter

This charter may be amended by resolution of the Council in consultation with, or upon the recommendation of, the Youth Council

9 Administration

9.1 Meeting Minutes

All records, including the agenda, minutes and any reports or recommendations will be prepared by the Secretary with the support of the Youth Development Officers.

9.2 Reporting

Meeting Minutes will be provided to Council at least quarterly or as requested.

9.1.3 SNOWY MONARO LOCAL TRAFFIC COMMITTEE

Record No:

Responsible Officer: Director Operations & Infrastructure
Author: Roads Safety Officer
Attachments: 1. Minutes from the 28 November 2019 Local Traffic Committee Meeting

EXECUTIVE SUMMARY

The Local Traffic Committee met on 28 November 2019 in Bombala. 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 28 November 2019 be adopted.

RECOMMENDATION OF THE LOCAL TRAFFIC COMMITTEE – 28 NOVEMBER 2019

7.1 LATE NIGHT CHRISTMAS SHOPPING - BOMBALA

That Council approve the request by the Bombala Chamber of Commerce's request for the temporary closure of Maybe Street between Forbes Street and Caveat Street on Friday 13 December from 4:30 pm to 9:30 pm.

7.2 ANZAC DAY 2020 - COOMA

That Council

- A. Approve the request from Cooma RSL Sub-Branch for the temporary road closures associated with the 2020 ANZAC Day Commemorations. The roads impacted will be Sharp Street, Bombala Street, Vale Street and Massie Street Cooma;
- B. Approve the request from Nimmitabel RSL Sub-Branch for the temporary road closure associated with the 2020 ANZAC Day Commemorations. The roads impacted will be Bombala Street and Boyd Street Nimmitabel;
- C. Approve Council staff to provide the Traffic Control Plan and Traffic Controllers at no cost to the Sub-branch; and
- D. An updated Traffic Control Plan be submitted to Council.

7.3 YOUNG DRIVERS PROJECT - BOMBALA

That Council

- A. Approve the request from Driving Solution to conduct the Young Drivers' Program with the associated road closures around the Therry Street carpark, Bombala between 8:00 am and 3:00 pm, contingent upon Driving Solutions provide evidence of Public Liability Insurance to a minimum value of \$ 20 million, and Snowy Monaro Regional Council is named as an
-

interested party.

- B. Updated traffic control plans to be submitted to Council.
-



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Local Traffic Committee Meeting

28 November 2019

**LOCAL TRAFFIC COMMITTEE MEETING
HELD IN BOMBALA COUNCIL CHAMBERS, 71 CAVEAT STREET, BOMBALA NSW 2632
ON THURSDAY 28 NOVEMBER 2019**

MINUTES

1. **OPENING OF THE MEETING**..... ERROR! BOOKMARK NOT DEFINED.
2. **APOLOGIES**..... ERROR! BOOKMARK NOT DEFINED.
3. **DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST**.....ERROR!
BOOKMARK NOT DEFINED.
4. **ADOPTION OF MINUTES OF PREVIOUS MEETING ...** ERROR! BOOKMARK NOT DEFINED.
 - 4.1 Local Traffic Committee Meeting 26 September 2019 **Error! Bookmark not defined.**
5. **BUSINESS ARISING**..... ERROR! BOOKMARK NOT DEFINED.
6. **ACTION SHEET** ERROR! BOOKMARK NOT DEFINED.
7. **CORRESPONDENCE**..... ERROR! BOOKMARK NOT DEFINED.
 - 7.1 Late Night Christmas Shopping - Bombala.....**Error! Bookmark not defined.**
 - 7.2 ANZAC Day 2020 - Cooma**Error! Bookmark not defined.**
 - 7.3 Young Drivers Project - Bombala.....**Error! Bookmark not defined.**
8. **GENERAL BUSINESS** ERROR! BOOKMARK NOT DEFINED.
 - 8.1 Speed Limit along Mittagang Road**Error! Bookmark not defined.**
 - 8.2 New Line Marking on the Monaro**Error! Bookmark not defined.**
 - 8.3 Moving Speed Limit Signs.....**Error! Bookmark not defined.**
 - 8.4 2019 Snowy Ride - Fatality on Barry Way**Error! Bookmark not defined.**
 - 8.5 Canberra Ride - Cycle Challenge Complaints**Error! Bookmark not defined.**
 - 8.6 Question - Yellow Line Markings.....**Error! Bookmark not defined.**
 - 8.7 Roundabout in Bombala.....**Error! Bookmark not defined.**
 - 8.8 L'Etape 2019**Error! Bookmark not defined.**
 - 8.9 Snowy Ride 2019**Error! Bookmark not defined.**
 - 8.10 Monaro Highway Roadworks**Error! Bookmark not defined.**
9. **MATTERS OF URGENCY**..... ERROR! BOOKMARK NOT DEFINED.
10. **NEXT MEETING**..... ERROR! BOOKMARK NOT DEFINED.

MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL
HELD ON THURSDAY 28 NOVEMBER 2019

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**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
HELD IN BOMBALA COUNCIL CHAMBERS, 71 CAVEAT STREET, BOMBALA NSW 2632**

**ON THURSDAY, 28 NOVEMBER 2019
COMMENCING AT 9.30AM**

COMMENCING AT 9.30AM

PRESENT:	Mr Graham Hope	Chair, SMRC Road Officer
	Mr Jesse Fogg	Roads & Maritime Services (RMS) Representative
	Michael Travers	Roads & Maritime Services (RMS) Representative
	Constable Mick Hartas	NSW Police Force Representative
	Councillor Sue Haslingden	Councillor Representative
	Amanda Shepherd	Secretary Council & Committees
APOLOGIES:	Sgt Steve Banner	NSW Police Force Representative
	Councillor Lynley Miners	Councillor Representative
	Mrs Judie Winter	Local MP Representative

1. OPENING OF THE MEETING

The Chair opened the meeting at 9.46AM.

2. APOLOGIES

An apology for the meeting was received from Sgt. Steve Banner, Judie Winter and Councillor Lynley Miners.

3. DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST

Nil.

4. ADOPTION OF MINUTES OF PREVIOUS MEETING

4.1 LOCAL TRAFFIC COMMITTEE MEETING 26 SEPTEMBER 2019

COMMITTEE RECOMMENDATION	LTC449/19
THAT the minutes of the Local Traffic Committee Meeting held on 26 September 2019 are confirmed as a true and accurate record of proceedings.	
Moved Mr Fogg	Seconded Const Hartas CARRIED

5. BUSINESS ARISING

Nil.

MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL
HELD ON THURSDAY 28 NOVEMBER 2019

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6. ACTION SHEET

Nil.

7. CORRESPONDENCE

7.1 LATE NIGHT CHRISTMAS SHOPPING - BOMBALA

Record No:

Responsible Officer:	Roads Safety Officer
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	6.2 Encourage and promote vibrant towns and villages, acknowledging and celebrating the unique heritage and character of each town
Delivery Program Objectives:	6.2.3 Council celebrates, supports and promotes the uniqueness and heritage characteristics of each town and village
Attachments:	1. Late Night Christmas Shopping - Bombala 2. Late Night Christmas Shopping - to be approved
Cost Centre	1802 Transport Infrastructure (1802)
Project	Snowy Monaro Local Traffic Committee

EXECUTIVE SUMMARY

A request has been received from the Bombala Chamber of Commerce for the temporary closure of Maybe Street for the purpose of holding a late night Christmas shopping event. The road closures would be the same as for Remembrance Day each year – closing Forbes Street between Therry Street and Wellington Street and closing Maybe Street between Forbes Street and Caveat Street. Heavy vehicles would be detoured via Therry Street and Caveat Street or via Burton Street, Wellington Street and Caveat Street. The closures would last from approximately 4:30 pm to 9:30 pm including set up and take down on Friday 13th December 2019.

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

COMMITTEE RECOMMENDATION

LTC450/19

That Council approve the request by the Bombala Chamber of Commerce's request for the temporary closure of Maybe Street between Forbes Street and Caveat Street on Friday 13th December from 4:30 pm to 9:30 pm.

Moved Const Hartas

Seconded Mr Fogg

CARRIED

Representative of the NSW Police

Representative of the NSW RMS

Representative of the State MP

Representative of the Council

MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL
HELD ON THURSDAY 28 NOVEMBER 2019

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Note 1 Late Night Christmas Shopping - Bombala

The Local Traffic Committee discussed the temporary road closure for the Late Night Christmas Shopping in Bombala main street on Friday 13 December 2019. The road closure will be from 4.30PM to 9.30PM. Stalls and shops in the street will be open.

Information on the road closure was circulated previously to the Committee, and the Committee were happy with the proposal.

The Committee discussed using concrete pillars or a safety vehicle to block the road, instead of using the plastic barriers. A Certificate of Currency will be provided to Council.

7.2 ANZAC DAY 2020 - COOMA

Record No:

Responsible Officer:	Roads Safety Officer
Key Theme:	1. Community Outcomes
CSP Community Strategy:	2.1 Our culturally diverse heritage is preserved and celebrated for the richness it brings to our regional identity
Delivery Program Objectives:	2.1.2 Council celebrates and enriches the heritage fabric throughout the region
Attachments:	1. Cooma RSL Sub-Branch ANZAC Day 2020 2. Nimmitabel RSL Sub-Branch ANZAC Day 2020
Cost Centre	1802 Transport Infrastructure (Operations)
Project	Snowy Monaro Local Traffic Committee

EXECUTIVE SUMMARY

An application has been received from the Cooma RSL Sub-Branch for temporary road closures associated with the 2020 ANZAC Day Commemorations.

In Cooma as in previous years, there will be a Dawn Service commencing at 5:45 am with no road closures. Later, there would be the ANZAC March along Sharp Street from Cooma Creek Bridge to Vale Street to the Cenotaph. Road closures will be in place from 8:30 am to 12:30 pm.

In Nimmitabel there will be one service commencing at 10:45 am

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

COMMITTEE RECOMMENDATION	LTC451/19
That Council	
A. Approve the request from Cooma RSL Sub-Branch for the temporary road closures associated with the 2020 ANZAC Day Commemorations. The roads impacted will be Sharp Street, Bombala Street, Vale Street and Massie Street Cooma;	
B. Approve the request from Nimmitabel RSL Sub-Branch for the temporary road closure associated with the 2020 ANZAC Day Commemorations. The roads impacted will be Bombala Street and Boyd Street Nimmitabel;	
C. Approve council staff to provide the Traffic Control Plan and Traffic Controllers at no cost to the Sub-branch; and	
D. An updated Traffic Control Plan be submitted to Council.	
Moved Mr Fogg	Seconded Councillor Haslingden CARRIED

MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL
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Representative of the NSW Police

Representative of the NSW RMS

Representative of the State MP

Representative of the Council

Note 2 ANZAC Day 2020 – Cooma

The Local Traffic Committee discussed the Anzac Day 2020 – Cooma celebrations. The roads that will have the temporary closure for the event will be Sharp Street, Bombala Street, Vale Street and Massie Street.

Police and Ambulance vehicles (road block) will be rolling behind the parade. This will mean the roads will open as they pass through. Vale Street closed to stop people driving down near the Cenotaph. An updated Traffic Control Plan (TCP) will be submitted to Council.

7.3 YOUNG DRIVERS PROJECT - BOMBALA

Record No:

Responsible Officer:	Roads Safety 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:	<ol style="list-style-type: none"> 1. Young Drivers - Notice of Intention 2. Young Drivers - Schedule 1 3. Young Drivers - Risk Assessment 4. Young Drivers - Traffic Management Plan 5. Young Drivers - Certificate of Currency
Cost Centre	1802 Transport Infrastructure (Operations)
Project	Snowy Monaro Local Traffic Committee

EXECUTIVE SUMMARY

A request has been received from Driving Solutions to conduct the Young Drivers' Program. The Young Drivers' Program is aimed at Year 12 students mainly on their red "P"s (P1) and focuses on the unique road conditions of the Snowy Mountains, hazard recognition, accident avoidance, vehicle handling, speed management, DUI, fatigue and distraction.

Driving Solutions proposes to run the Snowy Hydro Young Driver Program for Year 12 students at Bombala High School. The program would run from 8:00 am to 3:00 pm with the proposed venue being the Therry Street Carpark.

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

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COMMITTEE RECOMMENDATION	LTC452/19
That Council	
A. Approve the request from Driving Solution to conduct the Young Drivers' Program with the associated road closures around the Therry Street carpark, Bombala between 8:00 am and 3:00 pm, contingent upon Driving Solutions provide evidence of Public Liability Insurance to a minimum value of \$ 20 million, and Snowy Monaro Regional Council is named as an interested party.	
B. Updated traffic control plans to be submitted to Council.	
Moved Const Hartas	Seconded Mr Fogg
	CARRIED

Representative of the NSW Police

Representative of the NSW RMS

Representative of the State MP

Representative of the Council

Note 3 ANZAC Day 2020 – Cooma

The Local Traffic Committee discussed the Young Driver's program held in Bombala. The Young Drivers' Program focuses on the unique road conditions within our region and looks at hazard recognition, accident avoidance, vehicle handling, speed management, DUI, fatigue and distraction.

8. GENERAL BUSINESS

8.1 SPEED LIMITS ALONG MITTAGANG ROAD

The Local Traffic Committee discussed the current speed limits along Mittagang road. RMS NSW has approached Council and NSW Police for some technical advice.

The Committee also discussed the speed zones in Nimmitabel, and the reduction of the speed zone to 50km/ph. Some edge lining and road treatments can be looked at in order to help people slow down.

8.2 NEW LINE MARKING ON THE MONARO

The Local Traffic Committee discussed the recent successful trial of the double line road marking on some sections of road between Cooma and Canberra. The plan would eventually be all the way from Cooma to Canberra. Currently, the width is there between Cooma and Canberra for the new line markings now.

If they decide to expand, the Community will be consulted on the project. Feedback from Police and Council would be appreciated.

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8.3 MOVING SPEED LIMIT SIGNS

The Local Traffic Committee discussed some community members asking for signs to be moved in Jerangle Road. They have asked if the signs can be moved from current location to 10m closer to Bredbo direction. It is something that will need to be review via the Speed Link Process, prior to any changes being made.

Currently the 60km/ph. ahead sign is appropriate in terms of signage. And if road users drive to the conditions of the road, there should be no issues.

8.4 2019 SNOWY RIDE - FATALITY ON BARRY WAY

The Local Traffic Committee discussed the 2019 Snowy Ride, and the fatality that occurred during the event along Barry Way.

A vehicle turned right into the Sport and Recreation Centre off Barry Way, on the section of road where there are two lanes. There were three riders and the time, two of which have seen the vehicle turn and move to the other lane. And unfortunately, the third rider did not see and collided with the vehicle.

The current road and line markings can be reviewed, as well as looking at the possibility of widening the shoulder along the section of road.

8.5 CANBERRA RIDE - CYCLE CHALLENGE COMPLAINTS

The Local Traffic Committee discussed the recent Canberra ride, and some of the complaints that were received about some of the support vehicles trailing the riders.

Cyclists were two abreast on the fog line on the road, with a support vehicle behind the riders. However, some of the support vehicles were in the whole lane the entire way, and not off to the side. Cars and trucks did not have visibility around some of the vehicles, and it slowed traffic down. Vehicles were not able to overtake due to the lack of visibility.

Feedback has been provided to the event organiser, as well as the recommendation that the event starts earlier in the day when there is less traffic on the roads.

8.6 QUESTION - YELLOW LINE MARKINGS

Councillor Haslingden asked why the foggy areas around the region do not have yellow line markings.

RMS Representative advised that the yellow line markings are for the snow / heavy snow areas. Yellow line markings in other areas was trialed, but it was difficult to see them during the night.

8.7 ROUNDABOUT IN BOMBALA

Councillor Haslingden asked if there was a possibility of placing a roundabout in Bombala. It had also been brought up in a Heavy Vehicle Meeting.

Roundabouts are expensive, and difficult to place in rural areas. Putting one in Bombala would cost two to three million dollars.

MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL
HELD ON THURSDAY 28 NOVEMBER 2019

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There are other avenues that can be looked at, such as edge line changes, blisters, pedestrian refuge or other pedestrian facilities.

A few complaints have been received from some of the residents. Vibration from the trucks is causing damage to some of the older homes. Headlights from the trucks are also shining through the front of homes.

8.8 L'ETAPE 2019

The Local Traffic Committee discussed the L'Etape event being held on 29th and 30th November 2019. It will be the last one held in the Snowy Monaro Region. The event will be moved to Kiama next year.

8.9 SNOWY RIDE 2019

The Local Traffic Committee discussed the Snowy Ride for 2019. The Snowy Ride is an event held in the Monaro / Alpine Region since 2001. The event raises funds for childhood cancer. This was the last year for the event.

8.10 MONARO HIGHWAY ROADWORKS

The Local Traffic Committee discussed the roadworks happening along the Kings Highway. Significant funding has been invested into the project. With Federal Police, State Police, RMS NSW and the ACT equivalent of RMS NSW have been working together. The plan is for the partnership to extend to the Monaro region.

9. MATTERS OF URGENCY

Nil.

10. NEXT MEETING

Thursday 23 January 2020 – Cooma. Location TBC.

There being no further business the Chair declared the meeting closed at 11.30AM.

CHAIRPERSON

The above minutes of the Local Traffic Committee Meeting of Snowy Monaro Regional Council held on 28 November 2019 were confirmed by Committee at a duly convened meeting on at which meeting the signature hereon was subscribed.

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9.3.1 AFRICAN LOVEGRASS STAKEHOLDER COLLABORATION

Record No:

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

EXECUTIVE SUMMARY

African Lovegrass (*Eragrotis curvula*) is regarded as one of the most devastating weeds within the Snowy Monaro region due to its invasiveness, potential for spread, fire risk and economic, environmental and social impacts. African lovegrass has little grazing value due to its low nutritional value and palatability. This results in stock and other wildlife avoiding it unless there is nothing else to eat. Therefore it rapidly replaces more palatable grasses, especially during drought. It also invades native vegetation including grassland, woodland and open forest.

African Lovegrass poses a high risk to the Snowy Monaro regions \$78m agricultural industry and unique environment (2010/11 Australian Bureau of statistics (ABS) – Value of Agricultural Commodities Produce 2010-2011). African lovegrass is identified as a key threatening process of the endangered ecological community; Natural Temperate Grasslands of the Southern Tablelands (NSW and ACT) because of its ability to dominate native plant communities and displace native plants.

Throughout 2019 the development of plans and tools by both state and local governments, the formation of a community taskforce, funded research and a newly formed technical reference group all focused on differing aspects of African Lovegrass control, resulting in strong partnerships being created.

Without long term funding from state government supporting the good work being undertaken by all stakeholders, the Monaro may lose the battle against African Lovegrass threatening our valuable agricultural assets.

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

OFFICER'S RECOMMENDATION

That Council corresponds with the Deputy Premier and other relevant ministers to advocate for future and on-going funding for;

- A. Continued and future research, in particular research for biological control for African Lovegrass.
- B. The development of mapping for the region identifying African Lovegrass infestation and spread.
- C. Construction of public vehicle hygiene stations to inhibit the spread of African Lovegrass seed to areas of economic, environmental and/or social assets of value.
- D. Support of the Monaro African Lovegrass Taskforce and ongoing support for the Monaro African Lovegrass Project administered by South East Local Land Services.
- E. Continued financial support to Council through the South East Weeds Action Program.

BACKGROUND

Background of African Lovegrass on the Monaro

African Lovegrass is understood to have been introduced to the Monaro in the 1920's and has spread significantly since. Survey data collated in 1986 estimated that heavy infestations of African lovegrass existed over 1,000ha of the Snowy Monaro region. In 2019 the area subject to heavy infestations is estimated at well in excess of 100,000ha and rising. This figure currently represents approximately 20% of the region's grazing land.

African lovegrass is predicted to become increasingly competitive with lower and less reliable rainfall and increased drought periods into the future. Current drought conditions and associated poor groundcover are expected to further exacerbate the problem.

Since the Council merger Snowy Monaro Regional Council has not only faced the challenges of adapting to a newly formed Council but also the introduction of the *Biosecurity Act 2015*, superseding the previous *Noxious Weeds Act 1993*. Significant progress has been made in adapting to the regional challenges but also adopting regulatory practices that comply with the new legislation.

Council receives annual funding through the NSW Weeds Action Program (WAP) to assist in meeting its obligations under the *Biosecurity Act 2015*, specifically in relation to inspecting land and reporting findings to the State government. Throughout the course of WAP 2015-20, Council received in the order of \$1.2m. WAP specifically excludes the allocation of these funds to activities related to weeds which are considered widespread throughout the State, including African lovegrass.

The importance of Council's community engagement and stakeholder partnerships is significant to how African Lovegrass is controlled moving into the future. A collaborative approach with strong relationships between NSW Government (NSW DPI), SMRC, research bodies and our community is paramount to progress, however, ongoing state government funding will be required to achieve tangible outcomes.

The following is some of the major plans and progress that has and is being undertaken across the Snowy Monaro Region dedicated to African Lovegrass control.

NSW DPI South East Local Land Services - South East Regional Strategic Weed Management Plan

African Lovegrass is identified in the South East Regional Strategic Weed Management Plan 2017 – 2022 (The Plan). The plan identifies African Lovegrass as a regional priority weed with an objective to protect assets. While broad scale elimination or containment is not practicable, preventing the spread to priority assets or reducing the impact on priority assets by weeds already present is reasonably practicable. Priority assets for protection typically have high environmental, economic and/or social value.

The plan specifies that African Lovegrass must be managed in accordance with a published local weed management plan adopted by Council.

Snowy Monaro Regional Council - African Lovegrass Management Plan

Council adopted the amended SMRC Local African Lovegrass Management Plan in August 2019. This plan specifies the weed control measures a landholder must implement to ensure their General Biosecurity Duty is discharged under the *Biosecurity Act 2015*, in relation to African Lovegrass.

In line with the *Biosecurity Act 2015* the primary objective of this plan is to prevent, eliminate and minimise the biosecurity impacts of African Lovegrass on the Snowy Monaro Region's community, environment and economy.

Toward this objective Council aims to 'keep the clean areas clean' by delivering a strict compliance program in areas of the region with little or no African lovegrass, or where it is in its early to moderate stages of establishment. In these high risk areas African Lovegrass has the potential to have significant adverse effects on the region's agricultural and environmental assets.

Monaro African Lovegrass Taskforce

The establishment of the Monaro African Lovegrass Taskforce by local landholders was due to the recognition that government is not equipped to undertake all responsibility of control and management of African Lovegrass. It recognises that the community must work together to achieve outcomes to keep the 'clean areas clean', meaning landholders must share the responsibility of their General Biosecurity Duty.

It is intended that the taskforce will work closely with Snowy Monaro Regional Council and South East Local Land Services for better education of landholders of farm planning, chemical control strategies, improved management and Biosecurity. The Taskforce believes that change will only be successful if it is driven by the landholders themselves, however, additional financial support will be required to achieve these outcomes.

Betty Casey Trust Research – Lachie Ingram/Jed Brown

The John and Betty Casey (Coolringdon) Research Trust sponsors a research project through the University of Sydney. PhD student, Jed Brown is working under the supervision of Dr Lachy Ingram. The focus of the research is to assess strategies for the management and control of African Lovegrass in a variety of settings across the Snowy Monaro Region. The reason for the research is

to aid the people of the Snowy Monaro Region by obtaining a greater understanding of how African Lovegrass spreads so that management and control strategies can be developed. The research will cover different types of landscapes that have different soil, topography, and vegetation attributes.

Currently, Jed Brown is obtaining multiple sites by voluntary landholder participation so that all attributes integral to the research are covered.

LLS Strategy and Engagement – Monaro African Lovegrass Project ‘Know Lovegrass’ - Technical Reference Group

The Monaro African Lovegrass project is a collaborative project incorporating the principles of the ‘community based social marketing’ method to help in identifying barriers to adoption, and to better target extension materials to different groups of landholders with differing African Lovegrass circumstances. Key features of the project include:

- Consolidate existing best practice management information into one spot for landholders (a website portal)
- Development of extension materials covering the range of enterprise and management scenarios
- Producing an African Lovegrass Best Management Practice guideline
- Integrating guideline and extension materials into existing local extension (Local Government, South East LLS biosecurity and agronomy services, Monaro Farming Systems, private agronomists, Landcare, etc.)
- Establish a technical reference group to guide development and delivery
- Recruit additional staff to deliver with partners

It is proposed to address the initial problem of ‘where to get best practice information’ by developing an African Lovegrass specific website portal. The website portal will serve as a single point of reference for landholders and stakeholders in the region. All information on the portal will be passed through the Technical Reference group to ensure it supports African Lovegrass best management practice. The portal will serve to consolidate existing information into one easy-to-access spot and ideally will become known as the ‘go to’ place for up-to-date information.

The Technical Reference group is comprised of representatives from South East LLS, Snowy Monaro Regional Council, Sydney University and several community and landholder representatives. The technical reference group held their first meeting in November and named the group ‘Know Lovegrass’ technical reference group”.

NSW DPI – Self Audit Report

NSW DPI has commenced formal audits of Local Control Authorities throughout the State. In August 2019, Snowy Monaro Regional Council completed its ‘Weed Management Capacity Self-Audit Checklist’. Amongst other factors, the audit considered weed control programs being implemented by Council, including its African Lovegrass program. The Department interviewed the Biosecurity Manager, examined species plans, checked available records and assessed parts of the African lovegrass infested area. Findings demonstrated that Snowy Monaro Regional Council has a strong capacity to meet their functions, obligations and requirements under the NSW *Biosecurity Act 2015*; to meet the expectations of government and also demonstrated a history of

implementation of that capacity. It identified that *“the program for African lovegrass in established infestation areas is ambitious; realistic and achievable utilisation and reduction programs are better implemented by Local Lands Services and by industry”*.

NSW DPI – Risk Assessment Tool for African lovegrass.

NSW Department of Primary Industries has formalised a Weed Risk Assessment for African lovegrass in the Snowy Monaro and Queanbeyan-Palerang regions. The weed risk assessment process underpins weed policies and strategies throughout NSW and helps guide resource allocation. The Weed Risk Assessment process considers factors associated with plant growth, mechanisms for spread, likelihood of coordinated control, persistence, control costs and a variety of other factors that influence management of the weed. It then provides recommendations on how African lovegrass control programs should be applied within the area under consideration.

The resultant report identifies that the risk associated with the weed is high, however the feasibility of coordinated control is negligible. It identifies that there is a need for regulatory control, as coordinated programs are capable of slowing this hard to manage weed. It identifies a need to vary programs based on achievable objectives, ie keep clean localities clean and control isolated infestations. In its closing comments the report identifies the need to search and destroy rare and isolated infestations, reduce marginal infestations and promote best practice management in core infested areas through an active extension program. It identifies the need to control African lovegrass on road verges where the plants are vulnerable to spread.

These objectives are closely aligned with Snowy Monaro Regional Council’s African Lovegrass local weed management plan and current practices.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Community participation and collaboration is important when managing a widespread weed such as African Lovegrass. Community education and awareness is a priority if we are to achieve the outcomes set within Council’s own African Lovegrass Local Management Plan and the South East Regional Strategic Management Plan. The creation and maintenance of strong stakeholder partnerships is also integral to achieving these outcomes with the support of additional State Government funding.

2. Environmental

By working collaboratively with a wide stakeholder group consisting of our community and government agencies there is hope that a widespread problem such as African Lovegrass can be better controlled so that our environmental assets are protected.

3. Economic

By working collaboratively with a wide stakeholder group consisting of our community and government agencies there is hope that a widespread problem such as African Lovegrass can be controlled so that our economic assets are protected. Additional State Government funding long term will be required to achieve this.

4. Civic Leadership

Council's African Lovegrass Local Weed Management Plan outlines Council's commitment to 'keeping the clean areas clean'. By supporting and encouraging stakeholder collaboration to set the pathway to achieving tangible outcomes, Council demonstrates positive leadership to our community.

9.3.2 ADOPTION OF THE SNOWY MONARO REGIONAL COUNCIL KERBSIDE COLLECTION POLICY, BANK OF BIN POLICY AND EVENT BIN POLICY

Record No:

Responsible Officer:	Director Environment & Sustainability
Authors:	Group Manager Resource & Waste Management Resource & Waste Operations Manager
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:	10.1.4 Harmonisation of policies, procedures and processes deliver customer focused business practices
Attachments:	1. Draft SMRC Kerbside Collection Policy 2. Draft SMRC Bank of Bins Policy 3. Draft SMRC Event Waste Management Policy
Cost Centre	GL2210 DWM Garbage Collection, GL2215 DWM recycling Collection and GL2220 DWM Organics Collection
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The Resource and Waste Management section has developed a range of related policies for consideration. These policies will enable the section to more efficiently deal with requests from the community regarding current waste management services and to operate the services more efficiently. The Domestic Kerbside Collection Policy, Bank of Bin Policy and Event Waste Management Policy are presented to Council for consideration.

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

OFFICER'S RECOMMENDATION

That Council

- A. Adopt the Snowy Monaro Regional Council Kerbside Collection Policy, the Snowy Monaro Regional Council Bank of Bin Policy and the Snowy Monaro Regional Council Event Waste Management Policy

BACKGROUND

The Resource and Waste Management section is required to consider a range of requests from members of the community regularly. The requests relate to matters such as the provision of bins for events within the region, requests for extensions of kerbside collection services, requests for a variation in the level of collection service provided to premises, complaints relating to kerbside bins, contamination of bins, the establishment of new or additional Bank of Bin sites, and other service issues encountered on a day to day basis.

9.3.2 ADOPTION OF THE SNOWY MONARO REGIONAL COUNCIL KERBSIDE COLLECTION POLICY, BANK OF BIN POLICY AND
EVENT BIN POLICY

To efficiently deal with these issues, a range of policies has been developed through the Waste Committee and are recommended for adoption by Council. The policies are:

Attachment 1: Domestic Kerbside Collection Policy

Attachment 2: Bank of Bins Policy

Attachment 3: Event Waste Management Policy

The policies will establish guidelines to effectively deal with such matters as they arise reducing the need to refer operational matters to the Waste Committee or Council.

In the past, Council officers have not been able to effectively deal with issues such as repeated collection service difficulties or requests from domestic premises to vary the level of collection service they receive. The kerbside policy has been developed in response to repeated requests from community members to vary their kerbside bin size. The current standard service arrangements do not meet the requirements of all families, especially those with larger than average family members or those with specific needs.

Council staff are also looking to establish more efficient waste services, reducing the overall cost of operation. The changes identified within the policies allow the department to be more efficient with the current resources, whilst also improving the waste management activities provided to the community. It allows the department to be more responsive to requests and deal with difficult situations as they arise.

The key features of the Domestic Kerbside Collection Policy are:

- Domestic premises will be able to vary their bin sizes, with applicable fees according to the requested bin configuration (fees are already established in Council's adopted fees and charges).
- Domestic premises may request additional bins, again with the relevant costs to be incurred
- Requests for an exemption to the domestic collection service can be considered in certain situations
- The policy allows for a staged process when dealing with premises which have repeated services issues. In a worst-case scenario, bins can be removed from the premises
- Requests to extend collection routes are can be considered

The key features of the Bank of Bin Policy are:

- Current users of the Jerangle and Smith's Rd BOB's will be required to share access arrangements with all users. Users are currently allocated 1 set of bins each
 - There is a potential for some users of the BOB's (most likely the Rockwell Rd BOB in Berridale) to relinquish their service if they reside within 10km of a Waste Management Facility
 - Some BOB applicants will need to return additional keys if they have been allocated more than one key.
-

9.3.2 ADOPTION OF THE SNOWY MONARO REGIONAL COUNCIL KERBSIDE COLLECTION POLICY, BANK OF BIN POLICY AND
EVENT BIN POLICY

There are no notable impacts identified from the implementation of the Event Waste Management Policy. This policy is formalising the current Event Waste Management arrangements.

The policies are responding to requests from the community which allow more flexible waste management arrangements to be implemented which better suit the end-user.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

No negative social impacts are expected from the adoption of the policies. 2. Environmental

The development of the range of policies will allow Council to provide more options for waste management services to the community, whilst also encouraging the further diversion of waste materials from the landfill.

3. Economic

Indirect costs may be incurred from changed service arrangements, however, these are expected to be offset from additional revenues as applicable. Council has already adopted some fee options through its fees and charges depending on the service configuration required.

4. Civic Leadership

The policies have been established through the Waste Committee and have been in response to common requests from the community. Minutes of the Waste Committee meetings have been endorsed by Council.

Domestic Kerbside Collection Policy



Title of Policy	SMRC DOMESTIC KERBSIDE COLLECTION		
Responsible Department	Resource and Waste Services	Document Register ID	250.[document year].[document number].[document part]
Policy Owner	[checklist 25001 14 DD LAST VALUE]	Review Date	Date [document date1]
Date of Council Meeting	Date Approved [checklist 25002 10 DD LAST VALUE]	Resolution Number	Number [checklist 25002 11 DD LAST VALUE]
Legislation, Australian Standards, Code of Practice	Protection of the Environment Operations Act 1997 Protection of the Environment Operations (Waste) Regulation 2014 Waste Avoidance and Resource Recovery Act 2001		
Aim	To define the level of service provision and entitlements for the Council's kerbside collection of non-recyclable waste, recyclable materials and organic waste material services to be provided by Council and outline the requirements for both Council and customers in providing this service.		

1 Introduction

This policy is designed to ensure the delivery of a safe, consistent, environmentally sustainable and economically viable kerbside collection service for garbage, recycling and food organics/garden organics (FOGO) where applicable.

2 Scope

This Policy applies to all kerbside collection entitled premises in the collection areas designated by Council. It applies to (and is not limited to) domestic (residential) customers, commercial businesses, government enterprises (e.g. schools), community facilities, Council premises (including halls) and any other regular users of the kerbside waste collection service.

3 Objectives

Council's objectives for this Policy are:

- a) To provide an efficient and effective waste collection service to maintain a clean and healthy local environment and amenity;
- b) To reduce the amount of waste going into landfill;
- c) To promote the identification and kerbside collection of materials suitable for re-use and recycling;
- d) To develop and maintain a supply stream of organic material suitable for conversion into compost;

- e) To ensure Council's waste disposal system is consistent and fair for all who receive the service.

4 Definitions

For this Policy:

- a) 'Council' is the Snowy Monaro Regional Council (SMRC);
- b) 'Contamination' means the placement of materials other than organics into a mobile organics bin or placement of materials other than recyclables into a mobile recyclables bin;
- c) 'Domestic premises' as defined in Council's Revenue Policy.
- d) 'Dual Land Use' Where there is a dual land use at the property the predominate use will be used to determine the service type provided;
- e) 'Kerbside waste collection service' includes a putrescible household general waste (non-recyclable garbage) collection, a comingled recyclables collection and a Food Organics and Garden Organics (FOGO) collection service (where the service is provided);
- f) 'Kerbside Collection Area' includes the towns of –
 - i. Bombala, Bibbenluke, Cathcart, Delegate and surrounding areas
 - ii. Cooma, Bredbo, Michelago and Nimmitabel
 - iii. Jindabyne, Berridale, Adaminaby, Dalgety and surrounding areas
- g) 'Landfill Waste' means waste that is sent to landfill. It includes any discarded object or material (whether or not it has any apparent value);
- h) 'Mobile Garbage Bin' means the wheeled receptacle used to collect and store all forms of domestic and commercial waste, a bin is either a 120, 140, 240 or 360-litre capacity mobile waste red-lidded and recycling yellow-lidded bins (MGB);
- i) 'Multi-Unit Development' means properties with multiple domestic premises forming a high-density cluster. It may include multiple flats, residential units or houses on a single property or be in multiple ownerships, for example, strata titles;
- j) 'Prohibited Waste' means material not to be accepted into the specific Bin. This includes (but is not limited to) placement of hot coals, dangerous chemicals, asbestos, syringes or any other items which may cause injury to persons within the Waste Service or items not permitted to go into landfill;
- k) 'Recyclables' means the following containers, packages and products: newspapers, magazines, junk mail, stationery, office paper, envelopes, telephone books, egg cartons, cardboard, liquid paperboard cartons, glass bottles and jars (excluding crockery), aluminium rigid and semi-rigid packaging, steel rigid packaging including empty aerosol cans, and any other items or variations to this list as nominated by Council and which may be published on the Council's website;
- l) 'Domestic Premises' is developed land and includes houses, individual rateable Strata and Community titled townhouses, units or flats (as defined in Council's revenue policy);

5 Domestic Kerbside Waste Collection Service

Council will provide a kerbside collection service to each domestic premise within the Kerbside collection area. The standard kerbside service will consist of 1 x 120-litre waste bin serviced weekly and a 1 x 360-litre recycling bin serviced fortnightly. Also, properties within Cooma (and other areas which receive FOGO service) will receive 1 x 240-litre green FOGO bin serviced fortnightly.

Where a property comprises of several units/flats (domestic premises) the Council may vary the service arrangements as outlined within section 5.1 of this policy.

Service arrangements to domestic premises may also be varied upon request.

Vacant land will not be eligible for kerbside waste collection.

If a premise ceases to be entitled to a kerbside collection service the property owner must notify Council and the Waste Service Charge will be adjusted and the bins collected from the property.

As of the implementation date of this policy, SMRC is still in the process of harmonising the waste collection services to the region. Presently the former Snowy River Council region has been issued 240-litre waste MGBs. This bin size will remain as the default service arrangement until such time Council resolves to implement a 120-litre waste MGB as the standard bin size to the former Snowy River Council region.

5.1 Variations and Provision of Other Sized Bins

With the exemption of vacant allotments, the relevant Standard Kerbside Collection Service will be provided to all properties except as provided below:

- a) Multi-Unit Developments may share bins or change bin sizes subject to a waste management agreement, developed, altered and regulated by the owner/building management, for example, Strata Management Company, Housing Trust or relevant Body Corporate and subject to Council approval. The intent will be to provide a service capacity similar to that the standard service applied to each Domestic premises.
- b) Where Council has approved the use of alternative sized bins or additional bins.

It is acknowledged that some residents may require a different combination of bin sizes. Variations to the Standard Kerbside Collection Service or other variations, additional services or commercial and industrial requirements will be subject to approval upon application. Additional and charges may apply.

Currently available service choices are:

Urban Areas		
Landfill Waste – Weekly (Red Lid)	Recyclables – alternate fortnights (Yellow Lid)	Food and Garden Organics – alternate fortnight to recyclables (Lime Green Lid)
120 Litre	120 Litre	240 Litre
140 Litre	140 Litre	
240 Litre	240 Litre	
	360 Litre	

Outside Urban Areas		
120 Litre	240 Litre	Not available
240 Litre	360 Litre	

5.2 Provision of Additional Bins for Residential Properties

Additional Bins beyond the Standard Kerbside Collection Service may be provided in the sizes listed above. Up to one additional Landfill Waste Bin and two additional Organic and/or Recyclable Bins may be provided. Both Delivery and Administration Charges (to be paid at the time of application) and additional annual Kerbside Collection Services Charges (pro-rata invoicing will be sent with rates) apply.

The Owner or Owner’s Agent must formally advise Council if they wish to cease an existing Additional Bin service.

5.3 Infirm kerbside collection service

An infirm collection service may be provided where the resident is unable, due to a physical condition, present their MGB at the kerb for collection.

A request for an infirm collection service may be made in writing to Council outlining the reasons for the request (form 250.2016.24.2). The request will be subject to consideration by the Group Manager of Resource and Waste.

5.4 Collection Schedule

The schedule for collection of the three distinct waste collection services will be published by Council via the ‘Resource and Waste Calendar’ and made available on Council’s web page. This schedule may be altered at Council’s discretion by providing an adequate period of notice and advice through local media and mail outs.

The schedule will only detail the day of collection. Timing of collection can vary on any particular collection day.

MGBs should be placed as close as possible to the kerbside with the wheels facing the property. Multiple MGBs should be spaced one (1) metre apart and free of obstructions such as power poles, letterboxes, trees, low hanging branches and parked cars. Where possible, bins should not be placed on the road surface (including driveway crossovers).

In rural situations, the MGBs should be placed one (1) metre off the sealed road and well clear of traffic.

MGBs are to be removed from the kerbside within 24 hours of garbage collection.

5.5 Approved Collection Routes

Council may, from time to time consider altering the day of collection and/or extending or altering the Approved Collection Routes. These changes will be properly communicated to the affected properties.

5.6 Requests from Residents to Extend Collection Routes

Extension in rural areas will only be considered where:

- a) The ratio of homes to the distance involved makes provision of services economically feasible; and
- b) Requests can be considered within the scope of any contract agreement Council has with its service provider.

Existing collection routes will only be extended after thorough investigation. Council will only provide services via roads listed on Council's Register of Public Roads or via private roads, where there is a formal agreement that the private road may be used for the provision of the service.

The Group Manager Resource and Waste will review the request to extend a collection route, making a recommendation to the Waste Management Committee. Once the Waste Management Committee has reviewed the recommendation the application will be informed of the outcome.

5.7 Exemption of kerbside collection service

Exemptions from being eligible for a kerbside collection service are subject to consideration by the Group Manager of Resource and Waste Management.

Exemptions may be considered based on but not limited to the following:

Category 1 - Council cannot provide the service

In some instances, Council may not be able to provide a collection service to a domestic property. This may include, but is not limited to;

- a. difficult access issues
- b. physical characteristics of the land that make access difficult or costly;
- c. unsafe for Council workers to provide the service to land;
- d. uneconomically viable to service the property;
- e. unacceptable risks involved in providing the service.

5.8 Private property collection service

Any requests for the collection vehicles to enter private property such as group title unit developments must be considered by the Group Manager of Resource and Waste.

Consideration shall be given to:

- Public liability issues
- Serviceability
- Public safety
- Infrastructure suitability
- Risk assessment outcomes

Prior to the commencement of any such service Council will need to be indemnified for any damaged caused by the service vehicles to the carriageway.

5.9 Refusal of Service

Waste collection service may be refused for the following reasons:

- a) Failure to use the approved bin supplied by Council;
- b) Additional unauthorised mobile bins;
- c) Placing contamination or prohibited waste out for collection;
- d) Placing a bin that weighs more than 80kgs out for collection;
- e) Placing a bin which is overflowing (the lid should be able to close);
- f) Part of a load is jammed within the bin and will not release;
- g) Placing a bin in a position that inhibits the waste collection truck from easy access;
- h) Failure to place the correct types of materials in the designated bins leading to contamination bins.
- i) Failure to remove bins from the kerbside within 24 hours of being emptied.

Council may issue warnings and take action including ceasing a collection service or issuing fines where there is repeated misuse of the waste collection service.

Snowy Monaro Regional Council reserves the right to cease a collection service where there is repeated misuse of the collection service.

If a bin is found to trigger the refusal of Service clause, an educational and enforcement process will commence, escalating as follows:

- First occurrence, the bin will not be collected. The bin will be stickered to inform the resident of the service issue.
- Second occurrence, the bin will again be stickered, a letter sent to inform the resident of the service issue.
- Third occurrence, Council will send a follow-up letter to the property occupier informing them that the Bin was again presented for collection with a continuing service issue. An outline of the actions that will transpire will be provided should a further occurrence occur.
- Fourth Occurrence, The Bin collection will be suspended for the property. The user must commit to abide by the requirements in using the Bin appropriately. Both the property owner/occupier will be notified based on Councils rating information; and
- Fifth Occurrence, the Bin will be removed from the property and not replaced until the user commits in writing to abide by the requirements to use the Bin appropriately. Please note that should the Bin collection be suspended or removed, the waste service charges will continue to accrue on the property until the user commits to use the service as intended.

If extreme levels of service issues occur Council may suspend or remove the Bin at any time.

The Council's staff will support the household to change behaviours to use the Bins correctly as far as practical to avoid escalation of the problem.

Council reserves the right to refuse service where it is impractical to collect, store or present Bins or where through planning approval conditions, responsibility for waste management is passed to the owner/occupier.

Bins will not be collected from anywhere other than a kerbside/roadside location unless prior arrangement, including a signed agreement indemnifying Council and the Collection Contractor against any claims for damage from the property owner or occupier, are in place.

5.10 Ownership of Bins

Council retains ownership of all MGBs supplied for the kerbside waste collection services. Residents must not remove or transfer MGBs from one property to another in the same ownership.

5.11 Missing, Stolen, Vandalised or Damaged Mobile Garbage Bins

Residents will be required to pay the cost for replacement MGBs in situations where they are missing following a change of ownership or tenancy and where there is a claim the premise never had MGBs. The resident is responsible for the costs to repair or replace non-Council related damage to the MGB's.

If a MGB has been damaged through normal 'wear-and-tear' or by the service provider the MGB will be repaired or replaced at no cost to the resident. Typical examples of this type of damage include:

- a) Split bins;
- b) Broken or damaged lids or pins;
- c) Broken or damaged handles;
- d) Broken or damaged wheels;

6 Food Organics and Garden Organics Waste (FOGO) Collection

Council is gradually introducing a wider-range organics collection program known as Food Organics and Garden Organics Waste (FOGO). As this program is rolled out across the Snowy Monaro Region it will be accompanied by an education and advice campaign. The program has initially commenced in the Cooma township area.

The organic materials which can be included in the FOGO Green-Bin include:

- a) Prunings, cuttings and small tree branches;
- b) Lawn clippings, leaves and cut flowers;
- c) Small non-treated timber offcuts;
- d) Vacuum cleaner dust and cold ash (wrapped in paper);
- e) Pet droppings (wrapped in paper);
- f) Food organics including (but not limited to) vegetable and fruit peelings, leftovers, bones, meat, dairy, prawn shells and fish scales;
- g) Soiled paper from wrapping food organics;
- h) Soiled pizza boxes;
- i) Any other items as nominated by Council.

FOGO materials will be converted into compost and made available for sale to the general public and commercial users (e.g. landscape suppliers).

7 Ownership of Waste

MGB contents become Council’s property once that bin is placed in its normal collection point. Once collected, Council or residents cannot retrieve items of value accidentally placed into a bin. Council may also check bins for contamination or audit bin contents to contribute to its understanding of users’ waste and resource recovery practices.

Variation

Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.

DRAFT

Bank of Bins Policy



Title of Policy	SMRC Bank of Bins		
Responsible Department	Resource and Waste Services	Document Register ID	250.[document year].[document number].[document part]
Policy Owner	[checklist 25001 14 DD LAST VALUE]	Review Date	Date [document date1]
Date of Council Meeting	Date Approved [checklist 25002 10 DD LAST VALUE]	Resolution Number	Number [checklist 25002 11 DD LAST VALUE]
Legislation, Australian Standards, Code of Practice	Protection of the Environment Operations Act 1997 Protection of the Environment Operations (Waste) Regulation 2014 Waste Avoidance and Resource Recovery Act 2001		
Aim	To define the level of service provision and entitlements for the Bank of Bins waste and recycling disposal service provided by Council and outline the requirements for both Council and customers in providing this service.		

1 Scope

This Policy applies to all rural residential customers who do not have access to a kerbside collection service and live 10 Km or greater (in a direct line) from a Council Waste Management Facility.

2 Objectives

Council's objectives for this Policy are:

- a) To provide an efficient and effective waste collection service to maintain a clean and healthy local environment and amenity;
- b) To reduce travel times and distances for customers to dispose of residential waste and recyclables;
- c) To offer an option for customers to separate recyclable and non-recyclable waste and thereby reduce the amount of waste going into landfill;
- d) To ensure Council's waste management arrangements are consistent and fair for all who receive the service.

3 Definitions

For this Policy:

- a) 'Bank of Bins' (BOB) is a secured group of mobile garbage and recycling bins placed in designated rural locations;
- b) 'Council' is the Snowy Monaro Regional Council (SMRC);
- c) 'Contamination' means the placement of materials other than recyclables into a mobile recyclables bin and/or prohibited materials into a waste bin;

- d) 'Landfill Waste' means waste that is sent to landfill. It includes any discarded object or material (whether or not it has any apparent value);
- e) 'Mobile Garbage Bin' means the wheeled receptacle used to collect and store all forms of domestic waste and/or recyclables (MGB);
- f) 'Prohibited Waste' means material not to be accepted into the specific bin. This includes (but is not limited to) placement of hot coals, dangerous chemicals, asbestos, syringes or any other items which may cause injury to persons within Council's Resource and Waste Services or items not permitted to go into landfill;
- g) 'Recyclables' means the following containers, packages and products: newspapers, magazines, junk mail, stationery, office paper, envelopes, telephone books, egg cartons, cardboard, liquid paperboard cartons, glass bottles and jars (excluding crockery), aluminium rigid and semi-rigid packaging, steel rigid packaging including empty aerosol cans, and any other items or variations to this list as nominated by Council and which may be published on the Council's website;
- h) 'Domestic Premises' as defined in the Council's Revenue Policy.

4 Bank of Bins (BOB) Waste Collection Service

4.1 Purpose of BOB Service

Snowy Monaro Regional Council is one of the largest geographically-bounded Councils in NSW. It is acknowledged that for many of our customers who do not receive a kerbside collection service the distance to transport residential waste to a Council Waste Facility can be onerous. As an alternative, SMRC has established several Bank of Bins (BOB) facilities, which in essence perform as small rural-based waste management facilities.

The BOB facility is provided as an option for rural residents to dispose of their domestic quantities of waste and recyclables which are generated from the day to day activities of the household. They are not intended to replace all waste disposal activities of the residence nor are they for commercial operations.

A Bank of Bins will consist of a mix of waste and recycling MGB's contained within a secured structure. Each user of the "BOB" will have access to all bins, ensuring the effective use of available space in the bins. The Group Manager Resource and Waste will review usage patterns and complaints about each location regularly. This will identify if any additional applicants for a location can be included. The intent of a BOB is to allow each applicant a similar level of waste service to that provided through the kerbside collection service whilst encouraging the reduction of waste to landfill.

In instances when households are generating excess waste, i.e. through a household clean-up or other activities, the residents are expected to transport their additional materials to a waste transfer station or landfill. The BOB waste component is serviced weekly and the recycling component fortnightly by Council's domestic waste and recycling vehicles, with the waste materials, subsequently transferred to the appropriate Council Waste Management Facility.

4.2 Locations of the BOB Facilities

Snowy Monaro Regional Council maintains a list of BOB Facilities which can be obtained on the Council's website.

From time to time this list may be updated through the addition of new locations or the removal of locations subject to department and community needs.

BOB's will be established in locations which do not adversely impact on Council's Waste Management Facility operations. This is to ensure that the current Waste Facilities are fully utilised. A BOB is intended to enable residents who do not have reasonable access to either a kerbside collection service or a Waste Facility, an opportunity to utilise a Council managed process, reducing the travel distance to dispose of their waste.

From time to time members of the community may request a BOB to be established at a new location. Requests should be made in writing to the Group Manager Resource and Waste Management. The Group Manager will review each request and identify the impacts and benefits of the new service, making a recommendation to the Waste Management Committee. Once the Waste Management Committee has reviewed the recommendation the community member will be informed of the outcome.

5 Recyclable and Non-recyclable Materials

The BOB facility utilises the common Red Lidded Bin (non-recyclable) and Yellow Lidded Bin (recyclable) waste classification system. Customers are required to separate waste and recyclables and place it into the respective coloured bin. (Note: There is no BOB option for organic waste materials at this time.)

5.1 Prohibited Materials and Cross Contamination

Customers mustn't dispose of prohibited waste at the BOB facility. (Refer to Definitions for a list of prohibited materials).

For Council's waste minimisation strategies to be successful, the recyclables stream must remain uncontaminated. Customers should only place genuinely recyclable materials into the Yellow-lidded bins. (Refer to Definitions for a list of recyclable materials).

The BOB's are also only to be used for the disposal of waste and recyclables which are generated from the daily household activities. They are not intended to be used for all waste disposal activities of the household. In times when a household is generating additional materials, through a clean-up or similar activity, the users will be required to transport their additional material to a waste transfer station or landfill.

Continued misuse of the BOB service could lead to the suspension of service for an applicant or in the worst case, removal of the BOB.

6 Applying to Use the BOB Service

The BOB service is an application-only service available for residents who reside more than 10km from a Waste Management Facility and do not have access to a kerbside collection service.

To commence using the BOB service customers need to complete the Bank of Bins 'BOB Domestic Service Application Form' (form number 250.2016.20.2) and pay a key deposit. The key provides access to the bins at the BOB location and prevents unauthorised users from accessing the facility. Users are allocated one key only per application. The key deposit is refundable in the case of a customer electing to cease using the service.

An Annual Fee for this service is payable and is added to the customer's Annual Rates Notice. The key deposit and annual service fee are set by Council during the annual Fees and Charges adoption process. The key deposit and annual service charge are advertised on Council's website.

Once an application has been received an assessment will be made on the impacts the new application will have on the BOB. This includes if the application would overload the current BOB facility, if an

additional enclosure is required or if there are any other operational impacts. Once the assessment has occurred the applicant will be advised of the outcome.

7 Customer Assistance in Gauging Use of BOB Service

Council wants to ensure the BOB facilities remain clean and amenable. If customers observe bins are full before they are scheduled for collection then they are asked to contact Council and report the matter (1300 345 345). If utilisation of the BOB facility has increased it may be necessary to investigate the provision of additional bins at the BOB to cater for the increase in usage.

Documentation

250.2017.249.4	Revenue Policy
250.2016.20.2	Application for Bank of Bins (BOB) Waste and Recycling Services

Variation

Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.

Event Waste Management Policy



Title of Policy	SMRC EVENT WASTE MANAGEMENT		
Responsible Department	Resource and Waste Services	Document Register ID	250.[document year].[document number].[document part]
Policy Owner	[checklist 25001 14 DD LAST VALUE]	Review Date	Date [document date1]
Date of Council Meeting	Date Approved [checklist 25002 10 DD LAST VALUE]	Resolution Number	Number [checklist 25002 11 DD LAST VALUE]
Legislation, Australian Standards, Code of Practice	Protection of the Environment Operations Act 1997 Protection of the Environment Operations (Waste) Regulation 2014 Waste Avoidance and Resource Recovery Act 2001		
Aim	To define the level of service provision Council may provide to the community and/or sporting groups running events with the potential to generate waste. Council requires all event organisers to promote and practice waste avoidance principals and increase resource recovery at all public events held in the Snowy Monaro Local Government area. This policy also offers advice and guidance with regards to waste minimisation, recycling and sustainability practices.		

1 Introduction

Sporting and/or community events where crowds of people gather are part of the normal fabric of our Region and are encouraged by Council as part of a healthy society. Such events do generate waste which needs to be collected and disposed of appropriately.

2 Scope

This Policy applies to (and is not limited to) not-for-profit organisations, for-profit organisations, sporting and community groups which conduct events (e.g. sporting finals, concerts) where groups of people gather and participate or spectate and in the process generate quantities of waste materials. The examples of types of waste could be food scraps, food packaging, drink containers and paper-based marketing and promotional materials.

3 Objectives

Council's objectives for this Policy are:

- a) To provide an efficient and effective waste collection service to maintain a clean and healthy local environment and amenity;
- b) To offer a waste collection 'fee-for-service' to event organisers;
- c) To encourage the use of recycling and sustainability principles.

4 Definitions

For this Policy:

- a) 'Council' is the Snowy Monaro Regional Council (SMRC);
- b) 'Contamination' means the incorrect placement of types of waste into designated bins (e.g. non-recyclables placed into recyclable bins);
- c) 'Event' an event is a planned and organised occasion such as a social gathering or sporting event.
- d) 'Mobile Garbage Bin' (MGB) means the wheeled receptacle used to collect and store all forms of domestic and commercial waste;
- e) 'Prohibited Waste' means material not to be accepted into the specific Bin. This includes (but is not limited to) placement of hot coals, dangerous chemicals, asbestos, syringes or any other items which may cause injury to persons within the Waste Service or items not permitted to go into landfill;
- f) 'Single use plastics' include any disposable plastic and polystyrene items such as straws, balloons, bags, cutlery and food and drink packaging designed to be used once and then discarded.
- g) 'Single use sachets' include tomato sauce, sugar, salt & pepper sachets, sunscreen sachets, or giveaways such as shampoo sachets.
- h) 'Recyclables' means the following containers, packages and products: newspapers, magazines, junk mail, stationery, office paper, envelopes, telephone books, egg cartons, cardboard, liquid paperboard cartons, glass bottles and jars (excluding crockery), aluminium rigid and semi-rigid packaging, steel rigid packaging including empty aerosol cans, and any other items or variations to this list as nominated by Council, which may be published on the Council's website;
- i) 'Waste' includes any substance that is discharged or deposited in the environment in such volume, constituency, or manner as to cause an alteration in the environment;

5 Events

Existing Council bins in the public space cannot be relied upon to cater for waste or recycling material created by special events. Event organisers must arrange for additional waste and recycling bins to cope with the increased demands of any event.

Event organisers may request waste and recycling collection services for events held in designated collection areas. Requests for waste and recycling collection services at events must be made in writing to Council at least four (4) weeks before the event (refer to Form 250.2016.22 'Application for Event Waste and Recycling Services'). Event organisers are to nominate the number of bins and collection frequency required for the event. This would ordinarily be calculated based on the anticipated attendance and will be based upon a needs analysis.

The types of MGBs that will be utilised will depend upon the normal waste and recycling services offered in the location of the event. At a minimum, red-lidded waste non-recycling and yellow-lidded recycling MGBs will be provided. Where it is expected that large quantities of organic waste will be generated then Council's Resource and Waste Services will consider the provision of green organics MGBs and/or larger skips.

Service fees will be charged for each collection service provided. The service fee will include delivery and collection of bins, disposal charges and costs associated with Council Resources (staff/equipment) required to service the bins. Event organisers will be responsible for any additional costs associated with the disposal of contaminated recyclables or the detection of prohibited waste being placed into MGBs. The service fees are adopted by Council each year and form part of the annual fees and charges process. If Snowy Monaro Regional Council is engaged to provide Waste / Recycling MGB's and collection services to an event no other entity (person or organisation) will be able to empty the MGB's provided without written consent from the Resource and Waste Management Group Manager.

Council will not service unauthorised mobile garbage bins (MGBs) at events.

6 Waste Minimisation for Approved Functions and Events

The emphasis should be upon waste avoidance and reduction. Where this is not practical the emphasis should be on reuse followed by recycling. Examples could include:

- a) Event giveaways able to be used, reused then recycled;
- b) Event promotional material printed on recycled paper;
- c) Use of electronic communication over paper-based where feasible;
- d) Use of reusable (or compostable) utensils by caterers.

Event organisers are required to promote and practice waste avoidance principles by:

- a) minimising the amount of waste generated;
- b) prohibiting the sale and/or distribution of single-use plastic products and single use sachets, polystyrene, plastic bags, plastic straws and/or balloons where possible;
- c) prohibiting the sale/and or distribution of bottled water. Alternative sources of water should be considered;
- d) responsibly managing any waste to ensure the cleanliness of the area is maintained during and after the event;
- e) maximising recycling;
- f) promoting and engaging in sustainable procurement practices; and
- g) minimising the environmental impact of any products, supplies and promotional materials used at the event.

After the event, event organisers/event staff must conduct a litter patrol of the site area and remove and correctly dispose of any discarded litter items within the event area.

Documentation

250.2016.22.2 Application for Event Waste and Recycling Services

Variation

Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.

9.3.3 REQUEST FOR COUNCIL TO APPLY TO THE CROWN FOR CAPPANANA ROAD TO BE TRANSFERRED TO COUNCIL

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Land & Property Officer
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	6.1 The Snowy Monaro region is a destination that offers a variety of quintessential year – round experiences, attractions and events
Delivery Program Objectives:	6.1.1 Promote tourism and enhance the Snowy Monaro Region as a year round destination of choice through a collaborative approach between all stakeholders and interest groups
Attachments:	<ol style="list-style-type: none">1. Correspondence from Residents of Cappanana Road (<i>Under Separate Cover</i>) - Confidential2. Map - Cappanana Road Bredbo (<i>Under Separate Cover</i>) - Confidential3. Correspondence from a Resident on Cappanana Road (<i>Under Separate Cover</i>) - Confidential
Cost Centre	1830 – Unsealed Rural Roads - Local

EXECUTIVE SUMMARY

On 11 November 2019 Council received a submission from the residents of Cappanana Road, Bredbo for Council to give consideration to initiating transfer of a Crown road known as Cappanana Road to Council to be maintained as a Council public road.

In 2018 Council approved a development application to extend the existing use of Macenmist Black Truffles and Wines and function room on Lot 4 DP 587724.

When Council was considering development application 10.2018.1248.1, Council was aware that access was via a Crown reserve road. The application was for change to an existing use and it was not considered to be a reasonable condition to require the Crown road to be dedicated as a public road with the resultant requirement that the applicant construct the road to Council's road standard.

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

OFFICER'S RECOMMENDATION

That Council

- A. Refuse the request to have Cappanana Road transferred to Council as a Council public road.
 - B. Write to the landowners who signed the petition notifying them of the decision.
 - C. Add Cappanana Road to the list of Crown Roads to be attached to the MOU for grading by Council at the landowners' cost.
 - D. Request the CEO develop a policy to manage requests to accept the ownership of crown and private roads or undertake maintenance of non-Council roads.
-

BACKGROUND

On 11 November 2019 Council received a submission from the residents of Cappanana Road, Bredbo for Council to give consideration to initiating transfer of a Crown road known as Cappanana Road to Council to be maintained as a Council public road.

In 2018 Council approved a development application to extend the existing use of Macenmist Black Truffles and Wines and function room which is located on Lot 4 DP 587724 accessed from Cappanana Road.

When Council was considering development application 10.2018.1248.1, Council was aware that access was via a Crown reserve road. The application was for change to an existing use and it was not considered to be a reasonable condition to require the Crown road to be dedicated as a public road with the resultant requirement that the applicant construct the road to Council's road standard.

The map attached to this report shows Cappanana Road ending at the boundary of lot 1 DP 111460. However, further investigation and discussion with LRS and the Cadastral Team revealed that the road traverses lot 1 DP 111460 to the intersection with Jerangle Road. The Cadastral Maintenance Team will amend the cadastre.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

There are many properties in the Snowy Monaro Local Government Area which are accessed off Crown reserve roads and they need to be maintained at the cost of the residents who access their properties from those roads.

2. Environmental

It is not anticipated that there will be any impact on the environment.

3. Economic

Council roads maintenance budget is already stretched beyond capacity. If Council accepts additional Crown reserve roads to be opened as Council public roads then there will likely be a detrimental flow-on effect whereby the maintenance of existing gravel Council public roads will suffer.

This will likely result in widespread dissatisfaction within the community..

4. Civic Leadership

If Council resolves to apply to have Cappanana Road transferred to Council a snowball effect could ensue which will mean that Council will be flooded with similar requests which will all need to be budgeted.

9.3.4 PROTECTION OF THE ENVIRONMENT OPERATIONS (UNDERGROUND PETROLEUM STORAGE SYSTEMS) REGULATION 2019

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Manager Public Health and Environment
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	7.1 Protect, value and enhance the existing natural environment
Delivery Program Objectives:	7.1.1 The Region's natural environment remains protected through delivery of a range of Council programs and regulatory compliance
Attachments:	Nil
Cost Centre	10-1010-1001-40088
Project	<i>Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019</i>
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

In June 2008 the NSW Government enacted a new piece of legislation to regulate underground fuel tanks across NSW. This legislation was titled the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008*, or referred to as the *(UPSS Regulation)*.

At the commencement of the legislation the Appropriate Regulatory Authority (ARA) to administer the legislation was the NSW Environment Protection Authority (EPA), this included meeting the 'Guidelines for Implementing the POEO Underground Storage Systems) Regulation 2008' developed by the EPA. The guidelines included requirements for the ongoing management of underground petroleum storage systems and also included the decommissioning, abandonment and removal of systems. Most systems are located at service station sites. With the introduction of this legislation there was always the intention to transfer the ARA responsibilities to Local Government with the initial date of transfer earmarked for 2012, however, further groundwork by the NSW EPA was required so extension dates for the handover was provided.

On 1 September 2019 NSW parliament amended clause 91 of the *Protection of the Environment Operations (General) Regulation 2009* making local councils the ARA for regulating the (UPSS Regulations).

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

OFFICER'S RECOMMENDATION

That Council notes:

- A. Council is the appropriate regulatory authority for administering the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019*.
- B. Council's Public Health and Environment staff will be responsible for administering the (*UPSS Regulation*).

BACKGROUND

On 1 September 2019 the responsibility for regulating the UPSS Regulations was transferred to NSW Councils. Previously, the Environment Protection Authority (EPA) was the ARA for administering the UPSS Regulation.

The NSW EPA will continue to be the ARA for UPSS sites under the following circumstances:

- operated by public authorities
- in the unincorporated areas of NSW
- subject to an environment protection licence
- subject to a notice issued by the EPA before 1 September 2019 for a matter under the UPSS Regulations until the actions in the notice have been complied with.

Purpose of the UPSS Regulations

UPSS are considered a high risk environmental activity. UPSS leaks can go undetected for some time, leading to the contamination of surrounding land and groundwater, creating risks to human health and the environment. Approximately 30% of NSW contaminated sites are the result of leaking UPSS. Contamination from leaking systems can be very expensive to clean up.

On 1 June 2008, the NSW parliament enacted the UPSS Regulations, allowing a more proactive approach to preventing leaks from occurring. The UPSS Regulations aim to minimize the risk to human health and the environment by requiring best practice design, installation, maintenance and monitoring of the underground tanks and pipelines. The UPSS Regulations focus on a preventative approach to minimising the risk of soil, groundwater and surface water contamination.

The objectives of the UPSS Regulation are to:

- reduce the environmental risks and harm from leaking UPSS
- provide a mechanism to ensure early detection of leaks from UPSS
- ensure the operators of UPSS adopt appropriate operational management systems to investigate and report on leaks and consistently record and keep details about them.

Benefits of the UPSS Regulations

The EPA undertook a cost benefit analysis on the impact to industry caused by the implementation of the UPSS Regulations. The benefits identified for industry included:

- reduced loss of petroleum product because leaks are detected earlier
-

- fewer restrictions on future land use as the sites are easier and cheaper to remediate
- a consistent level of preventative pollution control across the petroleum industry, providing fairer competition for all individual retailers and distributors
- lower investigation and clean-up costs, including fewer disruptions to business operations occur where extensive remediation is required
- reduced potential for litigation arising from contamination of groundwater and offsite (third party) properties.

Impacts of the UPSS Regulations on Council

This may include random and targeted audits of UPSS sites, to verify that the requirements of the UPSS Regulations are being implemented appropriately. Site audit assessments will usually occur during normal business hours and may be announced or unannounced. Council will continue to use a graduate program of compliance, to solicit ongoing positive improvement, including:

- sending a self-assessment form in the first instance, requesting details on how they prevent and detect leaks from their UPSS
- undertake a formal audit of facilities who have not returned their self-assessment
- enforcement action identified in the *Protection of the Environment Operations Act 1997* for serious or on-going matters
- conditions placed on development consents for new UPSS installations.

Impacts of the UPSS Regulations on the Community

The petroleum industry has undergone extensive improvements through the previous 30 years. This includes the introduction of UPSS Regulations just over a decade ago. The petroleum industry were consulted about the changes and have given their consent to the advancements being made.

Council's current position

All NSW local Councils have been aware for many years of the transfer of responsibilities to local government of the (UPSS Regulation). Staff resourcing to administer the legislation is an impact on all NSW councils. In 2018 the Canberra Region Joint Organisation (CRJO) prepared a grant application for the Contaminated Land Management Regional Capacity Building Grant Program to secure two resources to assist Councils on a transitional basis over a three year period. Whilst the grant was successful a contribution from each Council was still required. Snowy Monaro Regional Council (SMRC) have already budgeted for a cash contribution of \$8,227 per year and an in-kind contribution of \$9,556 per year for the next three years. The two contaminated land officers have now been appointed by the (CRJO) and SMRC shares an officer with Hilltops, Snowy Valleys, Upper Lachlan, and Yass Valley Councils. Noel Schiller is the Contaminated Land Officer employed by the CRJO to assist the 'Western cluster' of CRJO councils. He is working with SMRC staff to obtain data and information regarding not just operational service station sites but also legacy sites that should be listed as part of an overall contaminated lands register. It is envisaged that at the end of the three years that Council will have a comprehensive contaminated land register and also be in a better position to undertake the work required to administer the (UPSS Regulation).

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The change in administration will have no noticeable impact on the community. The amendments to the UPSS Regulation constitute a shift in administration only. The owners of UPSS have been required to comply with the UPSS Regulations for some time. This has not changed.

2. Environmental

UPSS can leak and contaminate surrounding land and groundwater, creating risks to human health and the environment. UPSS Regulations aims to minimise the risk to human health and the environment by requiring best practice design, installation, maintenance, and monitoring of UPSS in NSW.

3. Economic

The UPSS Regulations provides a mechanism for Council to levy a fee on the owners of UPSS. However, it is possible for an administration fee to be levied under the *Local Government Act 1993* to cover the costs of administering the regulations such as inspection fees. The contribution to the CRJO for the next three years to cover the costs of the Contaminated Land Officer is already a budgeted item.

Estimated Expenditure	Amount	Financial year	Ledger		Account string														
			G	L	1	0	1	0	1	0	1	0	0	1	6	1	1	4	3
Cash Contribution to CRJO for Contaminated Land Officer	\$8,227	2019/2020	G	L	1	0	1	0	1	0	1	0	0	1	6	1	1	4	3
In-Kind Contribution	\$9,556		G	L	1	0	1	0	1	0	1	0	0	1	6	1	1	4	3
	\$																		
Funding (Income/reserves)	Amount		Ledger		Account string														
Nil	\$																		
	\$																		
	\$																		

4. Civic Leadership

To ensure the community is well educated and the process is clearly understood, the Public Health and Environment team will ensure that the Council website is updated to provide information on UPSS. In addition, a UPSS procedure will be drafted to set-out the processes to ensure compliance with the UPSS Regulations.

The procedure will aim to protect the environment, the health and the amenity of people in the Snowy Monaro Regional Council (SMRC) area, having consideration of the following:

- ensure consistency and fairness in the way Council deals with UPSS applications

9.3.4 PROTECTION OF THE ENVIRONMENT OPERATIONS (UNDERGROUND PETROLEUM STORAGE SYSTEMS) REGULATION
2019

- ensure compliance with the UPSS Regulations
- increase industry awareness of their obligations under the UPSS Regulations
- make Council's procedure and requirements for UPSS readily accessible and understandable for the industry.

It is envisaged that the UPSS program will require resourcing from current staffing in accordance with Table 1 below.

Table 1: Resourcing

Requirements		Responsibility
1	Applications Staff from the Public Health and Environment team will provide comments on applications to install UPSS.	Environmental Health Officers
2	Enforcement Environmental Health Officers will enforce the UPSS Regulations with delegations under the <i>Protection of the Environment Operations Act 1997</i> .	Environmental Health Officers

9.4.1 MURRAY DARLING ASSOCIATION MEMBERSHIP

Record No:

Responsible Officer:	General Manager
Author:	Executive Assistant Mayor & Councillors
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. MDA Brochure 2019
Cost Centre Project	3020- Organisational
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Council has received an invitation from the board of the Murray Darling Association (MDA), to join the MDA for 2019/2020.

The fee for membership for 2019/2020 is \$6,783.14 GST inc. This fee is calculated at \$0.305 per head of population and based on the latest ABS census data.

This 2019 offer will include two free registrations to the 2019 National Conference. For more information see attached brochure from the MDA.

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

OFFICER'S RECOMMENDATION

That Council join the Murray Darling Association.

BACKGROUND

The MDA works to achieve a healthy and environmentally balanced Basin river system that supports thriving communities, economic development and sustainable productivity.

The purpose of the MDA is to provide effective representation of local government and communities at state and federal level in the management of Basin resources by providing information, facilitating debate and seeking to influence government policy.

To achieve this, MDA will:

- advocate on behalf of Basin communities
 - use local knowledge and expertise to fully understand regional issues
-

- act as a two-way conduit for information and discussion between our communities and governments
- encourage and facilitate debate about the things that matter for the Basin's future
- explore options to achieve sound solutions to regional issues
- test information to ensure a sound base for those options
- be an educational resource for the Basin.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

To ensure that the legitimate interests of the residents of the Snowy Monaro region are heard in discussions about the Murray Darling Basin plan and related matters.

2. Environmental

To ensure that the environment of the Snowy Monaro region is adequately understood during any discussions about the Murray Darling Basin plan and related matters.

3. Economic

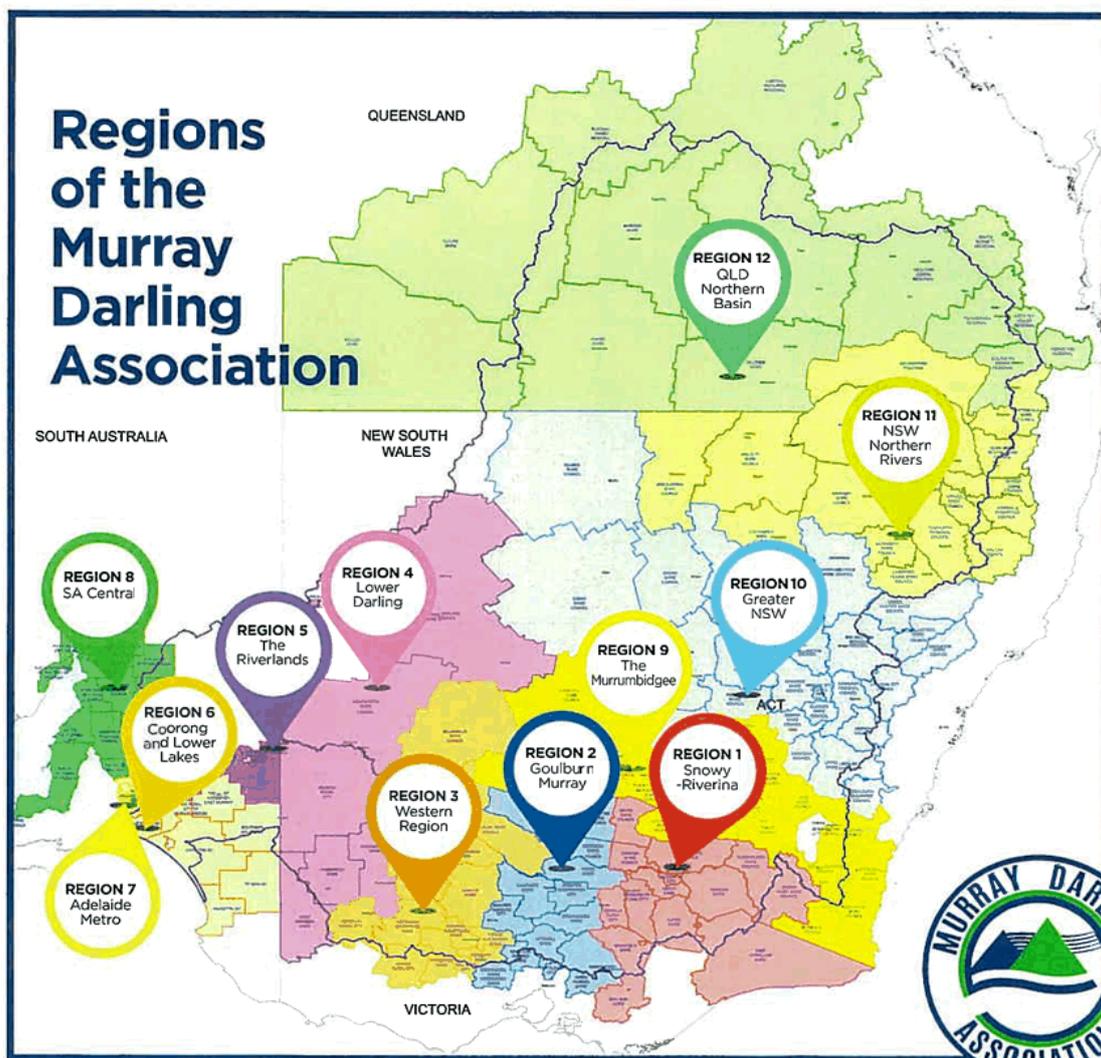
Funding is available within the existing Memberships to Associations 2020 annual budget.

4. Civic Leadership

Water is a vital component of the Snowy Monaro region's economy and it is important that Council's community's views and needs are heard about its use, particularly in this period of considerable controversy.

Murray Darling Association

Representing local government and community
in the Murray-Darling Basin since 1944



has a population of over **2 million** people

14% of the Australian continent

167 councils across 4 states & the ACT

provides water to more than **3 million** people

over **40** Aboriginal Nations

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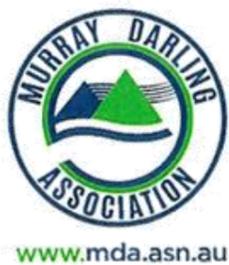
The journey so far...

The MDA has a 73 year history of national achievements, and a strong and dynamic future.



“History is made by those who show up.”

Benjamin Disraeli
 (British PM 1868-1880)



One voice representing local government and communities on water-related issues.

For more information, please contact:
 Level 1, 250 Anstruther St Echuca Vic 3564
 PO Box 1268 Echuca Vic 3564
 P: 03 5480 3805 E: admin@mda.asn.au

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Why should your council join?



A powerful voice.

Be part of a collective voice advocating for councils and communities in the Basin.



Ensure your voice is heard.

Inform water policy at regional, state and federal level.



Support existing alliances.

To advocate on regional priorities.



Informed decision making.

Ensure your expertise and knowledge plays a part in the decisions affecting you.



Shape the future.

Be a part of creating the future we want for our Basin communities.

“If the MDA didn’t exist, we’d have to invent it.”

Hon Craig Knowles,
Chairman Murray-Darling Basin Authority (2011-2015), Forbes 2014

Working together with 3 levels of Government to deliver the Basin Plan.

MDA is the only peak body that provides a ‘parliament’ of local government on Basin related issues. MDA works with:

- Local Government NSW • Local Government SA • Local Government Qld
- Municipal Association of Victoria • Australian Local Government Association



How

can my council inform public policy?

Your council has direct influence.

- Regions meet quarterly.
- Region chairs meet monthly sharing knowledge for a whole of Basin perspective.
- Annual national conference.
- Peak representation at state and federal parliamentary and agency levels.
- 2-way information sharing.
- Secure council centric voting entitlements

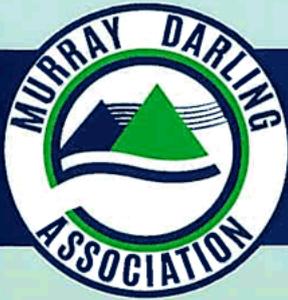
Strength in numbers.

Peak body for local government across the Murray Darling Basin.



www.mda.asn.au

The MDA relies on the information provided by its member councils. Your council’s contribution is essential to ensure policy is developed in consultation with those most affected, providing valuable insights and perspectives before state and federal policy is irreversibly locked in.



MEMBERSHIP BENEFITS

LOCAL PRIORITIES - NATIONAL INFLUENCE



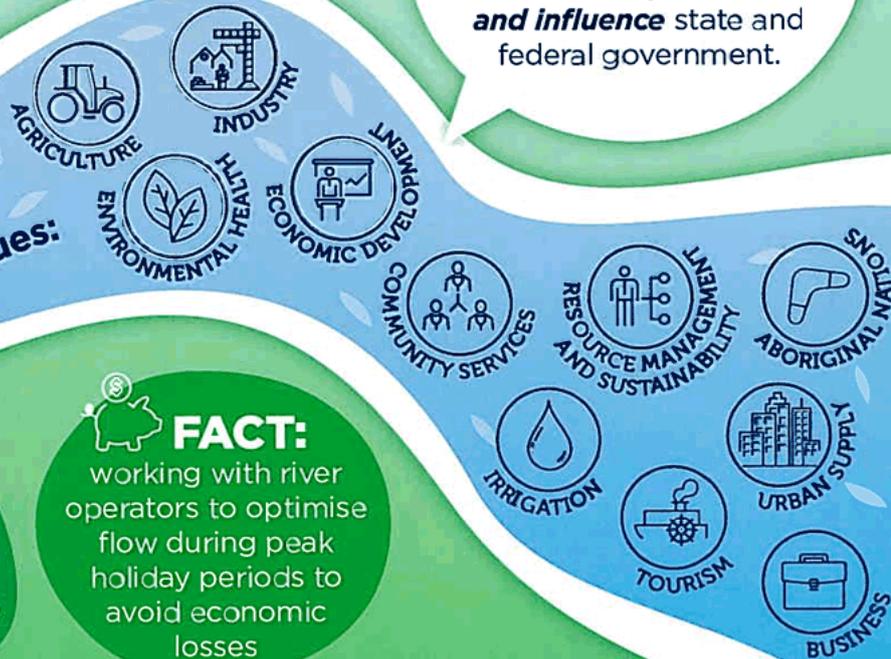
FACT:

we helped kick-start the Snowy scheme over 70 years ago!

The benefits of MDA membership are now flowing freely to all our regions.

The MDA is your peak body for local government in the management of Basin water resources, working harmoniously to **inform and influence** state and federal government.

Water plays a unique role in so many important local issues:



FACT:

today's Basin Plan is world-leading watersharing legislation. Council influence is more important than ever!



FACT:

working with river operators to optimise flow during peak holiday periods to avoid economic losses

Here's why your council has so much influence, as an MDA member:



regions meet quarterly to establish your priorities

chairs meet monthly to understand and support your priorities at a Basin scale

annual national conference

multi-level information sharing.



FACT:

partnering the National Carp Control Plan to engage councils about a better approach to feral fish management. Results so far are exciting!

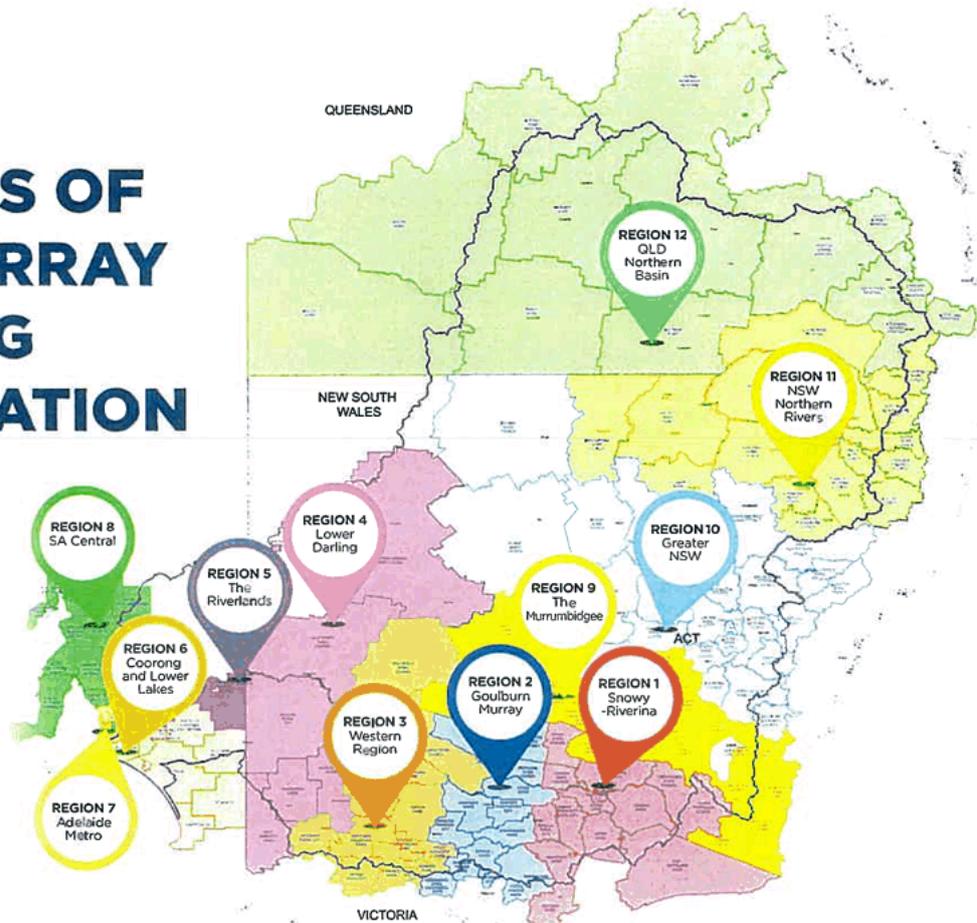
Local government united - to **inform and influence**.

Ensure your council's membership!

www.mda.asn.au / admin@mda.asn.au



REGIONS OF THE MURRAY DARLING ASSOCIATION



A COMPLEX ENVIRONMENT

We recognise there are:

172 councils,
and their
associated
communities

4 states,
the ACT, and the
Commonwealth, and
countless agencies

Two houses of parliament,
a government,
an opposition,
minor parties and
cross benchers

across the Murray Darling Basin.

All have differing needs
and demands.

Yet, all are united by our
common commitment to
a healthy working Basin.



For further information, please contact the Murray Darling Association
P: (03) 5480 3805 | www.mda.asn.au | admin@mda.asn.au



MDA MEMBERSHIP FAQs

Q. Do the objectives of the MDA align with the mission and purpose of *my* council?

If your council is committed to

- work closely with the Federal and State governments to achieve our goals
- be resilient to a changing climate and able to sustain our urban and rural productivity and quality of life, both now and for future generations
- foster partnerships that deliver value for money to our ratepayers
- responsibly manage our natural and build resources
- contribute to solutions for water quality and security in our local region and across the Basin

Then there is a strong strategic alignment between your council and the MDA.

Q. What's in it for my council?

- regional & national representation of local priorities
- strong regional networks supporting local economic development and leadership initiatives
- effective representation of local government and your communities at state and federal level in the management of Basin resources.

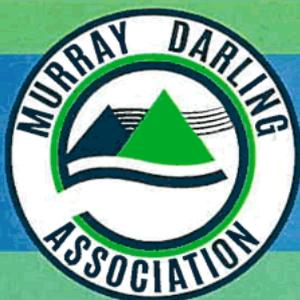
Q. Will membership with the MDA 'water down' the ability of our council to engage directly?

Not at all. In fact, quite the reverse. The MDA actively encourages our member councils individually and collectively to engage and contribute to the national debate and to participate in the decision-making process.

Q. What are the relationship benefits?

The MDA has strong relationships with federal and state water Ministers, Basin Official, MP's, departments and agencies including

- Federal Departments of Water, Agriculture and Environment
- State and Federal MPs and departments
- National, state and regional LGAs
- The Murray-Darling Basin Authority
- The Commonwealth Environmental Water Office
- CSIRO
- The Productivity Commission
- Universities
- Research and Development Corporations
- RDA's and more...



MDA MEMBERSHIP FAQs

Q. What is the MDA's position on the 450GL up-water?

- The MDA supports the Murray-Darling Basin Plan and recognises the need for it to adapt and evolve.
- Basin Plan implementation must deliver balanced social, environmental and economic outcomes for all
 - we work constructively with all stakeholders using our collective knowledge and influence to develop solutions.

Q. What has the MDA done for its members lately?

- member of Productivity Commission (PC) Murray-Darling Basin Plan: Five-Year Assessment Stakeholder Working Group
- launched PC Draft Report at MDA 2018 national conference
- member of National Carp Control Plan Communications and Operations working group
- initiated Ministerial Round Table - Mildura, March 2017
- engaged MINCO regional meet and greet events
- instrumental in Local Government Representatives on the Basin Community Committee
- facilitated interagency meeting on the health of the Barwon Darling
- regular engagement through Australian Local Government Association & State LGA events
- 10 years of MOU with Murray-Darling Basin Authority (2013-2023)
- attracted funding for LG projects & initiatives
- member of Murray-Darling Basin Peaks Group
- driven the Basin agenda via the MDA National Conference and AGM for 75 years
- Largest membership-based LGA of councils in Australia
- triggered review of social and economic impacts analysis (SIA) and definition of neutrality of the plan
- Connecting Catchments and Communities education and leadership forums
- MDA Basin Communities Leadership Program.

- all councils have differing needs and demands, yet we are united by our common commitment to a healthy working Basin
- our strength is in our diversity
- local solutions will deliver national unity on regional issues.

Q. How can one organisation represent the interests of so many different councils ?

Q. What role does a member council have in the decision-making process?

Member councils have a voice

- in determining regional priorities
- by appointment to the National Conference and AGM
- through equitable voting entitlements that support the authority of local government, while enabling community members to contribute their expertise and experience.

For further information, please contact the Murray Darling Association
P: (03) 5480 3805 | www.mda.asn.au

**9.4.2 OLG DISCUSSION PAPER - A NEW RISK MANAGEMENT AND INTERNAL AUDIT
FRAMEWORK FOR LOCAL COUNCILS IN NSW**

Record No:

Responsible Officer:	General Manager
Author:	Acting Organisational Risk 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. Snapshot Guide - A new risk management and internal audit framework for local councils in NSW (OLG) 2. Discussion paper - A new risk management and internal audit framework for local councils in NSW (OLG) 3. Draft Submission
Cost Centre	3136
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The Office of Local Government (OLG) has distributed a discussion paper to local government on its development of a new regulatory framework to support Audit, Risk and Improvement Committees (ARIC) and provides operational frameworks for risk management and internal audit.

Council is invited to prepare a response to those core requirements that it either supports or disagrees with.

Responses are due to OLG by 31 December 2019.

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

OFFICER'S RECOMMENDATION

That Council:

- A. Receive and note the Office of Local Government (OLG) discussion paper "A new risk management and internal audit framework for local councils in NSW" and;
- B. Provide a written response to the OLG outlining its position on the core requirements, with the response based on the attached draft submission.

BACKGROUND

The Office of Local Government (OLG) discussion paper "A new risk management and internal audit framework for local councils in NSW" outlines OLG's approach to improvement in governance across councils in NSW. A Snapshot Guide plus the Discussion Paper are attached.

The discussion paper deals with three issues that councils are to ensure it has in place.

1. Audit, Risk and Improvement Committee
2. Internal Audit Function and
3. Risk Management function

In 2016, the NSW Government made it a requirement under the *Local Government Act 1993* that each council have an Audit, Risk and Improvement Committee (ARIC) in place with the expectation that this would take effect from March 2021.

The proposed statutory framework will consist of new regulations which will provide for a model internal audit charter and model terms of reference for the Audit, Risk and Improvement Committee.

Section 428A of the *Local Government Act 1993* (when proclaimed) will require each council to establish an Audit Risk and Improvement Committee to continuously review and provide independent advice to the general manager and the governing body of council

Section 428B of the *Local Government Act 1993* (when proclaimed) will allow a council to establish a joint Audit, Risk and Improvement Committee with another council/s through joint or regional organisations of council.

The operation of S428A and 428B will be supported by new regulations in the *Local government (General) Regulation 2005*.

New guidelines will be issued setting out the core requirements that each council's Audit, Risk and Improvement Committee, risk management framework and internal audit functions must comply with.

Core requirements

The discussion paper identifies nine core requirements.

- Core Requirement 1 – Appoint an independent Audit, Risk and Improvement Committee
 - Core requirement 2 – Establish a risk management framework consistent with current Australia risk management standards
 - Core Requirement 3 – Establish internal audit function mandated by an Internal audit Charter
 - Core Requirement 4 – Appoint internal audit personnel and establish reporting lines
 - Core Requirement 6 – How to perform and report internal audits
 - Core Requirement 7 – Undertake ongoing monitoring and reporting
 - Core Requirement 8 – Establish a quality assurance and improvement program
 - Core Requirement 9 – Councils can establish shared internal audit arrangements.
-

Implementation timeline

By March 2021 – Establishment of Audit, Risk and Improvement Committee by March 2021 (core requirement 1 or 9 for shared arrangements)

- Note: This Council has an Audit, Risk and Improvement Committee already established.

By December 2022 – Risk management framework developed including appointment of a Risk Management Coordinator. (core requirement 2). Internal audit functions established included employment of Chief Audit Executive and personnel (core requirements 3-4 or 9 for shared arrangements)

- Note: this Council has an enterprise risk management framework developed and recruitment of a Risk Management Coordinator is underway for the current vacancy in this position.
- Note: This Council has a Senior Internal Auditor and an established internal audit framework.

By 2024 – Risk management framework fully implemented throughout council and operating in compliance with regulatory requirements (core requirements 2). Internal audit functions fully implemented by council and operating in compliance with regulatory requirements (core requirements 5-8)

- Note: Actions to ensure and embed Council's risk management framework are already under development and will be rolled out in a phased manner on successful recruitment to the vacant risk management position.
- Note: Council's Senior Internal Auditor already undertakes all internal audit work in compliance with the international standards for the profession, the Internal Audit Charter and the Audit, Risk and Improvement Committee Charter.

By 2026 – Audit, Risk and Improvement Committee's role expanded to include compliance, fraud control, financial management, governance, integrated planning and reporting, service reviews, performance measurement data and performance improvement in compliance with S428A of the *Local Government Act 1993*

- Note: Council's Audit, Risk and Improvement Committee role and schedule of work already includes each of the identified review areas.

Objectives

The objectives for the proposed regulatory framework is to ensure that each council in NSW:

- has an independent Audit, Risk and Improvement Committee that adds value to the council
 - has a robust risk management framework in place that accurately identifies and mitigates the risks facing the council
 - has an effective internal audit functions that provides independent assurance that the council is functioning effectively and the internal controls the council put into place to manage risk are working, and
-

- complies with minimum standards for these mechanisms that are based on internationally accepted standards and good practice

Feedback

OLG is seeking feedback on the following questions

- Will the proposed internal audit framework achieve the outcomes sought?
- What challenges do you see for your council when implementing the proposed framework?
- Does the proposed framework include all important elements of an effective internal audit and risk framework?
- Is there anything you don't like about the proposed framework?
- Can you suggest any improvements to the proposed framework?

DISCUSSION

Overall, the OLG discussion paper has the fundamentals of a good guidance tool. It has included better practice from other states, explored current experiences and ICAC reports, as well as referring to internationally recognised industry standards for managing internal audit and risk management functions whilst attempting in part to reconcile with relevant NSW Local Government legislation.

However, there are some inconsistencies in how elements of guiding principles in relation to roles and responsibilities for the CEO and ARIC are described and anticipated to be adhered to. This is addressed in relation when responding to each of the core requirements.

There are some core requirements outlined in the OLG discussion paper that Council's ARIC would not be compliant with.

It is expected that the statutory framework, based on this discussion paper and resultant responses from NSW councils, will take effect from March 2021 and will be mandatory for all NSW councils.

Council's ARIC received and noted the OLG discussion paper at its meeting in October 2019. The members were provided with an opportunity to respond to a draft of the Council report prior to its presentation to Council. There were two responses received.

At the ARIC meeting of 5 December 2019, the members briefly discussed whether the Chair would prepare a response to OLG on behalf of the ARIC. There was no recommendation from this meeting for Council on any of ARIC concerns or support in relation to content within the OLG discussion paper.

Compliance with the Proposed Core Requirements

Council has in place and generally complies with Core requirements 2 to 8. One exception relates to the reporting lines of both the Senior Internal Auditor who administratively reports to the Chief Strategy Officer and functionally reports to the ARIC. The Organisational Risk Management Coordinator reports to the Manager Corporate Project. Changes to these positions reporting were included in the recent Organisation Redesign. Both positions reporting lines are inconsistent with the proposed core requirements.

In any case, there are structured frameworks already in place and with some modifications would be compliant with the proposed statutory framework.

Core requirement 9 covers those councils which may not want to establish a stand-alone internal audit function.

Core requirements where Council's ARIC would be non-compliant with the proposed statutory framework are as follows:

Core requirement 1 (c): The ARIC is to comprise 3-5 independent members who are prequalified via the NSW Government's Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members.

Council's non-compliance with this core requirement.

- Council has an elected member as a voting member of ARIC
 - Core requirement excludes councillors as voting members of ARIC
- Council's recruitment of external independent members is undertaken through broad advertisement and interview by the General Manager, the Chair of the ARIC and the elected Councillor member of ARIC
 - Core requirements requires that Council select candidates from a prequalification listing managed by NSW Government then to establish a committee of (for example) Councillors and the General Manager to conduct a selection process.
- Council remuneration to ARIC members is set annually by Council. Council resolved (270/19) at its meeting of 18 July 2019 that ARIC remuneration is Chair: \$7,687.50 per annum (ex GST) and Member: \$1,025 per scheduled meeting (ex GST).
 - Core requirement states the proposed remuneration is as outlined in the following table

Council size	Indicator	Chair fee (excluding GST)	Member fee (excluding GST)
Large	Expenditure greater than \$400 million	\$20,920 per annum	\$2,092 per meeting day including preparation time
Medium	Expenditure between \$50 million and \$400 million	\$16,213 per annum	\$1,621 per meeting day including preparation time
Small	Expenditure less than \$50 million	\$12,552 per annum	\$1,255 per meeting day including preparation time

- Minutes of ARIC meeting included in council meeting papers and available to the public.
 - Core requirements states that minutes of ARIC meeting are to be treated as confidential unless otherwise specified by the committee – public access should be controlled to maintain confidentiality in accordance with council policy
- Roles and responsibility of the ARIC are outlined in its Charter which was last resolved (160/19) by Council at its meeting of 17 April 2019.
 - Core requirement expands the roles and responsibilities of ARIC Chair and members to include Internal Audit, External Audit, Control Framework, Strategic Planning,

Service delivery, Performance data and measurement and further expands its role under “advisory”, “review” and “endorsement of”

- ARIC members comply with Council’s Code of Conduct requirements
 - Core requirement adds the conduct requirements of “NSW Government’s Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members”

A draft letter to be sent to the Office of Local Government detailing concerns and suggestions for improvement of elements within the discussion papers is attached to this report for Council review and resolution.

OTHER CONSIDERATIONS

Council may also like to consider that it advises OLG that whatever form the framework takes it should be clear and concise, use consistent terminology and leave no room for user confusion, misunderstanding or modification giving rise to potential non-compliance.

OLG may also be applauded for encouraging whole of local government and community involvement in this work.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Audit, Risk and Improvement Committees can be of great value to Council as an advisory body providing assurance to Council and the community. Independent and professional members of an Audit, Risk and Improvement Committee functionally manage the work of the Internal Auditor and so provide a reassurance to the community that Council is striving to improve its services and provide value for money.

2. Environmental

There is not expected to be any impact on the environment resulting from the recommendations contained in this report.

3. Economic

Amendments to *Local Government Act* in 2016 required each council to be financially sustainable, continuously review its performance, properly exercise its regulatory functions, operate honestly, efficiently and appropriately and have sound decision-making and risk management practices.

Dependant on the number of external members required by this Council to act on the Audit, Risk and Improvement Committee there will be an increase in annual remuneration to each of the external members. The Audit, Risk and Improvement Committee has no delegated financial responsibility.

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.

A NEW RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK

for local councils in NSW

Snapshot Guide

September 2019



A NEW RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK FOR LOCAL COUNCILS IN NSW – SNAPSHOT GUIDE

2019

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Street Address: Levels 1 & 2, 5 O’Keefe Avenue, NOWRA NSW 2541

Postal Address: Locked Bag 3015, Nowra, NSW 2541

Phone: 02 4428 4100

Fax: 02 4428 4199

TTY: 02 4428 4209

Email : olg@olg.nsw.gov.au

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A NEW RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK FOR LOCAL GOVERNMENT IN NSW - **Snapshot Guide**

Purpose

This summary guide provides a 'snapshot' of the mandatory internal audit and risk management framework that is being proposed for NSW councils.

For a full understanding of the proposed framework, please refer to the discussion paper, *A new risk management and internal audit framework for local councils in NSW*, which can be found at www.olg.nsw.gov.au.

Introduction

In 2016, the NSW Government made it a requirement under the *Local Government Act 1993* ('Local Government Act') that each council have an Audit, Risk and Improvement Committee. This requirement is likely to take effect from March 2021. Councils are also required to proactively manage any risks they face under the new guiding principles of the Act.

The Government is consulting on the proposed regulatory framework that will support the operation of these committees, and the establishment of a risk management framework and internal audit function in each council.

There will be nine core requirements that councils will be required to comply with when establishing their Audit, Risk and Improvement Committees, risk management framework and internal audit function.

These requirements are based on international standards and the experience of Australian and NSW Government public sector agencies who have already implemented risk management and internal audit.

There are also components of the proposed framework that are designed to reflect the unique needs and structure of NSW councils.

The framework will apply to councils, county councils and joint organisations.

Have Your Say

The NSW Government would like to know what you think of the framework being proposed.

Submissions may be made in writing by **31 December 2019** to the following addresses.

Post: Locked Bag 3015 NOWRA NSW 2541

Email: olg@olg.nsw.gov.au

Key questions you may wish to consider when providing your feedback include:

- will the proposed framework achieve the outcomes sought?
- what challenges do you see for your council when implementing the proposed framework?
- does the proposed framework include all important elements of an effective internal audit and risk framework?
- is there anything you don't like about the proposed framework?
- can you suggest any improvements to the proposed framework?

Proposed regulatory framework

The NSW Government's objective is to ensure that:

- each council in NSW has an independent Audit, Risk and Improvement Committee that adds value to the council
- each council in NSW has a robust risk management framework in place that accurately identifies and mitigates the risks facing the council and its operations
- each council in NSW has an effective internal audit function that provides independent assurance that the council is functioning effectively and the internal controls the council has put into place to manage risk are working, and
- councils comply with minimum standards for these mechanisms that are based on internationally accepted standards and good practice.

The proposed statutory framework will consist of the following three elements:

1. Current provisions in the Local Government Act

Section 428A

Section 428A (when proclaimed) will require each council to establish an Audit, Risk and Improvement Committee to continuously review and provide independent advice to the general manager and the governing body of council about:

- whether the council is complying with all necessary legislation
- the adequacy and effectiveness of the council's risk management framework, fraud and corruption prevention activities, financial management processes, and the council's financial position and performance
- the council's governance arrangements

- the achievement of the goals set out in the council's community strategic plan, delivery program, operational plan and other strategies
- how the council delivers local services and how to improve the council's performance of its functions more generally
- the collection of performance measurement data by the council, and
- any other matters prescribed by the *Local Government (General) Regulation 2005* (i.e. internal audit).

Section 428B

Section 428B (when proclaimed) will also allow a council to establish a joint Audit, Risk and Improvement Committee with another council/s including through joint or regional organisations of councils.

Guiding principles and roles and responsibilities

Amendments made to the Local Government Act in 2016 prescribed new guiding principles for councils and updated the prescribed roles and responsibilities of the governing body (section 223) and general manager (section 335). These amendments will operate to support the work of Audit, Risk and Improvement Committees and provide for the future establishment of a risk management and internal audit function in each council.

These guiding principles and roles and responsibilities have already commenced.

2. New regulations

The operation of sections 428A and 428B will be supported by new regulations in the *Local Government (General) Regulation 2005*.

These will prescribe the requirements that councils are to comply with when appointing their Audit, Risk and Improvement Committee and establishing their risk management framework and internal audit function.

The regulations will also provide for a model internal audit charter and model terms of reference for Audit, Risk and Improvement

Committees which all councils must adopt and comply with.

3. New Guidelines

New guidelines will be issued setting out the core requirements that each council's Audit, Risk and Improvement Committee, risk management framework and internal audit function must comply with.

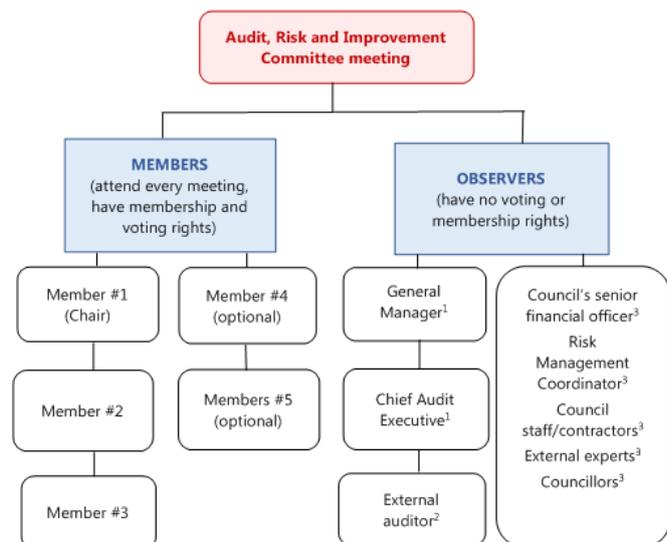
These core requirements are detailed below.

Core requirement 1: Appoint an independent Audit, Risk and Improvement Committee

- Each council is to have an independent Audit, Risk and Improvement Committee that reviews all the matters prescribed in section 428A of the Local Government Act
- The Audit, Risk and Improvement Committee is to operate according to terms of reference, based on a model terms of reference, and approved by the governing body of the council after endorsement by the Committee
- The Audit, Risk and Improvement Committee is to comprise of three to five independent members who are prequalified via the NSW Government's *Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members*
- Audit, Risk and Improvement Committee members and the Chair are to serve a three to five-year term. A member's term cannot exceed eight years and the Chair's term cannot exceed five years
- The Audit, Risk and Improvement Committee is to meet quarterly, with the ability to hold extra meetings if required. A council's general manager and Chief Audit

Executive (see below) should attend except where excluded by the Committee

- Audit, Risk and Improvement Committee members are to comply with the council's code of conduct and the conduct requirements of the NSW Government's *Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members*
- Disputes between the general manager and/or the Chief Audit Executive are to be resolved by the Audit, Risk and Improvement Committee. Disputes with the Committee are to be resolved by the governing body of the council
- The Audit, Risk and Improvement Committee is to provide an annual assurance report to the governing body of the council and be assessed by an external party at least once each council term as part of council's quality assurance and improvement program
- The general manager is to nominate a council employee/s to provide secretariat support to the Audit, Risk and Improvement Committee. Minutes are to be recorded for all committee meetings

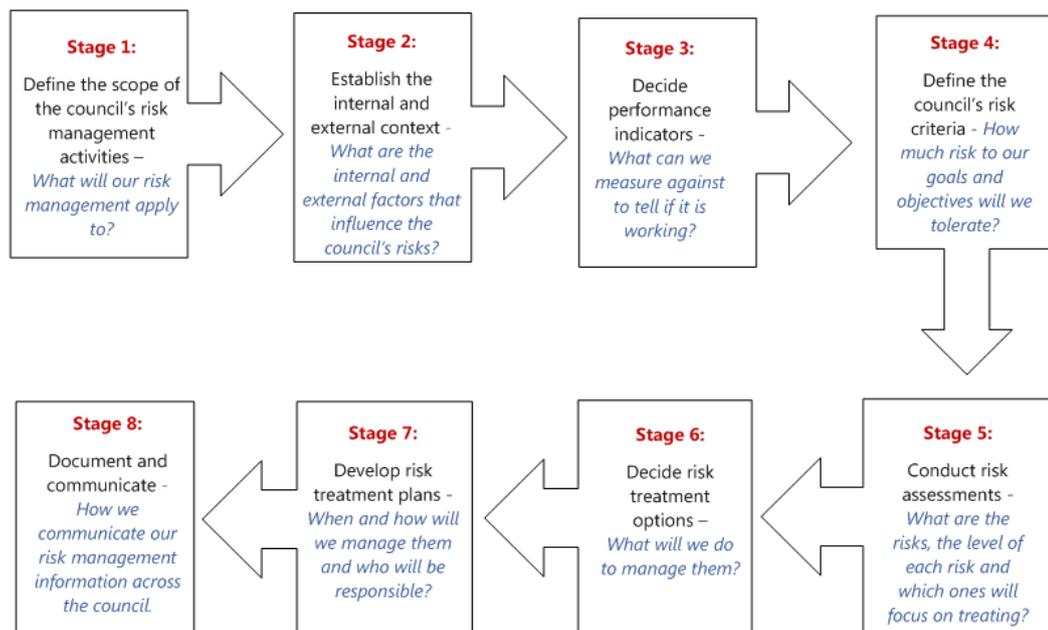


¹ Attends each meeting except where excluded by the Committee
² Open invitation to attend every meeting as an independent advisor
³ When invited by the Committee to attend/give information

Core requirement 2:
Establish a risk management framework consistent with the current Australian risk management standards

- Each council is to establish a risk management framework that is consistent with current Australian standards for risk management
- The governing body of the council is to ensure that council is sufficiently resourced to implement an appropriate and effective risk management framework
- Each council’s risk management framework is to include the implementation of a risk management policy, risk management plan and risk management process (see below). This includes deciding the council’s risk criteria and how risk that falls outside tolerance levels will be treated
- Each council is to fully integrate its risk management framework within all of council’s decision-making, operational and integrated planning and reporting processes
- Each council is to formally assign responsibilities for risk management to the general manager, senior managers and other council staff and ensure accountability
- Each council is to ensure its risk management framework is regularly monitored and reviewed
- The Audit, Risk and Improvement Committee and the council’s internal audit function are to provide independent assurance of risk management activities
- The general manager is to publish in the council’s annual report an attestation certificate indicating whether the council has complied with the risk management requirements

Stages of a council’s risk management process



Core requirement 3:
Establish an internal audit function mandated by an Internal Audit Charter

- Each council is to establish an internal audit function
- The governing body is to ensure that the council's internal audit function is sufficiently resourced to carry out its work
- The governing body of the council is to assign administrative responsibility for internal audit to the general manager and include this in their employment contract and performance reviews
- The Chief Audit Executive is to develop an Internal Audit Charter, based on a model charter, which will guide how internal audit is conducted by the council. The Charter is to be approved by the governing body of the council after endorsement by the Audit, Risk and Improvement Committee

- The general manager is to ensure that, if required, the council has adequate internal audit personnel to support the Chief Audit Executive. Councils will be able to appoint in-house internal audit personnel or completely or partially outsource their internal audit function to an external provider



¹ reports administratively (day-to-day processes and resources)
² reports functionally (strategic direction, accountability)

Core requirement 4:
Appoint internal audit personnel and establish reporting lines

- The general manager is to appoint a Chief Audit Executive to oversee the council's internal audit activities in consultation with the Audit, Risk and Improvement Committee
- The Chief Audit Executive is to report functionally to the Audit, Risk and Improvement Committee and administratively to the general manager and attend all committee meetings

Core requirement 5:
Develop an agreed internal audit work program

- The Chief Audit Executive is to develop a four-year strategic plan to guide the council's longer term internal audits in consultation with the governing body, general manager and senior managers. The strategic plan is to be approved by the Audit, Risk and Improvement Committee
- The Chief Audit Executive is to develop an annual risk-based internal audit work plan, based on the strategic plan, to guide the council's internal audits each year. The work plan is to be developed in consultation with the governing body, general manager and senior managers and approved by the Audit, Risk and Improvement Committee

- The Chief Audit Executive is to ensure performance against the annual and strategic plans can be assessed

Core requirement 6:
How to perform and report internal audits

- The Chief Audit Executive is to ensure that council's internal audits are performed in accordance with the IPPF and current Australian risk management standards (where applicable), and approved by the Audit, Risk and Improvement Committee
- The Chief Audit Executive is to develop policies and procedures to guide the operation of the internal audit function, including the performance of internal audits
- The Chief Audit Executive is to report internal audit findings and recommendations to the Audit, Risk and Improvement Committee. Each finding is to have a recommended remedial action and a response from the relevant senior manager/s
- All internal audit documentation is to remain the property of, and can be accessed by, the audited council, including where internal audit services are performed by an external provider. It can also be accessed by the Audit Risk and Improvement Committee, external auditor and governing body of the council (by resolution)

Core requirement 7:
Undertake ongoing monitoring and reporting

- The Audit, Risk and Improvement Committee is to be advised at each quarterly meeting of the internal audits

undertaken and progress made implementing corrective actions

- The governing body of the council is to be advised after each quarterly meeting of the Audit, Risk and Improvement Committee of the internal audits undertaken and the progress made implementing corrective actions
- The Audit, Risk and Improvement Committee can raise any concerns with the governing body of the council at any time through the Chair

Core requirement 8:
Establish a quality assurance and improvement program

- The Chief Audit Executive is to establish a quality assurance and improvement program which includes ongoing monitoring and periodic self-assessments, an annual review and strategic external review at least once each council term
- The general manager is to publish in the council's annual report an annual attestation certificate indicating whether the council has complied with the core requirements for the Audit, Risk and Improvement Committee and the internal audit function



Core requirement 9:

Councils can establish shared internal audit arrangements

- A council can share all or part of its internal audit function with another council/s by either establishing an independent shared arrangement with another council/s of its choosing, or utilising an internal audit function established by a joint or regional organisation of councils that is shared by member councils
- The core requirements that apply to stand-alone internal audit functions will also apply to shared internal audit functions, with specified exceptions that reflect the unique structure of shared arrangements
- The general manager of each council in any shared arrangement must sign a 'Shared Internal Audit Arrangement' that describes the agreed arrangements

Implementation timeline

The transitional arrangements built into the Local Government Act mean that the requirement to have an Audit, Risk and Improvement Committee will not come into force until six months after the next ordinary elections in September 2020 at the earliest. Councils will therefore have until March 2021 to establish their committees.

It is proposed that councils will then have a further 18 months, until December 2022, to establish their internal audit function and risk management framework (guided by the Audit, Risk and Improvement Committee).

As these functions are bedded down and greater time and resources become available to the Audit, Risk and Improvement Committee and the council, the role of the committee is to broaden to comply with the

remaining requirements of sections 428A of the Local Government Act.

Full compliance with section 428A of the Local Government Act will be expected by 2026.

Councils with established Audit, Risk and Improvement Committees and mature risk management and internal audit functions will be encouraged to comply sooner.

→ By March 2021

Audit, Risk and Improvement Committee established and appointed (core requirement 1 or 9 for shared arrangements)

→ By December 2022

Risk management framework developed, including appointment of a Risk Management Coordinator (core requirement 2)

Internal audit function established, including employment of a Chief Audit Executive and personnel (core requirements 3-4 or 9 for shared arrangements)

→ By 2024

Risk management framework fully implemented throughout council and operating in compliance with regulatory requirements (core requirement 2)

Internal audit function fully implemented by the council and operating in compliance with regulatory requirements (core requirements 5-8)

→ By 2026

Audit, Risk and Improvement Committee's role expanded to include compliance, fraud control, financial management, governance, integrated planning and reporting, service reviews, performance measurement data and performance improvement in compliance with section 428A of the Local Government Act.



A NEW RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK

for local councils in NSW

Discussion paper

September 2019



A NEW RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK FOR LOCAL COUNCILS IN NSW – DISCUSSION PAPER

2019

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Street Address: Levels 1 & 2, 5 O’Keefe Avenue, NOWRA NSW 2541

Postal Address: Locked Bag 3015, Nowra, NSW 2541

Phone: 02 4428 4100

Fax: 02 4428 4199

TTY: 02 4428 4209

Email : olg@olg.nsw.gov.au

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MINISTER'S FOREWARD



Risk is inevitable in any organisation, including local councils. If a council can identify its risks and how they are caused, a council is more likely to succeed in managing these risks and achieving its community objectives.

Internal audit is a globally accepted mechanism for ensuring that an organisation has good governance and is managing its risks successfully. There has been a steady push over recent years for internal audit to be mandated in the NSW local government sector.

As a first step, in 2008, the government released guidelines to assist councils to establish an internal audit function. These guidelines were updated in 2010. The benefits realised by councils who had introduced internal audit into their business led to calls for internal audit to be made mandatory for every council in NSW.

In 2016, the NSW Government made it a requirement under the *Local Government Act 1993* ('Local Government Act') that each council have an Audit, Risk and Improvement Committee in place. This requirement is likely to take effect from March 2021. Councils are also required to proactively manage any risks they face under the new guiding principles of the Act.

The government has since been working to develop the regulatory framework that will support the operation of these committees, and the establishment of a risk management framework and internal audit function in each council. This discussion paper details the regulatory requirements and operational framework being proposed.

There will be nine core requirements that councils will be required to comply with when establishing their Audit, Risk and Improvement Committee, risk management framework and internal audit function. These requirements are based on international standards and the experience of Australian and NSW Government public sector agencies who have implemented risk management and internal audit. Most importantly, they reflect the unique needs, structure and resources of NSW local government.

Formal risk management and internal audit is a vital part of the NSW Government's plan to ensure that councils achieve their strategic objectives in the most efficient, effective and economical manner. A strong and effective risk management and internal audit framework will result in better services for the community, reduced opportunities for fraud and corruption, increased accountability of councils to their communities and a culture of continuous improvement in councils.

I encourage you to provide your feedback and ideas on the proposed model so we can ensure NSW has in place the most robust and effective risk management and internal audit framework for local government possible.

The Hon Shelley Hancock MP
Minister for Local Government

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BACKGROUND AND PURPOSE

1. Risk

All organisations and governments, including councils, operate in uncertain and changing economic, social, political, legal, business and local environments. Risk is defined as the effect of this uncertainty on an organisation's ability to achieve its goals and objectives, where the effect is the potential for a result that is different to what was expected or planned for¹. Risks that go so far as to threaten to harm or destroy an object, event or person are known as material risks.

Risk can be positive, negative or both, and can address, create or result in opportunities and threats. Risk is often expressed in terms of an event's consequences and the likelihood of its occurrence. Negative risks can include, for example, unexpected financial loss, project failure, extreme weather events, failure of council policy, and fraud or corruption. Positive risks can include, for example, unexpected favourable publicity, changes to legislation, improved technology, new commercial relationships and business contracts.

Internal controls

Internal controls are any action taken by an organisation to manage and minimise the impacts of negative risks or to promote and harness positive risks to increase the likelihood that the organisation's goals and objectives will be achieved. Internal controls can be:

- preventative – to deter undesirable events from occurring
- detective – to detect and correct undesirable events from happening, or
- directive – to cause or encourage a desirable event to occur.

Internal controls generally fall into two categories:

- hard/formal controls – for example, systems, processes, policies, procedures, management approvals, or
- soft controls – for example, employee capability, organisational culture, ethical behaviour of management and staff.

2. Good governance

Governance can be described as the combination and interconnection of decisions, policies, procedures, processes and structures implemented by an organisation's board/governing body to direct and control the organisation and ensure it functions effectively.

Good governance is a key component of successful organisations. It supports an organisation to ensure its goals and objectives are achieved, its operations are performed successfully, it complies with all necessary legal and other requirements, and it uses its resources responsibly with accountability. It also helps an organisation to promote confidence with stakeholders and adapt and function in changing and uncertain environments.

Good governance is directly linked to an organisation's risk management and compliance frameworks.

¹ Adapted from the definition of risk in AS ISO 31000:2018

The three lines of defence against risk

There are a number of different mechanisms organisations can use to ensure they have good governance and are managing their risks. These governance activities are often referred to as 'the three lines of defence' and are described below in the context of local government. A summary diagram is provided on page 8.

1st line of defence – operational functions implemented by a council to own and manage risk

A council's first line of defence against risk is for council staff to own and manage the risks that occur in their sphere of influence. This means they are given responsibility and held accountable for identifying risks and implementing internal controls (where appropriate).

In practice, this generally sees operational management responsible for identifying and assessing risks that occur in their work area and developing internal controls to manage these risks. This can include guiding the development of council policies and procedures and overseeing the implementation of internal controls by the council staff they supervise. Council staff are responsible for following policies and procedures, implementing other controls and notifying managers when issues arise.

Examples of first line of defence activities could include development assessment processes, operational procedures for technical equipment, maintenance of specific pieces of equipment, cash handling procedures, work health and safety requirements, following project plans etc.

2nd line of defence – management functions implemented by a council to ensure operational functions are managing risks

A council's second line of defence against risk is to ensure that the controls in the first line of defence are properly designed, implemented and operating as intended. Examples of the management frameworks that can be implemented in a council's second line of defence include:

- a risk management framework which identifies known and emerging risks the council faces and controls being implemented to manage these risks (further described in this discussion paper)
- a compliance framework which identifies and monitors council's risk of non-compliance with applicable laws, regulations, contracts and policies, and alerts council to changing compliance requirements
- a financial management framework which identifies and monitors council's financial risks, including financial reporting and external accountability²
- a fraud control framework which identifies and manages the risk of the incidence of fraud or corruption and includes prevention and monitoring strategies³
- business and performance improvement which identifies and manages any business/performance risks and helps council to improve the efficiency, effectiveness and economy of its operations, for example, information technology and work health and safety, and
- project management which is used to identify and manage project risks, for example, poor project governance, flawed scope definition and insufficient resourcing.

² Councils are required under the Local Government Act (s 413) to prepare financial reports each year to prescribed standards. These reports must be externally audited, be made available for public inspection (s 418), presented at a council meeting along with the auditor's reports (s 419) and included in council's annual report (s 428).

³ Councils are required to have a fraud and corruption control plan which includes risk management processes that examine the risk of fraud and corruption both internally and externally across the council. The plan should also include internal controls that seek to minimise fraud and corruption occurring.

Second line of defence activities are generally reported to senior and mid-level management, and can be of interest to the Audit, Risk and Improvement Committee.

3rd line of defence – functions that provide independent external assurance

Council's third line of defence against risk is to receive assurance from an independent body external to the council that its risks are being managed appropriately in the first and second lines of defence. External assurance is designed to provide a council with a level of confidence that its goals and objectives will be achieved within an acceptable level of risk.

Independent external assurance is provided by an Audit, Risk and Improvement Committee, supported by an internal audit function.

External assurance activities are reported to the governing body of the council and the general manager.

Other lines of defence

There are also other lines of defence that sit outside an organisation and provide independent assurance that an organisation has good governance and is managing its risk appropriately.

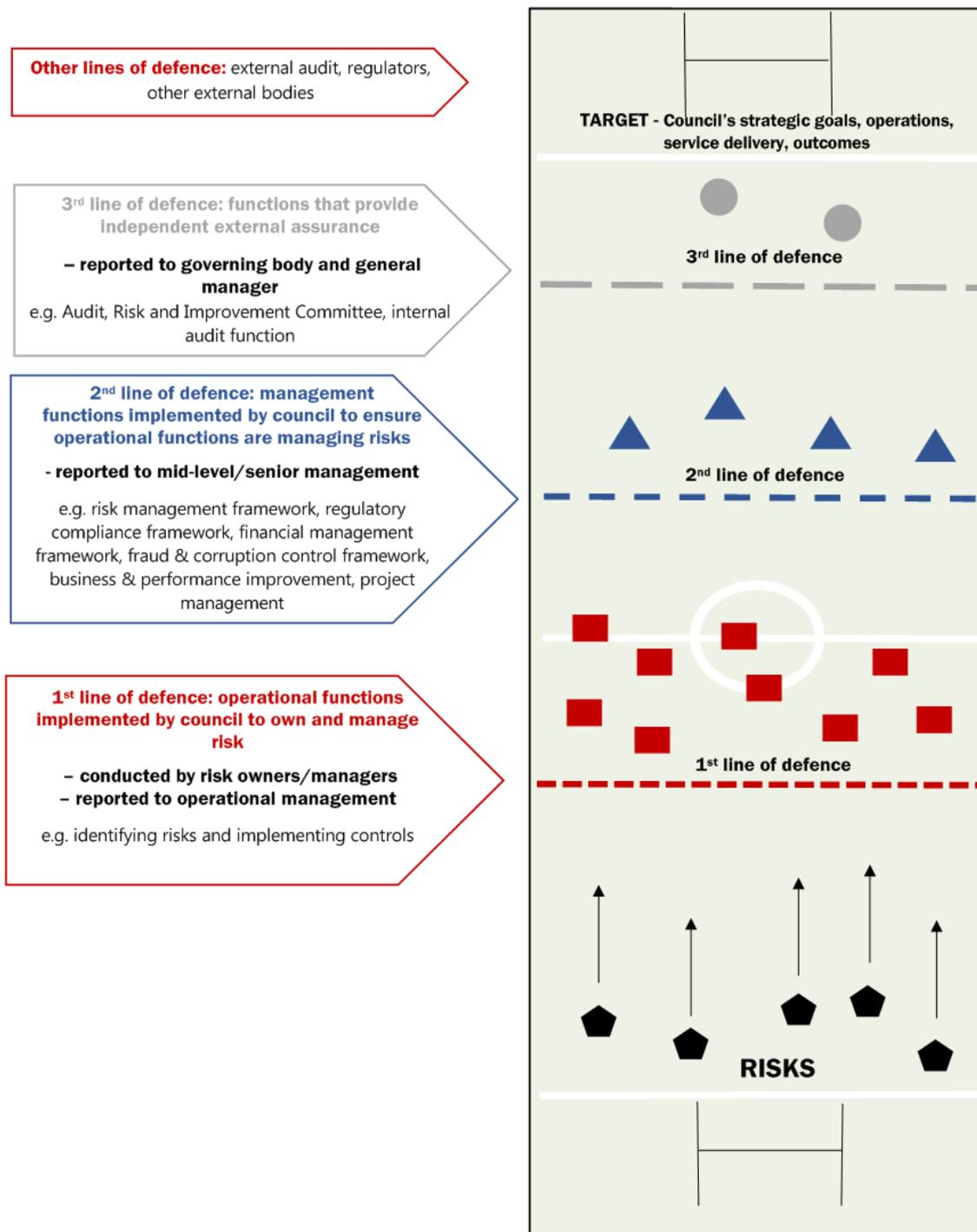
For councils, these include:

- external audit – an annual independent examination and opinion of council's financial statements which also assesses council's compliance with accounting standards, laws and regulations⁴
- performance audit – an audit of council activities to determine whether the council is carrying out these activities effectively, economically, efficiently and in compliance with all laws. A performance audit can include an individual program or service provided by a group of councils, all or part of an individual council, or issues affecting the sector as a whole⁵, and
- regulatory bodies – these set minimum requirements for council's lines of defence, and/or assess the effectiveness of council's governance (for example, the Office of Local Government, NSW Ombudsman, Independent Commission Against Corruption, NSW Parliament).

⁴ The Local Government Act (s 415) requires each council to have their annual financial reports externally audited by the NSW Auditor-General (s 422) so that the community and the governing body of the council have access to an independent opinion on their validity. The Auditor-General is to also provide a copy of the Independent Audit Report and the Conduct of the Audit to the Office of Local Government, and report to Parliament on local government sector-wide matters arising from the examination of the financial statements of councils and any other issues the Auditor-General has identified during its audit and the exercise of her other functions (s 421C).

⁵ The NSW Auditor-General conducts performance audits of councils under the Local Government Act and reports to the Office of Local Government, the council concerned and the Minister for Local Government any findings, recommendations or concerns that arise from a performance audit (s 421B)

Council's three lines of defence against risk



3. Purpose of this discussion paper

Amendments made to the Local Government Act in 2016 require each council to be financially sustainable, continuously review its performance, properly exercise its regulatory functions, operate honestly, efficiently and appropriately, and have sound decision-making and risk management practices (s 8A-8C and 223).

They also require each council to establish an Audit, Risk and Improvement Committee as a third line of defence to continuously review and provide independent advice and assurance on council's first and second lines of defence (s 428A). The Local Government Act also envisages the establishment of a risk management framework and internal audit function in each council to support the work of the Committee.

The purpose of this discussion paper is to propose how councils should establish and implement these functions.

It is envisaged that each council's Audit, Risk and Improvement Committee, once established by March 2021, will undertake assurance activities by overseeing each council's internal audit function and risk management framework.

Over time (post-2021), and as resources allow, each council's Audit, Risk and Improvement Committee will be expected to expand its reach to include the other management functions that councils should have in place as part of their second line of defence (for example, financial management, integrated planning and reporting, fraud control, performance etc.).

INTRODUCTION TO RISK MANAGEMENT AND INTERNAL AUDIT

1. Risk management

Risk management describes the coordinated activities an organisation takes to ensure it knows the risks it faces, makes informed decisions about how to respond to these risks, and identifies and harnesses potential opportunities⁶.

In practice, it is a deliberate, systematic, comprehensive and documented program that provides a structure to managing risk consistently across the entire organisation, regardless of where, and by who, decisions are made. It also provides a mechanism to shape organisational culture – ‘the way we do things around here’.

Risk management is not about being risk averse and it is not a guaranteed way to eliminate all the risks an organisation faces altogether. It is a framework that can help an organisation to reduce its risks to a level that is acceptable and take calculated and appropriate risks that will help it to achieve its strategic goals and deal positively with opportunities.

As required under Australian risk management standards, councils will be required to adopt an ‘enterprise risk management’ approach under the new regulatory framework.

This will require councils to identify, assess and manage all the risks that affect the ability of the council to meet its goals and objectives, and goes beyond traditional risk management that focuses on insurable risks. Further explanation is provided in the table below.

Traditional risk management	Enterprise risk management
Focuses on insurable risks	Considers all risks that could affect a council's ability to meet its goals, including risks that cannot be insured, for example, a council's reputation
Focused on threats and minimising losses	Considers risks that present both negative and positive consequences or impacts and focuses on adding value
Manages each risk individually and in isolation, often within the particular business unit	Considers risks holistically across the entire council taking into account any connections or interdependencies that could reduce losses or maximize growth opportunities. Risk management is integrated across the entire council
Responses to risk are largely reactive and sporadic	Responses to risk are proactive and continually applied and assessed. Risk management is embedded in organisational culture

⁶ Adapted from the definition of risk management in AS ISO 31000:2018

Governing standards

A number of worldwide standards have been developed to help organisations implement risk management. These standards are set by recognised international standards bodies or industry groups and provide an accepted benchmark for risk management practices.

In Australia, the International Organisation for Standardisation's risk management standard *ISO 31000:2009, Risk Management – Guidelines* (AS/NZS ISO 31000:2009) has been accepted as the Australian risk management standard and widely adopted in the private and public sectors. AS/NZS ISO 31000:2009 has just been replaced by AS ISO 31000:2018⁷.

AS ISO 31000:2018 states that an organisation's approach to risk management must be based on the following eight specific principles to ensure it is effective:

- risk management is **integrated** into all organisational activities and decision-making processes
- risk management is **structured and comprehensive** process that achieves consistent and comparable results
- the risk management framework and process is **customised** to the organisation
- risk management is **inclusive** of all stakeholders and enables their knowledge, views and perceptions to be considered
- risk management is **dynamic** and able to respond to changes and events in an appropriate and timely manner
- risk management decisions are based on the **best available information** and takes into account any limitations and uncertainties
- risk management takes into account **human and cultural factors**, and
- risk management is continuously and periodically **evaluated and improved** through learning and experience.

To achieve these principles, AS ISO 31000:2018 requires each organisation to ensure its risk management framework includes the following elements:

- **leadership and commitment** – the organisation's board/governing body must clearly communicate and demonstrate strong leadership and commitment to risk management.
This will be shown by the board/governing body:
 - adopting a risk management policy which communicates the organisation's commitment to risk management and how risk management will be undertaken
 - ensuring the necessary resources are allocated to risk management, and
 - assigning authority and accountability for risk management at appropriate levels in the organisation and aligning risk management to the organisation's objectives
- **integration** – integration of risk management into a council should be a dynamic and iterative process, customised to the organisation's unique needs and culture. Risk management must be made part of the organisation's purpose, governance, leadership, strategy, objectives and operations and everyone in the organisation must understand their responsibility for managing risk.

This can be achieved through the development and implementation of a risk management plan that provides structure for how the organisation will implement its risk management policy and conduct its risk management activities

⁷ More information about AS ISO 31000:2018 can be found at <https://www.iso.org/iso-31000-risk-management.html>.

- **design** – the organisation’s risk management framework must be based on the unique needs, characteristics and risks of the organisation, and its external and internal context.

This can be achieved by following a tailored risk management process that:

- evaluates the organisation’s internal and external context, operations, stakeholders, complexity, culture, capabilities etc.
 - identifies, assesses and prioritises the risks these present
 - decides how they will be managed
 - allocates resources
 - assigns risk management roles, responsibilities and accountabilities
 - documents and communicates this across the organisation, and
 - demonstrates the organisation’s continual commitment to risk management.
- **evaluation and improvement** – the organisation must regularly evaluate the effectiveness of its risk management framework and continually adapt and improve how it is designed and integrated throughout the organisation and ensure it is fit for purpose.

2. Internal audit

Internal audit is a mechanism that an organisation can use to receive independent assurance that its first and second lines of defence are appropriate and working effectively. Internal audit can also help an organisation to improve its overall performance.

It does this by:

- providing management with information on the effectiveness of risk management, control and governance processes, and acting as a catalyst for improvement
- providing an independent and unbiased assessment of the organisation’s culture, decision-making, financial management, operations, fraud risk, safeguarding of assets, information, policies, processes and systems
- assessing the efficiency, effectiveness, economy and ethical conduct of business activities
- reviewing the achievement of organisational goals and objectives
- assessing compliance with laws, regulation, policies and contracts, and
- looking for better ways the organisation can be doing things.

In relation to risk management, internal audit provides assurance that an organisation’s:

- risk management framework is effective and regularly reviewed
- risks are correctly identified and assessed
- risks are being managed to an acceptable level in accordance with the organisation’s risk criteria⁸, goals and objectives
- internal controls are appropriately designed and effectively implemented, and
- risk information is captured and communicated in a timely manner across the organisation, enabling staff to carry out their risk management responsibilities.

Unlike organisational staff, an internal audit function has no direct involvement in day-to-day operations or financial management of an organisation. It sits within an organisation, but external to it, and investigates how an organisation conducts its day-to-day operations and financial management and helps an organisation to improve those processes and systems.

⁸ ‘Risk criteria’ can also be known as ‘risk appetite’

To preserve an internal audit function's independence, it cannot be responsible or held accountable for:

- setting an organisation's risk criteria
- implementing risk management processes
- deciding how an organisation responds to risk, or
- implementing risk responses or controls.

The internal audit function also reports functionally (for internal audit operations) to an organisation's Audit, Risk and Improvement Committee to ensure that it is allowed to operate without inappropriate interference.

Governing standards

The Institute of Internal Auditors (IIA) is the recognised international standard setting body for internal audit and provides professional certification for internal auditors.

The IIA has developed the International Professional Practices Framework (IPPF)⁹ which outlines the mandatory requirements for the practice of internal auditing. It describes:

- the definition of internal auditing
- the core principles for the practice of internal auditing
- the international standards for the professional practice of internal auditing, and
- a Code of Ethics which describe the minimum behavioural and conduct requirements of individuals and organisations in the conduct of internal auditing.

These standards are international and are to be applied consistently to the practice of internal audit activity worldwide.

The core components required for internal audit under the IPPF include:

- an **internal audit charter** which communicates internal audit's purpose and authority, its position within the organisation and how internal audit will be undertaken
- reporting arrangements and responsibilities that provide the internal audit function with **independence** from the organisation so that it can be objective and unbiased in its work
- authority for the internal audit function to have **full access** to the records, information, property and personnel it needs to undertake its work
- **work plans** which provide a short-term and long-term structure for the internal audits to be undertaken
- use of **approved methods** and procedures to conduct audits
- a system to **monitor and report** on internal audit findings and the implementation of corrective actions, and
- a **quality assurance and improvement process** to continuously review and improve internal audit activities.

⁹ More information about the IPPF can be found at <https://www.iaa.org.au/technical-resources/professionalGuidance.aspx>

Under the IPPF, an effective internal audit function must also exhibit the following 10 mandatory core principles:

- demonstrates integrity
- demonstrates competence and due professional care
- is objective and free from undue influence
- aligns with the strategies, objectives and risks of the organisation
- is appropriately positioned and adequately resourced
- demonstrates quality and continuous improvement
- communicates effectively
- provides risk-based assurance
- is insightful, proactive and future-focused, and
- promotes organisational improvement.

3. Audit Committees

An audit committee is a committee of experts that plays a key role in assisting the board/governing body of an organisation to fulfil its corporate governance and oversight responsibilities. Its main role is to provide advice and assurance regarding:

- the organisation's culture and ethics
- the organisation's first and second lines of defence, including:
 - the effectiveness of risk management and the organisation's internal controls
 - the organisation's fraud and corruption controls
 - business performance and improvement
 - the adequacy of financial management practices and the organisation's accounting, financial records and external reporting
 - systems for managing the organisation's assets
 - compliance with applicable laws, regulations, standards and best practice guidelines, and
- matters that are raised during external and internal audits.

An audit committee also provides a forum for communication between the organisation, senior management, risk and compliance managers, internal auditors and external auditors.

To be effective, an audit committee must be independent from the organisation's management and free from any undue influence.

The size and nature of the committee depends on the industry and size of the organisation. Some organisations establish one committee with responsibility for all these tasks. Larger organisations may establish more than one committee, for example, an audit committee, a risk committee, a compliance committee etc. depending on the nature and extent of the organisation's operations.

There are a number of legal requirements and good practice guides that apply to audit committees depending on the jurisdiction and type of industry and organisation.

4. Use of risk management, internal audit and audit committees in the private and government sectors

Private sector

Audit committees, risk management and internal audit are widely used in the corporate sector worldwide as a mechanism to manage risk and provide independent assurance on governance, controls and financial reporting.

The *Corporations Act 2001* (Commonwealth) requires some Australian companies to ensure that financial reports are true and fair and comply with accounting standards made by the Australian Accounting Standards Board. Most of these companies have audit committees to monitor and oversight their financial reporting (in consultation with external auditors).

The Australian Securities Exchange requires entities included in the S&P/ASX All Ordinaries Index at the beginning of their financial year to have an audit committee during that year¹⁰, and to comply with specific requirements¹¹ regarding the composition, operation and responsibilities of their audit committee. If an entity does not have an audit committee, this must be disclosed along with the processes the board/governing body employs to independently verify and safeguard the integrity of its corporate reporting.

The establishment of an internal audit function is seen by many investors as essential before they will invest in a company. Since 2014, entities listed on the Australian Securities Exchange have been required to disclose to potential investors whether they have an internal audit function, how the function is structured and what role it performs. If an entity does not have an internal audit function, it must outline why it doesn't, and what assurance arrangements it has in place to manage risk and verify the integrity of financial records¹². Whilst it is not mandatory, non-listed companies are recommended under Australian standards to have an audit committee as part of good governance¹³.

The Australian Prudential Regulation Authority has also mandated the requirement for financial, insurance and superannuation institutions to have internal audit and an audit committee¹⁴. The audit committee must also meet specific requirements.

Australian Government public sector

While risk management and internal audit is often voluntary in the private sector, many governments around the world have mandated through legislation a requirement for public sector agencies to have an audit committee and some form of risk management.

The Australian Government, under the *Public Governance, Performance and Accountability Act 2013*, requires all Commonwealth entities to establish and maintain appropriate risk management systems and have an audit committee. The *Public Governance, Performance and Accountability Rule 2014* and Commonwealth Risk Management Policy¹⁵ prescribe the requirements for how risk is to be managed.

¹⁰ ASX Corporate Governance Council (2016) *ASX Listing Rules* – Rule 12.7

¹¹ As set out in ASX Corporate Governance Council (2019) *Corporate Governance Principles and Recommendations 4th Edition*

¹² ASX Corporate Governance Council (2014) *Corporate Governance Principles and Recommendations 3rd Edition*

¹³ Standards Australia International (2004) *Australian Standard - Good Governance Principles (AS 8000-2003)*

¹⁴ Australian Prudential Regulation Authority (2019) *Prudential Standard CPS 510 Governance (July 2019)*

¹⁵ Australian Government, Department of Finance (2014) *Commonwealth Risk Management Policy*

While an internal audit function is not mandated by legislation, it is recommended that Commonwealth entities establish one to support the audit committee¹⁶ and to ensure that the Secretary or Chief Executive is able to fulfil their other responsibilities under the Act. There have been calls for internal audit to be mandated for Commonwealth entities under the *Public Governance, Performance and Accountability Act 2013*¹⁷.

There are no legislated standards for risk management or internal audit in Commonwealth entities. However, the Australian Government recommends Commonwealth entities conform to ISO risk management standards and the IPPF.

State and Territory public sectors

Most Australian states and territories have mandated risk management, internal audit and/or audit committees in their public sector agencies – these include NSW, Queensland¹⁸, Tasmania¹⁹, Western Australia²⁰, Victoria²¹, and the Northern Territory²².

In South Australia, only public corporations are required to have an audit committee and an internal audit function²³. While not mandatory, the Australian Capital Territory recommends its agencies have an audit committee and internal audit function and provides guidance on how they should be established and operate²⁴.

In NSW, the new *Government Sector Finance Act 2018* requires all NSW Government departments and statutory bodies to have effective systems for risk management, internal control and assurance (including internal audit) that are appropriate for the agency²⁵.

The NSW Government's Internal Audit and Risk Management Policy²⁶ further stipulates that all NSW Government departments and statutory bodies are required to establish an Audit and Risk Committee, risk management framework and internal audit function. The core requirements of this policy are modelled on AS ISO 31000:2009²⁷ and the IPPF. The policy is currently under review by the NSW Government following the release of AS ISO 31000:2018.

¹⁶ Australian Government, Department of Finance (2018) *Resource Management Guide No. 202. A guide for non-corporate Commonwealth entities on the role of the audit committee* and Australian Government, Department of Finance (2018) *Resource Management Guide No. 202. A guide for corporate Commonwealth entities on the role of the audit committee*

¹⁷ IIA (2017) *Submission to the Department of Finance's Review of the Public Governance, Performance and Accountability Act 2013*

¹⁸ Section 78 of the *Financial Accountability Act 2009* (QLD) and *Financial and Performance Management Standard 2009* (QLD)

¹⁹ *Treasurer's Instruction 108 – Internal Audit* (TAS) September 2011

²⁰ Part 4 of the *Financial Management Act 2006* (WA) and Government of Western Australia, Department of Treasury (2018) *Treasurer's Instructions Part XII – Internal Audit*

²¹ Victorian Government (2018) *Standing Directions 2018 under the Financial Management Act 1994*

²² *Financial Management Act 1995* (NT) and NT Government (2001) *Treasurer's Directions L4/01 – Part 3 Responsible and Accountable Officers, Section 3 Internal Audit* (originally published 1995)

²³ Section 31 of the *Public Corporations Act 1993* (SA)

²⁴ ACT Government (2007) *Internal Audit Framework 2007* – this is currently under review by the Act Government and changes may occur during 2019-2020

²⁵ Section 3.6 of the *Government Sector Finance Act 2018*

²⁶ NSW Treasury (2015) *TPP 15-03 Internal Audit and Risk Management Policy for the NSW Public Sector*

²⁷ AS ISO 31000:2018 did not exist when the policy was developed in 2015

Local government

The regulation of audit committees, risk management and internal audit in local councils varies between states and territories. Some jurisdictions, such as South Australia and Tasmania do not explicitly require their councils to have an audit committee, risk management or internal audit function. For those jurisdictions that do require an audit committee and an internal audit function, the approach varies.

All councils in Victoria are legislatively required to have an audit committee²⁸ and recommended to have an internal audit function that complies with the IPPF²⁹.

Only large councils in Queensland are legislatively required to have an audit committee³⁰, but all councils are required to have an internal audit function³¹ that complies with the IPPF³².

The Western Australian Government has legislatively mandated that each council has an audit committee comprising a majority of councillors³³. A formal internal audit function is not mandated, but encouraged³⁴.

The experience in NSW is detailed in the next part of this discussion paper.

²⁸ Section 139 of the *Local Government Act 1989 (VIC)*

²⁹ Local Government Victoria (2011) *Audit Committees, A Guide to Good Practice for Local Government*

³⁰ Section 105 of the *Local Government Act 2009 (QLD)*

³¹ Clause 207 of the *Local Government Regulation 2012 (QLD)*

³² *Local Government Bulletin 08/15: Internal Audit and Audit Committees*

³³ Part 7 of the *Local Government Act 1995 (WA)* and the *Local Government (Audit) Regulations 1996 (WA)*

³⁴ Government of Western Australia, Department of Local Government and Communities (2013) *Local Government Operational Guidelines Number 9: Audit in Local Government. The Appointment, Function and Responsibilities of Audit Committees*

PROPOSED RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK – THE ROAD AHEAD

1. Risk management and internal audit in NSW local government – the story so far

Local councils in NSW were initially created to provide local communities with basic public services such as water, roads and waste removal on behalf of the NSW Government. As NSW has grown since federation, so too have the responsibilities of local councils. In most local government areas, councils now also provide a wide variety of community services, social infrastructure and local facilities.

NSW councils continue to largely rely on funding from the NSW Government to fulfil their responsibilities, coupled with grants from the Australian Government and rates paid by private citizens. Councils must therefore be accountable to the community and the governments who fund their activities for the way they spend this money and manage public assets.

External independent assurance via an audit committee and internal audit function has been seen for some time as key mechanisms to deliver this accountability. Up to 2008, around 20% of NSW councils were voluntarily following the example set by the private sector and implementing some aspect of external assurance or internal audit function into their operations³⁵.

In 2008, the Office of Local Government³⁶ first released guidelines to encourage councils to establish an Audit, Risk and Improvement Committee, risk management framework and internal audit function and set minimum requirements. This led to more councils establishing these mechanisms recognising the benefits they offer.

In 2009, integrated planning and reporting (IP&R) was introduced into the Local Government Act to provide a strategic planning framework for councils. IP&R could also be used to improve the management by councils of actual or potential risks to the strategic goals and objectives.

Reviews by the NSW Auditor-General found that by 2012 over 75 councils had some sort of internal audit function³⁷, and by 2016 about 60 councils (out of 152 councils), equivalent to 39%, had or shared an Audit, Risk and Improvement Committee³⁸. Other research conducted in 2015 suggested full adoption by councils of the other minimum requirements in the Office of Local Government's 2008 Internal Audit Guidelines may have been lower³⁹.

By June 2018, the NSW Auditor-General⁴⁰ found that 86 councils or 62% (out of 138 councils and county councils) now had an internal audit function and the number of councils that had an Audit, Risk and Improvement Committee had risen to 97 or 70%. In terms of risk management, the NSW Auditor-General found that 18 councils did not have a risk management policy and 38 councils did not have a risk register.

³⁵ NSW Auditor-General (2012) *NSW Auditor-General's Report - Monitoring local government: Department of Premier and Cabinet, Division of Local Government*

³⁶ Then the Department of Local Government

³⁷ NSW Auditor-General (2012) *NSW Auditor-General's Report - Monitoring local government: Department of Premier and Cabinet, Division of Local Government*

³⁸ Audit Office of NSW (2017) *NSW Auditor-General Update for Audit, Risk and Improvement Committee Chairs*

³⁹ Jones and Beattie (2015) *Local Government Internal Audit Compliance, Australasian Accounting, Business and Finance Journal* 9(3)

⁴⁰ NSW Auditor-General (2019) *Report on Local Government 2018* (see erratum)

The findings of various public inquiries and corruption investigations since 2008 have led to increased calls for risk management and internal audit to be mandated for NSW councils.

This was realised in 2016 with amendments to the Local Government Act which require councils to establish an Audit, Risk and Improvement Committee by March 2021. These amendments also enable the making of future regulations to mandate a risk management framework and internal audit function in all councils and set a minimum standard of compliance.

This discussion paper outlines what this regulatory framework is proposed to look like.

A timeline of the key influential events that lead to the development of the proposed mandatory framework is provided in **Appendix 1**.

2. Proposed policy framework

The risk management and internal audit framework proposed for the NSW local government sector seeks to:

- ensure each council (including county council/joint organisation) in NSW has an independent Audit, Risk and Improvement Committee that adds value to the council
- ensure each council (including county council/joint organisation) in NSW has a robust risk management framework in place that accurately identifies and mitigates the risks facing the council and its operations
- ensure each council (including county council/joint organisation) in NSW has an effective internal audit function that provides independent assurance that the council is functioning effectively and the internal controls the council has put into place to manage risk are working, and
- establish a minimum standard for these mechanisms based on internationally accepted standards and good practice guidance.

The framework has been based primarily on the NSW public sector risk management and internal audit framework (as recommended by the Independent Commission Against Corruption⁴¹) and the IPPF⁴².

It has also taken into consideration:

- the existing *Internal Audit Guidelines* updated by the Office of Local Government in 2010⁴³
- the internal audit-related recommendations of the Independent Local Government Review Panel's 2013 inquiry⁴⁴ and the Local Government Acts Taskforce's 2013 review⁴⁵
- recommendations made by the Independent Commission Against Corruption in its various public inquiries into local councils in NSW⁴⁶
- the Australian Government's public sector internal audit framework

⁴¹ Independent Commission Against Corruption (2011) *Investigation into the alleged corrupt conduct involving Burwood Council's general manager and others*

⁴² The Institute of Internal Auditors (2017) *International Professionals Practices Framework. International Standards for the Professional Practice of Internal Auditing*

⁴³ Division of Local Government (2010) *Internal Audit Guidelines*

⁴⁴ Independent Local Government Review Panel (2013) *Revitalising Local Government. Final Report of the NSW Independent Local Government Review Panel*

⁴⁵ Local Government Acts Taskforce (2013) *A New Local Act for New South Wales and Review of the City of Sydney Act 1988*

⁴⁶ Independent Commission Against Corruption (2017) *Investigation into the former City of Botany Bay Council Chief Financial Officer and others*. ICAC Report July 2017 and Independent Commission Against Corruption (2011) *Investigation into the alleged corrupt conduct involving Burwood Council's general manager and others*

- opinions, research and recommendations of leaders and practitioners in risk management and internal audit, and
- feedback obtained from NSW Treasury, the NSW Audit Office, the Department of Finance, Services and Innovation, the Institute of Internal Auditors and executive members of the Local Government Internal Auditors Network on earlier drafts of this discussion paper.

An overriding concern has been to ensure that the proposed framework reflects the unique structure and needs of NSW local government and that it also minimises the administrative and resource impacts for councils. For this reason, there are components of the proposed framework that are unique to NSW councils and not reflected in the above-mentioned resources.

3. Proposed statutory framework

The proposed statutory framework regulating internal audit in NSW councils (including county council/joint organisation) will consist of the current provisions in the Local Government Act, new regulations in the Local Government Regulation and new guidelines.

Current legislation

[Audit, Risk and Improvement Committee](#)

Section 428A of the Local Government Act (when proclaimed) will require each council to establish an Audit, Risk and Improvement Committee to continuously review and provide independent advice to the general manager and the governing body of the council about:

- whether the council is complying with all necessary legislation
- the adequacy and effectiveness of the council's risk management framework, fraud and corruption prevention activities, financial management processes, and the council's financial position and performance
- the council's governance arrangements
- the achievement of the goals set out in the council's community strategic plan, delivery program, operational plan and other strategies
- how the council delivers local services and how to improve the council's performance of its functions more generally
- the collection of performance measurement data by the council, and
- any other matters prescribed by the Local Government Regulation⁴⁷.

Section 428B (when proclaimed) will also allow a council to establish a joint Audit, Risk and Improvement Committee with another council/s including through joint or regional organisations of councils.

[Other supporting provisions](#)

Amendments made to the Local Government Act in 2016 to prescribe new guiding principles for councils, and update the prescribed roles and responsibilities of the governing body and general manager will support and inform the work of the Audit, Risk and Improvement Committee and provide for the future establishment of a risk management and internal audit function in each council. These guiding principles and roles and responsibilities have already been proclaimed.

⁴⁷ Internal audit will be a matter prescribed under the Regulation.

Guiding principles

The guiding principles of the Local Government Act require each council to carry out its functions in a way that provides the best possible value for residents and ratepayers. The guiding principles also specify that councils are to:

- spend money responsibly and sustainably, and align general revenue and expenses (s 8B(a))
- invest in responsible and sustainable infrastructure for the benefit of the local community (s 8B(b))
- effectively manage their finances and assets and have sound policies and processes for performance management and reporting, asset maintenance and enhancement, funding decisions, and risk management practices (s 8B(c))
- ensure the current generation funds the cost of its services and achieves intergenerational equity (s 8B(d)), and
- manage risks to the local community, area or council effectively and proactively (s 8C(h)).

Role of the governing body

Under section 223, the statutory role and responsibilities of the governing body include:

- directing and controlling the affairs of the council in accordance with the Local Government Act (s 223 (1)(a))
- ensuring as far as possible the financial sustainability of the council (s 223 (1)(c))
- ensuring as far as possible that the council complies with the guiding principles of the Local Government Act (s 223 (1)(d))
- keeping the performance of the council under review (s 223 (1)(g))
- making the decisions necessary to ensure the council properly exercises its regulatory functions (s 223 (1)(h)), and
- being responsible for ensuring that the council acts honestly, efficiently and appropriately (s 223 (1)(l)).

Role of the general manager

Under section 335, the general manager is responsible for ensuring the operational delivery of council's risk management framework and internal audit function. This includes:

- conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council (s 335(a))
- implementing, without undue delay, the lawful decisions of the council (s 335(b))
- advising the governing body on the development and implementation of the council's plans, programs, strategies and policies (s335(c)), and
- ensuring that the Mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions (s335(f)).

Clause 209 of the Local Government Regulation also states that the general manager must ensure that:

- the council complies with all legal financial obligations, including the keeping of accounting records
- effective measures are taken to secure the effective, efficient and economical management of financial operations within each division of the council's administration
- authorised and recorded procedures are established to provide effective control over the council's assets, liabilities, revenue and expenditure and secure the accuracy of the accounting records, and
- lines of authority and the responsibilities of members of the council's staff for related tasks are clearly defined.

New regulations

The operation of sections 428A and 428B will be supported by new regulations. These will prescribe the requirements that councils are to comply with when appointing their Audit, Risk and Improvement Committee and establishing their risk management framework and internal audit function. They will also include internal audit as a function of the Committee under section 428A(2)(i) of the Local Government Act.

The Local Government Regulation will provide for a Model Internal Audit Charter and Model Terms of Reference for Audit, Risk and Improvement Committees which all councils must adopt and comply with. This discussion paper describes the key requirements that will ultimately be prescribed by the Local Government Regulation.

New guidelines

To support compliance with the Local Government Act and Regulation, *Guidelines for NSW Local Government Audit, Risk and Improvement Committees, Risk Management Frameworks and Internal Audit Functions* will be issued under section 23A of the Local Government Act. These Guidelines will outline the core requirements that each council's Audit, Risk and Improvement Committee, risk management framework and internal audit function must have.

A key aim of the Guidelines will be to create a strong and effective risk management framework and internal audit function in all councils by establishing minimum standards that reflect accepted international standards.

The nine core requirements of the Guidelines that councils will need to comply with are summarised below and explained in greater detail throughout the rest of this discussion paper.

The Office of Local Government will, on a periodic basis and at least once every five years, review the Local Government Regulation and Guidelines to assess the efficiency and effectiveness of internal audit requirements and the local government sector's compliance.

<p>CORE REQUIREMENT 1: Appoint an independent Audit, Risk and Improvement Committee</p>
<p>(a) Each council (including county council/joint organisation) is to have an independent Audit, Risk and Improvement Committee that reviews all the matters prescribed in section 428A of the Local Government Act</p> <p>(b) The Audit, Risk and Improvement Committee is to operate according to terms of reference, based on a model terms of reference, and approved by the governing body of the council after endorsement by the Committee</p> <p>(c) The Audit, Risk and Improvement Committee is to comprise of three to five independent members who are prequalified via the NSW Government's <i>Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members</i></p> <p>(d) Audit, Risk and Improvement Committee members and the Chair are to serve a three to five-year term. A member's term cannot exceed eight years and the Chair's term cannot exceed five years</p> <p>(e) The Audit, Risk and Improvement Committee is to meet quarterly, with the ability to hold extra meetings if required. A council's general manager and Chief Audit Executive should attend except where excluded by the Committee</p> <p>(f) Audit, Risk and Improvement Committee members are to comply with council's Code of Conduct and the conduct requirements of the NSW Government's <i>Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members</i></p> <p>(g) Disputes between the general manager and/or the Chief Audit Executive are to be resolved by the Audit, Risk and Improvement Committee. Disputes with the Committee are to be resolved by the governing body of the council</p> <p>(h) The Audit, Risk and Improvement Committee is to provide an annual assurance report to the governing body of the council and be assessed by an external party at least once each council term as part of council's quality assurance and improvement program</p> <p>(i) The general manager is to nominate a council employee/s to provide secretariat support to the Audit, Risk and Improvement Committee. Minutes are to be recorded for all committee meetings</p>
<p>CORE REQUIREMENT 2: Establish a risk management framework consistent with the current Australian risk management standards</p>
<p>(a) Each council (including county council/joint organisation) is to establish a risk management framework that is consistent with current Australian standards for risk management</p> <p>(b) The governing body of the council is to ensure that the council is sufficiently resourced to implement an appropriate and effective risk management framework</p> <p>(c) Each council's risk management framework is to include the implementation of a risk management policy, risk management plan and risk management process. This includes deciding council's risk criteria and how risk that falls outside tolerance levels will be treated</p> <p>(d) Each council is to fully integrate its risk management framework within all of council's decision-making, operational and integrated planning and reporting processes</p> <p>(e) Each council is to formally assign responsibilities for risk management to the general manager, senior managers and other council staff and to ensure accountability</p> <p>(f) Each council is to ensure its risk management framework is regularly monitored and reviewed</p> <p>(g) The Audit, Risk and Improvement Committee and the council's internal audit function are to provide independent assurance of risk management activities, and</p> <p>(h) The general manager is to publish in council's annual report an attestation certificate indicating whether the council has complied with the risk management requirements</p>

<p>CORE REQUIREMENT 3: Establish an internal audit function mandated by an Internal Audit Charter</p>
<p>(a) Each council (including county council/joint organisation) is to establish an internal audit function</p> <p>(b) The governing body is to ensure that the council's internal audit function is sufficiently resourced to carry out its work</p> <p>(c) The governing body of the council is to assign administrative responsibility for internal audit to the general manager and to include this in their employment contract and performance reviews</p> <p>(d) The Chief Audit Executive is to develop an Internal Audit Charter, based on a model charter, which will guide how internal audit is conducted by the council. The Charter is to be approved by the governing body of the council after endorsement by the Audit, Risk and Improvement Committee</p>
<p>CORE REQUIREMENT 4: Appoint internal audit personnel and establish reporting lines</p>
<p>(a) The general manager is to appoint a Chief Audit Executive to oversee the council's internal audit activities in consultation with the Audit, Risk and Improvement Committee</p> <p>(b) The Chief Audit Executive is to report functionally to the Audit, Risk and Improvement Committee and administratively to the general manager and attend all committee meetings</p> <p>(c) The general manager is to ensure that, if required, council has adequate internal audit personnel to support the Chief Audit Executive. Councils will be able to appoint in-house internal audit personnel or completely or partially outsource their internal audit function to an external provider</p>
<p>CORE REQUIREMENT 5: Develop an agreed internal audit work program</p>
<p>(a) The Chief Audit Executive is to develop a four-year strategic plan to guide the council's longer term internal audits in consultation with the governing body, general manager and senior managers. The strategic plan is to be approved by the Audit, Risk and Improvement Committee</p> <p>(b) The Chief Audit Executive is to develop an annual risk-based internal audit work plan, based on the strategic plan, to guide council's internal audits each year. The work plan is to be developed in consultation with the governing body, general manager and senior managers and approved by the Audit, Risk and Improvement Committee</p> <p>(c) The Chief Audit Executive is to ensure performance against the annual and strategic plans can be assessed</p>
<p>CORE REQUIREMENT 6: How to performing and report internal audits</p>
<p>(a) The Chief Audit Executive is to ensure that the council's internal audits are performed in accordance with the IPPF and current Australian risk management standards (where applicable), and approved by the Audit, Risk and Improvement Committee</p> <p>(b) The Chief Audit Executive is to develop policies and procedures to guide the operation of the internal audit function, including the performance of internal audits</p> <p>(c) The Chief Audit Executive is to report internal audit findings and recommendations to the Audit, Risk and Improvement Committee. Each finding is to have a recommended remedial action and a response from the relevant senior manager/s</p> <p>(d) All internal audit documentation is to remain the property of, and can be accessed by, the audited council, including where internal audit services are performed by an external provider. It can also be accessed by the Audit Risk and Improvement Committee, external auditor and governing body of the council (by resolution)</p>

<p>CORE REQUIREMENT 7: Undertake ongoing monitoring and reporting</p>
<p>(a) The Audit, Risk and Improvement Committee is to be advised at each quarterly meeting of the internal audits undertaken and progress made implementing corrective actions</p> <p>(b) The governing body of the council is to be advised after each quarterly meeting of the Audit, Risk and Improvement Committee of the internal audits undertaken and the progress made implementing corrective actions</p> <p>(c) The Audit, Risk and Improvement Committee can raise any concerns with the governing body of the council at any time through the Chair</p>
<p>CORE REQUIREMENT 8: Establish a quality assurance and improvement program</p>
<p>(a) The Chief Audit Executive is to establish a quality assurance and improvement program which includes ongoing monitoring and periodic self-assessments, an annual review and strategic external review at least once each council term</p> <p>(b) The general manager is to publish in the council's annual report an annual attestation certificate indicating whether council has complied with the core requirements for the Audit, Risk and Improvement Committee and the internal audit function</p>
<p>CORE REQUIREMENT 9: Councils can establish shared internal audit arrangements</p>
<p>(a) A council can share all or part of its internal audit function with another council/s by either establishing an independent shared arrangement with another council/s of its choosing, or utilising an internal audit function established by a joint or regional organisation of councils that is shared by member councils</p> <p>(b) The core requirements that apply to stand-alone internal audit functions will also apply to shared internal audit functions, with specified exceptions that reflect the unique structure of shared arrangements</p> <p>(c) The general manager of each council in any shared arrangement must sign a 'Shared Internal Audit Arrangement' that describes the agreed arrangements</p>

Implementation timelines

The transitional arrangements built into the Local Government Act mean that the requirement to have an Audit, Risk and Improvement Committee will not come into force until six months after the next ordinary elections in September 2020. Councils will therefore have until March 2021 to establish their Audit, Risk and Improvement Committees in line with the regulatory requirements proposed in this discussion paper.

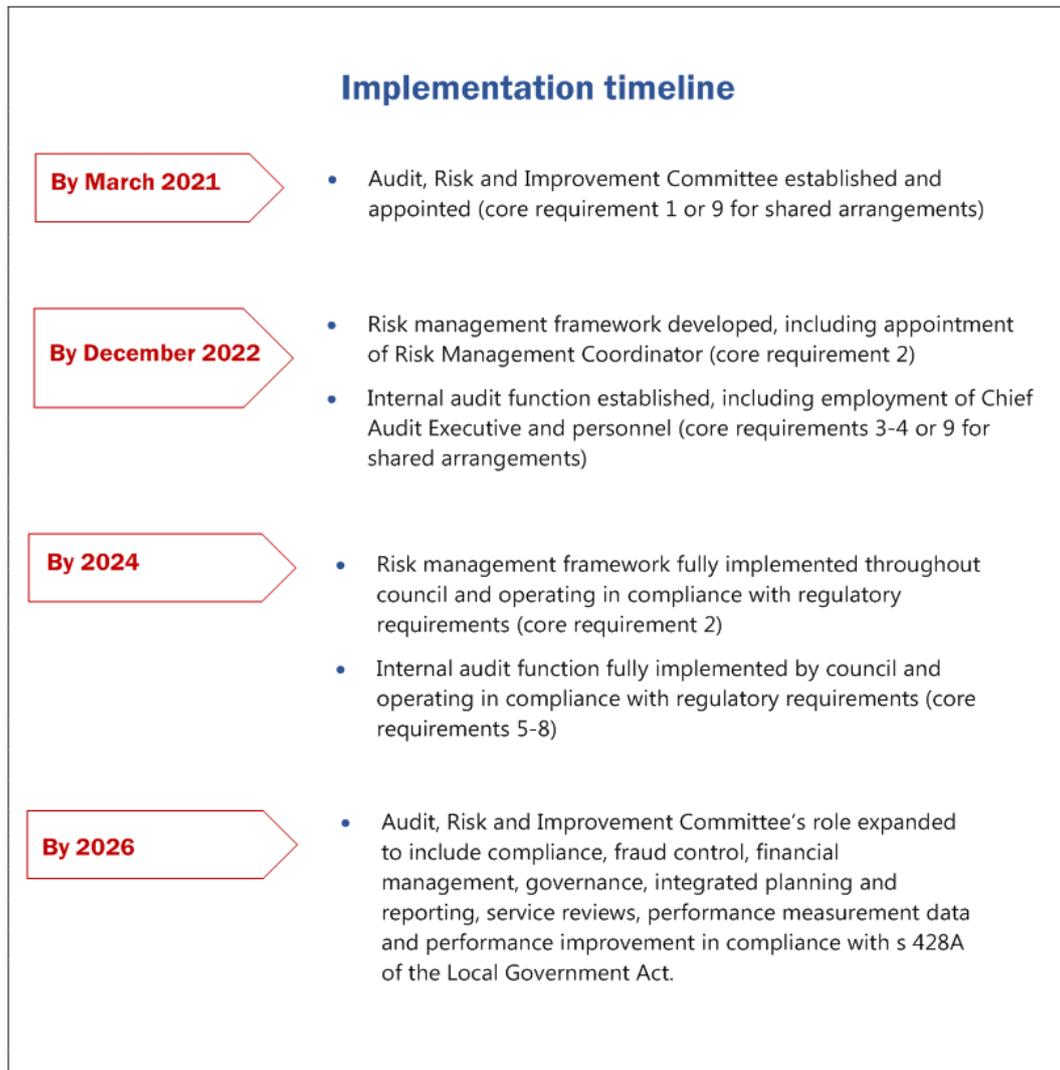
It is proposed that councils will then have a further 18 months, until December 2022, to establish and resource their internal audit function and risk management framework (guided by the Audit, Risk and Improvement Committee).

Councils' Audit, Risk and Improvement Committees will focus on ensuring the council's internal audit function and risk management framework comply with regulatory requirements during the following three years, until 2024.

As these functions are bedded down, the role of the committee is to broaden to comply with the remaining requirements of sections 428A of the Local Government Act.

Full compliance with s 428A of the Local Government Act will be expected by 2026. However, councils that already have an Audit, Risk and Improvement Committee and a mature internal audit function and risk management framework will be encouraged to comply sooner.

This implementation timeline is illustrated below.



4. Benefits of risk management and internal audit for NSW local government

Risk management and internal audit will be a valuable asset for councils.

Risk management will help each council to ensure that any risks to the achievement of its strategic goals and objectives are identified and managed effectively.

Audit, Risk and Improvement Committees and internal audit will provide councils with independent, objective assurance that they are doing things the best way that they can for their community. It will also lead to each council having effective risk management, control and governance processes which will help to instil stakeholder and community confidence in the council's ability to operate effectively.

If implemented effectively, these mechanisms will also lead to each council:

- having better and more efficient levels of service delivery
- achieving better operational consistency across council
- having a greater likelihood of achieving its goals and objectives
- using its resources more efficiently and effectively
- having improved responsiveness and flexibility
- having increased accountability and transparency
- achieving better decision-making and having the confidence to make difficult decisions
- developing good internal governance
- having increased financial stability
- being more resilient to change
- achieving and maintaining compliance with all laws, regulations, internal policies and procedures
- safeguarding its assets
- more reliable, timely and accurate financial and management reporting
- maintaining business continuity, and
- focusing on doing the right things, the right way.

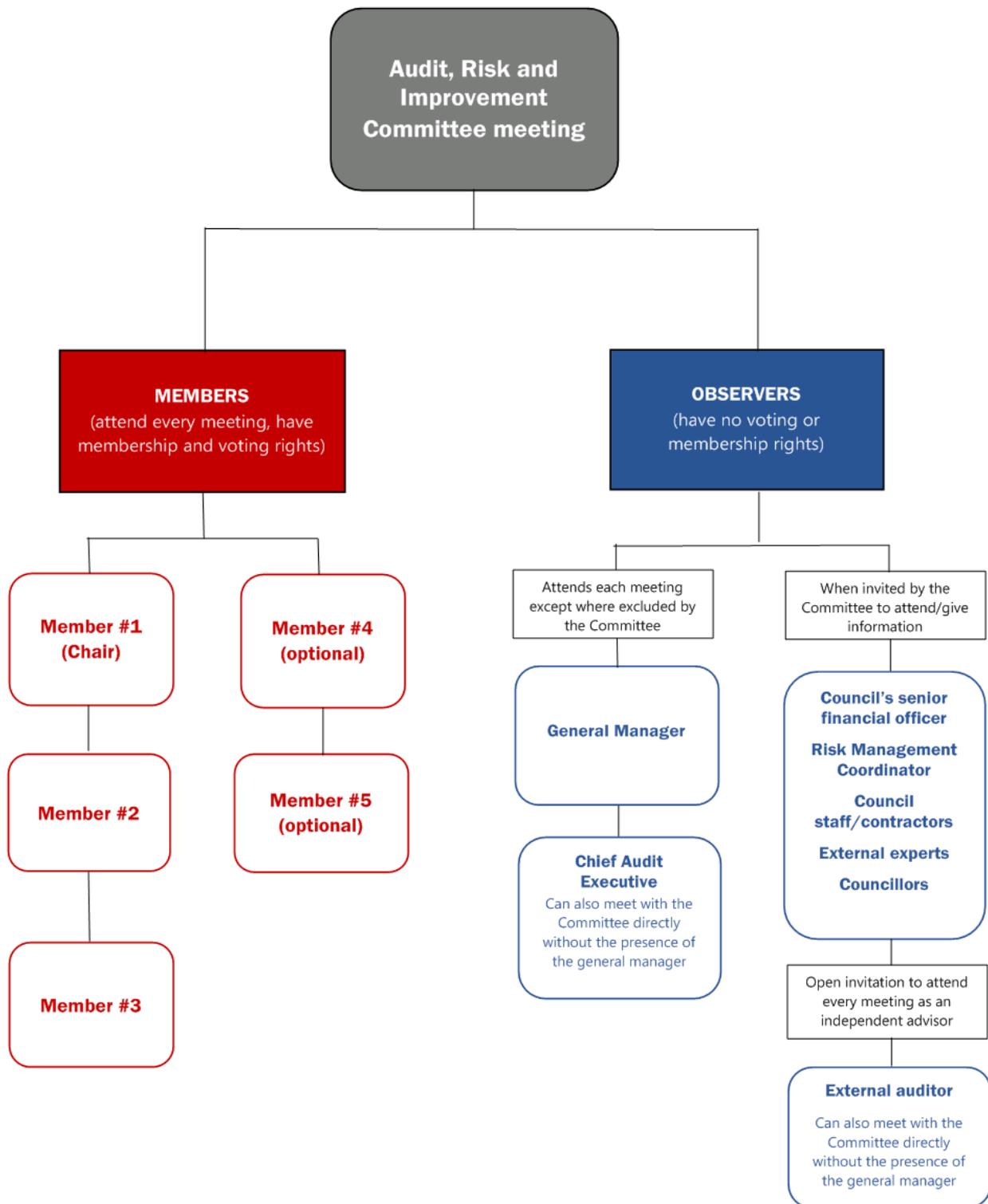
PROPOSED CORE REQUIREMENTS

Core requirement 1: **Appoint an independent Audit, Risk and Improvement Committee**

Proposal

It is proposed that:

- (a) each council (including county council/joint organisation) is to have an independent Audit, Risk and Improvement Committee that reviews all the matters prescribed in section 428A of the Local Government Act
- (b) the Audit, Risk and Improvement Committee is to operate according to terms of reference, based on model terms of reference, approved by the governing body of the council after endorsement by the Committee
- (c) the Audit, Risk and Improvement Committee is to comprise of three to five independent members who are prequalified via the NSW Government's *Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members*
- (d) Audit, Risk and Improvement Committee members and the Chair are to serve a three to five-year term. A member's term cannot exceed eight years and the Chair's term cannot exceed five years
- (e) the Audit, Risk and Improvement Committee is to meet quarterly, with the ability to hold extra meetings if required. A council's general manager and Chief Audit Executive should attend except where excluded by the Committee
- (f) Audit, Risk and Improvement Committee members are to comply with the council's Code of Conduct and the conduct requirements of the NSW Government's *Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members*
- (g) disputes between the general manager and/or the Chief Audit Executive are to be resolved by the Audit, Risk and Improvement Committee. Disputes with the Committee are to be resolved by the governing body of the council
- (h) the Audit, Risk and Improvement Committee is to provide an annual assurance review to the governing body of the council and be assessed by an external party at least once each council term as part of the council's quality assurance and improvement program, and
- (i) the general manager is to nominate a council employee/s to provide secretariat support to the Audit, Risk and Improvement Committee. Minutes must be recorded for all committee meetings.



Description

(a) Each council (including county council/joint organisation) is to have an independent Audit, Risk and Improvement Committee that reviews all matters prescribed in section 428A of the Local Government Act

Each council in NSW, (including county council/joint organisation), will be required to have an independent Audit, Risk and Improvement Committee that reviews all matters prescribed in section 428A of the Local Government Act.

It is recognised that each council will have different Audit, Risk and Improvement Committee requirements depending on its size, needs, budget and complexity of operations. To provide councils greater flexibility, they can either:

- directly appoint an Audit, Risk and Improvement Committee for their exclusive use
- utilise a joint Committee established by their joint or regional organisation of councils that is shared by member councils, or
- share their Committee with another council/s in close proximity or of their choosing as part of an independent shared arrangement.

It is recommended that county councils, due to their size, enter into a shared arrangement with one of their member councils or utilise an internal audit function established by a joint or regional organisation of councils.

Some of the requirements for shared arrangements will differ from those of stand-alone Audit, Risk and Improvement Committees established for a council's exclusive use (as described in core requirements 1-8). Core requirement 9 outlines the specific requirements of shared arrangements.

Role and functions

Under section 428A of the Local Government Act, each council must have an Audit, Risk and Improvement Committee to keep under review the following aspects of the council's operations:

- (a) compliance
- (b) risk management
- (c) fraud control
- (d) financial management
- (e) governance
- (f) implementation of the strategic plan, delivery program and strategies
- (g) service reviews
- (h) collection of performance measurement data by the council, and
- (i) any other matters prescribed by the regulation (i.e. internal audit).

The Committee will also provide information to the council for the purpose of improving council's performance of its functions.

The Audit, Risk and Improvement Committee is to provide an advisory and assurance role only, and is to have no administrative function, delegated financial responsibility or any management functions.

Audit, Risk and Improvement Committees will be required to give independent advice and assurance to the general manager and the governing body of the council on the issues listed in the following table. It is envisaged that these items will be standing items on agenda of each committee meeting. Beyond this, committees will have the flexibility to address the unique challenges and operating environment of each council.

It will be a matter for each council to decide whether or not its Audit, Risk and Improvement Committee also serves any entities formed by the council.

Audit, Risk and Improvement Committee: role and responsibilities

Audit

Issue (s 428A)	Committee's role and responsibilities
Internal audit	<p>Advisory:</p> <ul style="list-style-type: none"> • providing overall strategic and executive direction for internal audit activities • advising the general manager and governing body of the council of the resources necessary to successfully deliver the internal audit function • assessing the adequacy and effectiveness of council's internal audit activities • acting as a forum for communication between the governing body, general manager, senior management, the internal audit function and external audit • overseeing the coordination of audit programs conducted by internal and external audit and other review functions, and • ensuring the council achieves maximum value from its internal audit activities. <p>Review:</p> <ul style="list-style-type: none"> • the appropriateness of council's Internal Audit Charter, internal audit policies and procedures • audit/risk methodologies used • the findings/recommendations of internal audit activities, particularly recommendations that have been assessed as the most significant according to the risk to the council if they are not implemented • the effectiveness of corrective actions implemented • compliance with statutory requirements • the performance of the Chief Audit Executive and the internal audit function as part of the council's internal audit quality improvement program • the findings of any external reviews of the internal audit function <p>Endorsement of:</p> <ul style="list-style-type: none"> • the council's Internal Audit Charter, internal audit strategic four-year plan and annual work plan, and • the appointment and remuneration of the Chief Audit Executive
External audit	<p>Advisory:</p> <ul style="list-style-type: none"> • acting as a forum for communication on external audit issues, and • advising on the findings of external audits and monitoring the implementation by the council of any recommendations for corrective action.

Risk

Issue (s 428A)	Committee's role and responsibilities
Risk management	<p>Advisory – advising whether:</p> <ul style="list-style-type: none"> • the council has provided sufficient resources for risk management and staff are able to carry out their risk management responsibilities • the council's risk management framework complies with current Australian risk management standards • the council's risk management framework operates effectively and supports the achievement of council's strategic goals and objectives • management has embedded a positive risk management culture • risk management is fully integrated into all aspects of the council, including decision-making processes and operations • risks are formally considered when developing and implementing all council policies, programs, projects and other activities, including procurement • major risks have been identified and assessed by the council and appropriate risk treatments have been implemented that reflect council's risk criteria • risk information is captured and communicated in a timely manner across the council, enabling management and staff to carry out their responsibilities • there are council-specific, fit-for-purpose tools, systems and processes to help all those responsible for managing risk to fulfil their responsibilities, and • the council's risk management policies, procedures and plans are being complied with. <p>Review the appropriateness and effectiveness of the council's:</p> <ul style="list-style-type: none"> • risk criteria • internal control framework • risk register and risk profile • risk reports • risk management framework in relation to its insurance arrangements, and • business continuity plans and natural disaster plans (including periodic testing). <p>Endorsement of:</p> <ul style="list-style-type: none"> • the council's risk management policy, risk management plan and risk criteria prior to their approval by the governing body of the council, and • the council's risk profile and risk register/s prior to their approval by the general manager.
Control framework	<p>Providing independent assurance on the following internal controls implemented by the council to manage specific categories of risk:</p> <p><u>The council's compliance framework</u> - advising whether:</p> <ul style="list-style-type: none"> • management has embedded a culture which is committed to lawful and ethical behaviour • the council has in place necessary policies and procedures and that these are periodically reviewed and updated • the council is complying with all necessary legislation, regulations, policies and procedures • management has appropriately considered all legal and compliance risks as part of the council's risk assessment and management arrangements • delegations are properly managed and exercised, and • the council's system for monitoring compliance is effective

Issue (s 428A)	Committee's role and responsibilities
	<p>The council's <u>fraud and corruption framework</u> - advising whether the:</p> <ul style="list-style-type: none"> • council's fraud and corruption prevention plan and activities are adequate and effective, and • council has appropriate processes and systems in place to capture and effectively investigate fraud-related information <p>The council's <u>financial management and external accountability framework</u> – including:</p> <ul style="list-style-type: none"> • advising whether the council's financial management processes are adequate • assessing the policies and procedures for council management's review and consideration of the council's current and future financial position and performance and the nature of that review (including the approach taken to addressing variances and budget risks) • advising on the adequacy of early close and year-end review procedures, and • reviewing council's financial statements, including: <ul style="list-style-type: none"> ○ providing input and feedback on council's financial statements ○ advising whether council is meeting its external accountability requirements ○ advising whether appropriate action has been taken in response to audit recommendations and adjustments ○ satisfying itself that the financial statements are supported by appropriate management signoff ○ reviewing the 'Statement by Councillors and Management' (made pursuant to s 413(2)(c) of the Local Government Act) ○ reviewing the processes in place designed to ensure that financial information included in the council's annual report is consistent with the signed financial statements ○ reviewing cash management policies and procedures ○ reviewing policies and procedures for the collection, management and disbursement of grants and tied funding, and ○ satisfying itself that the council has a performance management framework that is linked to organisational objectives and outcomes. <p>The council's <u>governance framework</u> – including:</p> <ul style="list-style-type: none"> • advising on the adequacy and robustness of the processes and systems that the council has put in place to govern day-to-day activities and decision-making, and • reviewing whether controls over external parties such as contractors and advisors are sound and effective.

Improvement

Issue (s 428A)	Committee's role and responsibilities
Strategic planning	<ul style="list-style-type: none"> advising whether the council is achieving the objectives and goals it set out in its community strategic plan and has successfully implemented its delivery program, operational plan and other strategies
Service delivery	<ul style="list-style-type: none"> advising how the council is delivering local services and how it could improve its service delivery performance
Performance data and measurement	<ul style="list-style-type: none"> assessing the adequacy of the performance indicators and data the council uses to measure its performance

Learning and development program

Some councils, particularly larger metropolitan councils, already have an established risk management and internal audit framework and have been successfully been using these assurance methods for some time. They may just need to make some adjustments to their frameworks to comply with the proposed requirements.

There are other councils that are just starting this journey - for example, they may have appointed an Audit, Risk and Improvement Committee and are now beginning the process of bedding down internal audit and risk management in their councils.

There are also some councils, particularly in rural areas, who do not have any type of internal audit or risk management in place yet, and are starting to think about how this might work for their council.

There is an opportunity for councils to learn from each other's knowledge and experiences, especially during the initial implementation stage.

A sharing and learning program for Audit, Risk and Improvement Committees will be established to facilitate sharing information between committees about how they implement s428A of the Local Government Act and perform the other regulatory requirements placed upon them.

A sharing and learning program for councils (general managers, Chief Audit Executives and/or Risk Management Coordinators) will also be established to facilitate the sharing of information and learning from each other, particularly between councils that have already established a strong internal audit and risk management function and those that are just starting this journey.

The development of these programs will be guided by similar programs established by the Australian Government and bodies such as Chartered Accountants Australia and New Zealand, the Australian Institute of Company Directors and the Actuaries Institute.

(b) The Audit, Risk and Improvement Committee is to operate according to terms of reference, based on model terms of reference, approved by the governing body of the council after endorsement by the Committee

Each Audit, Risk and Improvement Committee is to prepare terms of reference to define how it is structured and how it will operate. The terms of reference are to be approved by the governing body after endorsement by the Committee. The terms of reference can also be used by the council as a benchmarking tool to measure the effectiveness of the committee.

The general manager is to ensure that each member of the Audit, Risk and Improvement Committee, including new appointments, are provided with a copy of the terms of reference and a formal induction.

Each Audit, Risk and Improvement Committee's terms of reference are to comply with Model Terms of Reference⁴⁸. This is consistent with councils being required to adopt policies based on model documents (for example, the Model Code of Conduct and the Model Code of Meeting Practice).

The Model Terms of Reference will require each Audit, Risk and Improvement Committee's terms of reference to:

- set out the committee's objectives, authority, composition, tenure, roles, responsibilities, duties, reporting lines, reporting and administrative arrangements
- be sufficiently detailed to ensure there is no ambiguity, and
- have clear guidance on key aspects of the committee's operations.

The Audit, Risk and Improvement Committee will be able to include additional provisions in its terms of reference as long as they do not conflict with the Model Terms of Reference or the IPPF. This will ensure any matters not contemplated by the Model Terms of Reference are addressed by councils in a robust way that complies with internationally recognised industry standards.

As part of the council's quality assurance and improvement program, where the Audit, Risk and Improvement Committee's Terms of Reference include additional provisions, they are to be reviewed annually by the Audit, Risk and Improvement Committee, and once each council term (i.e. four years) by an external party.

(c) The Audit, Risk and Improvement Committee is to comprise of three to five independent members who are prequalified via the NSW Government's Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members

Appointment and size of the Committee

The Audit, Risk and Improvement Committee is to be appointed by the governing body of the council. Councils may find it practical to establish a small committee of councillors and the general manager to conduct the selection process and make appointment recommendations to the larger governing body.

⁴⁸ The Model Terms of Reference will be drafted by the Office of Local Government in consultation with councils based on the final internal audit framework developed following consultation on this discussion paper

Each council's Audit, Risk and Improvement Committee is to have no fewer than three members and no more than five members. The Chair is to be counted as a member of the committee. The exact size of the committee is to be determined by the governing body of the council, in consultation with the general manager, taking into account the size and complexity of the council's operations and risk profile.

The Chair of the Audit, Risk and Improvement Committee is to act as the interface between the Committee and the general manager, the Committee and the governing body of council, and the Committee and the Chief Audit Executive.

Independence of members

All Audit, Risk and Improvement Committee members must be independent. To be classified as 'independent', a member must be both:

1. Free of any relationships that could be perceived to result in bias or a conflict of interest or interfere with their ability to act independently.

This means an independent committee member cannot:

- be a councillor of any council in Australia, a candidate at the last election of a council or a person who has held office in a council during its previous two terms
- be employed (currently or during the last three years) by any council in Australia
- have a close personal or business relationship with a councillor or a person who has a senior role in the council
- be a current service provider to the NSW Audit Office, or have been a service provider during the last three years
- currently, or within the last three years, provided any material goods or services (including consultancy, legal, internal audit and advisory services) to the council which directly affect subjects or issues considered by the Audit, Risk and Improvement Committee
- be a substantial shareholder, owner, officer or employee of a company that has a material business, contractual relationship, direct financial interest or material indirect financial interest with the council or a related entity, or have an immediate or close family member who is, which could be perceived to interfere with the individual's ability to act in the best interests of the council
- currently or previously acted as an advocate of a material interest on behalf of the council or a related entity, or

2. Selected from the panel of prequalified audit and risk committee independent chairs and members administered by the NSW Government⁴⁹.

The evaluation criteria for prequalification as a member on the Panel includes⁵⁰:

- extensive senior level experience in governance and management of complex organisations
- an ability to read and understand financial statements

⁴⁹ The NSW Government's *Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members* streamlines selection processes by providing an impartial third party assessment of independent persons seeking appointment to public sector Audit and Risk Committee positions. Individuals prequalified under the scheme have satisfied key skills, knowledge and experience criteria that ensure they will be able to undertake their role on an audit committee effectively. Further information about the scheme can be found at <https://www.procurepoint.nsw.gov.au/scm2421>. The scheme's prequalification criteria may be amended to ensure that members who wish to work with local government satisfy the unique needs and requirements of councils.

⁵⁰ See the prequalification scheme's conditions at <https://tenders.nsw.gov.au/dfs/?event=public.scheme.show&RFTUID=32C22F9B-DCD8-D61D-59601E7558E2FA26> for more information on the scheme's prequalification criteria. These criteria may be amended in relation to council Audit, Risk and Improvement Committees to ensure that members who wish to work with local government satisfy the unique needs and requirements of councils.

- a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge of areas such as:
 - risk management
 - performance management
 - human resources management
 - internal and external auditing
 - financial reporting
 - accounting
 - management control frameworks
 - financial internal controls
 - governance (including planning, reporting and oversight), or
 - business operations
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties
- the capacity to devote the necessary time and effort to the responsibilities of a member of an Audit, Risk and Improvement Committee, and
- possession of a relevant professional qualification or membership (for example, Certified Internal Auditor, Certified Practising Accountant, Chartered Accountant, Certified Practising Risk Manager, Graduate Member of the Australian Institute of Company Directors) is desirable.

Chairs must also possess:

- leadership qualities and the ability to promote effective working relationships in complex organisations
- an ability to communicate complex and sensitive assessments in a tactful manner to chief audit executives, senior management, board members and Ministers
- a sound understanding of:
 - the principles of good organisational governance and capacity to understand public sector accountability, including financial reporting
 - the business of the department or statutory body or the environment in which it operates
 - internal audit operations, including selection and review of chief audit executives, and
 - risk management principles.

A person prequalified under the scheme as a 'committee member' can only be appointed as a member of an Audit, Risk and Improvement Committee – they cannot be appointed as the Chair. Similarly, only a person pre-qualified as a 'Chair' can be appointed as the Chair of an Audit, Risk and Improvement Committee.

Satisfying both these criteria will ensure Audit, Risk and Improvement Committee chairs and members are sufficiently skilled and experienced and have no real or perceived conflicts of interest. It is important to note that prequalification does not automatically mean that an individual satisfies the independence requirements listed in criteria 1 above.

Living in a local government area is not, in itself, to be considered as impacting a person's ability to be independent of council.

Both the governing body of the council and the general manager must ensure that adequate procedures are in place to preserve the independence of the Audit, Risk and Improvement Committee Chair and committee members. Likewise, the chair and members must notify the governing body and/or general manager if a real or perceived threat to their independence arises⁵¹.

Knowledge, skills and experience collectively needed on the committee

When selecting individual Audit, Risk and Improvement Committee members, the governing body of the council will be required to ensure that the committee as a collective body has the appropriate mix of skills, knowledge and experience to successfully implement its terms of reference and add value to the council.

At least one member of the Audit, Risk and Improvement Committee should have accounting or financial management experience with an understanding of accounting and auditing standards in a local government context.

Each individual should also have sufficient time to devote to their responsibilities as an Audit, Risk and Improvement Committee member.

Fees paid to members and the Chair

Fees paid to Audit, Risk and Improvement Committee members and the Chair are to be the same as those currently paid under the NSW Government's prequalification scheme, as set out in the table below, subject to any changes to the scheme. Members will be able to serve on Audit, Risk and Improvement Committees on a voluntary basis.

The rates include all reasonable costs incurred by members and the Chair engaged under the scheme excluding subsistence and travel costs if travelling into the Sydney metropolitan area from interstate. Subsistence and travel expenses outside the Sydney metropolitan area and/or where the panel member is from interstate are to be charged at the actual cost, or at the rates specified under the *Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009*, whichever is the lesser.

The method of payment (e.g. payroll, invoice) will be at the discretion of the council.

Council size	Indicator	Chair fee (excluding GST)	Member fee (excluding GST)
Large	Expenditure greater than \$400 million	\$20,920 per annum	\$2,092 per meeting day including preparation time
Medium	Expenditure between \$50 million and \$400 million	\$16,213 per annum	\$1,621 per meeting day including preparation time
Small	Expenditure less than \$50 million	\$12,552 per annum	\$1,255 per meeting day including preparation time

⁵¹ As part of their inclusion in the prequalification scheme and prior to their engagement taking effect, chairs and members will be required to provide the council and NSW Government and the details of any other panels they are already on or any other significant appointments within or outside the local government sector (including their nature, duration, payments to the NSW Government agency administering the scheme). Currently under the scheme, members are only permitted to be appointed to five separate audit committees in the NSW public sector. This requirement will be updated to also include the NSW local government sector.

(d) Audit, Risk and Improvement Committee members and the Chair are to serve a three to five-year term. A member's term cannot exceed eight years and the Chair's term cannot exceed five years

The initial term of membership of an Audit, Risk and Improvement Committee member on any one Audit, Risk and Improvement Committee will be three to five-years to ensure that the committee maintains a fresh approach. Members can be reappointed or extended for a further term/s but the total period of continuous membership on any one committee will not be able to exceed eight years. This includes any term as Chair of the committee. Individuals who have served an eight-year term (either as a member or Chair) must have a three-year break from serving on the committee before being appointed again.

The terms of appointments will commence on the date the legislation is commenced. This includes for any existing members of Audit, Risk and Improvement Committees already established by councils who will remain members under the new arrangements.

Membership is to be regularly rotated to keep a fresh approach and avoid any perceptions of bias or conflicts of interest. Care is to be taken to ensure that membership renewal dates are staggered so knowledge is not lost to the Audit, Risk and Improvement Committee when members change. Ideally, no more than one member should leave the committee because of rotation in any one year.

Each council is to provide a thorough induction to each of its Audit, Risk and Improvement Committee members.

When approving the reappointment or extension of a membership term on the Audit, Risk and Improvement Committee, the governing body of the council is to consider a formal assessment by the Mayor (in consultation with the general manager) of the member's or Chair's performance on the committee.

The Council may engage an external reviewer to undertake this assessment if they choose. Joint or regional organisations may wish to engage an external reviewer that the mayors of member councils can utilise for this purpose.

The reappointment of members is also to be subject to the individual still meeting the independence and prequalification requirements outlined above.

The governing body can appoint the Chair for one term only for a period of three to five-years. The Chair's term can be extended but any extension must not cause the total term of the Chair to exceed five years.

(e) The Audit, Risk and Improvement Committee is to meet quarterly, with the ability to hold extra meetings if required. A council's general manager and Chief Audit Executive should attend except where excluded by the Committee

The Audit, Risk and Improvement Committee is to meet at least quarterly over the course of each year. A special meeting may be held, if needed, to review the council's financial statements.

Meetings can be held in person, by telephone or videoconference.

The committee is to ensure that its meeting agenda covers all of its responsibilities, as outlined in the committee's terms of reference, and all the items included in council's annual internal audit work plan.

The Audit, Risk and Improvement Committee will also be able to hold additional meetings when significant unexpected issues arise, or the Chair is asked to hold an additional meeting by the majority of committee members, the general manager, or the governing body of the council (by resolution). The Chair will be responsible for deciding if an additional meeting will be held. To enhance accountability, the ability to hold additional meetings is to be documented in the committee's terms of reference.

Any individual Audit, Risk and Improvement Committee member who wishes to meet with the general manager or governing body of the council to discuss internal audit issues is to do so through the Chair of the committee, and vice versa.

Agenda and minutes

The agenda for each Audit, Risk and Improvement Committee meeting is to be circulated at least one week before the meeting. It is to include as standing items all the lines of defence listed in section 428A of the Local Government Act - internal audit, external audit, risk management, compliance, fraud and corruption, financial management, governance, strategic planning, service delivery and performance measurement.

Audit, Risk and Improvement Committee meeting minutes are to:

- include a record of attendance, items of business considered, decisions and actions arising
- be approved by the Chair before circulation
- be provided to the governing body to enable councillors to keep abreast of assurance issues throughout the year, as well as the general manager, Chief Audit Executive and external auditor
- be provided within two weeks of the meeting date to ensure relevant individuals are made aware of any significant issues discussed at the meeting that need to be dealt with, and
- be treated as confidential unless otherwise specified by the committee - public access should be controlled to maintain confidentiality in accordance with council policy.

Quorum

A quorum is to consist of a majority of Audit, Risk and Improvement Committee members. Where the vote is tied, the Chair is to have the casting vote.

Attendance of non-voting observers at committee meetings

Audit, Risk and Improvement Committee meetings will not be open to the public.

In addition to Audit, Risk and Improvement Committee members, the general manager and the Chief Audit Executive are to attend committee meetings as non-voting observers, except where they are excluded by the committee.

The NSW Auditor-General, as council's external auditor, or their representative, is to be invited to each committee meeting as an independent non-voting observer and can choose whether to attend. The committee can also exclude the external auditor if needed.

The Audit, Risk and Improvement Committee will be able to request to meet with any of the following non-voting individuals whenever necessary in order to seek additional information or explanations:

- privately with the Chief Audit Executive and/or external auditor without the general manager present (this is to occur at least annually)
- council's Chief Financial Officer (or equivalent) given their knowledge of, and responsibility for, council's financial management
- council's Risk Management Coordinator
- any councillor (the Chair of the Committee only)
- any employee or contractor of the council, and/or
- any external independent expert or external party whose advice is needed (subject to confidentiality considerations).

These individuals must comply with the Audit, Risk and Improvement Committee's request.

Others may, with the agreement of the Audit, Risk and Improvement Committee, attend as non-voting observers at committee meetings, but such persons will have no membership or voting rights. The committee can also exclude any of these observers from meetings as needed.

The Audit, Risk and Improvement Committee can also request any written reports or other risk management reports from council's senior management, or other related information as necessary, to enable it to fulfil its assurance role in relation to council's risk management framework. The Committee can also request senior managers to present at Committee meetings to discuss their activities and risks.

The committee will be able to hold closed ('in-camera') meetings whenever it needs to discuss confidential or sensitive issues with only committee members of the Audit, Risk and Improvement Committee present.

The Audit, Risk and Improvement Committee can obtain such external legal or other professional or subject matter expert advice, as considered necessary to meet its responsibilities. The service provider and payment of costs for that advice by the council is subject to the prior approval of the governing body of the council.

Access to council, staff, resources and information

The Audit, Risk and Improvement Committee is to have direct and unrestricted access to the general manager, senior management and staff and contractors of the council in order to perform its role.

The Audit, Risk and Improvement Committee is also to have direct and unrestricted access to the council resources and information it needs to perform its role.

The Audit, Risk and Improvement Committee may only release council information to external parties with the approval of the general manager. The general manager's approval is not required where the information is being provided to an external investigative, audit or oversight agency such as, but not limited to, the Office of Local Government, the NSW Audit Office, the Independent Commission Against Corruption or the NSW Ombudsman for the purpose of informing that agency of a matter that may warrant its attention.

(f) Audit, Risk and Improvement Committee members are to comply with the council's Code of Conduct and the conduct requirements of the NSW Government's Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members

Under section 440 of the Local Government Act, independent Audit, Risk and Improvement Committee members are subject to and required to comply with the council's Code of Conduct. Complaints or breaches of council's code of conduct will be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*⁵². Committee members should also be deemed to be a 'designated person' and required to complete and submit returns of interests.

As required under the Model Code of Conduct, Audit, Risk and Improvement Committee members must declare any pecuniary or significant non-pecuniary conflicts of interest at the start of each Committee meeting, before discussion of the relevant agenda item or issue, or when the issue arises. Details of any conflicts of interest should also be appropriately minuted.

Where Audit, Risk and Improvement Committee members or observers at Committee meetings are deemed to have a real or perceived conflict of interest they are to remove themselves from Committee deliberations on the issue.

Given they will have been selected from the NSW Government's panel of prequalified Audit and Risk Committee Independent Chairs and Members, members will also be required to comply with that scheme's conduct requirements⁵³.

(g) Disputes between the general manager and/or Chief Audit Executive are to be resolved by the Audit, Risk and Improvement Committee. Disputes with the Committee are to be resolved by the governing body of the council

Members of the Audit, Risk and Improvement Committee should maintain an effective working relationship and try to resolve any differences they may have via open negotiation.

However, in the event of a disagreement between the council management and the Chief Audit Executive (for example, about findings or recommendations of audits), it is to be resolved by the Audit, Risk and Improvement Committee. Disputes between the council management and the Audit, Risk and Improvement Committee are to be resolved by the governing body.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Office of Local Government in writing for its resolution.

⁵² The Procedures can be found at <http://www.olg.nsw.gov.au/sites/default/files/Procedures-for-Administration-of-Model-Code-of-Conduct.pdf>

⁵³ The prequalification scheme's code of conduct can be found at <https://www.procurepoint.nsw.gov.au/scm2421>

(h) The Audit, Risk and Improvement Committee is to provide an annual assurance report to the governing body of the council and be assessed by an external party at least once each council term as part of the council's quality assurance and improvement program

Annual assurance report

As part of council's quality assurance and improvement program, the Audit, Risk and Improvement Committee is to provide an annual assurance report to the governing body which provides:

- a summary of the work the committee performed to discharge its responsibilities during the preceding year
- advice on the appropriateness of the Committee's terms of reference (where the Committee's terms of reference contain additional clauses to those contained in the Model Terms of Reference)
- an overall assessment of the following aspects of council's operations in accordance with section 428A of the Local Government Act:
 - compliance
 - risk management
 - fraud control
 - financial management
 - governance
 - implementation of the strategic plan, delivery program and strategies
 - service reviews
 - collection of performance measurement data by the council, and
 - any other matters prescribed by the regulation (i.e. internal audit), and
- any other information to help the council improve the performance of its functions.

This will ensure that the governing body of the council receives the committee's independent views about these matters in accordance with legislative requirements each year. It will also enable the governing body to assess the work of the Committee each year.

Strategic external review

At least once each council term (i.e. four years) an external strategic review of the effectiveness of the Audit, Risk and Improvement Committee is to be conducted to assess how the committee is functioning. This will provide accountability and ensure that the governing body of the council can assess how the committee's performance and whether any changes to the committee's terms of reference or membership are required.

This strategic external review is to consider:

- whether the Committee has fulfilled its terms of reference
- the appropriateness of the Committee's terms of reference (where the Committee's terms of reference contain additional provisions to those contained in the Model Terms of Reference)
- the performance of Committee members and whether any change of membership is required
- the way the Committee, external auditor, council and internal audit function work together to manage risk and support the council and how effective this is, and
- whether the work of the Committee has contributed to the improvement of the factors identified in section 428A of the Local Government Act.

The external review is to address the collective performance of the Audit, Risk and Improvement Committee, as well as the individual performance of each member and the Chair. In considering the outcomes of the external strategic review, the review is to consider feedback on each member's performance by the Chair of the Committee, mayor and general manager. The governing body of council will be able to request the Chair of the committee to address the council and answer any questions about the operation of the committee.

Dismissal of committee members and the Chair

The governing body of council may terminate the engagement of the Chair or a member of the Audit, Risk and Improvement Committee where the Chair or member has:

- breached the conditions of the prequalification scheme
- breached the council's Code of Conduct
- performed unsatisfactorily, or
- declared, or is found to be in, a position of a conflict of interest which is unresolvable.

Termination can only occur with the approval of the Chief Executive of the Office of Local Government and is to be reported to the agency which is responsible for administering the Audit, Risk and Improvement Committee prequalification scheme. Approval is not needed for termination where the Chair or member has become ineligible or removed from the prequalification scheme by the agency administering the scheme. Dismissal is automatic in these situations.

(i) The general manager is to nominate a council employee/s to provide secretariat support to the Audit, Risk and Improvement Committee. Minutes are to be recorded for all committee meetings

The general manager will be required to nominate a council employee/s to provide secretariat support to the Audit, Risk and Improvement Committee. The main functions of this role are to be:

- minuting Audit, Risk and Improvement Committee meetings
- preparing agendas, and
- providing the committee with any information it needs to fulfil its responsibilities.

Core requirement 2: **Establish a risk management framework consistent with current Australian risk management standards**

Proposal

It is proposed that:

- (a) each council (including county council/joint organisation) is to establish a risk management framework that is consistent with current Australian standards for risk management
- (b) the governing body of the council is to ensure that council is sufficiently resourced to implement an appropriate and effective risk management framework
- (c) each council's risk management framework is to include the implementation of a risk management policy, risk management plan and risk management process. This includes deciding council's risk criteria and how risk that falls outside tolerance levels will be treated
- (d) each council is to fully integrate its risk management framework within all of the council's decision-making, operational and integrated planning and reporting processes
- (e) each council is to formally assign responsibilities for risk management to the general manager, senior managers and other council staff and ensure accountability
- (f) each council is to ensure its risk management framework is regularly monitored and reviewed
- (g) the Audit, Risk and Improvement Committee and the council's internal audit function are to provide independent assurance of risk management activities, and
- (h) the general manager is to publish in the council's annual report an attestation certificate indicating whether the council has complied with the risk management requirements.

Description

(a) Each council (including county council/joint organisation) is to establish a risk management framework that is consistent with current Australian standards for risk management

Each council in NSW (including county council/joint organisation) will be required to implement a risk management framework that is consistent with the current Australian risk management standard – currently AS ISO 31000:2018⁵⁴. The framework is to take an enterprise risk management approach which applies to all council activities and risks, not just well-recognised risks such as work health and safety, insurable risks and disaster recovery planning.

⁵⁴ Where ISO 31000:2018 is superseded following a future review by the International Organisation of Standardisation or Standards Australia, councils are to conform to the most current Australian risk management standard. AS ISO 31000:2018 can be found at <https://www.standards.org.au/standards-catalogue/sa-snz/publicsafety/ob-007/as--iso--31000-colon-2018>

The definition of risk management adopted by councils will be the same as that adopted in AS ISO 31000:2018. Risk management comprises of "coordinated activities to direct and control an organisation with regard to risk". Risk is the "effect of uncertainty on objectives, where an effect is a deviation from the expected. It can be positive, negative or both, and can address, create or result in opportunities and threats".

It is recognised that each council will have different risk management requirements depending on its size, needs, budget, complexity of operations and risk management maturity (i.e. the extent to which risk management has already been implemented in the council). Councils will have the flexibility under AS ISO 31000:2018 to choose the size, scope and delivery of their risk management activities so long as they include a number of key structural components (see below).

Where a council wishes to impose requirements that are additional to the proposed framework, it will be able to do so provided the requirements conform to AS ISO 31000:2018 and do not conflict with regulatory requirements.

(b) The governing body of the council is to ensure that council is sufficiently resourced to implement an appropriate and effective risk management framework

The governing body of each council is to provide the resources needed to:

- implement a risk management framework appropriate to the council, and
- deliver the risk treatments and internal controls needed to ensure the council's risks are appropriately managed.

This forms part of the governing body's responsibility for approving the council's budget.

These resources include the necessary:

- human resources (with appropriate skills and experience)
- technology, equipment, tools and information management systems for managing risk
- documented processes and procedures, and
- professional development and training for staff to ensure they can fulfil their risk management responsibilities.

To ensure that the governing body makes informed budgeting decisions, the Audit, Risk and Improvement Committee is to advise the governing body of the resources needed, having regard to any budgetary constraints and the council's operational environment.

Where the Audit, Risk and Improvement Committee considers the resourcing provided for risk management is insufficient relative to the risks facing the council, it is to draw this to the attention of the general manager and the governing body of the council. The Chair of the Committee is to also ensure that the Committee's funding recommendations are minuted by the Committee's secretariat.

The governing body will also be responsible for approving key elements of the council's risk management framework, including the council's risk management policy, risk management plan and risk criteria, following their endorsement by the Audit, Risk and Improvement Committee (see below).

(c) Each council's risk management framework is to include the implementation of a risk management policy, risk management plan and risk management process. This includes deciding the council's risk criteria and how risk that falls outside tolerance levels will be treated

In compliance with AS ISO 31000:2018, each council's risk management framework is to comprise the following key elements:

Risk management policy

Each council will be required to adopt a risk management policy that communicates the commitment of the governing body and the general manager to risk management, and how risk management will be undertaken by the council. The risk management policy is to be approved by the governing body, after endorsement by the Audit, Risk and Improvement Committee.

The council's risk management policy is to describe, at a minimum:

- The council's risk management objectives and priorities, and how these are linked to the council's strategic plans and objectives
- how risk management will be integrated into the overall culture of the council, core business activities and decision-making
- the council's risk criteria
- how the council's risk management policy sits within, and is supported by the council's other policies
- who in the council is accountable and responsible for managing risk in the council
- the resources that will be made available, and
- how the council's risk management performance will be reviewed, measured, reported and improved.

The council's risk management policy can also provide guidance to council staff on the council's commitment to:

- integrating risk management into the council's procedures and practices
- communicating the council's approach to managing risk
- coordinating the interface between risk management and other assurance activities, for example, the Audit, Risk and Improvement Committee, the council's internal audit function and external audit, and
- incorporating risk management into internal staff induction and professional development programs.

The council's risk management policy is to be reviewed at least once each council term, or within one year if there is a significant restructure or change.

Risk management plan

Each council is to develop and implement a risk management plan that provides a structure for how the council will implement its risk management policy and conduct its risk management activities. The chief purpose of the plan is to ensure that the council's arrangements for managing risks are clearly understood and practiced, and identifies where, when and how different types of decisions relating to risk are made across the council and by whom.

To do this, it must include:

- the activities the council will undertake to implement its risk management policy
- roles, accountabilities and responsibilities in relation to risk management
- the timeframes for risk management activities

- how risk management processes will be implemented and maintained (see below)
- resourcing requirements (people, IT and physical assets)
- training and development requirements
- performance measures that will be used to evaluate the success of the council's risk management framework, and
- how and when the council's risk management framework will be reviewed.

Depending on the size, complexity and nature of the council, the council may require a single risk management plan or a hierarchy of linked risk management plans.

The governing body is to approve the council's risk management plan, and any changes made to it, after endorsement by the Audit, Risk and Improvement Committee.

Risk management plans should be living documents and regularly reviewed to reflect current and emerging risks as circumstances change.

Risk management process

The risk management process is a systematic way of identifying, assessing and prioritising risks, deciding how they will be managed, and documenting and communicating this across the council. A summary diagram of the risk management process is provided below.

Each council's risk management process is to include the following stages to ensure its risks are managed effectively. Each stage is to be performed in accordance with AS ISO 31000:2018, using qualitative, semi-quantitative or quantitative methods and techniques that best suit the council's operations, risk management maturity and decision-making needs. NSW Treasury has released a *Risk Management Toolkit for NSW Public Sector Agencies* that councils can use to help them establish their risk management framework⁵⁵.

All knowledgeable council staff are to be involved and councils are encouraged to access external expertise where required.

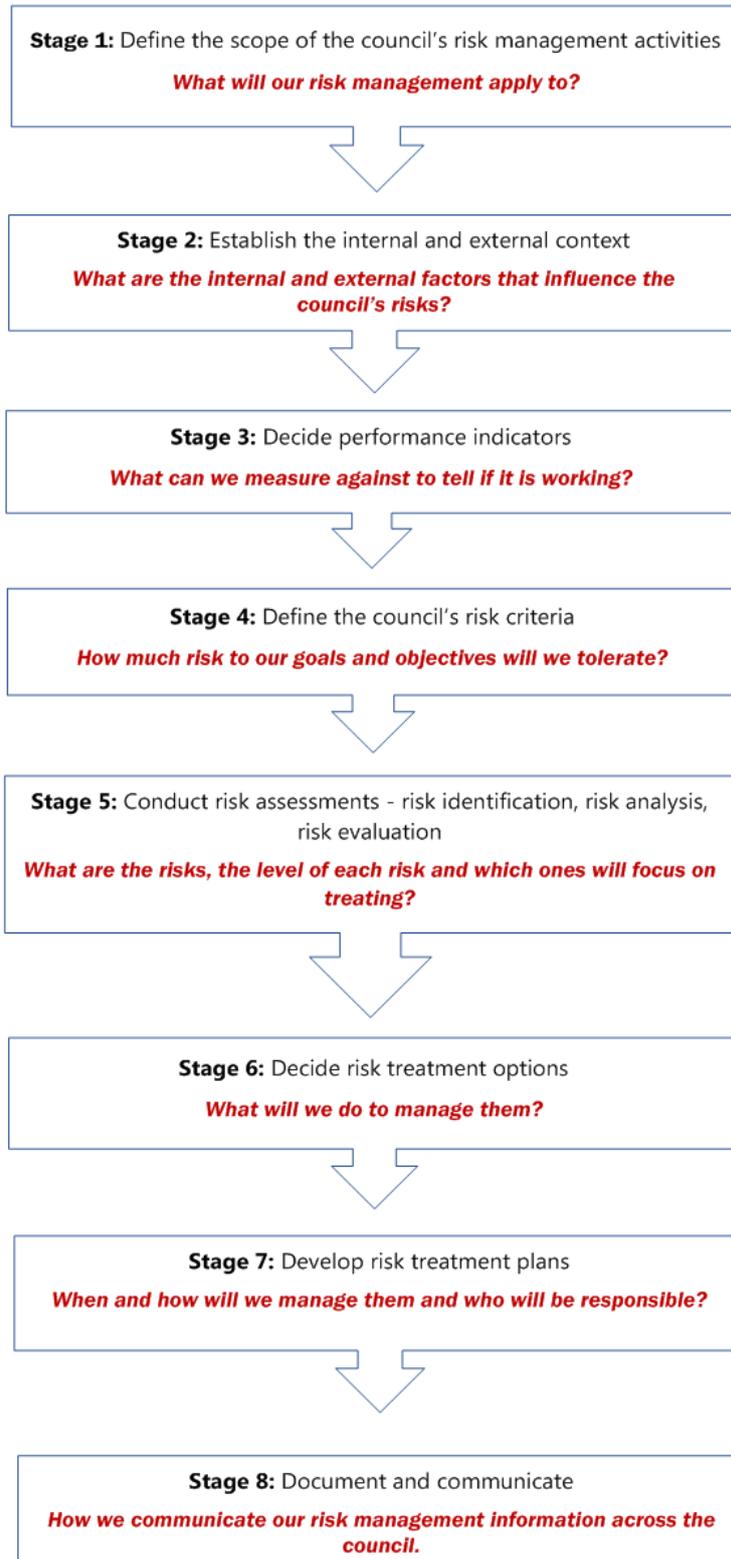
Stage 1: Define the scope of the council's risk management activities

The council is to decide and document the scope of its risk management activities to assist in planning the council's risk management approach. The scope to be decided includes aspects such as:

- the objectives of the council's risk management framework and outcomes expected
- the resources required to plan and develop the framework
- who is responsible for planning and developing the framework
- what records will be kept, and
- what will be the relationship of the risk management framework to other council projects, processes and activities.

⁵⁵ The *Risk Management Toolkit for Public Sector Agencies* (TPP 12-03) can be found at <https://www.treasury.nsw.gov.au/information-public-entities/governance-risk-and-assurance/internal-audit-and-risk-management/risk>

Stages of council's risk management process



Stage 2: Establish the internal and external context

The council is to ensure that it understands and documents the internal and external environment or parameters it operates in and how risk management will impact, and be impacted by these. Factors to be taken into consideration should include internal, political, economic, socio-cultural, technological, legal, and environmental trends and drivers that influence the council's operating environment and can be a source of risk.

Stage 3: Decide performance indicators

The council is to decide the performance indicators it will use to measure the effectiveness of its risk management framework and identify gaps between its actual and desired performance. The performance indicators selected need to be able to be easily measured on an ongoing basis, easily interpreted and understood by staff and management, and provide a meaningful picture of the council's risk management performance.

Stage 4: Define the council's risk criteria

The council is to decide its risk criteria - that is, the amount and type of risk that it is willing to take, or not take, in order to achieve its strategic plan and objectives. It should also define criteria to evaluate the significance of risk based on the council's values, objectives and resources. This will ensure that all council staff have a common understanding of how to evaluate whether a risk is significant and requires a response. It will also ensure that ongoing decision-making about specific activities is consistent across the council.

While the council's risk criteria must be established at the beginning of the risk assessment process, it is dynamic and should be continually reviewed and amended as changes occur to the council's internal or external context.

The council's risk criteria is to be approved by the governing body of the council, after endorsement by the Audit, Risk and Improvement Committee.

Stage 4: Conduct risk assessments

The council is to conduct risk assessments using the following three-step process⁵⁶:

- risk identification – as a first step to assessing what risks need managing, the council is to identify and categorise any risks it is aware of that may help or prevent the council from achieving its strategic goals and objectives. Risk categories could include, for example, council governance risks, fraud and corruption risks, financial risks, compliance risks, risks to council policies, programs and projects, risks to the continuity of operations and services, environmental damage risks, work health and safety risks, purchasing and procurement risks and reporting risks
- risk analysis - once each risk is identified, the council is to assess the effectiveness of any controls that already exist to reduce or enhance the likelihood of a particular event and manage the nature and magnitude of any consequences. This will enable the council to determine the overall level of risk that exists, and
- risk evaluation - once the overall level of risk is determined, the council is to assess and decide which risks require further treatment, and in what order of priority. This is to involve comparing the overall level of risk that exists (based on the risk analysis performed) to the council's risk criteria.

⁵⁶ In addition to AS ISO 31000:2018, *IEC/ISO 31010 Risk management – risk assessment techniques* provides additional guidance on each step of the risk assessment process. This standard can be found at <https://www.iso.org/standard/51073.html>

Those risks that fall outside the risk levels the council is willing to tolerate are to be proactively managed. The least tolerable risks are to be given the highest priority.

Stage 5: Decide risk treatment options

The council is to determine a strategy for the treatment of each risk. A decision should be made to either:

- minimise the risk by implementing controls (see stage 6)
- avoid the risk by adopting alternative approaches (for example, revising the timing of a project, choosing a different delivery model)
- transfer the risk to another party which has greater control over the risk, or is less susceptible to the impact of the risk (for example, insurance), or
- accept the risk and develop contingency plans to minimise the impact should the risk eventuate.

Stage 6: Develop risk treatment plans

The council is to develop risk treatment plans that document how the control will be implemented and integrated into the council's day-to-day management and operational processes. Risk treatment plans are to include:

- the rationale, actions to be taken and expected outcome of control
- who is responsible for implementing the control
- resources required
- timeframes, and
- necessary monitoring and reporting, including the performance indicators that will be used to measure the controls effectiveness.

The general manager is to approve the council's risk treatment plans.

Stage 7: Document and communicate

The council is to develop risk reports to summarise and communicate to all staff what risks the council faces. These reports will also be used by the council to regularly review the risk management framework.

Each council's risk reports will vary, dependent on the needs, complexity and risk maturity of each council. At a minimum, however, they should include:

- a risk profile – this is a high-level status report which describes the priorities and management of risk across the council. It provides an overall picture of a council's risk profile, identifies risk priorities, explains the rationale for decisions made about individual risks and allows those responsible for managing particular risks to see how their risks/controls fit into the council's overall risk management framework, and
- risk registers – these describe and prioritise each individual risk, including its cause/s, impact/s and control/s. They also outline who in the council is responsible for managing individual risks.

Risk reports are to be approved by the general manager, following endorsement by the Audit, Risk and Improvement Committee.

(d) Each council is to fully integrate its risk management framework within all of the council's decision-making, operational and integrated planning and reporting processes

The council's risk management framework must be integrated within all of the council's decision-making processes, governance structures, operational procedures and integrated planning and reporting processes for it to be successful.

For effective risk integration to occur, each council must ensure that, in addition to its risk management policy, plan and process, it implements the following supporting elements:

Risk management culture

A poor risk management culture can lead to poor risk management outcomes.

Each council is to foster a positive risk management culture that ensures that the task of managing risks is not seen by management and staff as an additional responsibility or burden, but a normal part of everyday activities and decision-making. A positive risk management culture relies on strong leadership, commitment, reinforcement and communication from the general manager and senior management of the council.

Risk management communication

Poor communication about risk management can lead to a lack of ownership for managing risk.

Each council is to ensure there is clear communication and consultation about risk management to ensure all staff have a common understanding of:

- the basic principles of risk management
- why the council undertakes risk management and how it relates to the council's strategic plans and objectives
- the basis on which decisions within the council are made and the reasons why particular actions are required to manage risk
- the council's risk criteria and risk management policy, plan and priorities
- staff responsibilities and accountabilities for managing certain risks, and
- how to notify new or emerging risks or when something goes wrong or is not working.

The way each council communicates risk management to its staff will vary depending on its needs, organisational structure, existing communication methods and risk maturity. Communication mechanisms could include, for example, specific risk reports relating to key drivers, trends, incidents, risks or business units, formal training programs, information sessions and informal communication such as staff newsletters.

Risk management information system/s

Each council's risk management framework is to be supported by a robust risk management information system that manages risk-related reports, registers, information, documents, policies and procedures. Easy access to information will ensure the council is able to monitor risks/controls and make informed decisions about any further action needed.

The size, complexity and risk management maturity of a council, and the nature of its risk information, will influence the type of risk management information system that it requires. For smaller councils, Microsoft Word or Excel documents that record, report and communicate risk may be appropriate. Larger councils may need to purchase a custom-made product or system.

(e) Each council is to formally assign responsibilities for risk management to the general manager, senior managers and other council staff and ensure accountability

It is the responsibility of all council managers and staff to manage risk.

For risk management to be effective, all staff (permanent, temporary and contractors) must be aware of the risks that relate to their day-to-day roles and activities and their responsibility for managing these risks and following risk management policies and procedures.

To provide accountability, risk management responsibilities are to be clearly articulated in the job descriptions and performance measurement processes of all relevant managers and staff.

Managers and staff with risk management responsibilities are to also have the necessary skills, knowledge and experience required to fulfil their risk management responsibilities, as well as attitudes and behaviours that support risk management.

General manager and senior managers

Consistent with the general manager's role under section 335 of the Local Government Act to conduct the day-to-day management of the council, the general manager will have ultimate responsibility and accountability for risk management in the council.

This includes:

- approving the council's risk management plan, risk treatment plans, risk register and risk profile
- recommending the council's risk management policy and risk criteria for the endorsement of the Audit, Risk and Improvement Committee and approval of the governing body
- overseeing the council's risk management framework and ensuring it is effectively communicated, implemented and reviewed regularly
- promoting and championing a positive risk culture
- ensuring that all council managers and staff (permanent, temporary or contract) understand their risk management responsibilities and that these are included in all job descriptions, staff induction programs, performance agreements and performance appraisals
- annually attesting that council's risk management framework complies with statutory requirements, and
- approving the council's implementation of corrective actions recommended by the council's internal audit function, external audit and Audit, Risk and Improvement Committee.

Depending on the council's needs, resources and organisational structure, and to assist the integration of risk management across the council, the general manager may wish to delegate key aspects of the council's risk management framework to a group of senior managers established for this purpose. The senior management group would report to the general manager on risk management issues.

Tasks delegated to a council's senior management group could include:

- developing the council's risk management policy
- determining the council's risk criteria
- leading the risk management process - for example, evaluating the council's internal and external context, identifying, assessing and prioritising risks and developing risk treatment plans and internal controls
- developing the council's risk register and risk profile
- communicating and implementing the council's risk management policy and plans across council

- advising/reporting on the performance and implementation of the council's risk management framework to the general manager, and
- reviewing recommendations for corrective actions from the Chief Audit Executive and council's internal audit function and determining council's response.

The senior management group is to meet regularly to enable it to fulfil its functions. Council's Risk Management Coordinator is to attend senior management group meetings. The senior management group can also invite the Chief Audit Executive.

Responsibilities for risk management assigned to the general manager and senior managers are to be included in their employment contract and performance reviews.

Risk Management Coordinator and risk management function

The general manager is to appoint a Risk Management Coordinator who will be responsible for the day-to-day activities required to implement the council's risk management framework and provide specialist risk management skills and knowledge.

The Risk Management Coordinator is to report directly to the general manager or a member of the senior management group in relation to council's risk management function.

Whilst this role has been titled as the 'Risk Management Coordinator', councils will be free to use whatever title they wish to refer to this function (for example, Chief Risk Officer, Risk Manager etc.).

The role and responsibilities of the Risk Management Coordinator are to include:

- supporting the senior management group by coordinating and providing clear and concise risk information, advice and/or reports that can be used in planning and decision-making
- coordinating the various activities relating to risk management within the council
- helping to build a risk management culture within the council, including facilitating and driving risk management at the strategic and operational level within the council and ensuring consistency in practice
- ensuring there are easily accessible systems and processes in place to enable all staff to conveniently undertake risk management in their day-to-day work
- ensuring risk management processes are applied consistently across the council
- organising appropriate staff risk management training and development
- developing and maintaining a risk reporting framework to enable regular advising/reporting of key risks, and the management of those risks, to the senior management group
- supporting council staff with their risk management obligations and providing staff with advice and tools to ensure risk management compliance
- implementing effective risk management communication mechanisms and information system/s
- establishing and maintaining an ongoing monitoring system to track the risk management activities undertaken within council and assessing the need for further action
- assessing risk management information for completeness, accuracy and consistency (for example, risk registers, risk treatment plans), and
- preparing advice or reports for the Audit, Risk and Improvement Committee and attending Committee meetings (where requested).

In order to fulfil their role, the Risk Management Coordinator must:

- have a well-developed understanding of the council and its operations
- have the skills, knowledge and leadership qualities required to support and drive risk management
- have sufficient authority to intervene in instances where risk management efforts are being hampered by a lack of cooperation or through lack of risk management capability or maturity, and

- be able to add value to the risk management process by providing guidance and support in managing difficult risk, or risks spread across a number of the council's business units or operational areas.

Each council will have the flexibility to establish its risk management function based on its structure, resourcing, risk management needs and risk management maturity.

For some councils with larger budgets and higher risks, the Risk Management Coordinator will require dedicated staff to help implement the council's risk management framework. For other councils, their size and risk profile may not justify additional risk management staff and the Risk Management Coordinator will be sufficient.

While best practice would see a stand-alone Risk Management Coordinator employed by each council, it is recognised that some smaller or rural councils may find it difficult to employ a stand-alone Risk Management Coordinator due to the cost involved, the council's remote location and/or that the council's risk management framework may not require a full-time stand-alone employee.

Councils will, therefore, be able to combine the Risk Management Coordinator's role with other council responsibilities (including the Chief Audit Executive) provided that there are adequate safeguards put in place by the council to limit any cognitive bias (which can lead to faulty risk assessments and decision-making errors).

Depending on the specific needs and circumstances of the council, these safeguards could include:

- the Audit, Risk and Improvement Committee being informed of the Risk Management Coordinator's additional role, including the reporting lines, responsibilities and expectations related to the role
- any potential issues or conflicts of interest arising from the other operational roles held by the Risk Management Coordinator being formally documented and communicated to the Audit, Risk and Improvement Committee
- the Risk Management Coordinator being prohibited from undertaking risk management evaluations and reviews in relation to the council operations they are responsible for. Another senior staff member will conduct these and will report directly to the general manager on the results
- if the Chief Audit Executive and Risk Management Coordinator is a combined role, any independent review of council's risk management framework must be undertaken by an independent external party, and
- the Audit, Risk and Improvement Committee regularly assessing that the safeguards put in place are effective.

Council managers

Responsibility for managing specific policy, project and program risks generally rests with council managers across the council. This includes council managers being responsible, within the sphere of their authority, for:

- promoting awareness of risks and risk treatments that must be implemented
- ensuring council staff are implementing the council's risk management framework as developed and intended and performing their risk management responsibilities
- identifying risks that will affect the achievement of the council objectives
- establishing and/or implementing specific policies, operating and performance standards, budgets, plans, systems and/or procedures to manage risks, and
- monitoring the effectiveness of risk treatment and internal controls.

All other council staff

All council staff are to be responsible for:

- helping to identify risks in their business unit
- implementing risk treatment plans within their area of responsibility
- following standard operating procedures (where applicable), and
- communicating or escalating new risks that emerge to their manager.

(f) Each council is to ensure its risk management framework is regularly monitored and reviewed

The senior management group is to establish and maintain an ongoing monitoring and review process of the information gathered from council's risk management process⁵⁷ to ensure its risk management framework is up-to-date and relevant. It will also enable the senior management group to report to the general manager, governing body of the council and Audit, Risk and Improvement Committee when required about the council's risk management framework.

Each council is to base its ongoing monitoring and review process based on its own needs, however, this should include at a minimum the following two key elements:

- 1. Quarterly advice from the Risk Management Coordinator to the senior management group assessing the council's risk profile and risk registers** – this will ensure that risks are being correctly identified, prioritised and treated, and any emerging problems are known and rectified quickly. Any changes are to be captured in updates to the council's risk profile and risk register, and relevant risk treatment plans.
- 2. An annual self-assessment at the end of each financial year by the senior management group of the quality of the council's risk management framework** – this is to assess the operation of the risk management framework during the preceding financial year and to ensure:
 - the council is providing sufficient resources for risk management and staff are able to carry out their risk management responsibilities
 - the council's risk management framework complies with AS ISO 31000:2018
 - the council's risk management framework operates effectively and supports the achievement of council's strategic goals and objectives
 - management has embedded a positive risk culture
 - the council's risk criteria is appropriately reflected in council's internal control framework
 - the council takes an enterprise risk management approach that is fully integrated into all aspects of the council, including decision-making processes and operations
 - risks are formally considered when developing and implementing all council policies, programs, projects and other activities, including procurement
 - risk management covers all relevant risk categories including strategic, operational, compliance, reputational and reporting risks
 - major risks have been identified and assessed by the council and appropriate risk treatments have been implemented that reflect the council's risk criteria
 - the council's internal controls are effective and appropriate
 - the council's risk register and risk profile is current and appropriate

⁵⁷ This includes ongoing monitoring and review of the scope of the council's risk management framework, the context the council operates in, the council's risk criteria, the results of the council's risk assessment, controls implemented, risk treatment plans and risk reports such as the council's risk profile and risk registers

- risk information is captured and communicated in a timely manner across the council, enabling management and staff to carry out their responsibilities, and
- the council's risk management policies, procedures and plans are being complied with.

Ultimately the general manager is responsible for the implementation of the council's risk management framework, and ensuring that risks are being managed appropriately. Each council will have the flexibility to decide, based on its own needs and resources, how and when the senior management group reports risk information to the general manager and the governing body of the council.

Standards Australia has released *HSB 158-2010 Delivering assurance based on ISO 31000:2009 Risk management – Principles and guidelines*⁵⁸ which may assist councils to monitor and review their risk management frameworks.

Performance management system

The senior management group is to ensure the effectiveness of the risk management framework can be assessed. This will require the senior management group and Risk Management Coordinator to ensure that:

- approved risk treatment plans have performance targets that can be measured against goals and objectives, and
- a data collection system is maintained to obtain the data needed to measure the impact of the council's risk management framework.

Performance targets are to be set annually by the senior management group, in consultation with the general manager and the Audit, Risk and Improvement Committee.

(g) The Audit, Risk and Improvement Committee and the council's internal audit function are to provide independent assurance of risk management activities

Role of the Audit, Risk and Improvement Committee

The Audit, Risk and Improvement Committee will be responsible for providing independent assurance to the general manager and governing body that the council's risk management framework is appropriate and working effectively.

This includes advising whether:

- the council is providing sufficient resources for risk management and staff are able to carry out their risk management responsibilities
- the council's risk management framework complies with AS ISO 31000:2018
- the council's risk management framework operates effectively and supports the achievement of the council's strategic goals and objectives
- management has embedded a positive risk management culture
- the council's risk criteria is appropriately reflected in the council's internal control framework
- the council takes an enterprise risk management approach that is fully integrated into all aspects of the council, including decision-making processes and operations

⁵⁸ More information about HSB 158-2010 can be found at <https://www.standards.org.au/standards-catalogue/sa-snz/publicsafety/ob-007/hb--158-2010>. Please note that this standard is based on the previous risk management standard ISO 3100:2009 and may possibly be updated.

- risks are formally considered when developing and implementing all council policies, programs, projects and other activities, including procurement
- risk management covers all relevant risk categories including strategic, operational, compliance, reputational and reporting risks
- major risks have been identified and assessed by the council and appropriate risk treatments have been implemented that reflect the council's risk criteria
- the council's internal controls are effective and appropriate
- the council's risk register and risk profile is appropriate
- risk information is captured and communicated in a timely manner across the council, enabling management and staff to carry out their responsibilities
- there are council-specific, fit-for-purpose tools, systems and processes to help all those responsible for managing risk to fulfil their responsibilities, and
- the council's risk management policies, procedures and plans are being complied with.

The Audit, Risk and Improvement Committee's role and responsibilities in relation to risk management are to be documented in its terms of reference.

The frequency and nature of the Committee's assurance to the general manager and governing body is to be determined by the Committee in consultation with the general manager and governing body of the council.

At a minimum, the Audit, Risk and Improvement Committee is to be required to provide an annual assessment of the council's risk management framework as part of its annual assurance report to the governing body of the council. This will ensure that the governing body of the council receives the Committee's independent and objective opinion about the risk management activities conducted each year. It will also support the governing body in the exercise of its oversight role under the Local Government Act.

[Reporting to the Audit, Risk and Improvement Committee](#)

The Audit, Risk and Improvement Committee is to determine in consultation with the general manager what information it needs from the council to fulfil its risk management assurance role. Information requirements are to be based on the council's risk management maturity, the resources available and the aspect of the risk management framework being assessed.

Review or information requirements could include, for example:

- advice from the senior management group to each quarterly meeting of the Audit, Risk and Improvement Committee providing an overview of the council's risks and controls and whether significant risks have been identified, assessed and responded to appropriately
- annual advice from the senior management group about the implementation of the council's risk management framework - for example, whether it conforms with AS ISO 31000:2018, the risk process has been implemented effectively, there is a positive risk culture, the council's risk register and profile are appropriate, the council's risk management policy and procedures are being complied with, and/or
- an independent strategic review by the internal audit function or an external party at least once each council term (i.e. four years) assessing adequacy of the risk management framework.

The Audit, Risk and Improvement Committee will also be informed by any findings or recommendations made by the council's external auditor in relation to risk management.

The senior management group will be required to develop an action plan for the general manager and the Audit, Risk and Improvement Committee to address any risk management issues identified by the Committee.

Role of the internal audit function

The council's internal audit function will support the Audit, Risk and Improvement Committee to fulfil its assurance responsibilities through the audit of particular risks, as identified in the internal audit function's work plan. The role of the council's internal audit function in relation to risk management is to be documented in the council's Internal Audit Charter.

Given the need to maintain the independence and objectivity of the internal audit function, the following boundaries are to apply with respect to the role of the internal audit function in the council's risk management framework:

- it is to be clear that council management remains responsible for risk management
- the internal audit function is to provide advice, challenge and support management's decision-making, as opposed to taking risk management decisions themselves
- the internal audit function should not:
 - manage any of the risks on behalf of the council
 - set the council's risk criteria
 - impose risk management processes
 - decide or implement risk responses, or
 - be held accountable for risk management activities.

(h) The general manager is to publish in the council's annual report an attestation certificate indicating whether the council has complied with the risk management requirements

The general manager will be required to annually publish an attestation statement in the council's annual report indicating whether, during the prior financial year, the council was 'compliant', 'non-compliant' or 'in transition' against each of the above-mentioned requirements of the council's risk management framework.

Compliance status is to be self-assessed based on the results of the senior management group's annual self-assessment. The table on page 84 lists the proposed compliance categories and follow-up action that will be required.

The general manager is to ensure that a copy of the attestation statement and the exception approval from the Chief Executive Officer of the Office of Local Government (if applicable) is published in the council's annual report. A copy of the attestation statement is to also be provided to the Office of Local Government.

The Chair of the Audit, Risk and Improvement Committee is to also sign the attestation statement where he/she agrees that it is a true and accurate reflection of the council's compliance status against statutory requirements.

Core requirement 3:

Establish an internal audit function mandated by an Internal Audit Charter

Proposal

It is proposed that:

- (a) each council (including county council/joint organisation) is to establish an internal audit function
- (b) the governing body is to ensure that the council's internal audit function is sufficiently resourced to carry out its work
- (c) the governing body of the council is to assign administrative responsibility for internal audit to the general manager and include this in their employment contract and performance reviews, and
- (d) the Chief Audit Executive is to develop an Internal Audit Charter, based on a model charter, which will guide how internal audit is conducted by the council. This Charter is to be approved by the governing body of council after endorsement by the Audit, Risk and Improvement Committee.

Description

(a) Each council is to establish an internal audit function

Each council in NSW, (including county council/joint organisation), will be required to have an internal audit function that reports functionally to the Audit, Risk and Improvement Committee and is independent from council management.

The definition of internal audit adopted by councils will be the same as that adopted in the IPPF - internal audit is *"an independent, objective, assurance and consulting activity designed to add value and improve [council's] operations. It helps [council] accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes"*.

It is recognised that each council will have different internal audit requirements depending on its size, needs, budget and complexity of operations. To provide councils greater flexibility, each council will have the freedom to determine the size and scope of their internal audit activities. Councils will also have the flexibility to decide how to deliver their internal audit function. They can either:

- establish a stand-alone internal audit function for their exclusive use
- utilise a joint internal audit function established by their joint or regional organisation of councils that is shared by member councils, or
- share their internal audit function with another council/s in close proximity or of their choosing as part of an independent shared arrangement.

It is recommended that county councils, due to their size, enter into a share arrangement with one of their member councils or utilise an internal audit function established by a joint or regional organisation of councils.

Some of the requirements for shared arrangements will differ from those of stand-alone internal audit functions established for a council's exclusive use (as described in core requirements 1-8). Core requirement 9 outlines the specific requirements of shared arrangements.

Where a council wishes to impose requirements that are additional to the proposed framework, it will be able to do so provided the requirements comply with the IPPF and do not conflict with statutory requirements.

(b) The governing body is to ensure that council's internal audit function is sufficiently resourced to carry out its work

The governing body will be required to ensure that the council's internal audit function is sufficiently resourced to effectively carry out its work⁵⁹. This is in line with the governing body's responsibility for the council's budget and other resourcing decisions. To ensure that the governing body makes informed budgeting decisions, the Audit, Risk and Improvement Committee is to advise the governing body of the resources needed.

Where the Audit, Risk and Improvement Committee considers the resourcing provided for internal audit activities is insufficient relative to the risks facing the council, it is to draw this to the attention of the general manager and the governing body of the council. The Chair of the Committee is to also ensure that the Committee's funding recommendations are minuted by the Committee's secretariat.

(c) The governing body of the council is to assign administrative responsibility for internal audit to the general manager and include this in their employment contract and performance reviews

Consistent with the general manager's role under section 335 of the Local Government Act to conduct the day-to-day management of the council, the general manager will be responsible for the **administrative** delivery of council's internal audit function. This means that the general manager will be required to:

- advise the governing body of the funding needed to adequately resource the internal audit function when making final budget decisions
- align the internal audit budget to approved work plans and recommendations made by the Audit, Risk and Improvement Committee
- allocate the funds needed to engage internal audit personnel or external providers with the technology, skills and experience necessary to meet the risk and assurance needs of the council
- provide appropriate administrative support, for example, access to council's human resources networks, payroll, work health and safety, office facilities and resources etc., and
- ensure that the councils internal audit activities are appropriately positioned within the council to work with external audit and internal business units and to operate independently.

The general manager will have no role in the exercise of the internal audit (for example, the conduct of internal audits, development of work plans, audit techniques used, reporting to the governing body and Audit, Risk and Improvement Committee etc.). The general manager's administrative responsibilities in relation to internal audit are to be included in the general manager's employment contract and regular performance reviews to ensure accountability. The Office of Local Government will amend the general manager's standard contract under section 338 of the Local Government Act to reflect this requirement.

⁵⁹ The Institute of Internal Auditors has developed the *Audit Intelligence Suite* which can be used to obtain a general picture of the potential resources needed for an internal audit function based on benchmark costs across the corporate and public sectors. For access (cost involved), go to <https://www.theiia.org/centers/aec/Pages/benchmarking.aspx>

(d) The Chief Audit Executive is to develop an Internal Audit Charter, based on a model charter, which will guide how internal audit is conducted by the council. This Charter is to be approved by the governing body of the council after endorsement by the Audit, Risk and Improvement Committee

Each council will be required to adopt an 'Internal Audit Charter' to guide how internal audit will be undertaken by that council and measure its effectiveness.

The Internal Audit Charter is to be developed by the council's Chief Audit Executive in consultation with the Audit, Risk and Improvement Committee and approved by the governing body of the council after endorsement by the Committee.

Each council's Internal Audit Charter is to comply, at a minimum, with a Model Internal Audit Charter⁶⁰. This is consistent with councils being required to adopt policies based on other model documents (for example, the Model Code of Conduct and the Model Code of Meeting Practice).

The Model Internal Audit Charter will:

- define the purpose, authority and responsibility of the internal audit function
- establish internal audit's position, role and responsibilities within the council
- describe the importance of the independence of the internal audit function and how this will be maintained
- define the roles and responsibilities of those involved in the council's internal audit activities
- assign responsibility for appointing and dismissing the Chief Audit Executive
- describe how internal audit activities are to be undertaken (i.e. the scope of assessments, writing internal audits and work plans, performing internal audits, communicating results, writing audit reports and monitoring the implementation of corrective actions)
- describe the quality assurance and improvement program
- describe administrative arrangements, HR support and budget provided to support the internal audit function
- define reporting relationships
- define internal audit's relationship with the external auditor, and
- authorise access to internal audit information.

Councils will be able to include additional provisions in their Internal Audit Charter so long as they do not conflict with the Model Internal Audit Charter or the IPPF. This will ensure any matters not contemplated by the Model Charter are addressed by councils in a robust way that complies with internationally recognised standards.

Where the council's Internal Audit Charter contains additional provisions not included in the Model Internal Audit Charter, the Chief Audit Executive is to review the Charter annually as part of the council's internal audit quality assurance and improvement program. A strategic review is to also be undertaken once each council term (i.e. four years).

Changes to the Charter are to be approved by the governing body of the council after endorsement by the Audit, Risk and Improvement Committee.

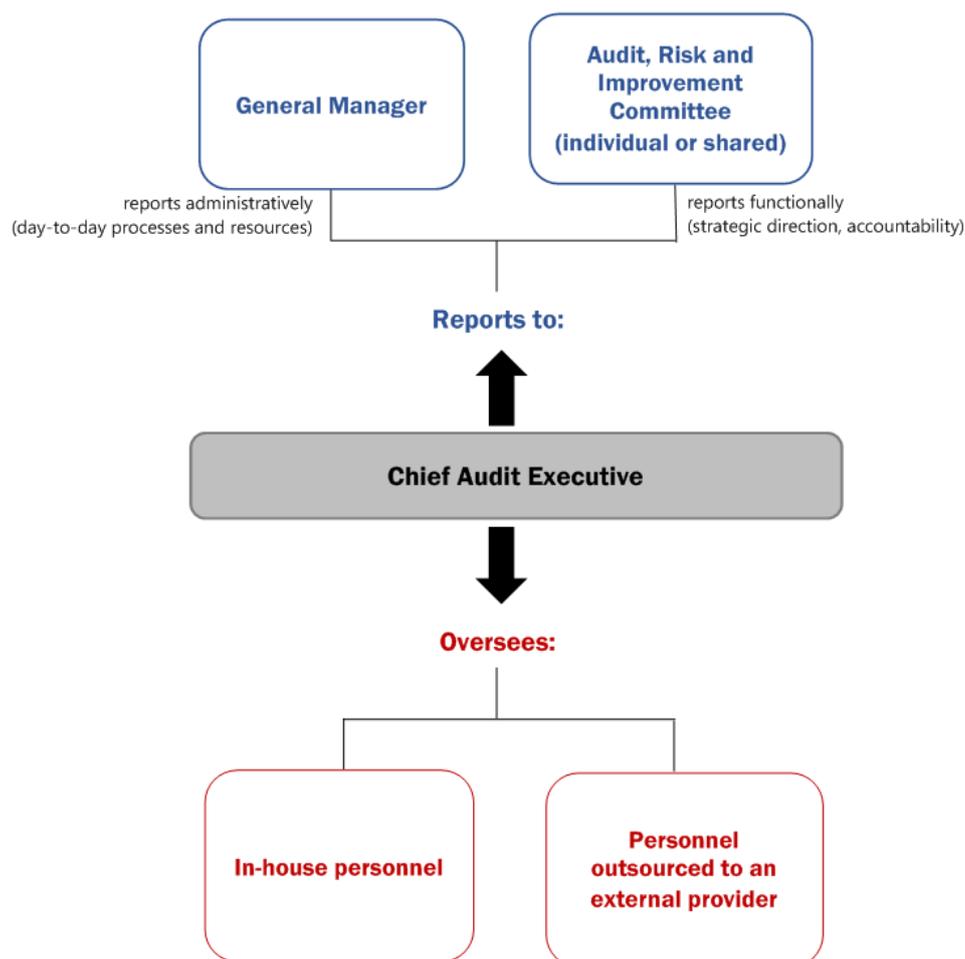
⁶⁰ The Model Internal Audit Charter will be drafted by the Office of Local Government in consultation with councils based on the final internal audit framework developed following consultation on this discussion paper

Core requirement 4: **Appoint internal audit personnel and establish reporting lines**

Proposal

It is proposed that the:

- (a) general manager is to appoint a Chief Audit Executive to oversee the council's internal audit activities in consultation with the Audit, Risk and Improvement Committee
- (b) Chief Audit Executive is to report functionally to the Audit, Risk and Improvement Committee and administratively to the general manager and attend all committee meetings, and
- (c) general manager is to ensure that, if required, the council has adequate internal audit personnel to support the Chief Audit Executive. Councils will be able to appoint in-house internal audit personnel, or completely or partially outsource their internal audit function to an external provider.



Description

(a) The general manager is to appoint a Chief Audit Executive to oversee the council's internal audit activities in consultation with the Audit, Risk and Improvement Committee

Attributes of the Chief Audit Executive

The general manager, in consultation with the Chair of the Audit, Risk and Improvement Committee, will be required to appoint a Chief Audit Executive to oversee the council's internal audit activities. The term 'Chief Audit Executive' has been used throughout this discussion paper to reflect the terminology used in the IPPF and NSW public sector internal audit model. However, each council is able to describe this role as it chooses, for example, Chief Internal Auditor, Chief Audit Officer etc.

The Chief Audit Executive is to

- be independent, impartial, unbiased and objective when performing their work and free from conflicts of interest. This also means that the Chief Audit Executive cannot undertake internal audit activities on any council operations or services that he/she has held responsibility for within the last five years
- be a council employee and the most senior member of staff in council responsible for internal audit (but not the general manager or council's senior financial officer)
- cannot be outsourced to an external service provider, except where the council has entered into a shared arrangement with another council or as part of their joint or regional organisation of councils
- possess the following skills, knowledge and experience to effectively carry out their role:

Essential

- the credibility to ensure they are able to negotiate on a reasonably equal footing with the general manager and councillors of the council, as well as the Audit, Risk and Improvement Committee, and
- the skills, knowledge and personal qualities necessary to lead credible and accepted internal audit activities in the council

Preferred

- high-level experience overseeing internal audit, and
- appropriate professional certifications such as those recognised by the Institute of Internal Auditors (Certified Internal Auditor), Certified Professional Accountants Australia or Chartered Accountants Australia and New Zealand.

This will ensure that the internal audit function of each council is led by someone with the skills, knowledge, experience and integrity needed to establish and effectively oversee a council's internal audit functions. It will also ensure that the council retains control of the internal audit strategic direction and is able to monitor the performance of any external service provider.

Oversight

It is important that the Chief Audit Executive has the functional independence to ensure that this role has the freedom necessary to independently assess and report on the way council operates. However, the Chief Audit Executive, as a member of staff under the Local Government Act, must also be appointed by and accountable to the general manager.

As a safeguard, to ensure the functional independence of the Chief Audit Executive, the general manager is to consult with the Chair of the Audit, Risk and Improvement Committee before appointing or dismissing the Chief Audit Executive, or making any change to the Chief Audit Executive's

employment conditions. Where dismissal occurs, the general manager is to report to the governing body advising of the reasons why the Chief Audit Executive was dismissed.

Where the Chair of the Audit, Risk and Improvement Committee has any concerns about the treatment of the Chief Audit Executive, or any action taken that may compromise the Chief Audit Executive's ability to undertake their functions, they must report their concerns to the governing body of the council.

Responsibilities

The key responsibilities of the Chief Audit Executive include:

- managing the day-to-day direction and performance of the council's internal audit activities to ensure they add value to council
- supporting the operation of the Audit, Risk and Improvement Committee
- ensuring the council's internal audit activities comply with statutory requirements, the IPPF and the council's needs
- developing, implementing and reviewing the council's Internal Audit Charter, policies and procedures, work plans and quality assurance and improvement program
- providing advice to the Audit, Risk and Improvement Committee and governing body of the council on the adequacy and effectiveness of the council's governance frameworks, risk management practices and internal controls
- confirming the implementation by the council of corrective actions that arise from the findings of internal audit activities, and
- managing internal audit personnel and ensuring that they have the skills necessary to perform audits and are up to date on current issues affecting the council and on audit techniques and developments.

Where a council has outsourced its internal audit activities to an external provider, the Chief Audit Executive will be responsible for:

- overseeing the service contract and the quality of audits conducted by the external provider (including overseeing the quality assurance and improvement program)
- ensuring that the council retains control of the strategic direction of internal audit activities
- reporting to the general manager and the governing body of the council on the adequacy and effectiveness of the council's governance frameworks, risk management practices and internal controls (based on the findings provided by the external provider)
- confirming the council's implementation of corrective actions that arise from the findings of audits
- developing policies and procedures that guide the audits conducted by the external provider
- developing the internal audit annual work plan and strategic plan
- ensuring audit methodologies used by the external provider comply with the IPPF and are accessible to the council (subject to any licensing restrictions), and
- supporting the operation of the Audit, Risk and Improvement Committee.

Combining Chief Audit Executive with other responsibilities

It is recognised that some smaller rural councils may find it difficult to employ both a stand-alone Chief Audit Officer and stand-alone Risk Management Coordinator due to the cost involved, council's remote location and/or that the council's risk management function and internal audit function may not require full-time stand-alone employees.

Whilst it is not best practice, it is recognised that combining the Chief Audit Officer role with the Risk Management Coordinator role may make it easier for smaller or remote councils to establish their risk management framework and internal audit function.

Councils will, therefore, be able to combine the Chief Audit Officer's role with the Risk Management Coordinator role provided there are adequate safeguards put in place by the council to limit any real or perceived bias or conflicts of interest that may lead to faulty decision-making and cognitive bias. The endorsement of the Audit, Risk and Improvement Committee will also be required before the combined role can commence.

Depending on the specific needs and circumstances of the council, safeguards could include:

- the Audit, Risk and Improvement Committee being informed of the Chief Audit Executive's dual role, including reporting lines, responsibilities and expectations related to the role
- any potential issues or conflicts of interest arising from the dual role being formally documented in council's Internal Audit Charter
- internal audit briefs being reviewed by the Audit, Risk and Improvement Committee to ensure adequate coverage of the proposed audit, where it concerns any key risks overseen by the Chief Audit Executive in their role as Risk Management Coordinator
- the Audit, Risk and Improvement Committee, or a qualified external party, reviewing internal audit findings and recommendations before they are finalised
- the council's quality assurance program including an external assessment of the Chief Audit Officer's independence and objectivity (for internal audit purposes) in relation to their Risk Management Coordinator role, and
- the Audit, Risk and Improvement Committee regularly assessing that the safeguards put in place are effective.

(b) The Chief Audit Executive is to report functionally to the Audit, Risk and Improvement Committee and administratively to the general manager, and attend all committee meetings

To ensure that internal audit operates independently, the Chief Audit Executive will have a dual reporting line and report:

- **administratively to the general manager** - to facilitate the day-to-day operations of internal audit (for example, in relation to budgeting, accounting, internal audit staff leave and disciplinary matters, internal communications, administration of policies and procedures), and
- **functionally to the Audit, Risk and Improvement Committee** - for the strategic direction, performance and accountability of internal audit activities and personnel.

The general manager must not take any action impacting on the employment of the Chief Audit Executive, including through performance management or disciplinary processes, without consulting with the Chair of the Audit, Risk and Improvement Committee.

The Chief Audit Executive will be required to confirm at least annually to the Audit, Risk and Improvement Committee the independence of internal audit activities.

Access to council staff and information

To achieve the degree of independence necessary to effectively carry out internal audit activities, the Chief Audit Executive will automatically have direct and unrestricted access to the general manager and senior managers of the council, as well as the Audit Risk and Improvement Committee (through the Chair).

Any council staff member or contractor will also be able to directly alert the Chief Audit Executive of emerging risks or internal audit related issues.

The Chief Audit Executive is to have direct and unrestricted access to all council staff, resources and information necessary for the performance of internal audit activities.

Reporting concerns about councillors or council staff

Where a Chief Audit Executive has concerns regarding the general manager or senior council staff, they will be able to:

- raise their concerns with the Chair of the Audit, Risk and Improvement Committee (if it relates to the effectiveness of the internal audit function)
- report breaches of the council's Code of Conduct to the general manager, or by the general manager to the Mayor⁶¹
- report their concerns through the council's internal reporting policy, complaints handling policy or other associated protocols, and/or
- make a public interest disclosure under the *Public Interest Disclosures Act 1994* to the:
 - Independent Commission Against Corruption (concerning corrupt conduct)⁶²
 - NSW Ombudsman (concerning maladministration)
 - NSW Auditor General (concerning serious and substantial waste of public money)
 - Office of Local Government (concerning serious and substantial waste in local government and breaches of pecuniary interest obligations), and/or
 - Information and Privacy Commissioner (concerning government information contraventions).

Code of Conduct

The Chief Audit Executive is to comply with the council's Code of Conduct, as well as the Code of Ethics in the IPPF.

Breaches of the council's Code of Conduct by the Chief Audit Executive are to be reported in writing to the general manager of the council in the first instance. The general manager should notify the Chair of the Audit, Risk and Improvement Committee of any such allegations and their outcome.

(c) The general manager is to ensure that, if required, the council has adequate internal audit personnel to support the Chief Audit Executive. Councils will be able to appoint in-house internal audit personnel or to completely or partially outsource their internal audit function to an external provider

Regardless of size, each council will be required to have an appropriately resourced internal audit function when section 428A of the Local Government Act commences.

For some councils with larger budgets and higher risks, this will require dedicated internal audit staff to support the Chief Audit Executive to deliver the internal audit function. For other councils, their size and risk profile may not justify additional internal audit staff and the Chief Audit Executive will be sufficient.

For councils that require additional internal audit personnel, options include having a dedicated in-house team, co-sourcing arrangements, or outsourcing their audits to an external provider.

⁶¹ As required by the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*

⁶² Under section 11 of the *Independent Commission Against Corruption Act 1988*, the Chief Audit Executive must report any suspected corrupt activity to the Independent Commission Against Corruption

In determining the most appropriate option for the delivering the council's internal audit function, the general manager should consider the:

- size of the council in terms of both staffing levels and budget
- geographical and functional distribution of the council's operations
- complexity of the council's core business
- risk profile of the council's operations
- council's integrated planning and reporting framework
- the viability of alternative service delivery models (for example, whether council could attract and retain suitable in-house internal audit staff or experienced contract managers for out-sourced service delivery)
- overall cost of alternative service delivery models, including the salaries and overheads of in-house internal audit personnel compared to the costs of contract management and delivery for out-sourced services, and
- capacity of alternative service delivery models to deliver flexibility in the internal audit work plan.

Whichever model a council chooses, the internal audit function, including the appointment of internal audit personnel, is to be overseen by the Chief Audit Executive.

The Chief Audit Executive must be a council employee and cannot be outsourced, other than through a shared arrangement with another council or through a joint or regional organisation of councils.

Employing in-house internal audit personnel

Internal audit personnel report directly to the Chief Audit Executive.

In-house internal audit personnel can be appointed on a full-time or part-time basis. They will be required to comply with the council's Code of Conduct and the Code of Ethics in the IPPF and are to have no executive, managerial or operational powers, authorities, functions or duties except those relating to internal audit. They also cannot have any responsibility for managing any risks or implementing any audit recommendations, including those made by external audit.

Position descriptions for in-house internal audit staff are to require:

- appropriate qualifications
- proficiency in internal audit and accounting principles and techniques (particularly if working extensively with financial information and reports)
- knowledge of economics, management practices, commercial law, taxation, finance, quantitative methods, fraud and internal audit technology, and
- effective interpersonal and communication skills.

Outsourcing internal audits to an external provider

Providing that independence requirements are adhered to, councils can contract their internal audit function to an external internal audit service provider. Examples of providers include private sector accounting firms with a specialist internal audit division, boutique firms that specialise in internal audit, and internal audit contractors.

The advantages of using external providers for internal audit activities include⁶³:

- flexibility
- access to a wide range of expertise
- the ability to access the service as and when required, and
- the ability to pool resources with other councils to purchase external services as part of a shared arrangement.

Disadvantages include loss of corporate knowledge, lack of proximity and possible increased costs.

If a council chooses to outsource its internal audits, the Chief Audit Executive is to be the contract manager of the service and is to ensure that:

- an appropriately qualified external provider is conducting the audit in compliance with relevant standards
- the performance of the external provider is actively monitored, and
- the external provider:
 - does not undertake audit work regarding operations or services they have been responsible for, or consulted on, within the last two years
 - is not the same auditor providing council's external audit services
 - is not the auditor of any contractors of the council (and therefore subject to council's internal audits)
 - does not undertake other contract work for the council in addition to internal audit
 - has authority to implement the work program approved by the Audit, Risk and Improvement Committee
 - is rotated, or some other method is established, to address risks caused from having the same auditors auditing the same unit/functional area over a prolonged period of time, and
 - uses audit methodologies that comply with the IPPF and are accessible to the council (subject to any licensing restrictions that may be in place).

⁶³ *Internal Audit in Australia* published by The Institute of Internal Auditors - Australia (2016) provides a useful comparison of the advantages and disadvantages of different internal audit function delivery models (page 23 onwards).

Core requirement 5: **Develop an agreed internal audit work program**

Proposal

It is proposed that, for each council, the Chief Audit Executive will:

- (a) develop a four-year strategic plan to guide the council's longer-term internal audits in consultation with the governing body, general manager and senior managers. The strategic plan is to be approved by the Audit, Risk and Improvement Committee
- (b) develop an annual risk-based internal audit work plan, based on the strategic plan, to guide the council's internal audits each year. The work plan is to be developed in consultation with the governing body, general manager and senior managers and approved by the Audit, Risk and Improvement Committee, and
- (c) ensure performance against the annual and strategic plans can be assessed.

Description

(a) The Chief Audit Executive is to develop a four-year strategic plan to guide the council's longer-term audits in consultation with the governing body, general manager and senior managers. The strategic plan is to be approved by the Audit, Risk and Improvement Committee

The Chief Audit Executive will be required to develop a strategic plan every four years based on the council's risk profile to ensure that areas or activities with higher risks are audited over the longer term and that no higher risk area or activity is forgotten. This should align with the council's integrated planning and reporting framework and timetable.

The four-year strategic plan is to be developed in consultation with the Audit, Risk and Improvement Committee, governing body, general manager and senior managers. Final approval is to be given by the Committee.

The purpose of the plan is to decide and outline what council areas or activities will be covered in any given year, and if the area/activity is not covered in a given year, when it will be scheduled for review during the four-year period. It is to include:

- a description of the goals/objectives of internal audit
- key organisational issues and risks faced by the council, in order of priority, and
- which council areas will be audited over the four years, prioritised according to risk.

The Chief Audit Executive is to review and update the four-year strategic plan at least annually to ensure that it still aligns with the council's risk profile. This will also ensure that the council remains on track with its audits and any slippage in progress can be quickly addressed.

(b) The Chief Audit Executive is to develop an annual risk-based internal audit work plan, based on the strategic plan, to guide the council's audits each year in consultation with the governing body, general manager and senior managers. The work plan is to be approved by the Audit, Risk and Improvement Committee

The Chief Audit Executive will be required to develop an annual risk-based work plan for the council's internal audits based on:

- the priorities set by the council's four-year internal audit strategic plan
- the council's strategic goals and objectives, developed through the integrated planning and reporting framework
- the information obtained as part of the council's risk assessment process and the council's material risks
- any findings or risks raised by the NSW Auditor-General in its external audits of the council and sector-wide performance audits
- external factors such as industry trends or emerging issues, and
- any special requirements of the Audit, Risk and Improvement Committee.

The annual work plan is to be developed in consultation with the Audit, Risk and Improvement Committee, governing body, general manager, and senior managers. Final approval is to be given by the Committee.

The annual work plan is to identify:

- the key risks facing the council
- the key goals and objectives of the proposed audits
- the audits that will be carried out during the year and rationale for selecting each, having regard to areas of most significant risk to achieving the council's strategic objectives
- the resources needed for each audit (for example, staffing, budget, technology), including any external expertise needed
- the timing and duration of each audit
- the performance measures that will be used to measure against goals and objectives (described below)
- any areas not included in the work plan, which in the opinion of the Chief Audit Executive, should be reviewed, and
- quality assurance activities (where applicable).

The annual work plan is to be flexible enough to allow the Chief Audit Executive to review and adjust it as necessary in response to any changes to the council's risks or operations. Significant changes are to be approved by the Audit, Risk and Improvement Committee.

(c) The Chief Audit Executive is to ensure performance against the annual and strategic plans can be assessed

To establish the quality assurance and improvement program and to collect the data and information required to review the council's internal audit activities:

- the Chief Audit Executive will need to ensure internal audit work plans have performance indicators that can be measured against goals and objectives⁶⁴, and
- the general manager will need to ensure that a data collection or performance management system is established and maintained to collect the data needed to measure the impact of the internal audit function.

Performance indicators are to be set annually by the Audit, Risk and Improvement Committee, in consultation with the Chief Audit Executive and the general manager of the council.

⁶⁴ *Internal Audit in Australia* published by The Institute of Internal Auditors - Australia (2016) lists a range of examples of performance indicators that councils could consider when selecting their performance indicators

Core requirement 6: **How to perform and report internal audits**

Proposal

It is proposed that:

- (a) the Chief Audit Executive is to ensure that the council's internal audits are performed in accordance with the IPPF and current Australian risk management standards (where applicable), and approved by the Audit, Risk and Improvement Committee
- (b) the Chief Audit Executive is to develop policies and procedures to guide the operation of the internal audit function, including the performance of internal audits
- (c) the Chief Audit Executive is to report internal audit findings and recommendations to the Audit, Risk and Improvement Committee. Each finding is to have a recommended remedial action and a response from the relevant senior manager/s, and
- (d) all internal audit documentation is to remain the property of, and can be accessed by, the audited council, including where internal audit services are performed by an external provider. It can also be accessed by the Audit, Risk and Improvement Committee, external auditor and governing body of the council (by resolution).

Description

(a) The Chief Audit Executive is to ensure that the council's internal audits are performed in accordance with the IPPF and current Australian risk management standards (where applicable), and approved by the Audit, Risk and Improvement Committee

Each council's internal audits are to be performed in accordance with statutory requirements, and the IPPF (only where the IPPF does not conflict with statutory requirements).

The internal audit methodologies used (that is, the tools or techniques used by internal auditors to conduct internal audits and analyse the information or data obtained) are also to be approved by the Audit, Risk and Improvement Committee.

Where risk information or ratings are used during the internal audit process, they must be developed and applied consistent with current Australian risk management standards. This means the Chief Audit Executive is responsible for ensuring that any risk information used in internal audits or any risk ratings given to internal audit findings and recommendations (for example, the risk of not implementing a recommendation) must be developed and assigned in a way that complies with AS ISO 31000:2018 and is consistent with council's risk management framework.

Performing internal audits

The Chief Audit Executive will be responsible for approving the project plan for each internal audit, supervising how each internal audit is conducted, and for any significant judgements made throughout each internal audit (including those performed by an external provider).

Each audit undertaken is to consist of following steps:

- **planning the internal audit** – which includes:
 - preliminary research
 - defining the audit’s scope and criteria
 - defining the audit’s objectives
 - timing
 - audit budget, and
 - information needed to perform the audit (for example, access to people, documents, systems)
- **performing the internal audit** – is to consider:
 - the objectives and purpose of the activity being reviewed
 - any risks to these objectives and the effectiveness of existing controls
 - opportunities to improve the efficiency and effectiveness of the activity, how risks are managed and council’s performance more broadly
- **documenting and reporting the internal audit** - which includes:
 - documenting the evidence collected and analysed
 - producing working papers to support the findings and recommendations made
 - writing an audit report, and
 - discussing internal audit results with relevant staff and management.

It is best practice that each internal audit report is to be appropriately supervised and approved by a person not conducting the audit to ensure its findings and recommendations are accurate. Larger councils that employ or contract more than one internal auditor are encouraged to embed this practice into their audit process.

(b) The Chief Audit Executive is to develop policies and procedures to guide the operation of the internal audit function, including the performance of internal audits

The Chief Audit Executive is to ensure that the council develops and maintains policies and procedures to guide the operation of the internal audit function and the performance of internal audits. These policies and procedures should address:

- the structure, resourcing and professional development of the internal audit function
- strategic and annual audit planning
- audit methodology
- audit reports
- ongoing monitoring and reporting
- conducting internal audits and the quality assurance and improvement program
- resolving differences in professional opinion/judgements regarding internal audits
- communication between the governing body of the council, Audit, Risk and Improvement Committee, general manager, Chief Audit Executive and council staff - particularly of non-compliance or sensitive information, and
- information management including document retention, security and access to audit reports.

The Audit, Risk and Improvement Committee is to review and provide advice to the general manager of the council on all internal audit policies and procedures before they are finalised.

Where the internal audit function is outsourced, the Chief Audit Executive will be required to ensure that the external provider is consulted in the development and/or maintenance of internal audit policies and procedures.

(c) The Chief Audit Executive is to report internal audit findings and recommendations to the Audit, Risk and Improvement Committee. Each finding is to have a recommended remedial action and a response from the relevant senior manager/s

The Chief Audit Executive will be required to report the findings and recommendations of internal audits to the Audit, Risk and Improvement Committee at the end of each audit.

Each internal audit report written must include:

- necessary background information, including the objective and scope of the audit
- the audit processes and methodology used
- findings and recommendations based on the audit's objectives, prioritised according to their level of risk
- recommended remedial actions to address problems identified, which:
 - are risk-rated (that is, clearly show the severity of risks identified by the audit, focus management attention on high risks that need prompt attention and allow resources to be first applied to high risks rather than low risks), and
 - have been agreed to by the general manager and responsible senior managers of the council.

The Chief Audit Executive will be responsible for ensuring that each internal audit report (or supporting working papers) contains sufficient information that would enable another internal or external auditor to reach the same conclusions.

A copy of each internal audit report is to be provided to the Audit, Risk and Improvement Committee at the Committee's next quarterly meeting, or distributed out-of-session before the next meeting.

The council's response to internal audit report recommendations

The Chief Audit Executive is to provide a draft of each report to the responsible senior manager/s so that a response to each recommendation from each relevant business unit can be included in the final report that is submitted to the Audit, Risk and Improvement Committee. The general manager will have a maximum of ten working days to approve and provide the council's response to the Committee.

Responsible senior managers will have the right to reject recommended corrective action/s on reasonable grounds, but must discuss their position with the Chief Audit Executive before finalising the council's position with the general manager. Reasons for rejecting the recommendation/s must be included in the final audit report.

For those recommendations that are accepted, responsible senior managers will be required to ensure that:

- an action plan is prepared for each recommendation that assigns responsibility for implementation to a council staff member/s and timeframes for implementation
- all corrective actions are implemented within proposed timeframes, and
- the Chief Audit Executive is provided regular updates, or as otherwise reasonably requested by the Chief Audit Executive, in relation to the implementation of the internal audit action plan.

Where corrective actions are not implemented within agreed timeframes, the Audit, Risk and Improvement Committee can invite the responsible senior manager to explain why implementation has not occurred and how the resulting risk is being addressed in the interim.

The Audit, Risk and Improvement Committee can raise any concerns it may have about the council's response to internal audit reports in the committee's quarterly report to the governing body.

(d) All internal audit documentation is to remain the property of, and can be accessed by, the audited council, including where internal audit services are performed by an external provider. It can also be accessed by the Audit, Risk and Improvement Committee, external auditor and the governing body of the council (by resolution)

The Chief Audit Executive will be responsible for ensuring internal audit information (in whatever form) is documented, retained and controlled in accordance with the council's policies and any legislative or IPPF requirements. Internal audit documentation includes any information or documents produced or obtained by council's internal audit function that relates to the internal audit activities of the council.

All audit documentation is to remain the property of the audited council and can be accessed by the audited council, the Audit, Risk and Improvement Committee and the external auditor. This includes where the internal audits are performed by an external provider. Authorised access to internal audit documents must be outlined in council's Internal Audit Charter.

The governing body can also request access to internal audit information via a resolution of the council. The Audit, Risk and Improvement Committee is to decide the governing body's request. Any disputes between the governing body and the committee are to be referred to the Office of Local Government for resolution.

Apart from external audit purposes, it is envisaged that internal audit reports will be for internal council use only, subject to the requirements of the *Government Information (Public Access) Act 2009*. Approval must be obtained from Chief Audit Executive or Audit, Risk and Improvement Committee before internal audit reports are provided to any other person or external party.

The Chief Audit Executive or the Audit, Risk and Improvement Committee must obtain approval from the general manager prior to releasing any internal audit documents to external parties.

The general manager's approval is not required where the information is being provided to an external oversight or investigative such as, but not limited to, the Office of Local Government, the Audit Office, the Independent Commission Against Corruption or the NSW Ombudsman, for the purposes of informing that agency of a matter that may warrant its attention.

Core requirement 7: **Undertake ongoing monitoring and reporting**

Proposal

It is proposed that an ongoing monitoring and reporting system be established where the:

- (a) Audit, Risk and Improvement Committee is advised at each quarterly meeting of the internal audits undertaken and progress made implementing corrective actions
- (b) governing body of the council is advised after each quarterly meeting of the Audit, Risk and Improvement Committee of the internal audits undertaken and the progress made implementing corrective actions, and
- (c) Audit, Risk and Improvement Committee can raise any concerns with the governing body of the council at any time through the Chair.

Description

(a) The Audit, Risk and Improvement Committee is to be advised at each quarterly meeting of the internal audits undertaken and progress made implementing corrective actions

Ongoing monitoring and reporting to the Audit, Risk and Improvement Committee is essential to ensure that any emerging problems are identified and rectified quickly before their consequences escalate, especially in relation to material risks. It will also ensure that a clear message is sent that these matters are important and are being reviewed at the most senior levels in council.

To ensure this occurs, the Chief Audit Executive is to establish and maintain an ongoing monitoring system to track the internal audits undertaken within the council and follow-up the council's progress in implementing corrective actions. For smaller councils, this could simply be in a table or spreadsheet format.

The Chief Audit Executive is to ensure that the Audit, Risk and Improvement Committee is advised at each of the Committee's quarterly meetings of

- the number of internal audits completed during that quarter, including providing copies of the audit reports and advice on their findings
- progress in implementing the annual work plan
- progress made implementing corrective actions arising from any past internal audits, and
- any concerns the Chief Audit Executive may have.

The way this information is communicated is to be decided by the Audit, Risk and Improvement Committee in consultation with the Chief Audit Executive.

(b) The governing body of the council is to be advised after each quarterly meeting of the Audit, Risk and Improvement Committee of the internal audits undertaken and the progress made implementing corrective actions

Ongoing monitoring and reporting by the Audit, Risk and Improvement Committee to the governing body of the council is essential for accountability. It will also ensure that the governing body is kept abreast of the internal audits conducted and any emerging issues that may influence the strategic direction of the council or the achievement of the council's goals and objectives.

The governing body of the council is to be advised of the internal audits undertaken and progress made implementing corrective actions and any significant or emerging risk issues after each quarterly meeting of the Audit, Risk and Improvement Committee.

The governing body and the Audit, Risk and Improvement Committee is to decide how the Committee's advice is to be communicated. Options include providing the governing body with:

- a formal monitoring report from the Committee – this report would be for information only and a decision at the council meeting would not be required
- copies of the minutes of the Audit, Risk and Improvement Committee's meeting, or
- where appropriate, copies of the relevant agenda papers considered by the Committee at its quarterly meeting.

(c) The Audit, Risk and Improvement Committee can raise any concerns with the governing body of the council at any time through the Chair

Where the Audit, Risk and Improvement Committee is concerned about the progress of implementing corrective actions, or an internal audit-related issue arises, the Committee will be able to provide an additional report to the governing body of the council. This will ensure that the governing body is fully aware of the risks posed to the council.

The Chair of the Audit, Risk and Improvement Committee can also request at any time a meeting with the governing body of the council to discuss an internal audit-related issue.

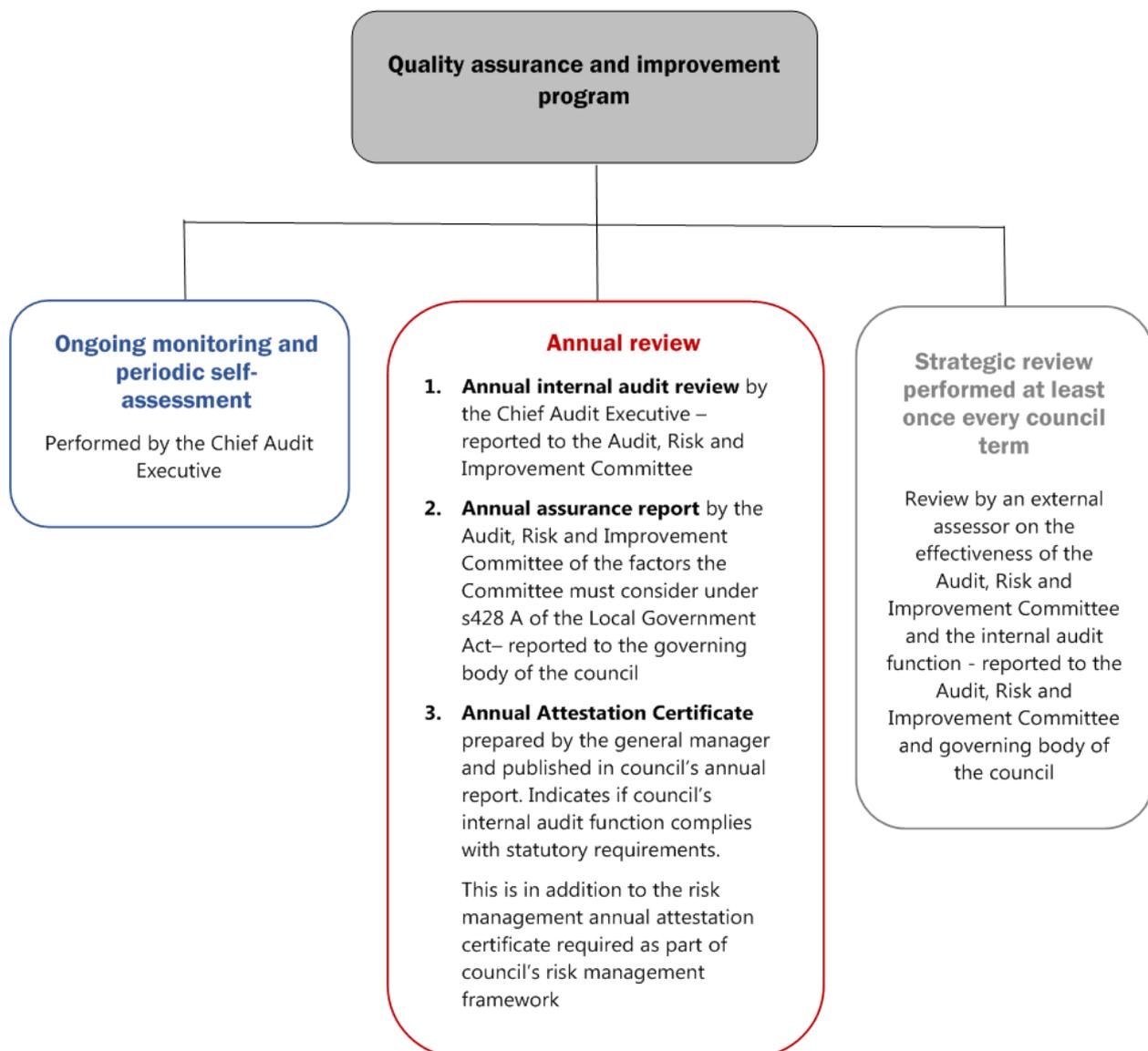
Similarly, the governing body of the council can request by resolution at any time to meet with the Chair of the Audit, Risk and Improvement Committee regarding an internal audit-related issue.

Core requirement 8: Establish a quality assurance and improvement program

Proposal

It is proposed that:

- (a) the Chief Audit Executive is to establish a quality assurance and improvement program which includes ongoing monitoring and periodic self-assessments, an annual review and strategic external review at least once every council term, and
- (b) the general manager is to publish in the council's annual report an annual attestation certificate indicating whether the council has complied with the core requirements for the Audit, Risk and Improvement Committee and the internal audit function.



Description

(a) The Chief Audit Executive is to establish a quality assurance and improvement program which includes ongoing monitoring and periodic self-assessments, an annual review and strategic external review at least once each council term

The Chief Audit Executive is to ensure that there is a documented and operational quality assurance and improvement program for assurance activities that is reported to the governing body of the council. The quality assurance and improvement program is to consist of three key elements:

- 1. Ongoing monitoring and periodic self-assessments** by the Chief Audit Executive
- 2. An annual review** at the end of each financial year by the:
 - Chief Audit Executive on the performance of the internal audit function for the Audit, Risk and Improvement Committee, and
 - Audit, Risk and Improvement Committee on its responsibilities under section 428A of the Local Government Act for the governing body of the council,
- 3. A strategic external review at least once every council term** (i.e. four years) by an external party which is reported to the Audit, Risk and Improvement Committee and the governing body of the council.

These are described in greater detail below.

Ongoing monitoring and periodic self-assessments

The Chief Audit Executive is to undertake ongoing monitoring and periodic self-assessments of the internal audit function throughout the year to validate that it is operating effectively and delivering quality and value.

Monitoring and self-assessments could consider, for example:

- compliance with regulatory requirements and the IPPF
- the quality and supervision of audit work performed
- standardised work practices
- communication practices
- timeliness of audit activities
- any professional development or training required
- client satisfaction and the degree to which stakeholder expectations are being met
- the adequacy of internal audit policies
- progress towards key performance indicators, and
- any weaknesses or areas that need improvement.

The Chief Audit Executive is to implement any changes necessary to address deficiencies identified through ongoing monitoring and periodic self-assessment.

Annual performance review

The annual review (performed at the end of each financial year) is to assess the assurance activities that occurred over the preceding financial year. It is to consist of the following two elements, which together will ensure that the council's assurance activities are comprehensively assessed and any issues identified.

1. An annual internal audit review by the Chief Audit Executive for the Audit, Risk and Improvement Committee which assesses:

- how effectively council has implemented the internal audit function (for example, that findings are communicated and implemented appropriately, resourcing is sufficient, the Internal Audit Charter remains appropriate etc.)
- how the internal audit function has performed against the annual work plan and performance targets, and
- how the internal audit function and activities comply with statutory requirements and the IPPF and
- the independence of the internal audit function.

This will ensure that the Audit, Risk and Improvement Committee receives the Chief Audit Executive's advice on the effectiveness of the internal audit function each year. It will also enable the general manager to complete the council's annual attestation certificate (see below).

2. An annual assurance review by the Audit, Risk and Improvement Committee for the governing body of the council which includes:

- a summary of the work the Committee performed to discharge its responsibilities during the preceding year
- advice on the appropriateness of the Committee's terms of reference (where they contain additional clauses that are not included in the Model Terms of Reference)
- an overall assessment of the following aspects of the council's operations in accordance with section 428A of the Local Government Act:
 - compliance
 - risk management
 - fraud control
 - financial management
 - governance
 - implementation of the strategic plan, delivery program and strategies
 - service reviews
 - collection of performance measurement data by the council, and
 - any other matters prescribed by the regulation (i.e. internal audit), and
- information to help the council improve the performance of its functions.

This will ensure that the governing body of council receives the Audit, Risk and Improvement Committee's independent assurance about these matters in accordance with legislative requirements each year. This will support the governing body in the exercise of its oversight role under the Local Government Act.

The general manager and senior managers are to be advised of the findings and outcomes of the annual review and the Chief Audit Executive is to develop an action plan for the Audit, Risk and Improvement Committee, governing body of the council and general manager to address any issues identified in the annual review.

Strategic external review

An external assessment of council's assurance activities is to be conducted at least once every council term (i.e. four years) by a qualified, independent assessor according to the IPPF quality assessment framework. Requiring compliance with the IPPF will ensure that each council can have confidence in the findings and that councils are assessed consistently across the sector.

The strategic review is to be commissioned by the governing body of the council and reported to the Audit, Risk and Improvement Committee, governing body and the general manager. The Chief Audit Executive is to develop an action plan for the Committee, governing body of the council and general manager to address any issues identified in the external review.

The external review is to include the following two components:

- **the effectiveness of the Audit, Risk and Improvement Committee**, including:
 - whether the Committee has fulfilled its terms of reference
 - the appropriateness of the Committee's terms of reference (where the Committee's terms of reference contain additional provisions not contained in the Model Terms of Reference)
 - the performance of Committee members
 - the way the Committee, external auditor, council and internal audit function work together to manage risk and support the council and how effective this is, and
 - whether the Committee has contributed to the improvement of the factors identified in section 428A of the Local Government Act.

The external review is to address the collective performance of the Audit, Risk and Improvement Committee and the individual performance of each member and the Chair. The review is to consider feedback on each member's performance by the Chair of the Committee, mayor and general manager.

This component of the four-yearly external review will provide accountability and ensure that the governing body of the council can assess how the Audit, Risk and Improvement Committee is functioning and whether any changes to the Committee's terms of reference or membership are required.

In considering the outcomes of the external strategic review, the governing body of the council will be able to request the Chair of the Committee to address the council and answer any questions about the operation of the Committee.

- **the effectiveness of the internal audit function**, including:
 - the independence of the internal audit function
 - whether resourcing is sufficient
 - whether the internal audit function complies with statutory requirements and the IPPF
 - the appropriateness of annual work plans and strategic plans based on the risks facing the council
 - whether the internal audit function adds value and delivers outcomes for the council, and
 - the appropriateness of the Internal Audit Charter (where it includes additional provisions not contained in the Model Internal Audit Charter).

This component of the strategic external review will ensure that the governing body of the council is able to assess whether the internal audit function is effective and adding value to the council and whether any changes are required. The governing body of the council will be able to request the Chair of the Audit, Risk and Improvement Committee and/or the Chief Audit Executive to address the council and answer any questions about the internal audit function.

External assessor

The governing body will be able to commission the strategic external review by either engaging an external assessor to undertake the assessment, or by undertaking a self-assessment and engaging a qualified external reviewer to conduct an independent evaluation of that self-assessment.

The external assessor must have, at a minimum:

- no real or perceived conflicts of interest
- certification as an internal auditor
- knowledge of internal audit and external assessment practices, and
- sufficient recent experience in internal audit at a management level which demonstrates a working knowledge of statutory requirements and the IPPF.

The strategic review report is to outline the qualifications of the assessor and any potential conflicts of interest.

(b) The general manager is to publish in the council's annual report an annual attestation certificate indicating whether the council has complied with the core requirements for the Audit, Risk and Improvement Committee and internal audit function

The general manager will be required to annually publish an attestation statement in the council's annual report indicating whether, during the prior financial year, the council was 'compliant', 'non-compliant' or 'in transition' against each of the core requirements of the Audit, Risk and Improvement Committee and council's internal audit framework. The certificate can be combined with the risk management attestation certificate required as part of the council's risk management framework.

Compliance status is to be self-assessed based on the results of the annual performance review. The following table lists the proposed compliance categories and follow-up action that will be required.

Councils that are 'non-compliant' can apply to the Chief Executive Officer of the Office of Local Government for an exemption from statutory requirements. The Chief Executive Officer will be able to grant exemptions to any or all statutory requirements and will be able to impose conditions on the exemption given.

An exemption will only be granted where:

- a council cannot comply because of temporary extenuating circumstances, substantial structural constraints or resourcing constraints that will materially impact the council's operating budget
- the council is not able to enter into a shared arrangement with another council/s in order to comply (for internal audit only), and
- current or proposed alternative arrangements will achieve outcomes equivalent to the requirements.

The maximum period an exemption can apply will be 24 months (two reporting periods). Any further exemption must be reapplied for.

The council's application for an exemption must:

- be in writing
- be made prior to the reporting period in which full compliance with statutory requirements cannot be achieved or as soon as circumstances arise during the reporting period that will make full compliance throughout the reporting period impossible
- provide the reasons why the council cannot comply with statutory requirements, and
- describe and demonstrate the council's efforts to implement alternative arrangements and how these will achieve an outcome equivalent to the requirements.

The general manager is to ensure that a copy of the attestation statement and the exception approval from the Chief Executive Officer of the Office of Local Government (if applicable) is published in the council's annual report. A copy of the attestation statement is to also be provided to the Office of Local Government.

The Chair of the Audit, Risk and Improvement Committee is to also sign the attestation statement where they agree that it is a true and accurate reflection of the council's compliance status against statutory requirements.

Proposed compliance status for attestation certificates

Definition	Further requirements
COMPLIANT	
The council is 'compliant' if it has implemented and maintained practices consistent with statutory requirements for the whole of the financial year	The council is to provide a copy of its attestation statement to the Office of Local Government and publish the attestation certificate in the council's annual report.
NON-COMPLIANT	
<p>The council is 'non-compliant' if:</p> <ul style="list-style-type: none"> it has not implemented and maintained a risk management framework or internal audit practices consistent with statutory requirements for the whole of the financial year, or the council's Audit, Risk and Improvement Committee and internal audit function has been in place for more than five years but has not been externally assessed (for internal audit only) 	<p>The general manager will be required to apply to the Chief Executive Officer of the Office of Local Government for an exemption from statutory requirements</p> <p>The council's application for an exemption must:</p> <ul style="list-style-type: none"> be in writing be made prior to the reporting period in which full compliance with statutory requirements cannot be achieved or as soon as circumstances arise during the reporting period that will make full compliance throughout the reporting period impossible provide the reasons why the council cannot comply with statutory requirements, and describe and demonstrate the council's efforts to implement alternative arrangements and how these will achieve an outcome equivalent to the requirements. <p>The general manager must ensure a copy of the attestation statement and the Chief Executive Officer's exemption approval (if applicable) is published in the council's annual report. A copy of the council's attestation statement is also to be sent to the Office of Local Government.</p> <p>The council will also have to explain on the attestation statement why it is not compliant and if it has received an exemption from the Chief Executive Officer.</p>
IN TRANSITION	
<p>The council is 'in transition' if it is transitioning its operations to the statutory requirements during the financial year because:</p> <ul style="list-style-type: none"> it is a newly constituted council established after the risk management and internal audit requirements of the Local Government Act and Regulation came into force (a two-year transition period will be granted in this instance), or the requirements that are not complied with have been newly prescribed within the last two years and the council is in the process of implementing them. 	<p>Councils taking advantage of the transitional arrangements will not be required to apply for approval from the Chief Executive Officer of the Office of Local Government. However, councils must be actively taking steps during the two-year (for internal audit) and five-year (for risk management) transitional period to commence implementation and detail how the council plans to achieve compliance within this period.</p> <p>The council is to provide a copy of its attestation statement to the Office of Local Government.</p>

Core requirement 9: **Councils can establish shared internal audit arrangements**

Proposal

It is proposed that:

- (a) a council can share all or part of its internal audit function with another council/s by either establishing an independent shared arrangement with another council/s of its choosing, or utilising an internal audit function established by a joint or regional organisation of councils that is shared by member councils
- (b) the core requirements that apply to stand-alone internal audit functions will also apply to shared internal audit functions, with specified exceptions that reflect the unique structure of shared arrangements, and
- (c) the general manager of each council in any shared arrangement must sign a 'Shared Internal Audit Arrangement' that describes the agreed arrangements.

Description

- (a) A council can share all or part of its internal audit function with another council/s by either establishing an independent shared arrangement with another council/s of its choosing, or utilising an internal audit function established by a joint or regional organisation of councils that is shared by member councils**

Councils that do not want to establish a stand-alone internal audit function will be able to:

- share all or part of their internal audit function with another council/s of their choosing as part of an independent shared arrangement, or
- utilise a joint internal audit function established by their joint or regional organisation of councils that is shared with other member councils.

These options will:

- assist smaller councils to implement their internal audit function in a more cost-effective way where:
 - a full-time committee, Chief Audit Executive or internal audit function is not necessary
 - the council's risk profile does not warrant stand-alone arrangements, and/or
 - the cost of having a stand-alone arrangements will significantly and unacceptably impact the council's operating budget
- assist councils in remote locations that may find it difficult to employ or appoint the suitably qualified personnel that are necessary to support a stand-alone internal audit function
- allow councils to access a larger resource pool than would be available to a single council
- create efficiencies through common systems, shared knowledge and internal audit tools, and
- potentially lower audit costs.

When deciding the most appropriate way to establish a council's internal audit function, the general manager should consider the viability and capacity of a shared Audit, Risk and Improvement Committee, Chief Audit Executive or internal audit function to meet their responsibilities given the:

- size of the council in terms of both staffing levels and budget
- geographical and functional distribution of the council's operations
- complexity of the council's core business

- risk profile of the council's operations
- expectations of stakeholders, and
- likely demands placed on the committee, Chief Audit Executive or internal audit function by other councils in the shared arrangement.

A shared arrangement should only be established where the shared internal audit function can maintain a high level of understanding and oversight of each council's operations and internal audit function, as well as effective working and reporting relationships with the general manager and governing bodies of each council.

(b) The core requirements that apply to stand-alone internal audit functions will also apply to shared internal audit functions, with specified exceptions that reflect the unique structure of shared arrangements

The majority of the core requirements outlined in this discussion paper that apply to stand-alone internal audit functions will also apply to shared internal audit arrangements.

This means that any shared internal audit function must operate as an individual resource for each council that meets each council's unique internal audit needs. In terms of roles and responsibilities:

- the **Audit, Risk and Improvement Committee** is to operate as an individual committee for each council in any shared arrangement⁶⁵. This includes the committee:
 - providing independent assurance and oversight for each council
 - endorsing each council's Internal Audit Charter, annual work plan and four-year strategic plan
 - holding individual meetings for each council that are separately minuted⁶⁶ and observers being invited to only attend that part of the committee meeting that relates to their council
 - liaising with the respective governing bodies and general managers of each council in relation to that council's internal audit issues
 - approving individual performance indicators for each council based on that council's needs and operations
 - fulfilling the requirements of each council's quality assurance and improvement program and conducting a separate annual review for each individual council based on that council's internal audit activities which is reported to the governing body of that council
 - maintaining separate and confidential information for each council
- the **Chief Audit Executive** (who may be employed by one of the participating councils or by a joint or regional organisation of councils) is to work separately with each council in any shared arrangement to implement the internal audit function for that council. This includes the Chief Audit Executive:
 - liaising with the governing body and general manager of each separate council about that council's internal audit activities
 - individually developing and implementing the annual work plan and four-year strategic plan for each council, based on each council's individual requirements and in consultation with that council's general manager
 - developing and maintaining internal audit policies and procedures for each council based on that council's needs and operations

⁶⁵ Under the NSW Government's prequalification scheme, membership on any shared Audit, Risk and Improvement Committee will count as one towards the limit of five memberships allowed for a committee member

⁶⁶ Individual meetings for each council can be held sequentially but joint or shared meetings discussing multiple councils must not be held (apart from common agenda items, for example, the Audit, Risk and Improvement Committee's terms of reference, Internal Audit Charter etc.)

- conducting the individual audits of each council
- confirming the implementation by the council of corrective actions that arise from the findings on internal audit activities
- submitting to each respective council an individual report after each internal audit and liaising with the general manager of each respective council (and governing body where necessary) on that council's internal audit issues
- managing any contractual arrangements for externally provided internal audit personnel on behalf of each council in the shared arrangement
- fulfilling the requirements of each council's quality assurance and improvement program and conducting a separate annual review for each individual council based on that council's internal audit activities which is reported separately to the Audit, Risk and Improvement Committee
- attending the Audit, Risk and Improvement Committee meetings of each respective council on behalf of that council
- maintaining separate and confidential information for each council
- providing independent assurance and oversight for each council, and
- **internal audit personnel** (who may be employed by one of the participating councils or by a joint or regional organisation of councils or supplied through an external provider) are to operate as an individual internal auditor/internal audit team for each council in any shared arrangement. This includes internal audit personnel conducting the individual internal audits of each council.

Given there are multiple councils and therefore multiple decision-making bodies involved, shared arrangements will have a number of unique requirements that will be different to those that apply to a stand-alone internal audit function. These are described below.

Unique requirements for independent shared arrangements

Decision-making body

The governing body and general manager of a council are the key decision-makers in a council in relation to internal audit. However, given that any shared arrangement will have more than one governing body and general manager, decision-making in relation to a shared internal audit function is likely to be administratively complex.

To simplify and streamline decision making, councils in an independent shared arrangement will be required to establish a committee comprising of councillors from each of the participating councils under section 355 of the Local Government Act. This committee will make the following decisions (where applicable) about the Audit, Risk and Improvement Committee, Chief Audit Executive or internal audit function that would otherwise be made by the governing body of each council, and each council will be required to delegate these decisions to the committee:

- approving the Internal Audit Charter (after endorsement by the Audit, Risk and Improvement Committee), so it can then be adopted by each individual council
- determining the size of the shared Audit, Risk and Improvement Committee
- appointing and dismissing members and the Chair of the shared Audit, Risk and Improvement Committee
- approving the terms of reference of the Audit, Risk and Improvement Committee (after endorsement by the Committee), so it can then be adopted by each individual council, and
- approving internal audit policies and procedures (in consultation with the Audit, Risk and Improvement Committee and the general managers of each participating council), so they can then be adopted and implemented by each individual council.

Where an Audit, Risk and Improvement Committee is shared, each council in the shared arrangement will still be required to adopt and implement their own Internal Audit Charter, terms of reference for the Audit, Risk and Improvement Committee, and internal audit policies and procedures.

Committee members will be required to consult with other members of the governing body of their council on any decisions made. All other functions assigned to the governing body of a council in core requirements 1-8 will remain with each individual council.

Auspecting body

Where the Chief Audit Executive and other internal audit personnel are shared by councils, these positions must be employed by one of the participating councils in the shared arrangement and located together to work effectively. The Chief Audit Executive must also report administratively to the general manager of the council that employs them.

This will create greater administrative efficiency by reducing reporting and communication lines. It will also ensure that:

- the Chief Audit Executive reports administratively to one general manager on behalf of all councils in the independent shared arrangement
- the Chief Audit Executive, in-house internal audit staff and secretariat staff will be employees of, and located at the auspecting council and have access to necessary administrative and HR support, and
- the Chief Audit Executive and internal audit staff will be subject to the Code of Conduct of the auspecting council.

Administrative responsibility and oversight of the shared internal audit function should be exercised by an administrative oversight committee comprising of all general managers of the participating councils.

The administrative oversight committee will have the following responsibilities in relation to the Audit, Risk and Improvement Committee:

- ensuring adequate procedures are in place to protect the independence of the Audit, Risk and Improvement Committee
- overseeing arrangements for secretariat support for the Audit, Risk and Improvement Committee, and
- receiving written declarations from members that they do not have conflicts of interest that may preclude them from serving on the Audit, Risk and Improvement Committee.

The administrative oversight committee will also have the following responsibilities in relation to the Chief Audit Executive and internal audit staff:

- recommending the appointment and dismissal of the Chief Audit Executive (in consultation with the Audit, Risk and Improvement Committee and governing bodies of each council) – the ultimate decision will be made by the employing general manager, and
- recommending any changes impacting the employment of the Chief Audit Executive (in consultation with the Audit, Risk and Improvement Committee) – the ultimate decision will be made by the employing general manager.

Allegations of breaches of the auspecting council's Code of Conduct by the Chief Audit Executive or internal audit staff are to be dealt with by the auspecting general manager, in consultation with the other general managers.

The general managers of each council will be required to attend the Audit, Risk and Improvement Committee meetings related to their council and to undertake all other functions in relation to internal audit referred to general managers in core requirements 1-8.

Unique requirements for joint/regional organisation shared arrangements

Decision-making body

The member councils of a joint or regional organisation are to delegate their decision making authority in relation to internal audit under section 377 of the Local Government Act to the Board of their joint or regional organisation of councils. The Board will make the decisions that would have otherwise been made by the governing body of each council. This includes:

- adopting the Internal Audit Charter on behalf of each member council (after endorsement by the Audit Risk and Improvement Committee)
- appointing and dismissing members and the Chair of the shared Audit, Risk and Improvement Committee
- adopting the terms of reference of the Audit, Risk and Improvement Committee on behalf of each member council (after endorsement by the Audit, Risk and Improvement Committee), and
- adopting internal audit policies and procedures on behalf of each member council (in consultation with the Audit, Risk and Improvement Committee and the general managers of each participating council).

All other functions assigned to the governing body of a council in core requirements 1-8 will remain with each individual council.

Auspicing body

The shared internal audit function is to be undertaken on behalf of member councils by the joint or regional organisation of councils. This will mean that:

- the Chief Audit Executive will report administratively to the executive officer of the joint/regional organisation
- the Chief Audit Executive, in-house internal audit staff and secretariat staff will be employees of the joint or regional organisation. The Chief Audit Executive and in-house internal audit staff may be located at the joint or regional organisation or at one of the member councils and have access to necessary administrative and HR support supplied through the joint or regional organisation or council, and
- the Chief Audit Executive and internal audit staff will be required to comply with the Code of Conduct of the joint or regional organisation⁶⁷.

The executive officer of the joint/regional organisation will also, on behalf of, and in consultation with each general manager in the shared arrangement, take on the administrative responsibility of some aspects of the shared internal audit function.

In relation to the Audit, Risk and Improvement Committee, this includes:

- determining the size of the Audit, Risk and Improvement Committee
- ensuring adequate procedures are in place to protect the independence of the Audit, Risk and Improvement Committee
- arranging secretariat support for the Audit, Risk and Improvement Committee, and
- receiving written declarations from members that they do not have conflicts of interest that may preclude them from serving on the Audit, Risk and Improvement Committee.

⁶⁷ Where the Code of Conduct of the joint or regional organisation differs from the Model Code of Conduct, the Model Code of Conduct will apply.

In relation to the Chief Audit Executive and internal audit staff, this includes:

- appointing and dismissing the Chief Audit Executive (in consultation with the Audit, Risk and Improvement Committee and governing bodies of each council)
- deciding any changes that may impact the employment of the Chief Audit Executive (in consultation with the Audit, Risk and Improvement Committee), and
- dealing with breaches of the joint/regional organisation’s code of conduct by the Chief Audit Executive or internal audit staff.

The general manager of each council will be required to attend the Audit, Risk and Improvement Committee meetings that relate to their council and exercise all other functions of the general managers in relation to internal audit described in core requirements 1-8.

Internal audit requirements for joint organisations

It is important to note that, like councils, joint organisations will also be required to appoint an Audit, Risk and Improvement Committee and have an internal audit function.

The Audit, Risk and Improvement Committee appointed by the joint organisation on behalf of member councils is therefore also to operate as the Audit, Risk and Improvement Committee for the joint organisation and the Chief Audit Executive appointed by the joint organisation is also to oversee the internal audit function for the joint organisation in addition to member councils.

Fees for shared Audit, Risk and Improvement Committee members

The following fee structure that currently applies under the NSW Government’s prequalification scheme for Audit and Risk Committee Chairs and Members will apply to all shared arrangements, subject to any change.

Shared Audit, Risk and Improvement Committees	Fee category (based on stand-alone internal audit functions)	Chair fee (excluding GST)	Member fee (excluding GST)
Up to and including three small councils	Medium	\$16,213 per annum	\$1,621 per meeting day including preparation time
Two or more medium councils	Large	\$20,920 per annum	\$2,092 per meeting day including preparation time
Any combination of small and medium councils	Large	\$20,920 per annum	\$2,092 per meeting day including preparation time

(c) The general manager of each council in any shared arrangement must sign a ‘Shared Internal Audit Arrangement’ that describes the agreed arrangements

The general manager of each council in any shared arrangement will be required to sign a ‘Shared Internal Audit Resourcing Agreement’ with the other councils in the shared arrangement which agrees the following components.

Shared Internal Audit Resourcing Agreement

Issue	Components to be agreed by councils
Audit, Risk and Improvement Committee	<ul style="list-style-type: none"> • Number of committee members • Term of committee membership • Process for appointing and dismissing the Chair and committee members, including skills and capability requirements • Content, approval and review of the committee's terms of reference • Process for reviewing the committee's performance • Secretariat support arrangements for the committee • The committee's meeting schedule, including the sequencing of meetings to cover each council's requirements and when and how emergency committee meetings can be called • Process for the committee to request others to attend committee meetings or provide additional information about internal audit matters • Arrangements for the provision of information by the committee to the Chief Audit Executive and internal audit personnel, as well as the governing body and general manager of each council
Auspicing arrangements	<ul style="list-style-type: none"> • What the auspicing arrangements will be • What the responsibilities of each council will be • Roles, responsibilities and reporting lines of the internal audit function
Chief Audit Executive and internal audit personnel	<ul style="list-style-type: none"> • Whether internal audit personnel are in-house or contracted through an external provider • Chief Audit Executive and internal audit personnel's purpose, scope, authority, delegations, role, responsibilities and reporting lines • HR matters such as recruitment processes, disciplinary matters, employment conditions, HR support, remuneration • Process for reviewing the performance of the Chief Audit Executive and internal audit personnel as part of each council's quality assurance and improvement program
Administrative arrangements	<ul style="list-style-type: none"> • Content of the Internal Audit Charter as well as how it is approved and reviewed • How costs will be determined, administered and shared • How disputes between councils in the shared arrangement will be resolved • How conflicts of interest, disciplinary or performance issues regarding Audit, Risk and Improvement Committee members, the Chief Audit Executive and internal audit personnel are to be dealt with • Information management and record-keeping • What information, if any, will be shared between councils • How much time the internal audit function spends on each council • Composition of the s 355 committee and the process for appointing and removing members (for independent shared arrangements) • Establishment and operation of the general manager's administrative oversight committee (for independent shared arrangements) • Process for agreeing contractual arrangements with external providers • Procedures and safeguards to be put in place to preserve the independence of the internal audit function

NEXT STEPS

Have Your Say

In developing the risk management and internal audit framework proposed in this paper, the Office of Local Government has considered the recommendations of various inquiries conducted by the Local Government Acts Taskforce, the Independent Local Government Review Panel and the Independent Commission Against Corruption, and the internal audit frameworks of other jurisdictions.

The Institute of Internal Auditors, NSW Treasury, the Department of Finance, Services and Innovation, the NSW Audit Office and the Executive of the Local Government Internal Auditors Network have also provided valuable feedback on earlier drafts of this discussion paper.

We now want to hear from you.

Key questions to consider

- Will the proposed internal audit framework achieve the outcomes sought?
- What challenges do you see for your council when implementing the proposed framework?
- Does the proposed framework include all important elements of an effective internal audit and risk framework?
- Is there anything you don't like about the proposed framework?
- Can you suggest any improvements to the proposed framework?

Submissions may be made in writing by **31 December 2019** to the following addresses.

Post

Locked Bag 3015
NOWRA NSW 2541

Email:

olg@olg.nsw.gov.au

Submissions should be marked to the attention of the Council Governance Team.

Next steps

Feedback will be considered when finalising the risk management and internal audit framework.

Once finalised, the Office of Local Government will notify councils of the new requirements and the steps and timeline for implementation.

Further information

For more information, please contact the Council Governance Team on (02) 4428 4100 or via email at olg@olg.nsw.gov.au.

RESOURCES USED

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APPENDIX 1 – TIMELINE OF KEY INFLUENTIAL EVENTS

When	Who	What
2008	Office of Local Government ⁶⁸	<p>Internal Audit Guidelines for local government in NSW</p> <p>The Office of Local Government issued <i>Internal Audit Guidelines</i> under section 23A of the Local Government Act. The Guidelines sought to assist councils to put into place effective risk management and internal audit processes. This was in recognition that many councils wished to have a risk management framework and internal audit function and wanted guidance on how to achieve this. The Guidelines included:</p> <ul style="list-style-type: none"> • the aims and objectives of risk management and internal audit in councils • how a risk management framework and an internal audit function is to be overseen, structured and operated • the roles, responsibilities and reporting lines of relevant staff • the need for internal audit charters, and • the establishment, structure and function of audit and risk management committees.
2010	Office of Local Government ⁶⁹	<p>Internal Audit Guidelines for local government in NSW - updated⁷⁰</p> <p>A survey of councils conducted by the Office of Local Government to ascertain the progress made towards implementing the 2008 Guidelines found that while more than 50% of councils reported that they had an internal audit function, there were areas where the Guidelines needed to be clarified to improve compliance. The Guidelines were updated to:</p> <ul style="list-style-type: none"> • provide more guidance on the requirements for an independent audit committee • expand the conflicts of interest provisions, and • clarify the role of the general manager in the internal audit function.

⁶⁸ Then the Department of Local Government

⁶⁹ Then the Division of Local Government in the Department of Premier and Cabinet

⁷⁰ Division of Local Government (2010) *Internal Audit Guidelines*

When	Who	What
2011	Independent Commission Against Corruption	<p>Burwood Council Inquiry</p> <p>The Independent Commission Against Corruption found in its <i>Investigation into alleged corrupt conduct involving Burwood Council's General Manager and others</i>⁷¹ that the absence of internal audit at Burwood Council was a significant factor that allowed corruption to occur at that council. The Commission recommended that:</p> <ul style="list-style-type: none"> internal audit be legislatively mandated for local councils in NSW, and in the case of small councils, the possibility of councils sharing an internal audit function should also be provided as an option. <p>The Commission also made a number of specific recommendations regarding internal audit functions in NSW councils:</p> <ul style="list-style-type: none"> it be made a legislative requirement that council's internal audit committee be able to meet without the general manager present as this would preserve its capacity to meet as an independent body it be made a legislative requirement that the general manager of a council report to the governing body any decision to dismiss an internal auditor and the reason for the decision. This will help protect internal auditors from dismissal as a result of conducting an audit involving the conduct of a general manager the Local Government Act be amended to confer powers on internal auditors similar to those conferred on external auditors. These powers should include full and free access to council information in order to carry out the internal audit function and the power to direct general managers, councillors and staff to produce documents and answer questions clause 9.2(d) of the <i>Model Code of Conduct for Local Councils in NSW</i> be amended to permit councillors to provide information directly to internal auditors. This amendment was considered necessary to increase internal auditors' potential sources of information, and the reporting structure for councils' internal audit function include provision for the governing body of the council to receive information about the outcome of audits. <p>Specific to Burwood Council, but relevant to councils state-wide, the Commission also recommended that:</p> <ul style="list-style-type: none"> council's audit and risk committee be chaired by a person independent of council the governing body of the council receive regular updates on the outcome of internal audits council's internal audit function monitor compliance with the Councillor Expenses and Facilities Policy, any policy for the payment of out-of-pocket expenses to the general manager and staff and council's system for allocating work to legal practitioners as part of its oversight role, and council's internal audit function conducts audits of the authorisation certification and approval processes for expenditure that is unusual or infrequent.

⁷¹ Independent Commission Against Corruption (2011) *Investigation into the alleged corrupt conduct involving Burwood Council's general manager and others*

When	Who	What
2012	NSW Auditor-General	<p>Monitoring Local Government report⁷²</p> <p>The NSW Auditor-General found that over 75 councils had some sort of internal audit function and recommended that amendments be made to the Local Government Act (or other suitable alternative measures) that enable the Office of Local Government to make directions to require councils to have an Audit, Risk and Improvement Committee, internal audit function and fraud control procedures. The NSW Auditor-General also recommended that the Office of Local Government use council internal audit reports to identify councils at financial risk and identify matters which warrant attention.</p>
2013	Local Government Acts Taskforce	<p>Review of the Local Government Act 1993</p> <p>The Local Government Acts Taskforce recommended in its report, <i>A new Local Government Act for NSW and Review of the City of Sydney Act 1988⁷³</i>, that the Act be amended to:</p> <ul style="list-style-type: none"> • legislate financial governance principles councils are to abide by • require councils to implement a financial governance framework that includes risk management, audit, internal controls and independent verification of financial reporting • require councils to incorporate risk management, accountability, value for money and probity in procurement, approval, enforcement and capital expenditure processes, and • require all decisions to incorporate considerations of risk management and long-term sustainability. <p>The Taskforce conducted extensive public and sector consultation in formulating its recommendations.</p>
2013	Independent Local Government Review Panel	<p>Independent Local Government Review Panel</p> <p>The Independent Local Government Review Panel found that, as at 2013, 50% of NSW councils had an Audit, Risk and Improvement Committee and/or some form of internal audit process. However, those that did tended to focus primarily on compliance, risk and fraud control and had committees that were strongly embedded within the council and answerable primarily to the general manager. This could generate conflicts of interest.</p> <p>The Panel recommended in its report, <i>Revitalising Local Government⁷⁴</i>, that the 2010 Internal Audit Guidelines issued by the Office of Local Government be made mandatory under the Local Government Act and that each council be required to have an internal audit function. Under the mandatory framework the Panel specifically recommended that:</p> <ul style="list-style-type: none"> • each council's internal audit function focus on adding value and continuous improvement rather than compliance, risk and fraud control • all councils with expenditures over a set amount (e.g. \$20 million per annum) be required to have an Audit, Risk and Improvement Committee and associated internal audit function with broad terms of reference covering financial management, good governance, performance in implementing the community

⁷² NSW Auditor-General (2012) *NSW Auditor-General's Report - Monitoring local government: Department of Premier and Cabinet, Division of Local Government*

⁷³ Local Government Acts Taskforce (2013) *A New Local Act for New South Wales and Review of the City of Sydney Act 1988*

⁷⁴ Independent Local Government Review Panel (2013) *Revitalising Local Government. Final Report of the NSW Independent Local Government Review Panel*

When	Who	What
		<p>strategic plan and delivery program, service reviews, collection of required indicator data, continuous improvement and long-term sustainability</p> <ul style="list-style-type: none"> • each Audit, Risk and Improvement Committee should have a majority of independent members and an independent Chair, and the general manager should be precluded from being a committee member (but not from attending committee meetings) • the Chair be required to report biannually to a council meeting on council's financial management, governance processes and opportunities for continuous improvement • councils be able to share their internal audit functions under the auspices of joint organisations, and • the NSW Auditor-General conduct issue-based performance audits relating to internal audit. <p>The Panel conducted extensive public and sector consultation in formulating its recommendations.</p>
2016	NSW Parliament	<p>Amendments to the Local Government Act 1993</p> <p>In response to the recommendations of the Independent Local Government Review Panel, the Local Government Act was amended⁷⁵ to require all councils to have an Audit, Risk and Improvement Committee to keep under review the following aspects of council's operations:</p> <ul style="list-style-type: none"> • compliance • risk management • fraud control • financial management • governance • implementation of the strategic plan, delivery program and strategies • service reviews • council's performance, and • the collection of performance measurement data by the council. <p>Guiding principles were included in the Act to require councils to have sound policies and processes for risk management and to effectively and proactively manage risks to the local community and council.</p> <p>The roles and responsibilities of the governing body, mayor, councillors were also updated and include the need to comply with the guiding principles and keep the performance of the council under review.</p> <p>The amendments followed an extensive public consultation process.</p>
2017	Independent Commission Against Corruption	<p>Botany Bay Council Inquiry</p> <p>The Independent Commission Against Corruption found, in its <i>Investigation into the conduct of the former City of Botany Bay chief financial officer and others</i>⁷⁶, that whilst Botany Bay Council did have an internal audit function:</p> <ul style="list-style-type: none"> • it lacked independence from council's management and was prevented by the general manager from investigating the key operational areas and financial aspects of the council where corruption was occurring

⁷⁵ The Local Government Act was amended via the *Local Government Amendment (Governance and Planning) Act 2016*

⁷⁶ Independent Commission Against Corruption (2017) *Investigation into the former City of Botany Bay Council Chief Financial Officer and others*. ICAC Report July 2017

When	Who	What
		<ul style="list-style-type: none"> • it was never able to directly present information or audit reports to the Audit, Risk and Improvement Committee or meet with the Committee to discuss concerns without the general manager present • it did not use risk ratings to determine what audits would be conducted which enabled key areas (where corruption was occurring) to be missed • the council's Audit, Risk and Improvement Committee was ineffective and did not properly examine the council, internal audit function or monitor the implementation of corrective actions, or report to the governing body • standard controls were frequently ignored, e.g. management letters • key financial staff in the council lacked the capabilities to perform their role • the governing body thought it was unable to request more information about audit activities • the governing body of council did not properly consider external audit reports or implement recommended corrective actions, and • corruption and misuse of public money was able to occur unabated. <p>The Commission recommended that the internal audit model to be developed under the 2016 amendments to the Act be comparable to that which applies to state government agencies. The Commission specified in particular that the NSW Government:</p> <ul style="list-style-type: none"> • issue mandatory administration and governance directives to local government similar to those that apply to state government agencies • require the composition and operation of audit committees to be similar to those that apply to state government agencies (i.e. all independent members), and • require the general managers of each council to regularly attest that its audit committee is operating in accordance with requirements. <p>The Commission also noted that had the NSW Auditor-General been conducting council's external audits (as now occurs) the corrupt conduct would have been detected much more quickly than it was.</p> <p>Specific to Botany Bay Council, but relevant to councils state-wide, the Commission also recommended that:</p> <ul style="list-style-type: none"> • council ensures that the implementation of both internal and external audit recommendations is considered by the governing body of the council when evaluating the performance of the general manager • council undertake a risk assessment (including an assessment of fraud and corruption risks) to inform its internal audit plan • council ensures that its internal audit function operates independently from management by reporting functionally to its Audit, Risk and Improvement Committee • council ensures that it has a robust system in place to monitor and report on the implementation of internal audit recommendations that is independent from management, and • the general manager reviews the Audit, Risk and Improvement Committee's effectiveness and the adequacy of its arrangements to ensure that it fulfils the responsibilities of its charter and provides sufficient assistance to the governing body on governance processes.

When	Who	What
2018	NSW Auditor-General	<p>Report on Local Government 2017</p> <p>The NSW Auditor-General released her first audit of the NSW local government sector⁷⁷ in April 2018 following the 2016 Local Government Act amendments. In relation to internal audit, the NSW Auditor-General found that, out of a combined 128 local councils and 10 county councils:</p> <ul style="list-style-type: none"> • 85 councils (62%) have an Audit, Risk and Improvement Committee and 53 (38%) do not. This is further broken down by location: <ul style="list-style-type: none"> ○ 32 metropolitan councils (94%) have a committee and 2 (6%) do not ○ 29 regional councils (78%) have a committee and 8 (22%) do not ○ 23 rural councils (40%) have a committee and 34 (60%) do not ○ 1 county council (10%) has a committee and 9 (90%) do not • 86 council have a supporting internal audit function and 52 councils (38%) do not. This is further broken down by location: <ul style="list-style-type: none"> ○ 31 metropolitan councils (91%) have an internal audit function and 3 (9%) do not ○ 29 regional councils (78%) have an internal audit function and 8 (22%) do not ○ 24 rural councils (42%) have an internal audit function and 33 (58%) do not ○ 2 county councils (20%) have an internal audit function and 8 (80%) do not, and • 102 councils (74%) have either an Audit, Risk and Improvement Committee or an internal audit function and 36 councils (26%) have neither. <p>The Auditor-General also found that of the councils that did have a risk management framework in place, many of them were outdated and did not have accurate risk registers, risk policies and/or procedures. Many councils also had significant risks that were not being managed appropriately and were consequently affecting the governance, financial sustainability, asset management and legislative compliance of the council. 55% of Committees were also not reviewing the financial statements of councils.</p> <p>The NSW Auditor-General recommended in relation to risk management and internal audit that:</p> <ul style="list-style-type: none"> • the Office of Local Government introduce a requirement for all councils to establish internal audit functions • the Office of Local Government update its 2010 Internal Audit Guidelines • Audit, Risk and Improvement Committees review the financial statements of councils • councils could strengthen governance by implementing risk management and/or ensure their existing risk management framework includes IT, and • councils should early adopt the proposed requirement to establish an Audit, Risk and Improvement Committee.

⁷⁷ NSW Auditor-General (2018) *Report on Local Government 2017*

When	Who	What
2019	NSW Auditor-General	<p>Report on Local Government 2018</p> <p>The NSW Auditor-General⁷⁸ found in her 2018 report that out of a combined 128 councils and 10 county councils, the number that have an:</p> <ul style="list-style-type: none"> ○ Audit, Risk and Improvement Committee increased from 85 (62%) in 2017 to 97 (70%), and ○ internal audit function increased from 86 (62%) in 2017 to 92 (67%). <p>The NSW Auditor-General attributed these increases to the 2016 amendments to the Local Government Act that mandate Audit, Risk and Improvement Committees and internal audit functions from March 2021.</p> <p>The councils yet to establish an Audit, Risk and Improvement Committee and internal audit function are mainly rural and county councils (50-60% of rural and county councils are non-compliant). Most metropolitan councils have a Committee and all have an internal audit function.</p> <p>For those councils that did have an Audit, Risk and Improvement Committee:</p> <ul style="list-style-type: none"> • 98% of Committees have an Audit, Risk and Improvement Committee Charter • 94% of Committees have an independent Committee Chair • 90% of Committees are advised of significant, complex or contentious financial reporting issues • 87% of Committees monitor progress in addressing internal and external audit recommendations • 83% of Committees have a majority of members who are independent • 81% of Committees review the council's risk register • 48% of Committees perform an annual self-assessment of their performance. <p>For those councils that did have an internal audit function:</p> <ul style="list-style-type: none"> • 95% have a documented internal audit plan • 90% of Audit, Risk and Improvement Committees review the internal audit plan • 85% of internal audit plans align with the council's risk register, and • 61% of Committees assess the performance of the internal audit function. <p>In relation to risk management, the NSW Auditor-General found that:</p> <ul style="list-style-type: none"> • 120 (87%) councils have a risk management policy and 18 (13%) councils do not • 100 (72%) councils have a risk register and 38 (28%) councils do not, and • 126 (91%) councils' risk registers align with their strategic objectives and 12 (9%) do not. <p>The NSW Auditor-General also recommended that councils:</p> <ul style="list-style-type: none"> • strengthen their risk management policies and practices • manage a number of specific high-risks better • implement stronger internal controls • improve fraud control, IT, asset management, procurement and contract management policies and practices, and • implement a legislative compliance framework tailored to the size and risk profile of the council.

⁷⁸ NSW Auditor-General (2019) *Report on Local Government 2018* (see erratum)





Enquiries Peter Bascomb
Our Ref 3213648
Cooma Office
Your Ref

Date

Council Governance Team
Office of Local Government
olg@olg.nsw.gov.au

Dear Sir/Madam

Submission: A New Risk Management and Internal Audit Framework for local councils in NSW

Snowy Monaro Regional Council is pleased to provide feedback to the Office of Local Government's discussion paper regarding the proposed internal audit and risk management guidelines.

Overall we consider the discussion paper has the fundamentals of a good guidance tool for local government in relation to Audit, Risk and Improvement Committees. We are encourage by the assurance that OLG recognises the unique structure and needs of NSW local government and its desire to minimise administrative and resource impacts for council.

We support the implementation of a learning and development program and encourage its early introduction.

However, we are concerned that there are inconsistencies in how elements of the guiding principles are described and anticipated to be adhered to in relation to roles and responsibilities for the CEO and ARIC. We consider these may unfavourably impact upon us as a regional council.

Our responses focus on our areas of concern and provide alternative suggestions for your consideration.

CORE REQUIREMENT 1 APPOINT AN INDEPENDENT AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC)

a) Each council (including county council/joint organisation) is to have an independent Audit, Risk and improvement Committee that reviews all matters prescribed in section 428A of the Local Government Act

We note there is no comment about a transition period for those ARIC members with tenure during the cross over past March 2021.

SNOWY MONARO REGIONAL COUNCIL

Given there is a requirement that all councils comply with the new guidelines as at a prescribed date, we consider there may be potential for a shortage of available and suitable applicants to fill all the required positions.

We suggest that OLG advise how it aims to manage this potential shortage.

b) The ARIC is to operate according to terms of reference based on model ToR, approved by the governing body of the council after endorsement by the Committee

Currently this Council has an Audit, Risk and Improvement Committee Charter based in part on the OLG Guidelines for Internal Audit 2010. We believe that there needs to be further clarity in relation to the roles of the ARIC and the CEO in the governing documents. This in part is discussed above in relation to appropriate wording.

c) The ARIC is to comprise 3 – 5 independent members who are prequalified via NSW Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members

Outsourcing of the recruitment of local government ARIC members to the State Government is not supported as we believe that using this form of recruitment adds duplication in the recruitment process and removes ownership and involvement of Council and its senior executive. Additionally using an outsourced prequalification scheme does not allow for the unique needs for an individual regional local government in selecting candidates who have an understanding of their region.

We are further concerned that there will not be sufficient opportunity this Council to have choice between candidates and using the prequalified scheme conditions may introduce imbalance and limited variability in the candidates' pool.

We consider the independence criteria is too restrictive as below.

- i. *a member cannot have been employed by any Australian council in past 3 years.*

By excluding members employed by any Australian Council limits currency of knowledge of operations of local government. This effectively limits obtaining applicable knowledge of internal workings of local government and relevant experience to provide the key requirements to support council.

We suggest instead, that an external member cannot have been employed by the recruiting council within the past three years. This includes any merged council which subsequently was included into an amalgamated council.

In addition we consider that the criteria as per the discussion paper is inconsistent with point iii, which comments upon provision of material goods or services. These two criteria should be the same relating to the recruiting council.

- ii. *Councillors of any council in Australia; Stood for election of a council or a person cannot have held office in a council during its previous two terms*

We acknowledge and accept that members of an Audit, Risk and Improvement Committee should include a balance of professional skills, knowledge and technical

SNOWY MONARO REGIONAL COUNCIL

experience, sufficient capacity, independence and objectivity to discharge its responsibilities.

We do not support excluding Councillors as a member of the Audit, Risk and Improvement Committee.

We suggest that the voting membership of the ARIC comprise 3-4 independent external members and 1 councillor and that in the first instance that the councillor be the Mayor.

We consider that a Councillor can bring additional information and depth of knowledge of the activities of the council and is an enabler of active transfer of information regarding the work of the ARIC to remaining Councillors and the public.

We suggest that a Councillor nominated as a voting member of ARIC should meet at least minimal requirements of an independent member and that they should attend compulsory training to obtain an understanding of what the role, responsibilities and expectations of being a member of an ARIC entails.

We further suggest that if there is not a Councillor who meets the criteria for membership or does not attend a recognised audit committee training course within a reasonable period of time that this position be filled by an external independent member.

We consider the restrictions of sitting on any council in Australia, over a period of up to two terms to be draconian and inconsistent with the proposed three years determination of being employed by council.

We suggest that the wording be the current recruiting Council, or NSW Council.

- iii. *a member must be free of any relationships that could be perceived to result in bias or a conflict of interest or interfere with their ability to act independently*

The Mayor / councillor do have decision making powers on policy and internal process and political influence. The perception of lack of independence may or may not be warranted, however it is this Council's strong recommendation that firstly the Mayor or secondly a councillor be a voting member of the ARIC, with the criteria of minimal requirements and training as outlined above.

Currently or within last three years provided any material goods or services (including consultancy, legal, internal audit and advisory service) to the council which directly affect subject or issues consider by the ARIC.

We consider as per previous statements that this restriction should relate only to the recruiting council.

2. ARIC Roles and responsibilities (page 31)

We note and accept the expanded role of the ARIC to include "Internal Audit; External Audit; Control Framework; Strategic Planning; Service Delivery; Performance data and measurement further broken down into Advisory, Review, Endorsement of". However as explained earlier in this response, we suggest that

clarity in wording and expectations attached to wording be a primary focus to remove potential conflict in understanding of roles and expectations.

Fees paid to members and the Chair (page 38)

We note that the fees for the chair and members are payable using a scale based on expenditure of the Council.

The proposed fees set by the NSW Government will significantly increase the costs above what is currently incurred by council. This will result in increased costs to the ratepayers and appears to be cost shifting. There is no justification for why the fees need to be set at this level and without evidence of market failure Councils should be able to engage members that meet the criteria at the market rate.

The fees appear to be metro centric and more relevant to state government agencies who have major differences in legislative and compliance requirements from a regional or rural local government.

Substance and travel to the meeting venue is additional to the fees. Travel and sustenance costs are currently included in Council's sitting fees and this change will again increase costs to the ratepayers for no visible benefit. Council disagrees with the mandatory requirement to pay travel fees.

We question why if members of the ARIC are to be reimbursed travel expenses this is done by reference to the "*Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009*" and instead consider that the reference should be to a council's expenses policy that applies to councillors.

We suggest that fees should either:

- reflect the current remuneration of councillors at each council with the Chair to be additionally remunerated for the additional responsibilities and duties.; or
- be set by Council; as is current practice

3. Note 51 (page 38): Members can sit on no more than 5 ARIC committees.

We support this requirement in principal; however we consider in its present format it is too broad and subject to an interpretation that may not be consistent with the original intent of ensuring that external members are able to give appropriate attention and time to the ARIC of which they are a member.

We suggest that this be reworded to "members can sit on no more than 5 NSW state or local government Audit, Risk and Improvement Committee (or other similarly named committees)"

e) The Audit, Risk and Improvement Committee is to meet quarterly, with the ability to hold extra meetings if required. A council's general manager and Chief Audit Executive should attend except where excluded by the Committee

i. Agenda and minutes (page 40)

SNOWY MONARO REGIONAL COUNCIL

We note that meeting minutes to be treated as confidential unless otherwise specified by the Committee.

Currently our ARIC minutes are non-confidential. We consider that this is appropriate and ensures that there is recognition that this Council is open and transparent in its dealings.

We are aware that there is inconsistency across local government not only with the presentation of minutes as confidential or non-confidential, but also in relation to meeting papers of an ARIC.

We suggest that further consideration be given as to whether a resolution should be expressly stated that ARIC meeting papers are to be confidential unless otherwise specified by Council.

f) Audit, Risk and Improvement Committee members are to comply with the council's Code of Conduct and the conduct requirements of the NSW Government's Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members

i. ARIC & conduct requirements (page 42)

ARIC members should be deemed as "designated persons"

We note that "should" gives an option for not being deemed as designated person. Currently our ARIC members are not identified as designated persons.

Councillor Circular 19-21 suggests that Council should review the positions they currently identify as designated persons in light of Guideline 1 by applying the principles attached to the Circular.

h) The Audit, Risk and Improvement Committee is to provide an annual assurance report to the governing body of the council and be assessed by an external party at least once each council term as part of the council's quality assurance and improvement program

i. Annual assurance report (page 43).

We note the requirement for annual assurance report. We suggest that a template for the report is developed by OLG to ensure consistency across councils. In addition we suggest that the assurance report contain the internal audit annual report developed by the Chief Audit Executive.

CORE REQUIREMENT 2 – ESTABLISH A RISK MANAGEMENT FRAMEWORK CONSISTENT WITH CURRENT AUSTRALIA RISK MANAGEMENT STANDARDS

We note that where ARIC considers resourcing for risk management to be insufficient relative to council risk, the ARIC is to provide funding recommendations.

We have determined there is insufficient Australian benchmark data available for determining required risk management resources per council expenditure.

SNOWY MONARO REGIONAL COUNCIL

We suggest that OLG provide this benchmark data as part of the final Guidance.

CORE REQUIREMENT 3 – ESTABLISH INTERNAL AUDIT FUNCTION MANDATED BY AN INTERNAL AUDIT CHARTER

We support the requirement of the internal audit function having functional reporting to ARIC. This is current practice.

We also approve the requirement that the ARIC has involvement in the appointment and approval of remuneration of Chief Audit Executive. However, we have some concern as to the practicality of this requirement and suggest further clarification on the ARIC's role given its advisory status.

As earlier addressed in Core requirement 1, we suggest that the wording and language used is reflective of the responsibilities and roles of the Committee.

We note that the General Manager has responsibility for administrative delivery of internal audit function and that the Chief Audit Executive does not need to report directly to the General Manager with a dotted line for escalation. The functional reporting to the Audit, Risk and Improvement Committee Chair in relation to the work of the CAE may raise some problems for the CAE unless there is clarity in expectations.

We note that where ARIC considers resourcing for internal audit function is insufficient relative to council risk, the ARIC is to provide funding recommendations to Council.

Similarly to the risk management funding recommendations, we request that OLG provide Australian benchmark criteria for determining required IA resources per council expenditure.

We acknowledge that there is some data available however it is primarily US big data and not relevant to NSW local government.

We note that Council is to assign administrative responsibility for internal audit to the General Manager and include this in his or her employment contract and performance reviews.

CORE REQUIREMENT 4 – APPOINT INTERNAL AUDIT PERSONNEL AND ESTABLISH REPORTING LINES

We note and support the requirement that the General Manager is to appoint a Chief Audit Executive to oversee councils internal audit activities and that this person can be a council employee and the most senior member of staff in council responsible for internal audit (excluding the General Manager or CFO).

We accept that the Chief Audit Executive (or in our case the Senior Internal Auditor) must have certain essential and preferred skills, knowledge and experience also must have functional independence.

The internal audit function is to be led by someone with the skills, knowledge, experience and integrity needed to effectively oversee a council's internal audit function.

We note that the General Manager is to consult with Chair of the Audit, Risk and Improvement Committee before appointing or dismissing the Chief Audit Executive or making any change to Chief Audit Executive's employment conditions.

SNOWY MONARO REGIONAL COUNCIL

CORE REQUIREMENT 5 – DEVELOP AN AGREED INTERNAL AUDIT WORK PROGRAM

We have no comment to make on this core recommendation as we recognise this requirement is in compliance with the IPPF and that our Senior Internal Auditor complies with this requirement.

CORE REQUIREMENT 6 – HOW TO PERFORM AND REPORT INTERNAL AUDITS

We have no comment to make on this core recommendation as we recognise this requirement is in compliance with the IPPF and that our Senior Internal Auditor complies with this requirement.

CORE REQUIREMENT 7 – UNDERTAKING ONGOING MONITORING AND REPORTING

We have no comment to make on this core recommendation as we recognise this requirement is in compliance with the IPPF and that our Senior Internal Auditor complies with this requirement.

CORE REQUIREMENT 8 – ESTABLISH A QUALITY ASSURANCE AND IMPROVEMENT PROGRAM

We have no comment to make on this core recommendation as we recognise this requirement is in compliance with the IPPF and that our Senior Internal Auditor complies with this requirement.

CORE REQUIREMENT 9 – COUNCIL CAN ESTABLISH SHARED INTERNAL AUDIT ARRANGEMENTS

This requirement does not apply to this Council. .

We thank you for the opportunity to provide the feedback above. We recommend that the final guide is clear and concise, uses consistent terminology and leaves no room for user confusion, misunderstanding or modification giving rise to non-compliance.

Should you have any queries regarding this s please contact Council's Executive Office on (02) 6455 1702.

Yours faithfully

Peter Beer

Mayor

9.4.3 ANSWERS TO QUESTIONS WITH NOTICE

Record No:

Responsible Officer:	Acting 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 November 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 November 2019.

The Councillor Questions In Progress for the period ending November 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 Councillor Questions In Progress report for the period ended November 2019.

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	<p>Disability Friendly Premises for Council Meetings</p> <p>Councillor John Castellari</p> <p>Question: Could Council identify disability friendly premises for our meetings so that we are inclusive of all our population?</p>	Group Manager Facilities Management	<p>03/12/2019 – GH: Audit continuing and report due February 2020.</p> <p>31/10/2019 – LN: Compliance audit for building (81 Commissioner Street) underway. Report due February 2020.</p> <p>30/09/2019 – GH: Council currently considering premises in Vale St OR the potential to upgrade the Commissioner St premises. RFT currently out to undertake Compliance Inspection of the Commissioner St premises.</p> <p>27/08/2019 – GH: Lease of premises in Vale St is being considered for Council Meetings.</p> <p>24/07/2019 – GH: Alternate options are still being discussed at ELT.</p> <p>02/07/2019 – GH: Alternate options are being discussed at ELT.</p> <p>03/06/2019 – GH: Still being reviewed.</p> <p>02/05/2019 – GH: Awaiting GM/Director advice on proposed ground level floor plan alterations including Council Chambers relocation to Finance area.</p>	03/12/2019	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p>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.</p> <p>30/10/2018 – GH: 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.</p> <p>31/08/2018 – GH: Price estimate for installation of wheel chair lift to public entry stairwell requested. Continuing EOI process for new civic centre.</p> <p>21/08/2018 – GH: 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 center – neither have available webcasting capabilities. Staff are investigating feasibility of a platform wheelchair lift for the current chambers.</p> <p>16/08/2018 – DC: Action reassigned to Glen Hines by: Debbie Constance.</p>		

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					11/08/2018 – DC: 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.		
57	15 Nov 2018	18.3	Delegate School of Arts, Drainage Councillor Anne Maslin What is the time frame for repair work to be done on gutters and downpipes to improve drainage at the Delegate School of Arts?	Group Manager Facilities Management	03/12/2019 – GH: Site meeting with design engineer scheduled for 04/12/19. 29/10/2019 – GH: RFT being prepared for construction of toilets and to be put on Vendor Panel in November. Awaiting outcome of SCC3 application for other works. 30/09/19 – GH: SCCF Round 3 Grant application submitted for upgrade works in line with compliance report recommendations 27/08/2019 – GH: Council resolved to fund construction of new toilets. Facilities staff to project manage this. L&P staff to prepare SCCF 3 application for improvement works as scoped by the building compliance reports. 24/07/2019 – GH: August report to Council and preparation of Grant Application. 01/07/2019 – GH: Report received early this week. Application for funding under SCCF Round 3 to be prepared in line with report	03/12/2019	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p>recommendations. Report will be tabled at August Council meeting.</p> <p>03/06/2019 – GH: Awaiting Building Inspection report.</p> <p>02/05/2019 – GH: Scope is much greater than repairs to gutter and downpipes. Council allocated \$50K for a building inspection and projects scope with report expected in May. A Fire inspection was carried out by Council staff which identified a significant amount of recommendations to achieve compliance. Following receipt of the building inspection report and estimates, funding for upgrades and repairs will be sought either through Council Reserves or available Grants. Facilities only hold \$10K in Capital Project funding for both School of Arts and Pre-School combined.</p> <p>02/04/2019 – 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 Crown Land. Inspection and planning as per below to continue as planned and Staff will investigate funding possibilities and present to Council.</p> <p>26/02/2019 – GH: 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</p>		

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p>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>29/01/2019 –GH: 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>03/12/2018 – GH: 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 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.</p>		
112	20 June 2019	12.6	<p>Bobeyan Road Councillor Lynley Miners Question: With the announcement of the 20 million for Bobeyan Road in the spare budget, we should be shovel ready to take this money. Are we ready? If not, what is our time frame? Who is in charge – Council or RMS?</p>	Group Manager Transport Infrastructure (Operations)	<p>29/11/2019 – GS: Update from a conversation between RMS Director Southern Region and the SMRC CEO on Wednesday 27 November 2019 confirmed Council are not expected to apply for the \$20M allocated to Bobeyan Road. RMS are in the process of transferring the funds to their Operational Expenditure to allow the initial tranche of funds to be released. Current discussions/planning with Snowy Valleys Council is considering a joint/staged project</p>	29/11/2019	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p>rollout over a four (4) year program of works. There is no formal agreement yet on how/when the Bobeyan Road Upgrade is to be delivered.</p> <p>31/10/2019 – GS: The Deed of Agreement has still not been received by Council.</p> <p>25/09 2019 – GS: The Minister for Regional Transport and Roads has been requested to provide an update on when a Deed of Agreement will be released. To date there has been no response and therefore this project cannot be progressed to “shovel ready” status. Council staff continue to make requests for confirmation on funding commitments for both Bobeyan Road (\$20M) and the upgrades to the gravel road network (\$17.5M); without success at this time.</p> <p>27/08/2019 – GS: There has been no progress on preparing Bobeyan Road to “shovel ready” status. Council still wait for confirmation from State Government of the funding source, timeframe for availability of the \$20M and reporting obligations aligned with the grant fund.</p> <p>24/07/2019 – GS: The section of Bobeyan Road between Snowy Mountains Highway and Shannons Flat Road has been identified as possible routes for returning Heavy Traffic from the Snowy 2.0 construction site. Council staff are working with Snowy</p>		

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p>Hydro and Snowy 2.0 to determine the scope of works required that will ensure both Bobeyan and Shannons Flat Road, including the bridges, are capable of accommodating proposed traffic levels without detriment to existing traffic i.e. School Buses.</p> <p>The State Government confirmed \$20M for the upgrade of Bobeyan Road from the Snowy Mountains Highway to the ACT Border over a 4 year period; the State Government also committed \$1,432,713 for the upgrade of a further 25% (approximately 4km) of the unsealed section of Shannons Flat Road.</p> <p>This project is not Shovel Ready and the scope will be determined by a Survey & Design.</p> <p>A decision has not yet been made on who will undertake works once a design has been approved; this could be either RMS or Council.</p> <p>26/06/2019 GS:</p> <p>Bobeyan Road is a Council Road currently classified as a Collector, so will not involve the RMS as a Road Maintenance Authority.</p> <p>John Barilaro MP announced in a media release on the 18th June 2019 \$20 million to seal Bobeyan Road.</p> <p>It is expected that funding and conditions will follow shortly.</p> <p>Staff are aware of the issues to be addressed on Bobeyan Road and have started planning following this announcement, but this funding will also be required to bring the project to a shovel ready status.</p>		

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
113	18 July 2019	12.1	Tree Clearing of the Lake Foreshore Councillor Brian Old Question: When is the next stage of this project going to commence?	Manager Open Space & Recreation	03/12/2019 – JK: Commenced and will be an ongoing project. 24/10/2019 – JK: Quotes received and works to commence and be completed, depending on contractor availability, within the next two weeks Corrective Services also to undertake part of the work on an ongoing basis – to tidy area and remove some areas of suckers. 30/09/2019 – JK: Ongoing. On schedule to be completed by 31/10/2019. 30/08/2019 – JK: Ongoing. Planning for work to be completed by 31/10/2019. 26/07/2019 – JK: Plan for work to commence mid to late August and to be completed by end of October.	03/12/2019	Y
119	19 September 2019	12.3	Townsend Street Jindabyne Councillor Castellari: Question: Could staff please look into the possibility of increasing the number of lights on Townsend Street Jindabyne? Residents, including young women, older people and mothers with children have commented that they do not feel safe walking along the street at night. This is especially so at the end of Townsend Street farthest from the highway.	Group Manager Transport Infrastructure (Operations)	03/12/2019 GS: No further update. 31/10/2019 – GS: Currently this work is not factored into the 2019/2020 financial year and, if this were to be prioritised, that would be to the detriment of an existing (approved) project. 27/09/2019 – GS The issue of street lights along Townsend Street, Jindabyne was inspected by staff on Thursday 26	03/12/2019	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p>September 2019.</p> <p>There are six lights currently installed separated by distance as follows: Light 1 and 2 – 89 metres. Light 2 and 3 – 71 metres. Light 3 and 4 – 103 metres. Light 4 and 5 – 126 metres. Light 5 and 6 – 82 metres.</p> <p>As displayed in the picture below, the available street lighting is inadequate to cover the whole of Townsend Street and fails to provide sufficient light between street lights.</p> <p>To resolve this a major project would be required and the energy provider engaged to determine scope, design, costs and implementation.</p> <p>Currently this work is not factored into the 2019/2020 financial year and, if this were to be prioritised, that would be to the detriment of an existing (approved) project.</p> 		

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
124	17 October 2019	12.6	Werralong Road Councillor John Rooney Question: When will Werralong Road be gazetted and maintained as a public road as previously agreed by Council?	Group Manager Transport Infrastructure (Operations)	29/11/2019 – GS: At the meeting of Council on Thursday 21 November, Councilors approved the acquisition and gazettal of Werralong from the Constance/Cherry boundary through to the Snowy River. Staff are preparing a submission to the Minister/Valuer General to approve the acquisition process. 31/10/2019 – GS: An updated report will be prepared for the November Council meeting A meeting has been requested by one of the complainants with the GM and Director Environment & Sustainability. Correspondence has also been received from the daughter of one of the landowners who has recently passed. The outcomes of these discussions and correspondence are being factored into an updated report for consideration at the November meeting of Council.	29/11/2019	N
125	17 October 2019	12.7	s355 Michelago Hall Committee Councillor John Rooney Would staff please submit the minutes of the s355 Michelago Hall Committee to Council for its consideration?	Group Manager Governance	05/12/2019 – ED: The committee have not held any recent meetings. The committee have been advised to forward minutes to council. Minutes from s355 committees will be reported to council in February. 01/11/2019 – NB: Michelago Hall Committee has not held a recent meeting. Group Manager Governance and the Governance Officer managing the S355		Y

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p>Committee contacts recently met with a representative of the Hall Committee and advised a meeting would be required with the full committee in November to determine use and access of the facility and also potential of one S355 committee for the tennis and clubhouse facilities as well.</p> <p>This meeting is being scheduled for November.</p> <p>At this time Governance are acting as an intermediary between the community groups.</p>		
126	17 October 2019	12.8	<p>Storm water Drain in Michelago Councillor John Rooney Question: What progress has been made on remediating the storm water drain running through two properties in Michelago Village?</p>	Group Manager Transport Infrastructure (Operations)	<p>29/11/2019 – GS: A report is being submitted to the Council meeting of 19 December 2019 that will provide an update on the issue of storm water drainage through two properties in Michelago Village.</p> <p>31/10/2019 – GS A meeting with the affected property owner took place on Wednesday 23 October 2019. This reiterated an agreement from a previous meeting with Councillor Rooney the Group Manager and the property owner that any decision and/or remediation work was incumbent on his son allowing survey work to be undertaken on the property. A more detailed analysis of flood mitigation measures through this property is being progressed and that analysis report will be available in November 2019.</p>	29/11/2019	N
127	17	12.9	Grading Povey's Road	Group Manager	29/11/2019 – GS:	29/11/2019	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
	October 2019		Councillor John Rooney Question: Would it be possible for Council to grade 1.5kms of Povey's Road known as Old Ravenswood Road?	Transport Infrastructure (Operations)	The issue of Poveys Road was considered by Council at the meeting of 21 November 2019. Following the resolution to NOT acquire the section of Poveys Road classified as Crown Road, staff are now negotiating with Crown Lands to establish an MOU that would allow Council to maintain the Crown Road Section with all maintenance costs to be recovered from residents. 31/10/2019 – GS: A report will be submitted for Council consideration in relation to Povey's Road at the November meeting of Council.		
128	17 October 2019	12.10	Michelago Tennis Club Councillor John Rooney Can Council establish a s355 Committee to manage and maintain the public tennis courts and clubhouse on Michelago Oval?	Group Manager Governance	05/12/2019 – ED: Group Manager Governance and a Governance Officer attended a community meeting in Michelago on 13 November at 6pm to discuss how the creation of a new s355 committee to manage council assets/facilities in the Michelago Area, these being; the Community Hall (currently a s355 committee), the tennis courts, the cricket nets and oval. Council does not own the train station and this would not be included in the scope of the s355 committee, nor would the cemetery as this committee is managed by council compliance unit and there are regulatory requirements to be met. It was discussed that in consultation with the Michelago community we would put a business case together for council's consideration, and then advertise for membership.		Y

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
					<p>01/11/2019 – NB: Group Manager Governance and the Governance Officer managing the S355 Committee contacts recently met with two community groups separately regarding concerns in the community on use and access to Council assets by the community.</p> <p>A further meeting is to be held in November with all groups to determine if a single S355 committee can be facilitated to manage both the Hall and the Tennis courts and the clubhouse.</p>		
129	21 November 2019	12.1	<p>Signage at Bombala Toilet Block Councillor Anne Maslin Question: Could Council please urgently post temporary signage for the Bombala amenities toilet block which the new signs are being designed and made? The Christmas holidays are approaching and signage is needed to inform visitors that the Main Street toilets are available.</p>	Group Manager Facilities	<p>03/12/2019 – GH: Temporary signage ordered whilst permanent signage design is being determined through consultation.</p>	03/12/2019	Y
130	21 November 2019	12.2	<p>Feral Cat Control Councillor Brian Old Question: Can there be something done about the feral cats at the Jindabyne tip?</p>	Group Manager Environmental Management	<p>02/12/2019- GM: The Supervisor of Jindabyne landfill has made contact with Council's Ranger for the Jindabyne area to commence a trapping and removal program.</p>	02/12/2019	N
131	21 November 2019	12.3	<p>Roads Councillor Sue Haslingden Question: Can Council investigate developing a policy that it does not consider developments /</p>	Group Manager Transport Infrastructure (Operations)	<p>29/11/2019 – GS This issue will be discussed with planning to determine how or if the current policy needs to be amended. An update from those discussions</p>	29/11/2019	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Date of Reply	Compl Y/N
			big approvals that do not have access to a Council road?		will be available to the first meeting of Council in 2020.		

9.4.4 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer:	Acting 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 November 2019
Cost Centre	3120

EXECUTIVE SUMMARY

In order to provide Councillors with updates on resolutions of Council, a report has been generated with a summary of action that are current and have recently been completed, for the period ending November 2019.

The In Progress Resolution Action Sheet for period ending November 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 November 2019.

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
12	15 March 2018	64/18		<p>Creation of road reserve over Jerangle Road through lot 6 DP 754888 at Jerangle That Council</p> <p>A. Accept the quotation from Bradley Surveying and Design Pty Ltd in the amount of \$9,500</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>E. Gazette the entire length of Jerangle Road as a Council public road.</p>	Property Officer	<p>28/11/2019 – JH: Have requested further update from Solicitor.</p> <p>17/10/2019 – JH: The plan of subdivision is lodged and ready for registration, as is the possessory title application for the balance of Jingera Lot 6 DP 754888</p> <p>24/09/2019 -JH: No further update from Solicitor with regard to approval from LPI.</p> <p>27/8/2019 –JH: Solicitor has advised some minor technical requisitions with the lodged plan have been dealt with by the surveyor. Solicitor now awaiting advice from LPI. Solicitor will update Council when this advice is received.</p> <p>23/7/2019- JH: Email has been sent to Solicitor requesting an update. Waiting for a response.</p> <p>01/07/2019 – JH: No further update from Solicitor. Staff will advise Council as soon as advice is received.</p> <p>5/6/2019-JH: Solicitor has advised that they are still waiting on discharge of mortgage and will advise Council as soon as this has taken place.</p>	30/12/2019	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>30/4/2019 –LB: Waiting on discharge of mortgage.</p> <p>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.</p> <p>29/02/2019 –JH: Update request sent to solicitor still waiting reply.</p> <p>30/01/2019- JH: Still waiting for update from the landowner’s Solicitor.</p> <p>02/01/2019 –JH: Have sent an email request to Andrew Freer who advised they will advise when lodgement of the plan of subdivision has occurred.</p> <p>22/11/2018 –LB: Landowners solicitor has been asked for further update. Presently awaiting response.</p> <p>24/10/2018 – LB:</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>Still waiting on landowner's solicitor to lodge the plan – mortgagor's consent needed.</p> <p>03/10/2018 – LB: Waiting on landowner's solicitor to lodge the plan.</p> <p>27/08/2018 – LB: Email sent to surveyor and solicitor asking for update on progress of registration of the plan.</p> <p>02/08/2018 – LB: Plan has been lodged. Email sent to solicitor acting for the other party asking for an update.</p> <p>23/07/2018 –LB: Waiting on registration of plan of subdivision.</p> <p>11/07/2018 – LB: Documents returned to surveyor for lodgement with the LPI.</p> <p>21/06/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 30 Jun 2018 To: 30 Sep 2018.</p> <p>21/06/2018 – LB:</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>All documents have been executed by Council and sent back to the surveyor for lodgement at the LPI.</p> <p>04/06/2018 – LB: Currently waiting on Subdivision Cert.</p> <p>26/05/2018 – LB: 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.</p> <p>23/04/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 16 Apr 2018 To: 30 Jun 2018.</p> <p>24/04/2018 – DC: Surveyor has been contacted and is proceeding with survey of road. 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>		
16	05 April 2018	118/18		<p>Proposed Road Closure & Sale of old Lions Park at Bombala That Council;</p> <p>A. Approve the partial road closure on the corner of High Street and</p>	Property Officer	<p>28/11/2019 – JH: Surveyor advised the plan of consolidation is being prepared and should be completed by January 2020.</p>	30/01/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>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>		<p>17/10/2019 - JH: Plan has been registered for the road closure and a request for a plan of consolidation has been requested to finalise this project.</p> <p>24/09/2019- JH: Surveyor enquiring with LPI as to status of this registration.</p> <p>27/08/2019-JH: The plan has been submitted to the Land Registry Service for registration.</p> <p>23/07/2019-JH: Email sent to Surveyor requesting an update. Waiting on a response.</p> <p>01/07/2019 –JH: Awaiting Subdivision Plans from Land Registry Service.</p> <p>05/06/2019–JH: Subdivision documents are being lodged by the Surveyor and once returned, the process to combine into one Lot and DP will begin</p> <p>30/04/2019 – SA: Planning Staff actioning the subdivision this week.</p> <p>26/03/2019 –JH:</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>Still waiting return of subdivision certificate from Council.</p> <p>29/02/2019 – JH: Plans with Council waiting for return of subdivision certificate.</p> <p>30/01/2019 – JH: Plan is with Council and waiting for return of Subdivision Certificate.</p> <p>02/01/2019 – JH: Plans are lodged with Council for Subdivision Certificate waiting return of Certificate.</p> <p>21/11/2018 – JH: 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 – JH: The Submission period ends 8 November 2018, some submissions have been received from adjoining landowners and the authorities, these</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>submissions have been with no objection to the closure.</p> <p>25/10/2018 – JH: 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>05/10/2018- JH: 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.</p> <p>03/10/2018 – LB: Notifications sent out to commence road closing.</p> <p>27/08/2018-LB: 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 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>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>02/08/2018 – LB: Spoke to surveyor this week and he has promised to get the plan to me within the week.</p> <p>23/07/2018 – LB: Still waiting on plan for boundary adjustment.</p> <p>11/07/2018- LB: 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>21/06/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 30 Jun 2018 To: 30 Sep 2018.</p> <p>21/06/2018 – LB: Surveyor has confirmed that Council will receive the plan etc. in about two weeks.</p> <p>04/06/2018 – LB: Currently waiting on survey plan for road closing.</p> <p>23/05/2018 – LB: Waiting on plan.</p> <p>23/04/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 16 Apr 2018 To: 30 Jun 2018.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						23/04/2018 – LB: Surveyor has been engaged to provide a plan for boundary adjustment and road closure will commence as soon as a plan is available.		
19	19 April 2018	147/18	16.9	<p>Compulsory Acquisition of Lot 13 DP 239506 - Access to Jindabyne Sewerage Treatment Plant, Jindabyne Landfill and Sewer Pump Station 6</p> <p>That Council</p> <p>A. Rescind resolution 131/14 of 26 August 2014</p> <p>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.</p> <p>C. Dedicate the land as Public Road in accordance with the Roads Act 1993</p> <p>D. Note minerals are to be excluded from this acquisition</p> <p>E. Note this acquisition is not for the purpose of resale</p> <p>F. Make the necessary applications to the Minister for Local Government and the Governor</p>	Land & Property Officer	<p>28/11/2019 – LB: Follow-up with Public Works revealed that the invoice still has not been received.</p> <p>28/10/19 – LB: Email from Public Works confirmed that the valuation was received and sent to Primary Industries. Invoice is yet to be received for payment.</p> <p>30/09/2019- JH: No further update from Public Works at this stage.</p> <p>02/09/19 – LB: Confirmed with Public Works that receipt of an invoice for compensation has not yet been received.</p> <p>26/07/19 – LB: Still waiting on invoice.</p> <p>01/07/19 – LB: Waiting on receipt of invoice for compensation of the land acquisition.</p>	30/12/2019	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>31/05/2019 – LB: Valuation has been received by Public Works. PW will forward to Council after reviewing the valuation.</p> <p>30/04/2019 – LB: Still waiting for the valuation from the Valuer General.</p> <p>27/03/2019 – LB: Waiting for the Valuer General to send an invoice for the value of the land.</p> <p>04/03/2019 – LB: Land has been gazetted to Council.</p> <p>30/01/2019 – LB: This property will be gazetted to Council in February 2019.</p> <p>22/11/2018 – LB: 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.</p> <p>24/10 2018 – LB: Minister's consent to the acquisition has been received and we are now progressing to finalise the matter by 30 November 2018.</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>Council has been notified by Public Works that OLG has approved acquisition and we are currently waiting on gazettal and notification from the Valuer General for the cost.</p> <p>03/10/2018 – LB: Waiting on Valuer General's valuation of the land.</p> <p>27/08/2018 – LB: This matter is still waiting on consent from the OLG.</p> <p>02/08/2018 – LB: This matter is still with the Governor.</p> <p>23/07/2018 – LB: Waiting on reply from the OLG.</p> <p>11/07/2018 – LB: Application is with the OLG and we should receive word from the Valuer General within the next month with respect to purchase price.</p> <p>21/06/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 21 May 2018 To: 21 Oct 2018.</p> <p>21/06/2018 – LB: Application has been sent to OLG for consent.</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>04/06/2018 – LB: This matter has been submitted to the Dept of Local Gov. for consent.</p> <p>23/05/2018 – DC: Application has been submitted to the Dept of Local Government for consideration. Ongoing.</p> <p>01/05/2018 – LB: 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

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
20	07 May 2018	162/18	11.1	<p>Proposal to Realign the Barry Way Jindabyne and to Address Issues with the Intersections of Barry Way with Eagle View Lane and Bungarra Lane 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>	Land & Property Officer	<p>28/11/2019 – LB: Waiting on amended plan from surveyor. Landowner is under the impression that the Crown will grant a right of way over the TSR. An email has been sent to the Crown asking for clarification as the Crown has always maintained that they will not approve a right of way over the TSR.</p> <p>A letter has been sent to the landowner over whose property Eagle View Lane passes notifying him of the Council resolution and requesting that he contact the Land and Property Officer.</p> <p>28/10/19 – LB: NSW ALC has confirmed that they are prepared to consent the acquisition of land (TSR) by relinquishing the claim over the road 20m wide. They have requested an amended plan prior to consent being given for the acquisition. The surveyor is currently amending the plan. Letter has been sent to Local Land Services seeking consent to the acquisition but no reply has been forthcoming at this time.</p> <p>30/09/2019-JH: Communicating with NSW Aboriginal Land Council with regard to a parcel of Crown Land required for this access.</p>	31/12/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>F. Authorise the General Manager to execute any documents necessary to complete the project.</p> <p>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>		<p>02/09/19 – LB: Realignment of Barry Way at the intersection of Bungarra Lane has commenced. Eagle View Lane Intersection will be addressed within the next month.</p> <p>26/07/19 – LB: Survey plan has been received. Negotiation with landowners to commence shortly.</p> <p>01/07/19 – LB: Survey plan still not received. When the plan is received, negotiations with affected landowners will commence.</p> <p>31/05/2019 – LB: Surveyor has completed survey to Moonbah Bridge. He is currently checking his calculations and expects to be able to send it to Council within a week.</p> <p>30/04/2019 – LB: Survey and plan is still underway with the surveyor.</p> <p>27/03/2019 – LB: No further update.</p> <p>04/03/2019 – LB: Survey is ongoing. Surveyor has given assurance that work is progressing.</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>30/01/2019 – LB: No further update. It is anticipated that the survey work will be ongoing for approx. 12 months.</p> <p>22/11/2018 – LB: No further update. It is anticipated that the survey work will be ongoing for approx. 12 months</p> <p>24/10/2018– LB: Surveyors are presently working on identification plan.</p> <p>03/10/2018- LB: Keven Spain engaged to carry out survey.</p> <p>27/08/2018 – LB Surveyor selected and work to progress shortly.</p> <p>07/08/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 06 Jun 2019 To: 31 Dec 2019.</p> <p>02/08/2018 – LB: Call for expressions of interest from local land surveyors. Submissions currently being considered.</p> <p>23/07/2018 – LB: 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>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>11/07/2018 – LB: Specification sent to three surveyors requesting that they submit expressions of interest. Due by cob 13/7.</p> <p>21/06/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 06 Jun 2018 To: 06 Jun 2019.</p> <p>21/06/2018 – LB: Draft specification with Group Manager Transport and Infrastructure for approval.</p> <p>04/06/2018 – LB: 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>23/05/2018 – LB: Specification being developed to seek quotations from suitably qualified land surveyors.</p>		
29	21 June 2018	253/18	22.3	<p>Council Property - Town View, Waterworks Hill, Bombala</p> <p>That Council</p> <p>A. Approve the proposal to demolish the residence located on lot 1 DP 1216130</p>	<p>Water & Wastewater Manager</p> <p>Land & Property Officer</p>	<p>03/12/2019 MR: Ongoing.</p> <p>28/10/2019 – MR: Waiting on finalisation of Bombala/Delegate Water Options Study Report on the</p>	28/02/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<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>refurbishment/replacement of the Bombala Water Treatment Plant.</p> <p>02/10/2019 – MR: W&WW is waiting on the finalisation of the Bombala/Delegate water supply options report so that a decision can be made around incorporating the demolition of the cottage in the potential rebuild/rehabilitation of the BWTP and associated site. The preferred option is to have the demolition/removal, timing and cost of the cottage be a component of the \$15M grant funding to improve Bombala's and Delegate's water supplies.</p> <p>02/09/2019 – RP: The power and sewerage services have been disconnected and water service is being disconnected from the house. Once the disconnection of services is completed, quotes will be sourced for the demolition of the house based on the outcome of the option assessment of the water treatment plant.</p> <p>26/08/2019 – RP: Awaiting on Options Study Report from GHD. It is anticipated the report will be received mid-August.</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>Removal of the cottage will form part of the Bombala Water Treatment Plant refurbishment or replacement.</p> <p>26/07/2019 – MR: Awaiting on Options Study Report from GHD. It is anticipated the report will be received mid-August.</p> <p>Removal of the cottage will form part of the Bombala Water Treatment Plant refurbishment or replacement.</p> <p>01/07/2019 – MR: Power and water being disconnected. OSSM connections being investigated. House won't be demolished until the Options Study- Bombala Water Treatment Plant has been finalised.</p> <p>31/05/2019 – LB: Council's Water and Wastewater Department is currently seeking quotations to demolish the cottage.</p> <p>30/04/2019 – LB: Planning to demolish the cottage is underway.</p> <p>27/03/2019 – LB: Tenant has found alternative accommodation and has been given an extension to 7 April to</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>move out of the cottage at Bombala Waterworks.</p> <p>04/03/2019 – LB: Tenant has until 31 March 2019 to vacate the premises.</p> <p>30/01/2019 – 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 – LB: 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. 1 month so it is intended to give the tenant at the Waterworks cottage notice to vacate when the work is completed.</p> <p>24/10/2018 – LB: Commercial Land & Property Officer investigating availability of housing in Delegate for tenant.</p> <p>08/10/2018 – LB:</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>Enquiries currently being made to Southern Cross Housing re consideration of tenant at Waterworks cottage for disadvantaged housing at either Bombala or Delegate.</p> <p>03/10/2018 – LB: Looking into disadvantaged housing for tenant in either Bombala or Delegate.</p> <p>27/08/2018 – LB: Enquiries made of real estate agents if they have any properties for rent in Bombala. Emailed tenant details to access assistance with rental bond.</p> <p>02/08/2018-LB: Currently working with tenant to find suitable alternative accommodation.</p> <p>23/07/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 23 Jul 2018 To: 29 Sep 2018</p> <p>23/07/2018 – LB: Still waiting on tenant finding new premises. Council has supplied a letter saying that he has always paid his rent on time.</p> <p>23/07/2018 – LB: Tenant has been notified and is looking for new premises. 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>Request to Purchase Council Land in Percy Harris Street Leesville</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>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>	Property Officer	<p>28/11/2019 – JH: Requested quotes from Real Estates for sale by Auction. A report to Council being prepared with regard to selling lots off the plan.</p> <p>17/10/2019 – JH: Waiting on design plan from Surveyor for the modification of DA document to be completed so that conditions of same can be addressed.</p> <p>24/09/2019 – JH: Waiting on the modification for the DA to be received so that any works required can be carried out to enable the subdivision to be registered and the sale commenced.</p> <p>02/09/19 – LB: D/A Conditions need to be assessed and completed.</p> <p>26/07/19 – LB: Modification will be released shortly.</p> <p>01/07/19 – LB Still waiting on approval of Modification of Consent to amend stages of the development. Modification expected to be released shortly.</p> <p>31/05/2019 – LB: Waiting on approval of Modification of Consent.</p>	30/12/2019	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>30/04/2019 – LB: Application has been submitted for modification of the D/A to amend the stages of the subdivision.</p> <p>27/03/2019 – LB: Modification of D/A has been prepared for lodgement to amend the stages of the subdivision.</p> <p>04/03/2019 – LB: Plan of subdivision has been received at Council. Subdivision certificate has been applied for.</p> <p>30/01/2019– LB Plan has not been received at this stage. Surveyor has been reminded.</p> <p>22/11/2018 – LB: Surveyor has agreed to have the plan completed by the end of January 2019</p> <p>24/10/2018 – LB: Surveyor has been reminded that we need the plan.</p> <p>03/10/2018 – LB: Waiting on plan.</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>27/08/2018 – LB: Awaiting plan from surveyor. As soon as plan is received expressions of interest will be sought from real estate agents in order to select a real estate agent to place the properties on the open market.</p> <p>07/08/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 23 Jul 2018 To: 31 Oct 2018</p> <p>02/08/2018 – LB: Waiting on valuation of land from valuer.</p> <p>23/07/2018 – LB: Surveyor has been requested to produce plan for registration of lots 14, 15, and 16. Still waiting on valuation from valuer.</p> <p>11/07/2018 – LB: Surveyor has been requested to prepare plan of subdivision to enable the plan to be registered. Value has been asked to provide sales prices for the three blocks.</p>		
44	16 August 2018	276/18		<p>Lease of Council Operational Land to Cooma Men’s Shed That Council</p> <p>A. Resolve to enter into “peppercorn lease” arrangement to a value nominated by Council on Lot 3 of DP</p>	Property Officer	<p>28/11/2019 – JH: A report to 19 September Council meeting was adopted with Resolution 345/19 approving the Men’s Shed to be located at Ti Tree Racecourse, Cooma.</p>		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>537242 in Mulach St Cooma with the Cooma Men's Shed (AMSA) for a period of Five (5) years (with two (2) optional periods of five (5) years each) pending outcome of a development applications</p> <p>B. Authorise the General Manager to negotiate the terms of the lease</p>		<p>17/10/2019 – JH: Waiting on advice with regard to alternative location.</p> <p>24/09/2019 – JH: Discussions have been held on an alternative location and this resolution has been put on hold pending the outcome of those discussions.</p> <p>02/09/19 – LB: Further report to September Council meeting re alternative location. Waiting on result of the report.</p> <p>26/07/19 – LB: Lease expected next week. It will then be sent to Lessees for execution.</p> <p>01/07/19 – LB: Development Consent released. Council's solicitor currently preparing peppercorn lease. The Contamination report was received on 27 June 2019 at a cost of \$20,000.</p> <p>31/05/2019 – LB: Still waiting on the contamination report.</p> <p>30/04/2019 – LB: Council is still waiting on the contamination report.</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>27/03/2019 – LB: No further update.</p> <p>04/03/2019 – LB: Remediation investigations taking place to ensure that the land has been remediated.</p> <p>30/01/2019 – LB: Waiting on completion of advertising period for D/A.</p> <p>22/11/2018 – LB: 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>24/10/2018 – LB: Still waiting on D/A to be lodged.</p> <p>08/10/2018 – LB: 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>03/10/2018 – LB: Waiting on submission of D/A.</p> <p>31/08/2018 – LB: Draft lease is currently being prepared in accordance with the resolution. The lease will</p>		

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>be finalised upon determination of the development application.</p> <p>27/08/2018 – LB: Awaiting outcome of development application. In the meantime draft licence agreement will be drafted.</p> <p>21/08/2018 – GH: Action allocated to Lyn Botrill to assist GM in preparing lease.</p>		
57	6 September 2018	314/18		<p>Proposed Acquisition of Land in Cooma</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>	Property Officer	<p>28/11/2019 – JH: A request from OLG for further information was received 9/11/2019 and the information gathered and sent to OLG 11/11/2019. Waiting for response from OLG.</p> <p>17/10/2019 – JH: Application is with the OLG for processing. No updates have been received from OLG.</p> <p>24/09/2019 – JH: No response from Crown Lands with request from Council to begin project. No response yet from OLG about the acquisition application. Applications traditionally take approximately 90 days to be processed.</p> <p>02/09/2019 – LB:</p>	8/10/2020	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<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> <p>H. That this project be funded from the former Cooma Monaro Shire Council reserve fund.</p>		<p>Email has been sent to the Crown requesting permission to proceed with the truck wash.</p> <p>26/07/2019 – LB: Application to OLG imminent. Currently waiting on results of searches of Native Title Register.</p> <p>01/07/2019 – LB: Consent received from the Crown. Advertising period still current. Acquisition cannot proceed until advertising period has concluded.</p> <p>31/05/2019 – LB: Still waiting on consent from the Crown.</p> <p>30/04/2019 – LB: Update from the Crown in response to email from Council revealed that the Crown has not dealt with the matter yet.</p> <p>27/03/2019– LB: Still waiting on consent from the Crown.</p> <p>04/03/2019 – 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>		

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>22/11/2018 – LB: Compulsory process has been commenced. The process will take approx. 12 months to complete.</p> <p>30/10/2018 – GH: Documentation for acquisition currently being prepared. Documentation for acquisition currently being prepared.</p> <p>28/09/2019 – LB: Preliminary investigations are being carried out to commence the compulsory acquisition process.</p>		
74	4 October 2018	353/18	15.1	<p>Clr Castellari Notice of Motion - Rooftop Solar That Council</p> <p>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;</p> <p>B. Advocate for the legislative changes to local members and relevant Ministers;</p> <p>C. Carry out due diligence with a business case which includes funding options, power under current</p>	Chief Executive Officer / Executive Assistant to GM, Mayor & Councillors	<p>03/12/2019 – SC: B – The CEO requested an update from LGNSW in regarding to their advocacy of behalf of the local government sector (as per resolution 100 – Solar Buy Back - from the 2018 LGNSW Conference). LGNSW has made representations to the previous Minister for the Environment and Minister for Local Government prior to the latest cabinet reshuffle. The matter was also raised in LGNSW's submission to the Senate Standing Committee on Environment and Communications Inquiry</p>	Ongoing	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>legislation that would provide solar subsidy schemes for residence and businesses within the SMRC council area; and</p> <p>D. Provide for public consultation process once the above has been carried out.</p>		<p>into Treasury Laws Amendment (Improving the Energy Efficiency of Rental Properties) Bill 2108. Further to this, LGNSW also raised this matter at their liaison meeting with the Office of Environment and Heritage and will continue to advocate on the issue as opportunities arise.</p> <p>C & D – No action to date.</p> <p>03/07/2019 – PB: A – Complete B – GM spoke with LGNSW and the Local Member. LGNSW have agreed to put it on their agenda. C & D – no action.</p> <p>29/04/2019 – PB: Complete. B, C and D, no action to date.</p>		
88	1 November 2018	394/18	12.1	<p>Planning Proposal 461 Barry Way, Moonbah to Amend Snowy River Local Environmental Plan 2013</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 &</p>	Senior Strategic Land Use Planner	<p>02/12/2019 – AA: Still awaiting response.</p> <p>4/11/2019 – KM: Still awaiting response.</p> <p>30/09/2019 – AA: Still awaiting response.</p> <p>29/08/19 – AA: Still awaiting response.</p>	3/12/2019	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>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 & Environment issues a Gateway Determination to proceed with the Planning Proposal, consultation be undertaken with the community 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.</p> <p>D.</p>		<p>26/07/19 – AA: Still awaiting response.</p> <p>27/06/2019 – AA: Still awaiting response.</p> <p>30/05/2019 – AA: Further information has been requested from the proponent – awaiting response.</p> <p>01/05/2019 – AA: Advice from Office of Environment and Heritage received – awaiting further clarification.</p> <p>29/03/2019 – AA: Staff are still awaiting advice from Office of Environment and Heritage.</p> <p>11/03/2019 – 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>04/02/2018 – MA: The Gateway Determination has been received and the applicant contacted. Looking to progress to public exhibition and consultation with government agencies.</p>		

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>20/12/2018– MA: Staff are expecting to receive Gateway Determination imminently</p> <p>06/12/2018 – MA: B. Planning proposal has been submitted to the Minister of NSW Planning and Environment for a 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.</p>		
89	1 November 2018	395/18	12.2	<p>DA Best Practice Guideline and Processing Times</p> <p>That Council endorse the following recommendations;</p> <ol style="list-style-type: none"> 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 	Group Manager Development & Building Certification	<p>02/12/2019 – JG: The Draft DA Best Practice Guideline is currently being formatted in accordance with Council's style guide. Once complete it will be presented to Council.</p> <p>04/11/2019 – JG: Draft will be finalised for presentation to Council in December.</p> <p>30/09/2019 – KM: Ongoing.</p> <p>29/08/2019 – JG: Draft developed for presentation to council in November.</p>	03/12/2019	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>Strategic Planning Group to achieve practical workable provisions;</p> <p>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 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&A</p>		<p>26/07/2019 – JG: To be discussed as part of the internal audit project.</p> <p>01/07/2019 – JG: 1 – Being developed in anticipation of workshop and consultation with councillors.</p> <p>03/06/2019 – JG: 1 – Being developed. 3 – Portal being created as part of IT platform development. Completed. 5 – Review being undertaken as part of organisational redesign review. Completed. 9 – Completed.</p> <p>03/05/2019 – JG: 1 - Being developed 3 - Being developed 5 - Waiting for structure 6 - Report going to June meeting</p> <p>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</p>		

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>Regulation (in accordance with Clause 51 of the EP&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 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&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>		<p>7. Completed. Brief for corporate system incorporates use of mobile IT platforms and DA tracking</p> <p>8. Completed</p> <p>9. Report being compiled and to be reported to Council May 2019</p> <p>10. Completed. Step included in DA assessment processes.</p> <p>11. Completed. Step included in DA assessment processes.</p> <p>11/03/19 – KM: Ongoing.</p> <p>01/02/2019 – JG: 1. To be developed 2. Ongoing 3. To be developed 4. To be undertaken 5. To be undertaken 6. Lists have been and will be continued to be provided 7. Ongoing 8. Completed 9. To be undertaken 10. Ongoing 11. Ongoing</p> <p>20/10/2018– JG: No further update at this time</p> <p>06/12/2018 – DA:</p>		

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Best Practice Guideline and Processing Times is to be developed.		
117	20 December 2018	575/18	10.3	<p>Proposed Acquisition of Shannons Flat Community Hall That Council</p> <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 plan of subdivision of the land to excise the hall and surrounding land within the immediate fence line.</p> <p>D. Agree to bear all costs associated with the subdivision and registration of the plan including any legal costs.</p> <p>E. Fund the costs of approximately \$8,000 from former Cooma Reserves.</p>	Land & Property Officer	<p>28/11/2019 – LB: Landowner has been informed that the plan has been registered. Landowner has indicated that the community has had a change of heart and no longer wishes to transfer the hall to Council. However, Council pays the insurance and power for the Hall property.</p> <p>28/10/19 – LB: Plan of subdivision has been registered. This was lodged and processed prior to discussion with the landowner who has now requested that the transfer of the land to Council be delayed.</p> <p>30/09/2019 – JH: No further update from the Landowner.</p> <p>02/09/19 – LB: Landowner has requested that this matter be placed on hold until they investigate their options.</p>	30/01/2020	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>26/07/19 – LB: Recent discussion with the landowner resulted in Council being requested to delay the matter for the time being as the family was not sure it wanted to progress with the transfer of the property to Council.</p> <p>01/07/19 – LB: Still waiting on the plan of subdivision. Mr Luton contacted and situation explained.</p> <p>31/05/2019 – LB: Surveyor expects to be able to send plan of subdivision to Council next week.</p> <p>30/04/2019 LB: Still waiting on the plan of subdivision.</p> <p>27/03/19 – LB: Contacted the surveyor on 25 March and he agreed to prioritize the plan of subdivision.</p> <p>04/03/2019 – LB: Waiting on plan of subdivision from the surveyor.</p> <p>28/02/2019- JH: Plan for subdivision has been requested and waiting for return of plan from the Surveyor.</p>		

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						30/01/2019 – 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.		
151	21 February 2019	54/19	10.2	<p>Lease Agreement Renewal - Boral Resources (Country) Limited - Bombala That Council</p> <p>A. Approve the renewal of a 5 year Lease to Boral Resources (Country) Pty Ltd; and</p> <p>B. Authorise the General Manager and Mayor to execute and Affix the Council Seal to the Lease.</p>	Property Officer	<p>28/11/2019 – JH: This item is complete.</p> <p>17/10/2019 – JH: Letter of consent is with Council.</p> <p>24/09/2019 – JH: Council's Solicitor has requested some documents to be signed by Boral and waiting return of these so the Lease can be registered.</p> <p>27/08/2019 – JH: Lease has been fully executed and is with Council Solicitor for registering.</p> <p>23/07/2019 – JH: Lease Agreement is with Boral with all updates completed and should be received by the end of week.</p> <p>01/07/2019 – JH: Boral advised they are seeking to complete asap.</p>		Y

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>05/06/2019 -JH: Boral have advised the Lease Agreement is with the Directors for signing.</p> <p>30/04/2019 -LB: Still waiting on return of the lease.</p> <p>26/03/2019 –JH: The Lease Agreement is still being reviewed by Boral and should be returned by end of April.</p> <p>07/03/2019 – 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.</p>		
165	21 February 2019	68/19	13.9	<p>Parking in the laneway at the rear of the Jindabyne Town Centre That Council</p> <p>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.</p> <p>B. Receive a further report regarding the results of the public consultation</p>	Roads Safety Officer	<p>02/12/2019 – GH: Letter received from Transport for NSW (RMS) stating that Council has been successful in obtaining funding for survey and design work in the amount of \$ 12,500.00.</p> <p>29/10/2019 – GH: Letter forwarded to NSW RMS requesting funding for survey and design work.</p>	31/12/2019	N

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				and the proposed way forward together with detailed costings.		<p>28/09/2019 – GH: Road Safety Officer, through the Local Traffic Committee, has been requested to:</p> <p>A. Initiate report to Council seeking approval to commence with the project.</p> <p>B. Investigate the survey & design costs with Councils Manager Construction.</p> <p>C. Draft letter on behalf of the Director Infrastructure & Operations requesting funding from RMS to cover cost of the survey and design process.</p> <p>02/09/2019 – LB: RMS is seeking funding to develop a strategy for parking and traffic movement in the laneway.</p> <p>26/07/2019 – LB: Council's Roads Safety Officer is currently working with RMS to apply for funding.</p> <p>01/07/2019 – LB: Council's Road Safety Officer is in discussion with RMS regarding the possibility of grant funding to progress this matter.</p> <p>31/05/2019 – LB: This has been revised and a report will be prepared for the July 2019 Council meeting.</p>		

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						<p>30/04/2019 – LB: Public consultations were held and a report will be presented to the June meeting of Council.</p> <p>27/03/2019 – 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.</p> <p>04/03/2019 – LB: Letters to go to shop owners/shopkeepers this week advising of date for public consultation.</p>		
200	21 March 2019	114/19	9.2.5	<p>Proposed Acquisition of Crown land - Part lot 209 DP 729704 That Council</p> <p>A. Acquire 3210m² 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;</p> <p>B. Include minerals in this acquisition;</p> <p>C. Make the necessary applications to the Minister for Local Government and the Governor</p> <p>D. Affix the Common Seal to all documentation required to be</p>	Land & Property Officer	<p>28/11/2019 – LB: This project forms part of the project to realign the Barry Way. Investigations into Native Title and Aboriginal Land Claims revealed a number of claims over the TSR and the NSW ALC has stated that whilst it is prepared to lift the ALC over the formed road from the Barry Way through the TSR (lot 209) it will not consent to Council acquiring the 3210m². At present Council is waiting on the plan of subdivision in order to progress the matter.</p> <p>28/10/2019 – LB: Cost agreement still has not been received. NSW ALC has confirmed that they are prepared to consent to acquisition of land (TSR) by relinquishing the claim over the road 20m wide. They have requested an amended plan prior to</p>	31/12/2020	N

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				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		consent being given for the acquisition. The surveyor is currently amending the plan. Letter has been sent to Local Land Services seeking consent to the acquisition but no reply has been forthcoming at this time. 30/09/2019 – JH: Waiting on a copy of cost agreement from landowner/developer. 02/09/2019 – LB: Landowner/developer is currently preparing the costs Agreement. 26/07/2019 – LB: No further update. To be followed up with landowner. 01/07/2019 – LB: Further letter has been sent to landowner's solicitor. 31/05/2019 – LB: Waiting on landowner's Solicitor to respond to correspondence. 30/04/2019 – LB: Still waiting on the Deed of Agreement.		

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						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.		
211	21 March 2019	127/19	13.2	Delegate Disadvantaged Housing 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.	Acting Manager - Land & Property	28/11/2019 – KH: Further communication to the broader community is yet to occur. 30/10/2019 – KH: Further communication to occur with a broader cross section of community. 30/09/2019 – KH: Acting Land and Property Manager has met with the Delegate Progress Association – they would like to have a say as to who resides in this accommodation. Survey to be sent to the residents to request feedback. 27/08/2019 – KH: Staff to meet with some members of the community in Delegate on Thursday 29 August. Survey to be sent to each resident to complete and return. 26/07/2019 – KH: Have made contact with the Project Team and the Communications Team about the best way	30/06/2020	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>to consult a broad cross-section of the community.</p> <p>01/07/2019 – KH: Ongoing.</p> <p>29/05/2019 – KH: Ongoing – Community Consultation Plan is in the draft stages.</p> <p>02/05/2019 – KH: Staff are preparing a Community Consultation Plan for the Delegate Community.</p> <p>26/03/2019 – KH: Facilities Team to prepare a plan as to the best way to communicate with the Delegate Community.</p>		
218	17 April 2019	142/19	9.1.3	<p>Non-Renewal of Lease - Starr Alpine Investments That Council</p> <p>A. Approve the advertising for use of the space to a suitable health practitioner; and</p> <p>B. Authorise the General Manager and Mayor to execute and Affix the Council Seal to the Lease when a suitable tenant is found</p>	Facility Officer - Snowy River Health Centre	<p>31/10/2019 – NW: Submission reviewed by ELT and report submitted to December Council meeting.</p> <p>31/10/2019 – NW: A submission has been received for rental as an ultrasound clinic. A report is being prepared for Council.</p> <p>25/09/2019 – NW: Ongoing discussion with interested parties for rental as ultrasound clinic.</p>	30/12/2019	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>27/08/19 – NW: Following up with interested parties for rental to ultrasound clinic.</p> <p>29/07/19 – NW: Advertising commenced.</p> <p>01/07/2019 – NW: Further advertising to be carried out in broader market as no response received from original advertising.</p> <p>29/05/2019 – NW: Advertising underway – only one enquiry to date.</p> <p>29/04/2019 – NW: Facilities Officer preparing advertisement for lease of space.</p>		
227	17 April 2019	151/19	9.2.2	<p>Consolidation of Reserve no. 530002 Centennial Park and Lot 6 DP 758280 Cooma Visitors Centre as one Crown Reserve for General Community Use That Council</p> <p>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.</p>	Land & Property Officer	<p>02/12/2019 – LB Continuing discussion with the Crown on the most expedient way to achieve the desired result is ongoing.</p> <p>28/10/2019 – LB: The Crown has agreed to take the matter to a higher level and seek advice on whether the amalgamation of the two reserves can be achieved.</p>	30/12/2019	N

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				B. Relinquish Licence LI 453017 for the use of the Cooma Visitors Centre when Lot 6 DP 758280 is added to Reserve 530002.		<p>30/09/2019- JH: Crown have rescheduled this meeting for the third week in October.</p> <p>02/09/2019 – LB: A meeting is being arranged with the Crown to discuss this matter and the process Council needs to follow.</p> <p>26/07/2019 – LB: No further update. Request has been sent to Crown Lands for meeting to discuss the way forward.</p> <p>01/07/2019 – LB: Still waiting on the Crown for advice on procedure.</p> <p>31/05/2019 – LB: Waiting on advice from the Crown regarding process and procedure.</p> <p>30/04/2019 – LB: Email has been sent to the Crown requesting that they advise Council of the process on this matter.</p>		
241	17 April 2019	166/19	13.1	Purchase of Part Lot 1 DP101714 and Part lot 1 DP 222016 in Commissioner Street Cooma - Flood Mitigation Works Stage 2	Land & Property Officer	02/12/2019 – LB: Negotiations are ongoing.	30/12/2019	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>That Council</p> <p>A. Rescind Resolution 39/14 of 10 February 2014;</p> <p>B. Offer to purchase lot 4 DP 1242464 \$9,650 ex GST;</p> <p>C. Offer to purchase lot 3 DP 1242464 for the sum of \$5,500 ex GST;</p> <p>D. Authorise the General Manager to negotiate with the owners of lots 3 and 4 to within 10% of the valuation;</p> <p>E. Calculate the apportionment of property rates from the date of registration of the plan of subdivision (17 December 2018);</p> <p>F. Classify both lots as operational land upon acquisition; and</p> <p>G. Authorise the expenditure and allocate an amount of \$21,450 ex GST in the 2019 Financial Year Budget with funding to be provided from other internal reserves.</p>		<p>28/10/2019 – LB: Offer of \$25,000 plus GST and costs received from the vendor. This has been referred to the General Manager.</p> <p>30/09/2019-JH: Council is waiting on a response for the offer submitted for lot 3.</p> <p>02/09/2019 – LB: Purchase of lot 4 has been completed. Offer has been submitted for lot 3 and Council is now awaiting response.</p> <p>26/07/2019 – LB: Contracts have been exchanged for the purchase of lot 4. Lot 3 is subject to a Council report in August.</p> <p>01/07/19 – LB: The owner of lot 4 D 1242464 has agreed on the purchase price and purchase of the land is proceeding. Council is still in negotiations with the owner of lot 3.</p> <p>31/05/2019 – LB: Negotiations are ongoing.</p> <p>30/04/2019 – LB:</p>		

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						The resolution of Council has been sent to Council's solicitor so that negotiation can take place.		
251	16 May 2019	185/19	9.2.1	CMCA RV Park – Cooma That Council support in principle the development of a CMCA RV park at the Hawkins St site and provide in-kind assistance through internal plant rates.	Group Manager Facilities Management	<p>03/12/2019 – GH: CMCA has provided draft design to Council and has requested review as well as availability of fill for entrance works.</p> <p>29/10/2019 – GH: Draft designs complete, CMCA awaiting review and will discuss with Council when review complete.</p> <p>30/09/2019 – GH: CMCA have advised that they have engaged a local design engineer and are expecting draft designs and estimates shortly. This will inform CMCA as to the cost and viability of proceeding with this proposal.</p> <p>02/08/2019 – GH : CMCA have been unable to secure local design consultant and are approaching suitable firms in the ACT.</p> <p>24/07/2019 – GH: CMCA have advised they are still trying to secure a local design consultant.</p>	31/12/2019	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>01/07/2019 – GH: CMCA requested and were provided with local survey and design engineer contacts that can undertake detailed design and estimates for the establishment of the RV Park in Hawkins St. Awaiting responses from CMCA as to whether the project is feasible within CMCA site establishment cost criteria inclusive of Council resolved internal plant hire rate for civil works.</p> <p>05/06/2019 – GH: CMCA advised of Council resolution regarding in principle support and will now proceed with more detailed investigation, design and costing for site establishment.</p>		
260	16 May 2019	194/19	9.4.1	Classification and Categorisation of Crown Land in Council's Care and Control That Council approve the proposed categorisation of Crown land as per attachment 1 to report Classification and Categorisation of Crown Land in Council's Care and Control	Land & Property Officer	<p>02/12/2019 – LB: Still waiting on consent from the Minister for Council's recommended classifications. Determinations over caravan and holiday parks has been deferred for the time being.</p> <p>28/10/2019 – LB: Reply from Crown Land confirming that rubbish depot sites have been classified as operational land. Two sites have been deferred and one drainage site in Cooma has been classified as community land.</p>	30/12/2019	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>Tender responses received for POM and are currently under evaluation. Preferred consultant should be identified by the end of the week.</p> <p>30/09/2019 –JH: Tender for Plans of Management closed Friday 27 September and all submissions are being reviewed.</p> <p>02/09/2019 – LB: Tender process for development of Plans of Management has commenced through Tender Panel.</p> <p>26/07/2019 – LB: Waiting on response from the Minister. In the meantime request for tender to prepare Plans of Management is in progress.</p> <p>01/07/2019 – LB: Application has been submitted to the Minister.</p> <p>31/05/2019 – LB: Application to the Minister with maps and aerial photos is currently being prepared. One application for change of classification and another for categorisation.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
290	20 June 2019	227/19	9.4.1	<p>Application to Crown Land to be appointed as Land Manager to Various Waste Management Sites</p> <p>That Council requests to be appointed as Land Manager of the following Reserves:</p> <p>A. Dalgety Landfill Lot 2 DP 837128, Reserve 88070 for Rubbish Depot under Crown control;</p> <p>B. Bombala Landfill Lot 123 DP 756819, Reserve 15472 for Night Soil Depot under Crown control;</p> <p>C. Bombala Landfill Lot 300 DP 756819, Reserve 49491 for Night Soil Depot under Crown control;</p> <p>D. Berridale Transfer Station Lot 178 DP 756837, Reserve 73609 for Sanitary Purpose under Crown control;</p> <p>E. Berridale Landfill Lot 153 DP 756694, Reserve 47391 for Rubbish Depot under Crown control; and</p> <p>Request the purpose of land be changed to Urban Services for Reserves 15472 & 49491</p>	Resource & Waste - Project Manager	<p>29/11/2019 – MD: Advice not yet received.</p> <p>02/09/2019 – MD: No further progress. Advice received from Crown Lands is that this will take some months to complete.</p> <p>26/07/2019 – PC: No further progress.</p> <p>01/07/2019 – MD: Property Officer has contacted Crown Lands regarding A, B, C, D and E. They have advised they will respond with actions that are necessary to be undertaken to appoint Council as land manager. At this stage the timeframe of completing this task is unknown.</p>	Ongoing	N
300	20 June 2019	238/19	13.1	<p>Boundary Adjustment for Boundary Street Berridale - Acquisition of Private Land</p> <p>That Council</p>	Property Officer	<p>28/11/2019 – JH: A report to Council is being prepared with information from the RMS with regard this item.</p>	30/12/2019	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>A. Approve the acquisition of the land at the valuation nominated by the land owner in the body of this report for the land required to complete the boundary adjustment of Boundary Street Berridale; and</p> <p>B. Authorise the General Manager to continue and finalise negotiations with the owners of Lot 3 Section 19 DP 1242</p>		<p>17/10/2019 – JH: Surveyor has come across some old plans of registration and these are being reviewed to ensure this process is completed correctly.</p> <p>24/9/2019 – JH: Surveyor advised survey plan would be completed this week.</p> <p>27/08/2019 – JH: Surveyor has commenced the plan of subdivision and will advise when the plan is complete so the next stage can take place.</p> <p>23/07/2019 – JH: Follow up email request sent for this item. Waiting for response.</p> <p>01/07/2019 – JH: Survey report requested for Boundary Adjustment.</p>		
333	18 July 2019	277/19	13.1	<p>Australian Tourist Park Management - NRMA - Caravan Park Jindabyne That Council consider the approval for the Lessee to execute the 2 x 5 terms on the Lease Agreement when the first option to renew is due in October 2019 which will take the Lease Agreement through until October 2029.</p>	Property Officer	<p>28/11/2019 – JH: Documents are with NRMA and Snowy Hydro for review and signing and to be returned to Council Solicitor.</p> <p>17/10/2019 – JH: Council Solicitor is liaising with NRMA for this Lease Agreement to be finalised.</p>	30/01/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>24/9/2019 – JH: Council Solicitor is preparing documents for the Lease Agreement to be in place on the due date.</p> <p>27/08/2019 –JH: NRMA notified of Council Resolution, Lease document being prepared.</p> <p>23/07/2019 –JH: Australian Tourist Park Management NRMA advised of outcome from Council meeting. Lease documents being prepared.</p>		
341	15 August 2019	290/19	9.1.2	<p>Closure to part of the road reserve in Barrack St Cooma That Council</p> <p>A. Approve the proposal to close part of the Barrack Street Cooma road reserve in accordance with the plan in this report;</p> <p>B. Classify this new lot as operational land;</p> <p>C. Approve the consolidation of lot 4 DP 32321 with the new lot to be created by the road closure; and</p> <p>D. Classify the new consolidated lot as operational land.</p>	Land & Property Officer	<p>02/12/2019 – LB: This resolution was placed on hold until due process under the Roads Act had been completed. The matter was referred back to Council following the legislative process and is now being dealt with in accordance with resolution 408/19 of 21/11/19.</p> <p>28/10/2019 – LB: Report to Council in November including submissions from residents opposing the proposal.</p> <p>30/09/2019- JH: Submissions have been received and meetings are being scheduled with the community members to discuss the issues.</p>		Y

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						02/09/2019 – LB: Road closure notifications have been sent out. 28 Day advertising period will conclude on 28 September. Road closure will then be submitted to Crown lands if no objections are received. Otherwise a report will be presented to Council noting the objections.		
342	15 August 2019	291/19	9.1.3	<p>Delegate School of Arts and Delegate Preschool That Council</p> <p>A. Approve the construction of toilet amenities at the rear of the School of Arts and an accessible pathway from exit points in the School of Arts to the toilet facility;</p> <p>B. Fund the toilet amenities and pathway from former Bombala LGA internal reserves to the value of \$120,000 including project management cost;</p> <p>C. Apply to the Stronger Country Communities Fund Program for grant funding to carry out the works identified in the Building Condition Report attached to this report in the amount of \$385,791.</p> <p>D. Seek quotations for a Building Condition Report for the Delegate Preschool to be funded from former Bombala LGA internal reserves; and</p>	Land & Property Officer	<p>02/12/2019 – LB: Request for EOIs have been sent to a number of firms to quote for a building condition assessment of the preschool in Delegate. A further report will be sent to the December 2019 meeting for a resolution to get the building condition assessment carried out.</p> <p>28/10/2019 – LB: This will go to vendor panel within the next week.</p> <p>30/9/2019 – JH: An application for grant funding has been submitted, waiting for outcome of this submission.</p> <p>02/09/2019 – LB: Group Manager Facilities is managing the construction of the toilets at the rear of the School of Arts. The application for grant funding for the School of Arts is currently underway.</p>	31/03/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				E. Bring a report to Council for consideration when the Building Condition Report is completed.				
345	15 August 2019	294/19	9.1.6	<p>Minutes of the Arts and Culture S355 Committee Meeting held 12 June 2019</p> <p>That Council note the minutes of the Arts and Culture 355 Committee meeting held 12 June 2019 and adopt its recommendations, being:</p> <p>A. That Council accepts the donation of the Taking Flight sculpture from Lake Light Sculpture and funds the cost of lighting associated with the installation (up to an amount of \$1000), and accepts responsibility for ongoing maintenance as required;</p> <p>B. That the Rix Wright Shearing Sculpture is installed in the preferred location in Centennial Park after consultation with Council engineers regarding the installation requirements e.g. plinth construction, lighting; and</p> <p>That the amendments to the Charter are noted and approved</p>	Community Development Planner & Support	<p>02/11/2019 – KH: A. Options for location continue to be explored.</p> <p>04/11/2019 – KH: The design for the plinth is completed. Staff are currently reconfirming the installation location.</p> <p>30/09/2019 – KH & DS: A. The installation plan for Taking Flight is underway, with the artist and the Design Engineer working together on concept designs. Once an installation design is confirmed, the installation will move to the next stage in partnership with Lake Light Sculpture and NPWS.</p> <p>The Shearer sculpture project is now finalised with the sculpture permanently erected in Cooma Centennial Park. An unveiling ceremony was held on 17 September 2019 with all contributors and those involved in the project invited to attend. About 50 people attended.</p> <p>29/08/2019 – KH: A. Council's Design Engineer has agreed to draw up design options and costings for</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
						<p>installation of the plinth. Once this has been completed, we will be able to move forward with installation.</p> <p>B. Design of the display plinth and plaques was conducted in consultation across Council teams and with relevant community members. Construction of the plinth is almost complete, with a grand opening expected to take place in mid-September. Mayor and Councillors, the artist's family, former Arts 355 Committee members and other relevant stakeholders will receive an invite.</p>		
347	15 August 2019	296/19	9.2.1	<p>Road Closure and Creation of Road Reserve - Badja Road That Council</p> <p>A. Approve to formally close the Council public road that traverses lot 1 DP 124507, Lot 2 DP 1195991 and Lots 15,16 & 81 of DP 752146;</p> <p>B. Engage the services of a Surveyor to prepare a plan of subdivision for the creation of a road reserve over Badja Road;</p> <p>C. Agree to exchange the former closed road through the affected properties in compensation of the area required of the privately owned properties for</p>	Land and Property Officer	<p>02/12/2019 – LB: Currently waiting on quotations from surveyors to carry out the work. Local surveyors were not available so quotations were sought from a number of Canberra firms.</p> <p>28/10/2019 –LB: This matter has been delayed due to absence of staff. The letters and advertisement will be sent out during the next two weeks.</p> <p>30/09/2019 –JH: Letters to adjoining land owners have been prepared and the notice will be advertised.</p>	30/01/2019	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				the road reserve to be created over Badja Road; and D. Authorise the General Manager to execute the documents to give effect to the above		27/8/2019 –JH: Land and Property Officer has commenced this process.		
352	15 August 2019	301/19	9.3.4	Proposed Closure and Sale of Public Pathway in Kalkite That Council A. Agree to close the pathway and sell the land 50% to each adjoining landowner for \$10,000 including GST each with each party to pay their own legal fees; B. Notify the owners of lots 38 and 39 that Council approves the payment for 50% of the pathway as a “repayment schedule” to be paid in conjunction with the land rates to be fully paid prior to 30 June 2020; C. Apply to the Crown to close the public pathway; D. Engage the services of a surveyor to create a plan of subdivision with the pathway to be divided along its length (front to back); E. Engage the services of a solicitor to draw up contracts for the sale of the land; and F. Authorise the General Manager to execute the documents for the sale of the property	Land & Property Officer	02/12/2019 – LB: Progressing. Currently waiting on the Crown to respond to enquiries about the process. 28/10/2019 – LB Landowners have been notified of the Council resolution and the process of road closing is underway. 30/09/2019-JH: Process for closing the pathway is underway and each party has been contacted and advised of the process. 02/09/2019 – LB: Landowners to be notified and road closing process to commence.	31/01/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
354	15 August 2019	303/19	9.4.2	<p>An Alternative Solution to Recruitment Shortfalls That Council</p> <p>A. Approve participation in Wagga Wagga City Council's one-year trial of an office located in Sydney to facilitate the recruitment of suitable staff;</p> <p>B. Authorise the General Manager to enter into an appropriate sub-lease or other agreement with Wagga Wagga City Council; and</p> <p>C. Fund the trial through a transfer from Council's adopted budget for consultants.</p>	Chief Executive Officer / Executive Assistant to GM, Mayor & Councillors	<p>03/12/19 – SC: Teleconference held with participating councils 21 Nov 19. The offices are available for use, but no formal documentation (lease) received from Wagga Council.</p> <p>30/10/2019 – SC: Sub lease documentation not yet received. Site visit conducted by GM.</p> <p>27/09/2019 – SC: Still waiting for sub lease documentation. Expect it to be received within the next few weeks.</p> <p>28/08/2019 – SC: Wagga City Council has been advised of Council's decision. Awaiting sub lease documentation.</p>	Ongoing	N
363	15 August 2019	310/19	10.2	<p>NSW Government Funding That Snowy Monaro Regional Council lobby the NSW Government for a grant of \$6.5 million to cover the outstanding costs of amalgamating the Cooma Monaro, Snowy River and Bombala Shire Councils and reduce the current deficit.</p>	Acting Director Corporate & Community Services	<p>03/12/2019 – DR: No additional information.</p> <p>01/10/2019 -DR: NSW Government funding of \$6.5 million for merger costs – the issue has been raised with the Member for Monaro and Deputy Premier John Barilaro MP by the Mayor and General Manager. This was a positive discussion on the issue and a formal request is being developed</p>	31/12/2019	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						for submission with the NSW Government for consideration of funding. 09/09/2019 – DR: Background information has been gathered to support the lobbying efforts. Draft correspondence under development.		
367	15 August 2019	315/19	13.3	Replacement of Council's road maintenance truck. Plant number 3028 That Council approve the following A. Purchase the Fuso FK61FK/Flocon Engineering combination from Hartwigs Trucks Pty Ltd for \$248,284 excluding GST; B. Additional funding of \$11,075 from plant reserves to be included in the QBRS for September 2019; and C. The disposal of Plant 3028 via public auction with a reserve set at \$36,000	Manager Fleet & Plant	27/11/2019 – SS: Delivery is expected April 2020. 30/08/2019 – SS: PU027415 – Ordered 16.8.19, approximately 36 week delivery timeframe.	April 2020	N
369	15 August 2019	317/19	13.5	Newpave Ashpalt - Expression of Interest - 84 Polo Flat Road That Council Approve for 84 Polo Flat Road Cooma being Lot 11 DP 1108723 to be sold by public auction	Property Officer	28/11/2019 – JH: The Auction took place Friday 22/11/2019 and the land sold. Contracts exchanged on 22/11/2019. Due to Christmas closures settlement will either occur before 20 December or after 6 January 2020.		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>17/10/2019 – JH: Council has chosen a Real Estate Agent to facilitate this item.</p> <p>24/09/2019 – JH: Quotes received for sale by auction from local Real Estate Agents and report prepared for October Council meeting.</p> <p>27/08/2019 – JH: Receiving quotes for cost of auction and requesting a valuation to take place.</p>		
371	15 August 2019	319/19	13.7	<p>Purchase of Lot 3 DP 1242464 and Lot 4 DP 1242464 - Cooma Levee Bank That Council</p> <p>A. Note the purchase price for lot 4 DP 1242464 being \$10,500 ex GST;</p> <p>B. Submit an offer to purchase lot 3 DP 1242464 for the sum of \$18,000 ex GST;</p> <p>C. Authorise the General Manager to negotiate within 10% of \$18,000 ex GST; and</p> <p>D. Authorise the expenditure and allocate an amount of \$15,150 ex GST (in addition to previous resolution 166/19 of \$21,450 ex GST) in the 2020 Financial Year Budget with funding to be provided from other internal reserves</p>	Land & Property Officer	<p>02/12/2019 – LB: Negotiations are ongoing.</p> <p>28/10/2019 – LB: Offer of \$25,000 plus GST and costs has been received and passed to the General Manager.</p> <p>30/9/2019-JH: Waiting for response to the offer submitted.</p> <p>02/09/2019 – LB: Offer for lot 3 has been submitted.</p>	30/12/2019	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
379	19 September 2019	333/19	8.2	<p>Finalisation of Draft Bush Fire Prone Lands Map 2019 That Council</p> <p>A. Receive and note the report of the Senior Strategic Land Use Planner on the finalisation of the draft Bushfire Prone Land Map;</p> <p>B. Submit the draft Bush Fire Prone Land Map and associated supporting documentation to the NSW Rural Fire Service for certification and provide a letter (attachment 3) to the NSW RFS Commissioner;</p> <p>C. Consent to a public notice (attachment 4) being attached to Section 10.7 (formerly Section 149) Planning Certificates advising of the bushfire prone lands changes until such time as the draft map is certified; and</p> <p>D. Advise the community and stakeholders via its website and the local newspaper once the Bush Fire Prone Land Map has come into effect.</p>	Senior Strategic Land Use Planner	<p>02/12/2019 – AA: No further update.</p> <p>5/11/2019 – AA: The RFS have responded to our letter and have advised they will progress with the finalisation of the mapping and is likely to be signed by the Commissioner in April/May 2020.</p> <p>30/09/2019 – AA: A. Noted. B. Letter will be forwarded the Rural Fire Service on 1 October 2019. C. Information has been circulated to all relevant planning administration officers to be distributed with all 10.7 certificates Will be actioned once the Rural Fire Service have advised that the map will be certified by the commissioner.</p>	Ongoing	N
382	19 September 2019	336/19	9.1.3	<p>Adoption of Road Name Black Sallee Lane and Candlebark Circuit That Council endorse</p> <p>A. The name of Black Sallee Lane for crown road accessed from Alpine Way, Crackenback Gazettal; and</p>	GIS Administrator	<p>02/10/2019- JC: Gazettal Notice for Black Salle Lane has been submitted and approved for publication The following actions are in progress for Candlebark Circuit.</p>	02/12/2019	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				B. The spelling of Candlebark Circuit and proceed with measures needed to ensure this spelling of the road name is consistent on the road signage and in council and state government databases.		<ol style="list-style-type: none"> 1. Writing to all affected property owners to inform them of the Council decision and confirm their address 2. Preparation of Erratum Notice for Gazettal of name Candlebark Circuit 3. Once gazettal is complete the roads signs will be replaced, Valuer General and Spatial Services notified and advised to update relevant NSW databases. 		
388	19 September 2019	343/19	9.3.1	<p>Proposed Compulsory Acquisition of Part Lot 7002 DP 1028529 Crown Land Travelling Stock Reserve That Council</p> <p>A. Approves the acquisition of the constructed section of Dalgety Road 20m wide which traverses lot 7002 DP 1028529 for the purpose of public road through the process of <i>Land Acquisition (Just Terms Compensation) Act 1991</i> for the purposes of s.178 of the Roads Act 1993;</p> <p>B. Seek approval from the Minister for Local Government and/or the Governor in accordance with section 187 of the Local Government Act 1993 to give all necessary Proposed Acquisition Notices in accordance with the Land Acquisition (Just Terms Compensation) Act 1991;</p>	Land & Property Officer	<p>02/12/2019 – LB: Survey will be carried out shortly.</p> <p>28/10/2019 LB Provisional consent to the acquisition has been received from the NSW ALC upon production of a plan of subdivision. Currently waiting on quotations for survey.</p> <p>30/09/2019 – JH: The Acquisition process has commenced with approval being sought by the Minister.</p>	30/12/2019	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. Upon receipt of the Minister's/Governor's approval, Council serve each PAN and take each other action necessary to carry out the acquisition;</p> <p>D. Upon receipt of the Minister's/Governor's approval Council give effect to the acquisition by publication of an Acquisition Notice in the NSW Government Gazette and such other publication as may be required by law;</p> <p>E. Pay compensation to all interest holders entitled to compensation by virtue of the compulsory acquisition on the terms set out in the Land Acquisition (Just Terms Compensation) Act 1991;</p> <p>F. That Council authorise the General Manager and the Administrator to complete and execute all documentation necessary to finalise and bring into force Council's acquisition of the land and if necessary to affix the Council seal to any documents related to the acquisition; and</p> <p>G. That upon acquisition the acquired Property is dedicated as road following gazettal of the acquisition;</p>				

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
389	19 September 2019	344/19	9.3.2	<p>Proposal to Close Part of Laneway (Lot 32 DP 227005) At the Rear of Jindabyne Town Centre That Council</p> <p>A. Approve the proposal to close part of the road reserve (lot 32 DP 227005) which forms the unnamed laneway behind the Jindabyne Town Centre shops in accordance with the plan attached to this report; and</p> <p>B. Classify the new lot as “Operational land”.</p>	Land & Property Officer	<p>02/12/2019 – LB: This matter is subject of a later resolution 408/19 of 21/11/19.</p> <p>28/10/2019 – LB: Letters will be sent this week and advertisement will appear in the Monaro Post next week.</p> <p>30/09/2019-JH: The process to close part of laneway at rear of Jindabyne Town Centre has commenced. Notice to be placed in Monaro Post and letters to adjoining land owners being prepared.</p>	30/11/2020	N
390	19 September 2019	345/19	9.3.3	<p>Proposed Men's Shed Relocation to the Ti Tree Racecourse, Cooma That Council</p> <p>A. Approve a payment of no more than \$8,970 for those costs for services that cannot be reused for any development application for construction of the Men's Shed at the Ti Tree Racecourse, Cooma, with such payment to be deferred until Council receives written confirmation of an agreement between the Ti Tree Trust and Cooma Men's Shed Inc to use the Ti Tree Racecourse site; and</p>	General Manager / Executive Assistant to GM, Mayor & Councillors	<p>03/12/2019 – SC: A. Men's Shed DA lodged 2 Dec. Currently being reviewed. B. No action pending completion of racecourse DA.</p> <p>28/10/2019 SC: A. Written confirmation received from Ti Tree Trust. Waiting for Men's Shed to lodge DA. B. No action pending completion of racecourse DA.</p> <p>27/09/2019 SC: A. Letter sent to the Men's Shed advising of Council Resolution 345. Awaiting written confirmation of an agreement.</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
				B. Request the General Manager prepare a report on potential future use of the Mulach St property.		B. No action pending confirmation from the Men's Shed that the Mulach St site is not required.		
400	19 September 2019	356/19	13.3	Select Purchase - Solar Lighting That Council enter into select tendering (as per Clause 55 (3) (i) of the Local Government Act 1993) with the preferred supplier of 84 Solar Light for the Cooma Creek beautification project to ensure consistency of supply across the region	Group Manager Asset & Engineering	27/11/2019: LN: Contract awarded. Works to be completed by March 2020. 31/10/2019 – LN: Negotiations with supplier underway. 24/09/2019 – LN: Quotation requested for supply of lights.		Y
401	17 October 2019	362/19	8.1	Development Control Plan Amendments (Notification, Vegetation Removal and Building Efficiency) Post Exhibition Report That Council: A. Adopt the Cooma Monaro Development Control Plan (Amendment 2), Bombala Development Control Plan (Amendment 1) and Snowy River Development Control Plan (Amendment 1) as amended, in accordance with Clause 21(1) of the <i>Environmental Planning and Assessment Regulation 2000</i> ; B. Provide public notice of its decision in a local newspaper within 28 days of	Senior Strategic Land Use Planner	29/11/2019 – KM: A. Noted. B. Advertisement placed in the Monaro Post. C. Letters forwarded to submitters on 8 November 2019 04/11/2019 – KM: A. Noted. B. Advertisement will be placed in the Monaro Post on 6 November 2019. C. Letter to be forwarded to submitters.	10/11/209	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>this resolution, in accordance with Clause 21(2) of the <i>Environmental Planning and Assessment Regulation 2000</i>;</p> <p>C. Notify persons who made a submission of Council's decision.</p>				
408	17 October 2019	369/19	9.1.6	<p>Arts and Culture Advisory Committee Meeting held 11 September 2019</p> <p>That Council</p> <p>A. Receive and note the minutes of the Arts and Culture Advisory Committee meeting held 11 September 2019;</p> <p>B. Support the Committee recommendations relating to Item 5.3 – Community Arts and Culture facility in Cooma;</p> <p>C. Support the Committee recommendation relating to Item 5.5 – Communication / Promotion of Committee; and</p> <p>D. Supports the Committee recommendation relating to Item 5.6 – Bombala Arts and Innovation Hub.</p>	Community Development Planner & Support	<p>02/12/2019 – KH:</p> <p>B. A small working group continues to meet to work towards the goal of establishing a community arts and culture facility in Cooma.</p> <p>C. A media release will be released early January 2020. Updates to the website have been drafted and are expected to go live in the next 2 weeks.</p> <p>D. To be actioned after December Arts and Culture 355 meeting.</p> <p>4/11/2019 – KH:</p> <p>A. Noted.</p> <p>B. The GM is to negotiate with Land and Property NSW to transmit the property at 5 Dawson St Cooma to SMRC for the nominal fee of \$1, inclusive of related fees and charges such as stamp duty.</p> <p>C. The communications team are to prepare a media release and additional website to be included on the website.</p> <p>D. Community Development Planner & Support to form working group.</p>	30/12/2019	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
414	17 October 2019	375/19	9.3.2	<p>Draft SMRC Flood and Floodplain Risk Management Studies</p> <p>That Council approve the DRAFT SMRC Flood and Floodplain Risk Management Studies Report be published to allow community consultation for a period of one month starting Monday 4 November 2019.</p>	Environment Technical Officer	<p>03/12/2019 – PV: Add placed in the Monaro Post and advertised on local radio stations. Draft studies up on Councils website (plus consultation feedback forms). Hard copies of reports placed at Michelago General Store, Bredbo Gourmet Food Store, Cooma office front desk, Cooma library and Berridale office. Consultation period ended 2 December however upon request from Michelago residents, now extended to 15 December. Extended consultation period amended on Councils website to reflect 15 December</p> <p>30/10/2019- PV: Email sent to Communications team requesting Report be placed on Council website/FB sites. Also requested media release to be placed in Monaro Post and advertised on local radio stations. Hard copies will be placed at Cooma and Berridale Council offices. Hard copy will be placed at Michelago General Store. Staff to source a contact from Bredbo Progress Association to find suitable location for hard copy at Bredbo. Hard copies will be bound.</p>		Y

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
421	17 October 2019	382/19	9.4.7	Adjustment of Purchasing and Tendering Policy to Reflect Legislative Changes. That Council update policy 250.2016.55.2 – Purchasing and Tendering Policy to reflect the legislative change that tenders are only required for purchases over \$250,000.	Finance - Procurement	03/12/2019 – MP: Revised Estimated Completion Date. 6/11/2019 – MP: This is being updated as part of a broader re-write of the policy which is due for revision. It will be presented to Council adoption in the near future.	20/02/2020	N
422	17 October 2019	383/19	9.4.8	Audit, Risk and Improvement Committee and Internal Audit Annual Report 2018/2019 That Council A. Receive and note the information in the attached Audit, Risk and Improvement Committee and Internal Audit Annual Report 2018/2019, and B. Authorise publication of the attached Audit, Risk and Improvement Committee and Internal Audit Annual Report 2018/2019 on Council's website.	Senior Internal Auditor	6/11/2019 – TK: A. Receive and note – no further action required. B. Webpage on ARIC will be created by Feb 2020 and ARIC & IA Annual Report will be published on that webpage.	29/02/2020	N
425	17 October 2019	385/19	10.3	Cooma Clock Tower That Council engage with the Litchfield family to locate a suitable location to place the Cooma Town Clock . A report be brought back to the November meeting of Council, including recommendations.	Group Manager Transport Infrastructure (Operations)	29/11/2019 – GS: A meeting between Council and the Litchfields is being organised for either Wednesday 4 December or Monday 9 December. Councillors will be informed and invited once a day/date/time has been confirmed.	20/12/2019	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						31/10/2019 – GS A meeting to be arranged between Council and the Litchfield family.		
429	17 October 2019	389/19	13.2	<p>Proposed Acquisition of Part Lot 6 DP 218752 for the Purpose of Road That Council, consistent with the guidelines contained within with the body of report,</p> <p>A. Authorise the General Manager to negotiate the purchase of 0.2542ha of lot 6 DP 218752;</p> <p>B. That Council be responsible for any additional costs including survey, legal fees, fencing;</p> <p>C. Authorise the General Manager to execute all necessary documents and affix Council's Seal if required; and</p> <p>D. Approach the plantation owners for a contribution towards the works prior to commencing the project.</p>	Property Officer	<p>28/11/2019 – JH: Letter of offer has been sent to land owner, waiting for response.</p> <p>28/10/2019 – LB: Letter of offer has been drafted and will be sent to the General Manager for execution.</p>	30/01/2020	N
431	17 October 2019	390/19	13.4	<p>Renewal of Lease 59 Vale Street Cooma - Barber Shop That Council</p> <p>A. Approve the renewal of the Lease Agreement for Shop 1/59 Vale Street, Cooma for a period of 12 months with Options to extend by a further 2 x 12 month periods if it is determined to be in the best interest of the</p>	Property Officer	<p>28/11/2119 – JH: Lease Agreement prepared and sent to tenant for review and signing.</p> <p>28/10/2019 – LB: This matter will be finalised when the Property Officer returns from leave. A letter has been sent to the lessee notifying him of the Council resolution.</p>	30/12/2019	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				business owner, community and Council; and B. Authorise the General Manager to execute all legal documents and the Lease Agreement.				
433	17 October 2019	392/19	13.6	Replacement of Council's Road Maintenance Truck. Plant Number 9264 That Council: A. Approve the purchase of the Ausroad Jetmaster/Isuzu FXZ combination from Ausroad Systems Pty Ltd for \$412,238 excluding GST. B. Accept the trade in offered by Ausroad Systems of \$13,636 excluding GST. C. Approve additional funding of \$50,243 from plant reserves.	Manager Fleet & Plant	27/11/2019 – SS: Staff inductions/training taking place 28/29 November, anticipate being put into service 4/12/2019. 25/10/2019 - SS A. Order placed 23/10/2019 with Ausroad PU029305 . Delivery expected November/December 2019. B. Ausroad to be invoiced for purchase of trade in. C. Funding approved.		Y
434	17 October 2019	393/19	13.7	2019-20 Weed Control Services That Council award 2019-20 Weed Control Services contracts as per the following recommendations and attached tender evaluation documents: A. North West region- McMahon's Earthmoving and Tree Service \$131,120 B. South West region - Buckley's Rural Services \$195,850	Acting Group Manager Environmental Management	02/12/19 - GM: A. Contract executed and works commenced; B. Contract executed and works commenced; C. Contract to be executed for woody weeds only, African lovegrass component removed from contract and subject to a separate request for quote as per Council Resolution 445/19; D. Contract executed and works commenced; E. Contract executed and works commenced; F. Contract executed and works commenced.	31/12/2020	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>C. Northern region- Southern Slopes Weed Services \$140,800</p> <p>D. Eastern region - Southern Slopes Weed Services \$60,500</p> <p>E. South east region - Rippers Rural Services \$93,500</p> <p>A. Southern region - Stone Bros forestry & rural contracting \$93,500</p> <p>B. That Council acknowledges and endorses an increase of \$296,102 to the 2019-20 roadside weed control budget to be addressed in the September quarterly budget review.</p>		<p>4/11/2019 – KM:</p> <p>A. Noted – tenderer advised and works commencing.</p> <p>B. Noted – tenderer advised and works commencing.</p> <p>C. Undertaking negotiations with tenderer as they have sought clarification on Council's requirements. A further report will be presented to Council.</p> <p>D. Noted – tenderer advised and works commencing.</p> <p>E. Noted – tenderer advised and works commencing.</p> <p>F. Noted – tenderer advised and works commencing.</p> <p>Noted.</p>		
436	17 October 2019	396/19	13.9	<p>Purchase of a construction motor grader replacing plant 60 and 303</p> <p>That Council:</p> <p>A. Approve the purchase the John Deere 670G Motor Grader from Semco Equipment Sales for \$421,630 excluding GST</p> <p>B. Disposal of Caterpillar 12H Motor Graders via public auction.</p>	Manager Fleet & Plant	<p>27/11/2019 – SS:</p> <p>Delivery expected January 2020.</p> <p>25/10/2019 – SS:</p> <p>A. Order placed 23/10/2019 with Semco Equipment PU029304. Delivery advice received 3-4 weeks.</p> <p>B. Caterpillar machines will be sent to auction upon new grader being put into service.</p>	30/01/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
437	21 November 2019	406/19	8.1	<p>MOD4069/2019 - Modification to Engineering Conditions DA4127/2018 Concept Plan for Large Lot Residential Subdivision That Council</p> <p>A. Pursuant to section 4.55 (1A) of the Environmental Planning and Assessment Act 1979 (as amended) it is recommended that the consent for Modification of DA4127/2018 to amend and/or delete engineering conditions with regard to water/sewerage servicing, driveways and requirement to construction the southern intersection and extension of Road 1 as part of Stage 1 on Lot 50 DP 756686 Ph Clyde, Lot 95 DP 756686 Ph Clyde, Lot 111 DP 756686 Ph Clyde, Lot 140 DP 756686 Ph Clyde, Lot 142 DP 756686 Ph Clyde, 417 Barry Way JINDABYNE NSW 2627 is granted subject to conditions attached.</p> <p>B. Any person who made a submission is notified according to the regulations.</p>	Manager Development	27/11/19 – SB: A. Modification approved and issued Submitters notified		Y
438	21 November 2019	407/19	8.2	<p>DA4180/2019 Demolish Existing Structures and Construction of New Service Station and Ski Hire Shop.</p>	Manager Development	29/11/2019 – PS: Item will be reported to the December Council meeting.		Y

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				That the decision of the DA be deferred pending discussion between the applicant and the General Manager of Rydges Horizons Snowy Mountains.				
439	21 November 2019	408/19	9.1.1	<p>Closure of Part of the Road Reserve in Barrack Street Cooma</p> <p>That Council</p> <p>A. Approve the proposal to close part of the Barrack Street Cooma road reserve in accordance with the plan in this report;</p> <p>B. Classify this new lot as operational land;</p> <p>C. Approve the consolidation of lot 4 DP 32321 with the new lot to be created by the road closure; and</p> <p>D. Classify the new consolidated lot as operational land.</p>	Land & Property Officer	03/12/2019 – LB: The application to the Crown has been sent off and it is anticipated that registration of the plan will take effect early in the new year.	28/02/2020	N
440	21 November 2019	409/19	9.1.2	<p>MINUTES OF THE CEMETERY ADVISORY COMMITTEE DATED 24 SEPTEMBER 2019</p> <p>That Council</p> <p>A. Receive and note the minutes of the Cemetery Advisory Committee; and</p> <p>B. Adopt recommendation CAC2/19 of the meeting of the Cemetery Advisory Committee held on 24 September 2019.</p>	Group Manager Environmental Management	02/12/2019 – KM: A. Noted B. SMRC ordering of Plaques Policy and Procedure completed and adopted.		Y

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
441	21 November 2019	410/19	9.1.3	Minutes - Residential Aged Care Advisory Committee 22 July 2019 That Council receive and note the Minutes of the Residential Aged Care Advisory Committee meeting held on 22 July 2019.	Executive Assistant to Director Corporate and Community Services	28/11/2019 – SM: Receive and note – no further action required.		Y
442	21 November 2019	411/19	9.1.4	Section 355 Committee Residential Aged Care and Community Care Advisory Committee Review Proposal That Council: A. Endorse the proposal to merge the Residential Aged Care Advisory Committee with the Community Care Advisory Committee. B. Endorse the Committee name change to Community Services Committee	Group Manager Community Support Services & Aged Care	03/12/2019 – BP: A. Adopted. The next meeting of the Residential Aged Care Advisory Committee is scheduled for 24 February 2020. B. Re-nomination of Committee Members and the formation of the Community Services Committee will be on the Agenda.		Y
443	21 November 2019	412/19	9.1.5	Monthly Funds Management Report - October 2019 That Council: A. Receive and note the report indicating Council's cash and investments position as at 31 October 2019; and B. Receive and note the Certificate of the Responsible Accounting Officer.	Finance Officer	03/12/2019 – MP: Receive and note, 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
444	21 November 2019	413/19	9.1.6	Bombala Library Expansion of Opening Hours That Council approve an increase in the opening hours of Bombala Library from 13.5 hours per week to 18 hours per week over a period of 4 days.	Group Manager Community Support Services & Aged Care	03/12/2019 – BP: Adopted. Plan in progress to increase opening hours for the timeframe specified.		Y
445	21 November 2019	414/19	9.2.1	Draft Bombala Activation Plan That Council endorse the Draft Activate Bombala 2020-25 for community consultation through December 2019 to the end of February 2020.	Economic Development Officer	02/12/2019 – KM: The Draft Bombala Activation Plan will be placed on public exhibition from 4/12/19.		Y
446	21 November 2019	415/19	9.2.2	Monaro Rail Trail Draft Feasibility Report That Council A. Receive and note the Draft Monaro Rail Trail Feasibility Study, including that if constructed, the Rail Trail will require an annual maintenance budget (estimated at \$660,000 per year for the Michelago to Bombala section), with no identified funding source; and B. Endorse the release of the Draft Feasibility Study for public comment over an 8 week period.	Recreation Planner	29/11/2019 – KM: A. Noted The Draft Feasibility Study has been placed on the Your Say page until 22 January 2020. Hard copies will be available for viewing in each office.		Y
447	21 November 2019	416/19	9.2.3	Adoption of a new Council Fee for the introduction of the new Subdivision Works Certificate That Council	Development Engineer	29/11/2019 – VG: Currently engaging the communications group to commence the 28 days exhibition period.	28/01/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>A. Amend the 2019/2020 Fees and Charges to include Subdivision Works Certificate application fees;</p> <p>B. Adopt the 2019/2020 fee structure for a Construction Certificate application as the new fee structure for a Subdivision Works Certificate application; and</p> <p>C. Advertise the new Fees and Charges for 28 days and enable the new fee to be applied from the end of the exhibition period providing the general manager is satisfied that no significant issues have been raised.</p>				
448	21 November 2019	417/19	9.3.1	<p>Minutes of the Recreational Facilities Committee Meeting Held on 22 July 2019</p> <p>That Council receive and note the minutes of the Recreational Facilities Committee meeting of 22 July 2019.</p>	Manager Open Space & Recreation	27/11/2019 – JK: The minutes were noted at the Council meeting of 21 November 2019.		Y
449	21 November 2019	418/19	9.3.2	<p>Minutes of the Water and Sewer Committee held on 29 October 2019 and adoption of recommendations</p> <p>That the recommendations of the meeting of the Water and Sewer Committee held on 29 October 2019 be adopted.</p>	Group Manager Water & Wastewater Services	27/11/2019 – GA: Noted and the following actions will be taken: <ul style="list-style-type: none"> The draft minutes will be adopted at the next water and sewer committee meeting. Adopted Terms of Reference will be sent to document control for finalising. 	30/12/2019	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<ul style="list-style-type: none"> Amendments to sewer pricing and billing was reported to Council on 21 Nov 2019. S64 DSP Councillor workshop has been proposed to be held on 19 Dec 2019.		
550	21 November 2019	419/19	9.3.3	<p>Amendments to the SMRC Sewerage Pricing and Billing Policy</p> <p>That Council</p> <p>A. Approve the following proposed amendments to the SMRC Sewerage Pricing and Billing Policy:</p> <p>Add the following subclauses 2.2.1 and 2.2.2 under the current clause 2.2 "Residential and Non-residential Strata, Flats, Dual Occupancies and Vacant Properties":-</p> <p>2.2.1 – Discount on sewer access charges for multiunit properties with area under 60m²</p> <p>The sewer access charge for multiunit properties with an area under 60m² will be discounted by 50% of the 20mm residential access charge. The 20mm access charge that will apply shall be the charge as set in the Annual Fees and Charges for that particular year.</p>	Group Manager Water & Wastewater Services	27/11/2019 – GA: The following actions will be taken: <ul style="list-style-type: none"> Finalise the amendments to the policy and make available the policy on Councils internet. Multiunit owners and customers discharging only effluent will be notified in writing the adoption of the amendments and the effect of this change to their sewer charges. 	31/01/2020	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>All customers who qualify for this discount will need to make an application to Council in writing stating the number of units with area under 60m² subject to meeting the following criteria:</p> <ul style="list-style-type: none"> ☐ All units are legal and considered habitable residential units ☐ All units are serviced by one service line / water meter ☐ All units are a studio style accommodation (one living area, separate bathroom, kitchen) and each unit has a floor area of no more than 35m² measured as the internal area (including any internal dividing walls). ☐ Applications shall include the approved plan of the unit. <p>2.2.2– Discount on sewer access charges for development pumping effluent ONLY into Councils sewerage network A 50% discount shall apply to properties that have been approved to pump effluent only into Council's sewerage network subject to the following conditions:</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 property owner shall make an application to Council for the discount</p> <p>☐ Council's approval to pump effluent only shall be attached to the application</p> <p>B. All references in the current policy to the "Revenue Policy" to be amended to "Fees and Charges".</p> <p>C. The 50% discount to be applicable from the date of adoption of the amendments and on approval of the applications. Customers shall be refunded any extra charges that have been billed this financial year. Notification regarding these amendments to the policy will be sent to all customers with the next water bills.</p>				
551	21 November 2019	420/19	9.3.4	<p>Request for Council to Apply for Poveys Road Colinton to be Transferred to Council as a Council Public Road</p> <p>That Council</p> <p>A. Decline the request to open the Crown reserve road section of Poveys Road as a Council public road;</p> <p>B. Notify the landowner of Council's decision; and</p>	Land & Property Officer	02/12/2019 – LB: Landowners have been notified of Council's decision. Negotiation is ongoing with the Crown and in the meantime Council staff are compiling a list of Crown Roads to attach to the MOU with the Crown.	30/01/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				C. Enter into negotiations with the Crown to authorise Council to carry out minor maintenance grading on certain Crown roads, to be identified, at the landowners' expense subject to a Memorandums of Understanding with the Crown and landowners.				
552	21 November 2019	421/19	9.3.5	<p>Council's listing on the Protection of the Environment Operations (Clean Air) Regulation 2010 - Schedule 8</p> <p>That Council</p> <p>A. Resolve that all burning, including vegetation and domestic waste within areas with domestic waste collection services is prohibited except with Council approval; and</p> <p>B. Endorse that Snowy Monaro Regional Council be included within Schedule 8 – Part 2 and Part 3 of the Clean Air Regulation as part of the remake of this Regulation.</p>	Environmental Health Officer	<p>02/12/2019 – GM:</p> <p>A. Noted</p> <p>B. NSW Department of Planning, Industry and Environment were notified and provided a copy of Council resolution to enable the Regulation amendments on 27 November 2019.</p>		Y
553	21 November 2019	422/19	9.3.6	<p>Managing Heavy Vehicles in Bombala Town Centre - Community Consultation</p> <p>That the matter be deferred for further consultation with the public including correspondence from the Bombala Chamber of Commerce.</p>	Group Manager Asset & Engineering	<p>27/11/2019-LN:</p> <p>Additional consultation to be arranged.</p>	01/03/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
554	21 November 2019	423/19	9.4.1	<p>Minutes of Waste Management Committee Meeting held on 5 November 2019</p> <p>That Council</p> <p>A. Receive and note the minutes of the Waste Committee held on 5 November 2019; and</p> <p>B. Adopt the recommendations of the Waste Management Committee meeting held on 5 November 2019 listed in this report: WMC32/19, WMC33/19, WMC34/19, WMC35/19, WMC36/19, WMC37/19, WMC38/19 and WMC39/19</p>	Resource & Waste Administration Officer	<p>02/12/2019 – PC:</p> <p>A. Noted.</p> <p>B. Council adopted the recommendation of the Waste Committee without change. Actions are underway to implement all recommendations.</p>		Y
555	21 November 2019	424/19	9.4.2	<p>Section 355 Committee Review Update</p> <p>That Council receive and note the information on the report Section 355 Committee Review Update.</p>	Governance Officer	<p>03/12/2019 – PJ:</p> <p>Review ongoing.</p>		Y
556	21 November 2019	425/19	9.4.3	<p>Answers to Questions With Notice</p> <p>That Council receive and note the Councillor Questions In Progress report for the period ended October 2019.</p>	Secretary Council & Committees	<p>27/11/2019 – AS:</p> <p>Completed. No further action required.</p>		Y
557	21 November 2019	426/19	9.4.4	<p>Resolution Action Sheet Update</p> <p>That Council receive and note the In Progress Resolution Action Sheet Update for the period ending October 2019.</p>	Secretary Council & Committees	<p>27/11/2019 – AS:</p> <p>Completed. No further action required.</p>		Y

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
558	21 November 2019	427/19	9.4.5	Endorsement of Government Information Public Access (GIPA) Policy, Redaction Policy and Agency Information Guide That Council resolve the draft GIPA Policy and Agency Information Guide to be placed on public exhibition for a period of 28 days	Manager Corporate Governance	03/12/2019 – PJ: Actioned. Documents on Public Exhibition from 27 November 2019 to 29 December 2019.		Y
559	21 November 2019	428/19	9.4.6	Minor Amendment to Adopted Complaints Handling Policy 245/18 That Council adopt the Complaints Management Policy.	Casual Governance Administrator	03/12/2019 – PJ: Adopted.		Y
560	21 November 2019	429/19	9.4.7	Grant Applications - Activity Synopsis as at 30th September 2019 That Council receive and note the information related to Grants activity for the quarter ending 30 September 2019.	Grants Officer	05/12/2019 – TP: Noted. No further action required.		Y
561	21 November 2019	430/19	9.4.8	2019 Annual Report Adoption That Council A. Adopt the 2019 Annual Report; B. Authorise submission of the adopted 2019 Annual Report to the Minister for Local Government, and C. Authorise publication of the adopted 2019 Annual Report on Council's website and make copies of the report available at all Council Offices.	Casual Governance Administrator	03/12/2019 – PJ: A. Adopted. B. Completed. C. 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
562	21 November 2019	431/19	9.4.9	<p>Presentation of 2019 Financial Statements</p> <p>That Council receive and note:</p> <p>A. General Purpose Financial Statements including independent external auditors report and report on the conduct of the audit;</p> <p>B. Special Purpose Financial Statements including independent external auditor's report; and</p> <p>C. Special Schedules and independent external auditor's report on the Permissible income for general rates.</p>	Management Accountant	03/12/2019 – MP: Receive and note, no further action required.		Y
563	21 November 2019	432/19	9.4.10	<p>Quarterly Budget Review Statement (QBRS) to September 2019</p> <p>That Council</p> <p>A. Receive the quarterly budget review statement (QBRS) for the period ended 30 September 2019; and</p> <p>B. Authorise the adjustments to the Council's budgeted Income & Expenditure, Capital Expenditure and Cash & Investments as shown in the QBRS</p>	Management Accountant	03/12/2019 – MP: A. Receive and note, no further action required. B. Actioned 22/11/2019		Y
564	21 November 2019	433/19	9.4.11	<p>Organisational Structure Review</p> <p>That Council</p> <p>A. Create the position of Chief Operating Officer as a senior staff position;</p>	Acting Director Corporate & Community Services	03/12/2019 – DR: Staff have been advised that the new structure has been adopted. Recruitment companies are being engaged to assist with the recruitment of the Chief Officer positions. The timing of recruitment will be determined in consultation	30/04/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>B. Create the position of Chief Strategy Officer as a senior staff position;</p> <p>C. Designate the position of General Manager to be Chief Executive Officer;</p> <p>D. That the role of the senior staff positions be:</p> <p style="padding-left: 20px;">(a) Chief Operating Officer:</p> <p style="padding-left: 40px;">(i) Support the Council in development of effective strategies to ensure efficient and effective provision of services to the community and management of infrastructure used by the community and in providing services,</p> <p style="padding-left: 40px;">(ii) Develop plans of action to ensure that the strategies of Council are being achieved through the delivery of services and management of infrastructure.</p> <p style="padding-left: 40px;">(iii) Effective management of the resources</p>		with the agency selected to undertake the recruitment.		

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				provided by Council for the provision of services and infrastructure for the community.				
565	21 November 2019	434/19	10.1	Notice of Motion - Councillor Bob Stewart_ Recurring Donations for Non Profit Community Groups That Council determine that non-profit community groups that primarily provide public halls which are in active use by their community be determined as a recurring category in accordance with Council's Donations and Sponsorships Policy.	Group Manager Governance	03/12/2019 – DR: The process is being amended to reflect the decision made.		Y
566	21 November 2019	435/19	11.1	General Manager's Performance Review Panel That Council nominate Councillor Rogan Corbett for the General Managers Performance Review Panel.	Chief Executive Officer / Executive Assistant to GM, Mayor & Councillors	05/12/2019 – SC: The General Manager's performance review panel is scheduled for 10 December 2019.		Y
567	21 November 2019	437/19	13.1	Legal Actions and Potential Claims Against SMRC as at 31 October 2019 That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 31 October 2019 report.	Executive Assistant to Director Corporate & Community Services	28/11/2019 – SM: Receive and note – 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
568	21 November 2019	438/19	13.2	<p>Audit, Risk and Improvement Committee (ARIC) - Offer of Extension to Two Independent Members That Council</p> <p>A. Resolve to offer Mr Adam Vine an additional one year extension to 13 December 2020 as an independent member of Council's Audit, Risk and Improvement Committee.</p> <p>B. Resolve to offer Mr John Barbeler an additional two year extension to 13 December 2021 as an independent member of Council's Audit, Risk and Improvement Committee.</p>	Senior Internal Auditor	28/11/2019 - TK: Letters for offers of extension have been prepared and sent.		Y
569	21 November 2019	439/19	13.3	<p>Audit, Risk and Improvement Committee (ARIC) - Appointment of Independent Member That Council</p> <p>A. Receive and note the information in the attached selection report for the position of Independent Member of Council's Audit, Risk and Improvement Committee.</p> <p>B. Appoint Mr Miles Pearson as an Independent Member of Snowy Monaro Regional Council's Audit, Risk and Improvement Committee for an initial period of two years with an offer of one year extension, subject</p>	Senior Internal Auditor	28/11/2019 - TK: Letters have been prepared and sent to Mr Pearson and Ms Sheppard accordingly.		Y

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				to satisfactory performance assessment of his contribution to the Committee. C. Resolve to keep Ms Narelle Sheppard's application current for a period of six months, for appointment to the committee in case of any unexpected vacancies.				
570	21 November 2019	440/19	13.4	Private Land Encumbered with Council Infrastructure That Council approve the following: A. Reconstruction of the water main and connections to service lots bounded by Fergus, Cooma and Braidwood Streets at a cost of \$66,000. B. The project be funded from water reserves and noted in the quarterly budget review.	Manager Water & Wastewater	03/12/2019 – MR: Adopted by Council on 21 November 2019 resolution 440/19.		Y
571	21 November 2019	441/19	13.5	Replacement of Council's waste landfill compactor. plant 3088 That Council A. Approve the purchase of a Tana E260 from GCM Enviro Pty Ltd for \$666,000 excluding GST; and B. Accept trade in offered by GCM Enviro Pty Ltd for Tana Plant 1616 for \$50,000 excluding GST	Manager Fleet & Plant	27/11/2019 – SS: Purchase order PU030359 supplied to GCM Enviro 27/11/2019, awaiting delivery advice.	31/01/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
572	21 November 2019	442/19	13.6	<p>East Jindabyne RFS Shed Tender That Council :</p> <p>A. Accepts the lowest tender price from Cooma Steel Pty Ltd in the total lump sum amount of \$296,116.20 (excluding GST) or [\$325,727.82 (including GST)] and award Contract 009/2020 for the construction of the East Jindabyne RFB Shed and Site Works to Cooma Steel Pty Ltd.</p> <p>B. Authorise the General Manager to execute the construction contract and issue the purchase order for the works.</p> <p>C. Authorise the expenditure and allocate an amount of \$296,116.20 (excluding GST) or [\$325,727.82 (including GST)] in the 2020 Financial Year Budget with funding to be provided from the allocated \$330,000 (Excl.GST) in 2019/2020 from the Rural Fire Fighting Fund.</p>	Group Manager Asset & Engineering	27/11/2019 – LN: Noted. Contract award to proceed.	30/06/2020	N
573	21 November 2019	443/19	13.7	<p>Werralong Road - Proposed Acquisition With and Without Consent That Council</p> <p>A. Approves the acquisition without consent of proposed lots 4, 5, 7, 8 and 10 in the plan of acquisition for the purpose of public road under the</p>	Land & Property Officer	02/12/2019 – LB: Resolution of Council has been sent to Council's solicitor to lodge with OLG for consent of the Minister and the Governor.	31/3/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> in accordance with Division 1 Section 177 of the Roads Act 1993 and the making of the necessary application to the Minister and/or Governor.</p> <p>B. Approves the acquisition of proposed lots 1, 2, 3, 6 and 9 with consent for the purpose of public road under the provisions of the <i>Land Acquisition (just Terms Compensation) Act 1991</i> in accordance with Division 1 Section 177 of the Roads Act 1993 and the making of the necessary application to the Minister and/or Governor.</p> <p>C. To authorise the General Manager to execute all documents relevant to the acquisitions both without consent and with consent on behalf of Council.</p> <p>D. Agrees to bear all costs for the acquisition of the proposed lots.</p>				
574	21 November 2019	444/19	13.8	<p>Yallambee Lodge Extension - Principal Design Consultant Tender Award That Council:</p> <p>A. Award the Principal Design Consultant package for the Yallambee Lodge Extension contract to Ignite Architects Pty Ltd (ABN 28 109 256</p>	Group Manager Asset & Engineering	29/11/2019 – LN: Noted. Contract award underway.	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
				368) for \$286,185.00 Including GST, and B. Authorise the General Manager to execute the contract.				
575	21 November 2019	445/19	13.9	2019-20 Weed Control Services - Northern region That Council A. Award the 2019-20 Weed Control Services – Northern region contract (priority weeds other than African lovegrass) to Southern Slopes Weed Services Pty Ltd as per the tendered lump sum amount of \$63,800 (GST Incl); and B. Resolve that remaining funds dedicated in Council resolution #393/19 (\$77,000) be allocated to the control of African lovegrass on priority roadsides within the northern region, and that in accordance with Council's Purchasing and Tendering Policy this contract is readvertised and awarded, based on an hourly rate.	Manager Biosecurity	02/12/2019 – GM: A. Contract prepared for CEO's signature. B. Request for Quotes to be advertised in the second week of December.	Ongoing	N
576	21 November 2019	446/19	13.10	Sale of Southern Phone Company That Council: A. Agree to the sale of its share held in Southern Phone Company	Acting Director Corporate &	03/12/19 SC: All shareholders have now passed resolutions in support of the sale and at the EGM 2 Dec	31/01/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				B. Authorise the Mayor and General Manager to negotiate the terms of any such sale.	Community Services	members supported a resolution to amend the constitution to allow the sale to complete. CEO to negotiate the terms of the sale. 03/12/2019 – DR: All other Councils have now resolved their position on the matter of the sale. They have agreed to sell their shares under the current proposal.		
577	21 November 2019	447/19	13.11	Sale of 84 Polo Flat Road That Council authorise the General Manager to establish the reserve price for 84 Polo Flat Rd Cooma ahead of the auction scheduled for 12Noon Friday 22 November, and to negotiate with the highest bidder should the property fail to meet the reserve.	Chief Executive Officer / Executive Assistant to GM, Mayor & Councillors	03/12/2019 – SC: Property sold 22 Nov.		Y

9.4.5 ROUND 2 DONATION AND SPONSORSHIP SUBMISSIONS FOR THE 2020 FINANCIAL YEAR.

Record No:

Responsible Officer:	Acting Director Corporate and Community Services
Author:	Manager Corporate Governance
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	12.3 Our community is empowered and supported in facilitating community outcomes
Delivery Program Objectives:	12.3.1 Community organisations and individuals have the capacity to apply for a range of grants funding opportunities
Attachments:	<ol style="list-style-type: none">1. Attachment 1 - Table 1A - Summary of Requests - Donations and Sponsorships - Round 2 - 2020 Financial Year2. Attachment 2 - Table 1B - Summary of Requests for Additional Recurring Donations and Sponsorships - Round 2 - 2020 Financial Year3. Attachment 3 - Donations and Sponsorships Application Round 2 - 2020 Financial Year - Applications 1 to 8 (<i>Under Separate Cover</i>)4. Attachment 4 - Donations and Sponsorships Application Round 2 - 2020 Financial Year - Applications 9 to 18 (<i>Under Separate Cover</i>)5. Attachment 5 - Donations and Sponsorships Application Round 2 - 2020 Financial Year - Applications 19 to 28 (<i>Under Separate Cover</i>)6. Attachment 6 - Donations and Sponsorships Application Round 2 - 2020 Financial Year - Applications 29 to 36 (<i>Under Separate Cover</i>)
Cost Centre	3120

EXECUTIVE SUMMARY

This report contains details of all applications received in Round 2 Donation and Sponsorship submissions 2020FY for consideration by Council.

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

OFFICER'S RECOMMENDATION

That Council

- A. Determine the submissions to be approved for Round 2 Donation and Sponsorship submissions 2020FY;
- B. Authorise payment of the approved value from Round 2 Donation and Sponsorship submissions 2020FY to be made from account 10.3120.1001.63160; and
- C. Approve recurring donations to CWA Jerangle-Peak View hall, Delegate RSL sub Branch Hall and Ando Public hall to cover Council rates.

BACKGROUND

General Submissions for Round 2 Donations and Sponsorships 2020 FY

Submissions were sought from the community for Donations and Sponsorships through direct communication to community groups who had previously engaged Council for support and also through advertising in local papers and radio for the period of 14 October to 22 November 2019.

Council resolved for \$100,000 to be allocated for general submissions with \$50,000 to be applied to each of the two rounds in the financial year.

A total of 36 submissions were received and Table 1 shows a summary of all submissions received for consideration.

The total value of submissions received in Round 2 equates to \$138,865.89.

Attachments 3 to 6 of this report contain the application details for the submissions.

Council will need to determine the value to allocate to the requests. Following the resolution from this report all submissions will be contacted advising the outcome.

Governance have received submissions for retrospective requests for events and/or expenses that have already been incurred by applicants. However these items have not been isolated or given preference from any application received.

All applicants making retrospective applications have been advised that there is no guarantee that Council will resolve to approve their applications, and that in future it is recommended they apply prior to the event for consideration.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

This process has been developed to ensure that the LGA invests in events that have the potential to raise economic, social or cultural benefits to our community. All requests made will be considered by formal resolution of Council.

2. Environmental

Council considers impacts to the environment for all recommendations made in reports, and also considers the environment implications for submissions made through Donation and Sponsorship requests.

3. Economic

Council to consider authorisation of the recurring Donations and Council to determine applications to approve from Round 2 submissions to the value of up to \$50,000.

4. Civic Leadership

Decisions to provide sponsorship to community groups, individuals and events must be considered in a transparent process. The granting of financial assistance must be by formal specific resolution of Council.

9.4.5 ROUND 2 DONATION AND SPONSORSHIP SUBMISSIONS FOR THE 2020 FINANCIAL YEAR.

ATTACHMENT 1 ATTACHMENT 1 - TABLE 1A - SUMMARY OF REQUESTS - DONATIONS AND SPONSORSHIPS - ROUND 2 - 2020 FINANCIAL YEAR

#	Organisation	Request Summary	Total Requested Amount (\$)	Recommendation	Comment
1	Rotary Club of Cooma	Cooma Country, Roots & Blues Music Festival (Sun 17 Nov 2019). A programme of 4 high quality bands playing in the Centennial Park Band Shell.	\$2,000		
2	Lions Club of Jindabyne Inc	Easter Art Show and sale in Jindabyne Memorial Hall 4th-19th April 2020. Funding will cover hall hire fees.	\$2,445		\$2,536 approved in first round of donation for FY 19-20
3	Rosie O'Sullivan School of Dance	Funding to go towards a dance production, including lighting, sets, costumes and props. It is a showcase of student's talents.	\$1,400		
4	Alpine Uniting Church	Financial contribution towards the costs incurred by the alpine Uniting Church to the Op Shop extensions and renovations. The Op-shop is an important community facility in Jindabyne.	\$40,000		\$2,500 approved in first round of donation for FY 19-20
5	2MNO Community Radio Inc	Funding to cover rates	\$2,000		
6	CWA Jerangle-Peak View	Funding to cover rates	\$218.69		Refer to Table 1B
7	Action Sports Training	The Snow/Sport Sale is an annual fundraiser for Action Sports Training, the Local Gymnastics/Trampoline Club. Last year they had 220 sellers. Funding will cover Memorial Hall fees.	\$1,302		
8	Bredbo Progress Ass Inc	A community BBQ with games and Santa.	\$500		
9	Monaro Early Intervention Service	MELS Speech Therapist and O/T will travel the region attending local Child Care centres and pre-schools, screening children for speech, language, learning and developmental delays. Funding request is to assist with meeting staff and travel costs.	\$500		

9.4.5 ROUND 2 DONATION AND SPONSORSHIP SUBMISSIONS FOR THE 2020 FINANCIAL YEAR.

ATTACHMENT 1 ATTACHMENT 1 - TABLE 1A - SUMMARY OF REQUESTS - DONATIONS AND SPONSORSHIPS - ROUND 2 - 2020 FINANCIAL YEAR

10	Delegate Rodeo Camp draft Inc	Provision of, and removal of waste/recycling bins at Annual Delegate Camp draft Event, held at Delegate showground 13/14/15th March 2020	\$458.75		\$739 approved in first round of donation for FY 19-20
11	The Alpine School	Requesting money to cover cost of sewer charges for Alpine School	\$5,777		
12	Roll On In Jindabyne Motorcycle Rally	The Roll On In- Jindabyne Motorcycle Rally 13 – 15 March held at The Station Resort Jindabyne, will bring together the motorcycling community, to include all riders and non-riders, promoting rider safety & awareness as well as to raise funds for the very worthy charity - Care Flight. March is also perfect riding weather. We are all about the rider, the community and giving back where we can, any monies requested as part of this submission will be used to engage businesses, trades and services from the local and surrounding areas. We have included riding suggestions on our website to allow all attendees an opportunity to explore the Snowy Mountain region.	\$6,958		
13	Snowy Mountains Quilt & Craft Group	'Annual quilt show held in conjunction with Lions Easter Art Show & Sale. Funding is to pay council fees for use of supper room at Jindabyne Memorial Hall for 4 days of show 9th-12th April 2020	\$546.00		\$532 approved in first round of donation for FY 19-20
14	Action Learning Initiatives Pty Ltd	Community Service programs with School groups as part of their Outdoor Education sessions - "giving back". Students visit local residents throughout the Jindabyne region and perform a range of tasks to assist elderly/disadvantaged residents at their homes. Tasks include gardening, cleaning and waste removal.	\$700		
15	Snowy River RSL Sub branch	ANZAC Day & Remembrance Day Commemorations in Jindabyne and Berridale	\$2,000		
16	Delegate and Bombala Public Schools	Students from Delegate & Bombala Primary Schools are involved in a 10day intensive Learn to Swim program at Bombala Pool from 2/12/19 - 13/12/19. Funding to cover 94 students tuition and transport.	\$4,000		

9.4.5 ROUND 2 DONATION AND SPONSORSHIP SUBMISSIONS FOR THE 2020 FINANCIAL YEAR.

ATTACHMENT 1 ATTACHMENT 1 - TABLE 1A - SUMMARY OF REQUESTS - DONATIONS AND SPONSORSHIPS - ROUND 2 - 2020 FINANCIAL YEAR

17	Australia Day Celebrations Committee	In conjunction with their Australia Day Celebrations, they will be running the NSW Strong Wool Championships. This event will require judges, scorers and timekeepers to come from afar, so seeking funding to assist with their travel, accommodations and meals.	\$3,000		
18	Nimmitabel Advancement Group Inc.	Stage 1 of 2: Disabled concrete path to disabled ramp, which will provide safe access to sliding doorway.	\$5,423		\$500 approved in first round of donation for FY 19-20
19	Lake Light Sculpture Inc	Deliver the 2020 Annual Easter Outdoor Sculpture Exhibition event, called Lake Light Sculpture. Held in Banjo Patterson Park 10th-13th April 2020	\$5,000		
20	Zone 18 Pony Clubs	The Zone 18 Pony Club camp is a four day camp for children with their ponies and families at the Delegate Showground in early January 2020. This camp is being reinstated after a 20 year absence and it has come about due to requests from the riders, support from the parents and a desire by the Zone executive to help foster a sense of belonging and good horsemanship across the clubs in our Zone. Funding will cover: The Hire of the Delegate Showgrounds and buildings for the duration of the event and the waste collection and recycling services for the event.	\$12,000		
21	Management Committee Bombala Exhibition Ground	Waste disposal Bombala Exhibition Ground (Rubbish & Recycling)	\$956		
22	Delegate Presbyterian Church	Funding to cover rates	\$894		\$500 approved in first round of donation for FY 19-20
23	Nimmitabel Pony Club Inc.	Nimmitabel Pony Club Gymkhana - hosting zone 18 show-jumping championships. Funding would go towards waste fees.	\$175		
24	Jindabyne Rugby Union Club	Upgrade Jindabyne Oval Scoreboard to include an LED Screen in scoreboard, which will be wireless control	\$13,000		

9.4.5 ROUND 2 DONATION AND SPONSORSHIP SUBMISSIONS FOR THE 2020 FINANCIAL YEAR.

ATTACHMENT 1 ATTACHMENT 1 - TABLE 1A - SUMMARY OF REQUESTS - DONATIONS AND SPONSORSHIPS - ROUND 2 - 2020 FINANCIAL YEAR

25	Cooma Chamber of Commerce	Purchase of Chamber specific laptop/software. Funding towards website support social media activity. Funding in lieu of increased workload/community liaison needed as a result of snow/ 2.0	\$5,000		
26	Rotary Club of Bombala	The bi-annual Rotary Bombala markets are developing into a regionally significant event. Stall numbers and visitation continues to grow at double digit rates with spring 2019 event expecting over 120 stall holders. Funding to assist with Sanitation, electricity, waste, security, traffic, indemnity.	\$2,000		
27	Cooma & District Kennel & Obedience Club	3 Day all breeds championship shows. Obedience trials and rally trials.	\$1,500		\$500 approved in first round of donation for FY 19-20
28	Lake Jindabyne Sailing Club	NSW/ACT Laser Masters Championship Feb 8 & 9th 2020	\$979		
29	Cooma North Primary School	Lunchtime lego club - to provide a safe, quieter space for those students overwhelmed by the large playground environment.	\$483		
30	Cooma Swimming Club	Enhance Cooma Swim Club appeal in the community by engaging club coach. Enable Cooma Swim Club to build on 50years of swimming in the Monaro. Foster partnership with Monaro Aquatic Services to engage coach.	\$7,300		
31	The Salvation Army Cooma Corps	Offset of fees incurred dealing with illegal dumping at Cooma Family Store.	\$5,000		
32	Save Bombala Inc	An incorporated body that seeks to represent the interests of the Bombala/Delegate communities. Also a vehicle to assist other community groups with developing their governance and financial management arrangements.	\$1,000		
33	Adaminaby Easter Fair	Annual Street Fair.	\$676		

9.4.5 ROUND 2 DONATION AND SPONSORSHIP SUBMISSIONS FOR THE 2020 FINANCIAL YEAR.

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9.4.5 ROUND 2 DONATION AND SPONSORSHIP SUBMISSIONS FOR THE 2020 FINANCIAL YEAR.

**Table 1A - Summary of Requests for Donation and Sponsorship for submission to Council Meeting –
Round 2 – July to December 2019**

34	Cooma Gymnastics Club	Gymnastics Kiosk Project	\$479		
35	Delegate R.S.L sub-branch	Delegate R.S.L Hall- Funding requested to cover rates	\$2,435.80		Refer to Table 1B
36	Ando Public Hall Committee incorporated	Waive Council Rate Notice Assessment 2019766	\$759.45		Refer to Table 1B
Sub Total Value			\$138,865.89		
TOTAL AMOUNT REQUESTED:			\$138,865.89		

9.4.6 REPORTING PROGRESS AND BENEFITS OF REFORM - DECEMBER 2019

Record No:

Responsible Officer:	Executive Manager Innovation & Business Development
Key Direction:	4. Leadership Outcomes
Delivery Plan Strategy:	10.1 Planning and decision making is holistic and integrated and has due regard to the long term and cumulative effects
Operational Plan Action:	10.1.3 Council demonstrates improvement in it's knowledge capture, performance and service delivery by fully embracing a learning organisation and innovation mindset
Attachments:	1. Reporting Progress and Outcomes of Reform - December 2019
Cost Centre	3131 Business Development
Project	PJ100179 – Reporting Progress and Outcomes of Reform
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Following consultation with all amalgamated Councils, in September 2016 the Department of Premier and Cabinet issued an individual framework to Snowy Monaro Regional Council. This included 10 key results that was collectively seen as a measure of amalgamation success.

This report serves a dual purpose, firstly we are providing the Snowy Monaro Regional Council Community with details of the many positive things that have been achieved through operational management which are working towards reforming our organisation in a way that seeks to improve our service delivery; secondly, this report addresses one of the two recommendations from the NSW Audit Office in the performance audit, *“Workforce reform in three amalgamated councils”*.

The following officer’s recommendation is submitted for the Council’s information.

OFFICER’S RECOMMENDATION

That Council receive and note the report on Progress and Outcomes of Reform achieved between September 2017 and December 2019.

BACKGROUND

The agreed vision for all merged councils is:

“A strong council delivers results for its community, builds successful partnerships and has the leadership, culture, people and capacities to make this happen”

The five characteristics of a modern council are:

- Strategic capacity
 - Outstanding service provision
 - Robust community relationships
 - Strong performance
-

- Sound organisational health

It is noted that these are not ranked or prioritised, rather all have an equal weighting of importance for the organisation.

To support the framework, the 10 key results describe outputs that will achieve the transformation. These are:

- Service continuity, with smart service improvements
- Robust governance that delivers confidence to communities
- Easy to do business with, in person and online
- Engaged staff who understand their roles and how they contribute to the new council
- Involved communities who have their say
- Communities can readily identify with their new council
- A shared vision and direction for the whole community
- Rates maintained within existing pathways and resources used wisely to serve the entire council area
- Expected benefits which are clear, measurable and on target
- A newly elected council working for the whole community

On 1 May 2019, the Office of the Auditor-General for New South Wales tabled the report "*Workforce reform in three amalgamated councils*" <https://www.audit.nsw.gov.au/our-work/reports/workforce-reform-in-three-amalgamated-councils>

The conclusion of the audit* *page 1 of the report* was as follows:



Conclusion

The three councils we examined have made progress towards an efficient organisation structure.

Following amalgamation, all three councils developed detailed plans to bring their former workforces together, review positions and salaries, amalgamate salary structures and align human resources policies. All three councils have largely achieved the milestones included in these plans.

Benefits realisation plans show that councils did not expect to achieve material savings or efficiencies from workforce reform within the first three years of amalgamation.

Two councils do not clearly report on whether their reform initiatives are achieving benefits.

Administrators at all three councils endorsed lower savings targets than the NSW Government's early analysis suggested may be possible. All three councils have plans or strategies to progress and achieve benefits from the amalgamation. However, Inner West Council and Snowy Monaro Regional Council could more clearly link their reform initiatives with expected benefits and include this in public reporting.

Amalgamations represent a substantial period of change for affected communities and amalgamated councils should be routinely reporting to their communities about the costs and benefits of amalgamation.

Councils have not yet determined their future service offerings and service levels nor completed integration of ICT systems. These decisions need to be made before an optimal organisation structure can be implemented.

Before amalgamated councils can implement an optimal organisation structure, they need to review and confirm their customer service offerings and service levels in consultation with their communities. This work is underway but is not yet complete in any of the councils.

Progress towards an efficient structure has been slowed by staff protections in the *Local Government Act 1993* (the Act) and a range of logistical and administrative issues associated with amalgamation. These include multiple IT systems and databases that need to be integrated and different working conditions, policies and practices in the former councils that are not yet fully harmonised.

The councils implemented legislated staff protections and focused on the people side of change but cannot reliably measure the impact of their change management efforts.

The Act provides protections that reduce the impact of amalgamations on staff. Beyond implementing these protections, the councils have communicated with staff, sought to prepare them for change, and involved staff in key decisions. All councils have conducted staff surveys over time. However, at this stage these staff surveys have not provided an effective or reliable measure of the impact of change management efforts.

This resulted in two recommendations for Snowy Monaro Regional Council* *Page 3 of the report*:



2. Recommendations

All three councils should:

1. establish future service offerings and service levels and ensure that organisation structures are aligned with service levels and integrated ICT systems.

Inner West Council and Snowy Monaro Regional Council should:

2. report against target efficiency and savings outcomes associated with workforce reform and actively monitor progress against milestones.

The Department of Planning and Industry² should:

3. develop a suite of efficiency and economy indicators and start reporting the performance of councils against these indicators to assist with benchmarking.

This report provides the action required for item 2 of the above recommendation. Financial savings across the groups have been noted in the attached report, however any savings have essentially been reinvested in expansion of services, strategy development or assets and technology and therefore, as highlighted in the NSW Audit Office report, benefit realisation plans show that we are “not expecting to achieve material savings or efficiencies from workforce reform within the first three years of amalgamation”.

The current Snowy Monaro Regional Council organisational redesign project commenced in March 2019 and; a structured approach to service offerings and service levels, will place the organisation in a better position to report financial savings through workforce structure over the coming years.

Face-to-face meetings were held with 11 of the 13 Group Managers to prepare the report. Time was then provided for review and update of the individual submissions. Following completion of the engagement period, the draft report was included on the agenda for the Executive Management Team (EMT) on 28 November 2019. Methodology, outcomes and observations were presented, with EMT being provided with a further week for review and opportunity for any additional feedback on the contents of the report. No feedback or requests for changes were received.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The Stronger Councils Framework was developed for the purpose of identifying indicators that could be measured as a result of individual council success in achieving the 10 key results of council mergers. Council has recorded 336 qualitative benefits that have been realised since September 2017.

2. Environmental

There is no negative impact on the environment by accepting the recommendations of this report. Sustainability benefits are expected to be realised as the organisation harmonises policies, service models and practices, transforming the way in which services are delivered with minimising our environmental impact a priority of the Council.

3. Economic

The funding of this report has been undertaken within the salary budget allocated to the Office of the General Manager.

4. Civic Leadership

This report seeks to provide confidence to the community that council is ensuring a continuous improvement culture that seeks to make the most of the opportunity presented by Local Government Reform. Much has been achieved since the merger and there is momentum to continue realising benefits and results for our community.



Reporting Progress and Outcomes of Reform | December 2019



Record of Versions

Date Published	Reason for Amendments	Resolution	Author/Document Owner
Dec 2019	[Planned] Final document received by Council and published	19/12/2019	EMIBD
Nov 2019	Draft document presented to Executive Management Team (EMT)	28/11/2019	EMIBD

Uncontrolled document when printed.

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1 Executive Summary

On 12 May 2016, the NSW Government announced the amalgamation of 42 councils into 19 new councils. This followed a period of 18 months during which the NSW Independent Pricing and Regulatory Tribunal (IPART) had assessed councils' 'fitness for the future', and communities were consulted about proposed mergers.

The objective of this audit was to assess whether three councils, Inner West Council, Queanbeyan-Palerang Regional Council and Snowy Monaro Regional Council, are effectively reforming their organisation structures to realise efficiency benefits from amalgamation and managing the impact on staff.

On completion of the Audit, two recommendations were made. This report addresses recommendation 2 *"Snowy Monaro Regional Council should report against target efficiency and savings outcomes associated with workforce reform and actively monitor progress against milestones"*

2 Creating a Strong Council

The agreed vision for all merged councils is:

"A strong council delivers results for its community, builds successful partnerships and has the leadership, culture, people and capacities to make this happen"

The five characteristics of a modern council are¹:

- Strategic capacity
- Outstanding service provision
- Robust community relationships
- Strong performance
- Sound organisational health

2.1 10 Key Results

To support the vision, 10 key results were developed to describe the outputs that demonstrate achievement of a stronger council through amalgamation. These are:

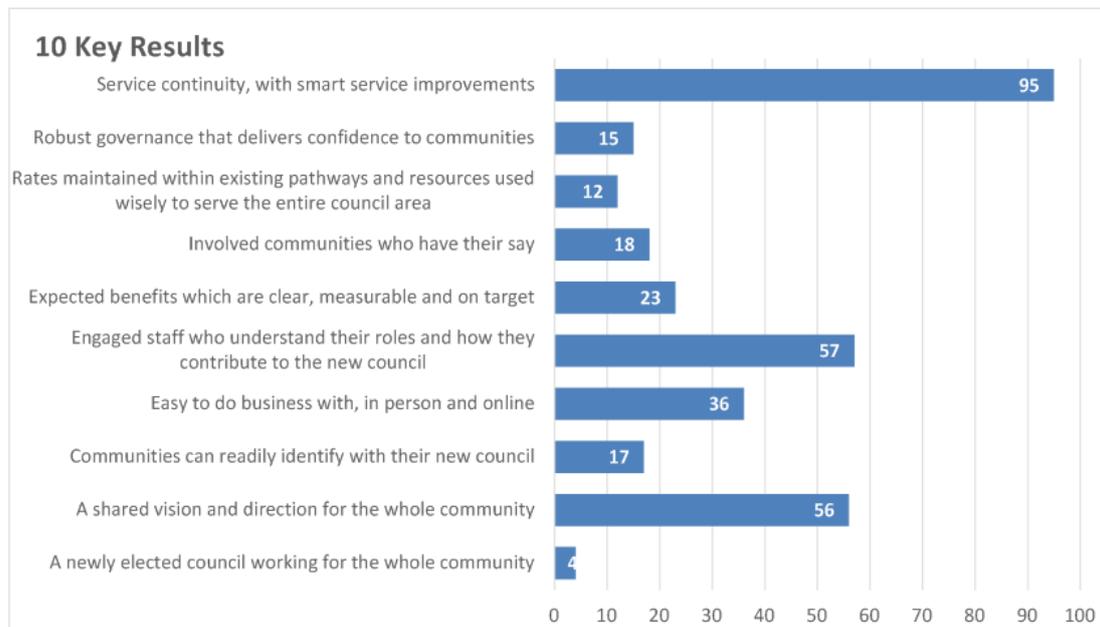
- A newly elected council working for the whole community
- A shared vision and direction for the whole community
- Communities can readily identify with their new council
- Easy to do business with, in person and online
- Engaged staff who understand their roles and how they contribute to the new council
- Expected benefits which are clear, measurable and on target
- Involved communities who have their say

¹ It is noted that these are not ranked or prioritised, rather all have an equal weighting of importance for the organisation.

- Rates maintained within existing pathways and resources used wisely to serve the entire council area
- Robust governance that delivers confidence to communities
- Service continuity, with smart service improvements

In consultation with all Group Managers we have documented 336 benefits that were identified. See Appendix A. These benefits were then broadly categorised against the 10 key results, with the following outcomes:

Number of benefits by key result area



The Group Management Functions for this report are:

Group	Acronym
Assets & PMO	AME PMO
Building & Development Compliance	BDC
Chief Financial Officer	CFO
Community Support Services and Aged Care	CSS AC
Economic Development & Tourism	EDT
Environmental Management	EM
Facilities	Fac
Governance	Gov
Innovation & Business Development	IBD
People & Culture	P&C
Resource & Waste	R&W
Transport Infrastructure	TI
Water & Wastewater	WWW



Number of benefits linked to 10 key result areas by group

Key Result	AME PMO	CFO	CSS AC	BDC	EDT	EM	Fac	Gov	IBD	P&C	R&W	TI	WWW
A newly elected council working for the whole community				1	2						1		
A shared vision and direction for the whole community	5		1	7	17	2		1	3	3	9	3	5
Communities can readily identify with their new council	2			1	8			3	1		1		1
Easy to do business with, in person and online	3	8		9		9		2	2	1	1	1	
Engaged staff who understand their roles and how they contribute to the new council		5	1	7	2	1		4	6	18	5	2	6
Expected benefits which are clear, measurable and on target	3	1				3			8	1	5	1	1
Involved communities who have their say	6		2	1			1	4		1	2	1	
Rates maintained within existing pathways and resources used wisely to serve the entire council area	2	2									5		3
Robust governance that delivers confidence to communities	4	10	2	5	1	12	5	30	7	2	9		
Service continuity, with smart service improvements				1	2						1		
Grand Total	26	33	6	31	30	27	6	45	34	26	39	8	22

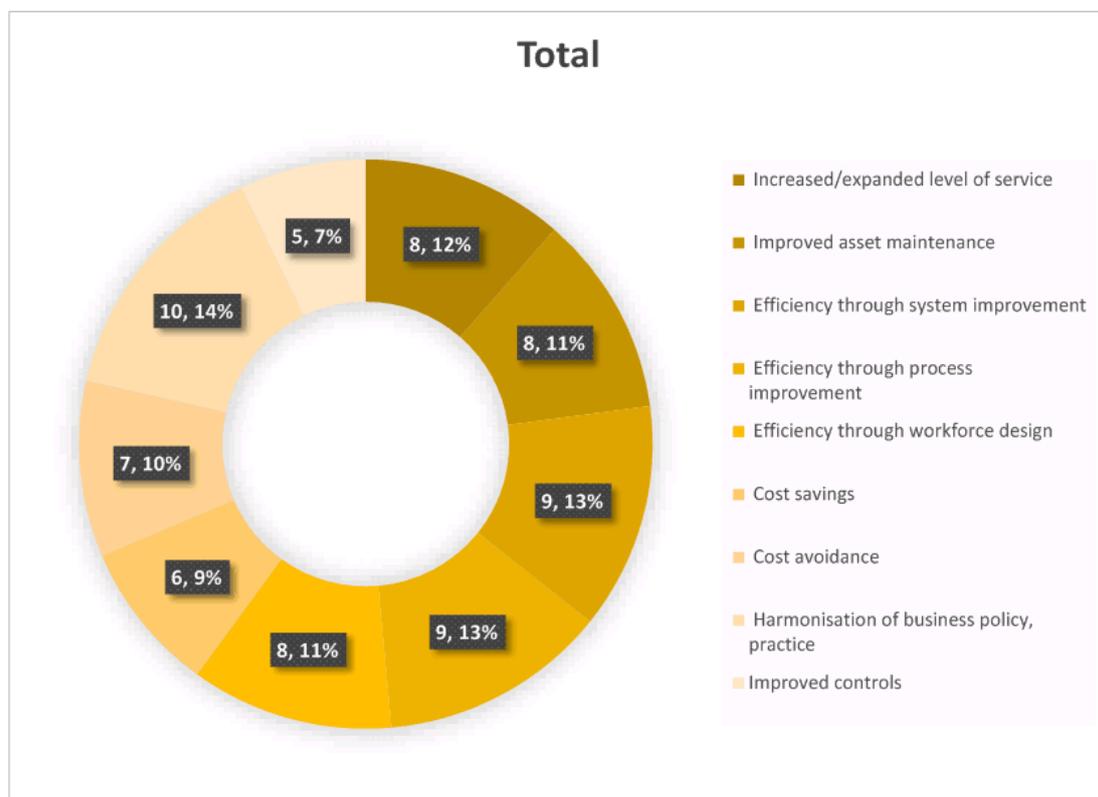
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2.2 Benefits of Service Delivery in an Amalgamated Council

When considering the benefits since September 2017, Group Managers identified that we have achieved success, that otherwise may not have been realised by individual councils. Economies of scale, a larger organisation that can offer diversity in work and; advocacy on a regional level were common themes across the groups. Specialised skills available internally has seen expansion of expertise across many service areas, notably engineering and town planning.

Number of groups identifying type of benefit, percentage of benefit share



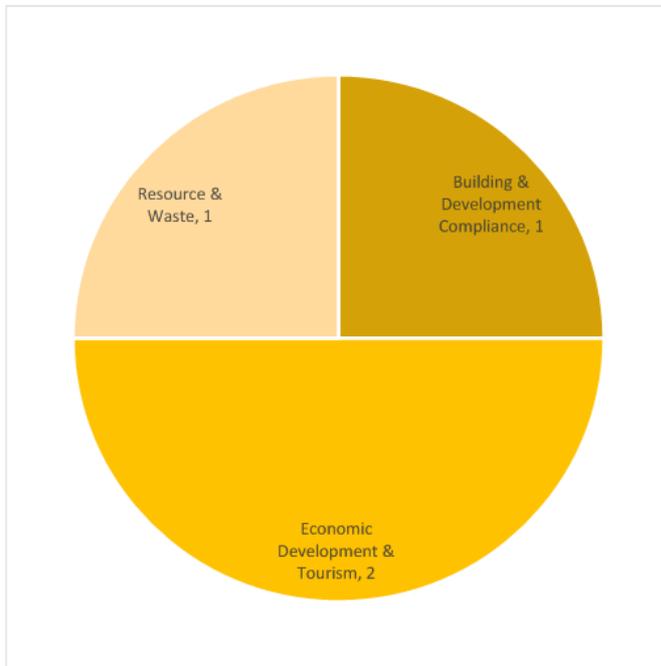
Percentage of Groups reporting type of benefit

Benefit	Percentage of Groups Realising Type of Benefit
Increased/expanded level of service	62%
Improved asset maintenance	62%
Efficiency through system improvement	69%
Efficiency through process improvement	69%
Efficiency through workforce design	62%
Cost savings	46%
Cost avoidance	54%
Harmonisation of business policy, practice	77%
Improved controls	38%

2.3 Stronger Council’s Framework

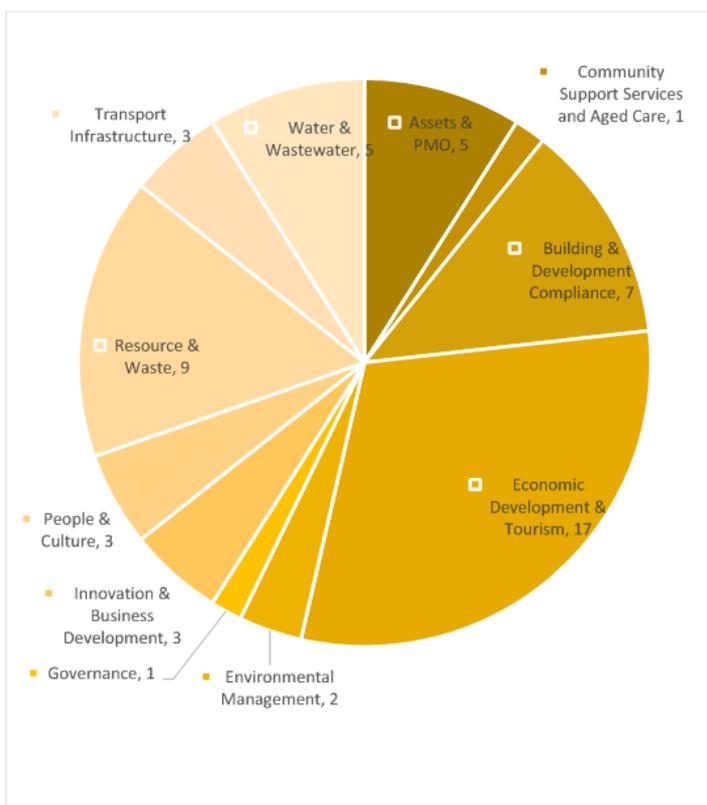
September 2017 was a significant milestone in the history of Snowy Monaro Regional Council. This saw the election of eleven Councillors and the end of the Administrator’s term. The Innovation & Business Development Team prepared a report that provided the progress at that time. This report provides further results up to December 2019.

2.3.1 A newly elected council working for the whole community



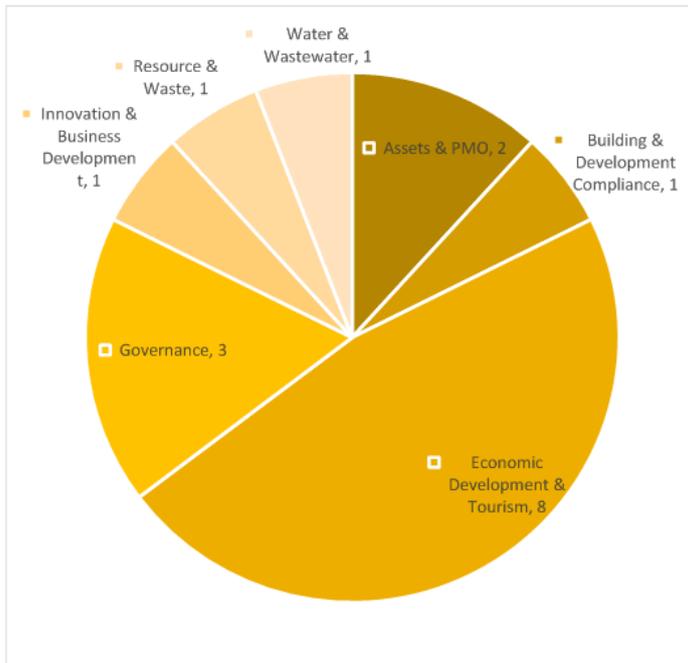
Benefits include the introduction of committees, Councillor briefing sessions and greater advocacy and influence in regional planning and investment.

2.3.2 A shared vision and direction for the whole community



We are seeing benefits through economies of scale in delivering community infrastructure, regional strategic plans, strong relationships with external stakeholder agencies and groups, regional investment projects and; management decisions that work towards the vision of the community as stated in the community strategic plan.

2.3.3 Communities can readily identify with their new council



Council’s branding, communications and consolidation of many customer facing services clearly demonstrates our desire to provide consistent and quality assistance, both in-person and online.

Other Council initiatives include hosting and presenting awards and participating in various community events.

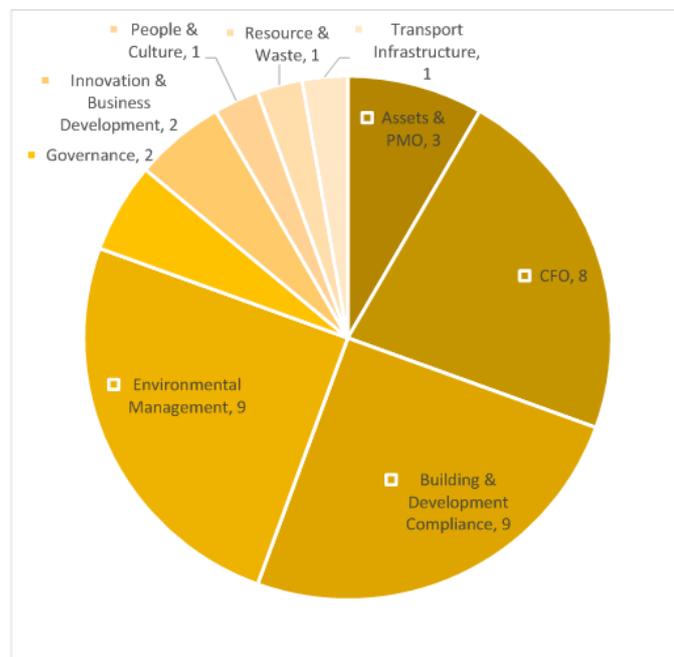
2.3.4 Easy to do business with, in person and online

Many services have centralised customer contact, provide online self-service and dedicated resources for customer enquiries and some specific specialised services.

We have improved controls that provide a safe and accessible environment for our contractors and suppliers.

We are using online portals to upload data to external governance agencies. This is creating a more efficient and reliable reporting system.

The introduction of a variety of technology has seen improvement for real time information handling.



Services Available Online

Council has 13 functional business units with 35 discrete service profiles. The website currently includes the following items under the “How Do I...” website page:



These pages allow for customer interaction with Council online and demonstrates 16 external facing services being available on-line.

Website Traffic

Council has the following usage data available:

	Note	Nov 2017	Nov 2019	Trend
Total sessions	All interactions a user has during the time they connect to the time they disconnect from the site	67,629	94,834	↑
Total Users	Users who have initiated at least one session during the period	33,756	51,704	↑
Total Page views	includes revisits	177800	238,012	↑
Pages / Session		2.63	2.51	↓
Ave session duration		2:06 mins	1:57 mins	↓
% New Sessions	Estimated first time visits	48.4%	23.8%	↓

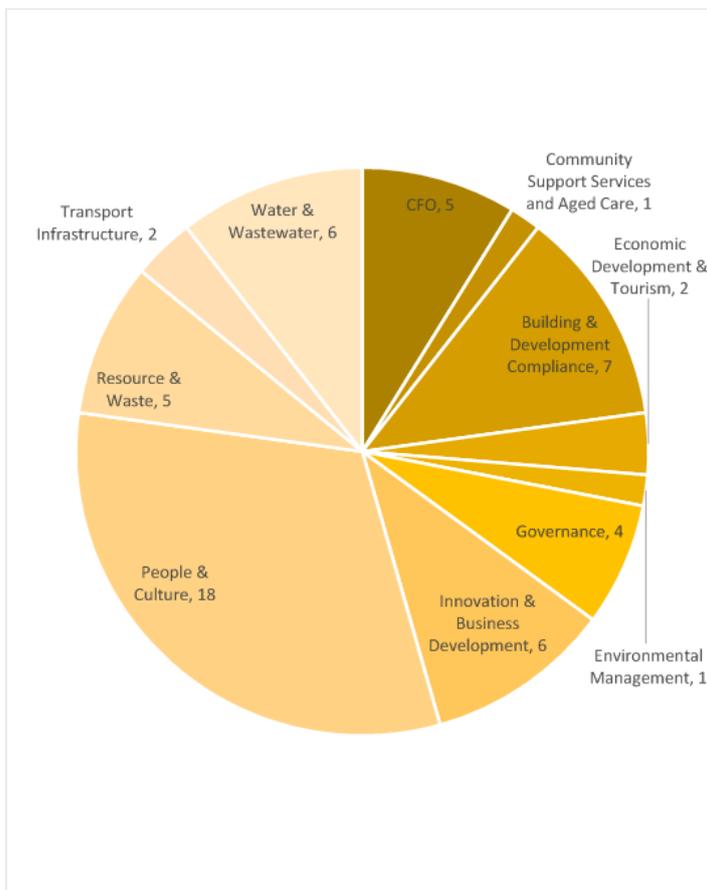
Social Media

Council has a dedicated Social Media Officer which is seeing us explore another avenues to connect with our community. The following information is available as at November 2019:

Council’s Facebook page in 2017 had 3,112 people who followed our page. In November 2019 we have 4,921, an increase of 58%. Throughout this period our highest post reach was an organic post on the 27 August 2018, at 19,355. Our average post reach for this period is 3,729, up 300% when compared to November 2017 when our average post reach was 1,237.

Other social media tools used are; LinkedIn, with 279 followers and Instagram. Council’s Instagram page currently has 1,287 followers.

2.3.5 Engaged staff who understand their roles and how they contribute to the new Council



Workforce reform was a major focus of the amalgamation. We are seeing that many departments have found we now have the ability to attract technical and professional specialists and provide a diverse range of work. A focus has been on building and sharing capability. This is complimented by streamlining processes and procedures in service areas.

A current organisational redesign project is underway and will be further informed by service reviews.

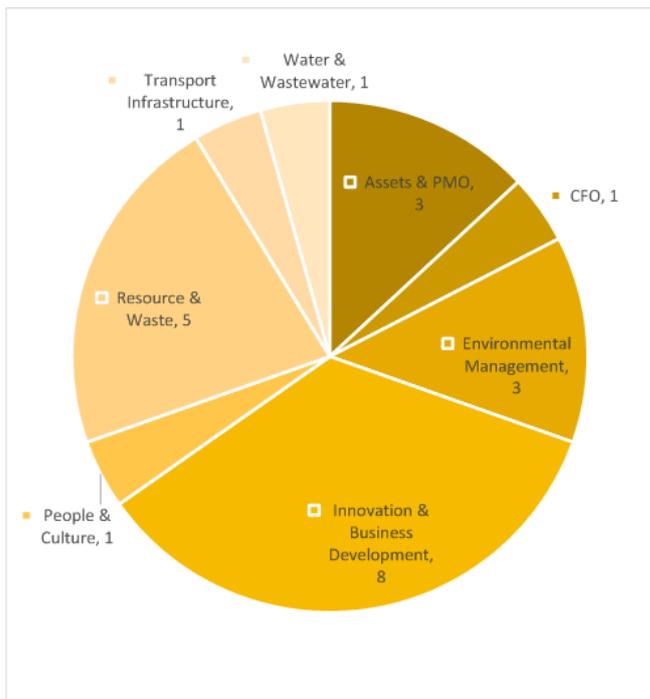
The LGNSW Transition Survey results relating to employee engagement were as follows:

Engagement Theme Area	July 2016	April 2018	Trend
Organisational commitment:	77%	69%	↓
Job satisfaction:	84%	77%	↓
Intention to stay:	73%	67%	↓

The results that have been the focus of workforce planning and action plans since the survey in April 2018 are:

- Leadership,
- Involvement,
- Processes,
- Career Opportunities and;
- Cross-Unit Cooperation

2.3.6 Expected benefits which are clear, measurable and on target



We have made significant progress moving towards project based management, starting with a framework that supports the organisation in planning, delivering, monitoring and evaluating projects.

Improvement and innovation initiatives are based on research and trends, which allow for clear, measurable results and targets.

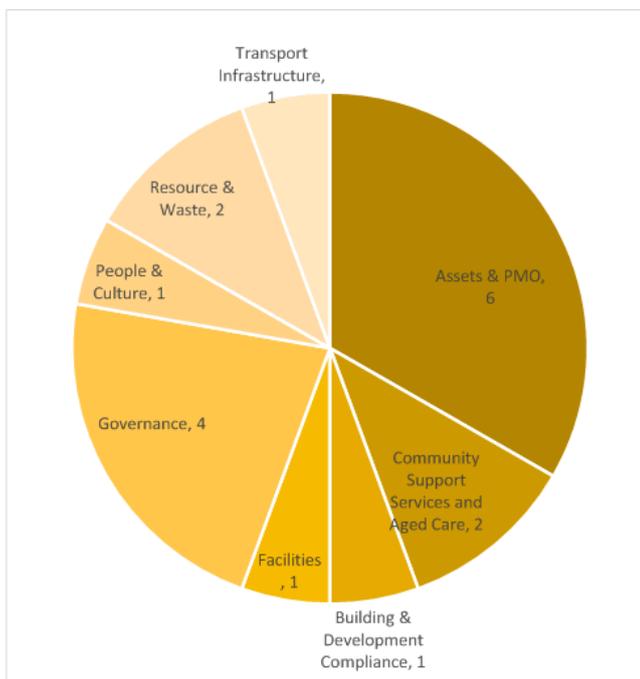
Many of the benefits realised have created a strong foundation for community confidence in future benefits meeting this key result.

2.3.7 Involved communities who have their say

We have consistently seen an improvement in the feedback that we receive from the community across many service functions.

Extensive consultation has been undertaken for residential aged care in the region. This was exemplary at the time and continues now through regular and structured community information sessions.

Webcasting of Council meetings has been introduced. Access to Council meetings via our website is seen as a real benefit for our regional community.



Committees

In a report presented to Council on 25 May 2016 the following was noted: *“There are 15 committees of which the three former councils were all members. There are 2 committees of which two of the former councils were members. There are 16 committees that were specific to the former LGA[s] and 1 external committee that was dissolved with the proclamation (Monaro Regional Library and Information Service Management Committee)”.*

The below results indicates that since September 2017, Council streamlined the number of committees to which it sent a representative. Improved management and consolidation of facility and asset management across the local government area has seen Council support community groups through less formal arrangements.

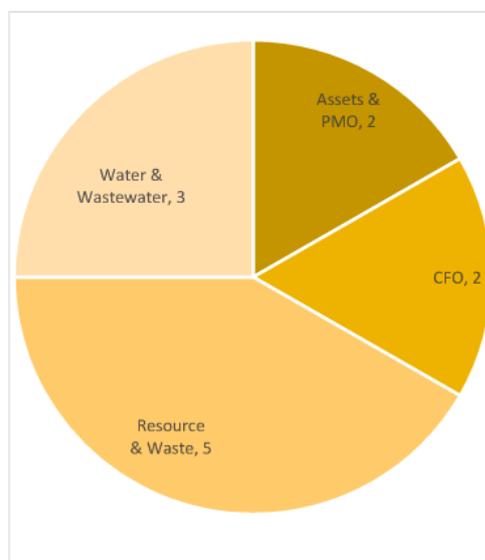
	September 2016	September 2017	December 2019	Committee Type	Trend
Number of Committees	33	19	19	External Committee	-
	45	24	11	355 Advisory Committee	↓
	10	32	30	355 Management Committee	↓

Your Say Snowy Monaro – Online Engagement

Council introduce the survey platform “Your Say Snowy Monaro” in April 2017. Since this time we have issued 70 online surveys. Promotion of the platform commenced during the community engagement project in 2017 to develop the inaugural *Snowy Monaro Regional Council Community Strategic Plan*.

This tool contributes to the assessment of many community projects, such as the playgrounds package funded through Stronger Communities Fund Major Projects Program (MPP).

2.3.8 Rates maintained within existing pathways and resources used wisely to serve the entire council area



During this reporting period there has been unprecedented investment through grants for infrastructure across the region.

Budget management processes are continually improving with better allocation of appropriate resourcing to deliver services across the region.

Research and scoping our rates harmonization project has occurred. We are responsive to State Government timeframes.

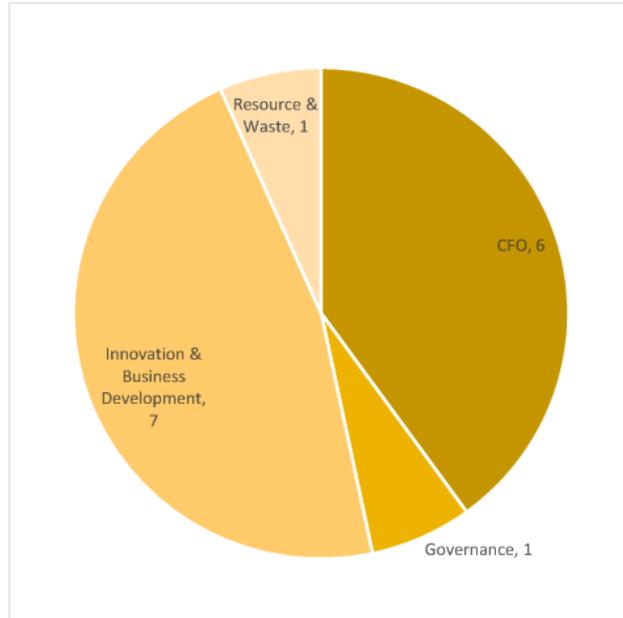
Fees and charges for waste and water funds have been consolidated. These have included community consultation, with investment in those assets and services being regionally focused.

2.3.9 Robust governance that delivers confidence to communities

The introduction of positions for Internal Audit and Quality Assurance has seen significant benefit in our controls.

Frameworks for Project Management, Enterprise Risk Management and Internal Audit have been developed and progress made to implement.

We will continue to see benefits of our commitment to robust governance with an existing strong position that will meet most of the proposed criteria set by Office of Local Government for Internal Audit and Risk Management.

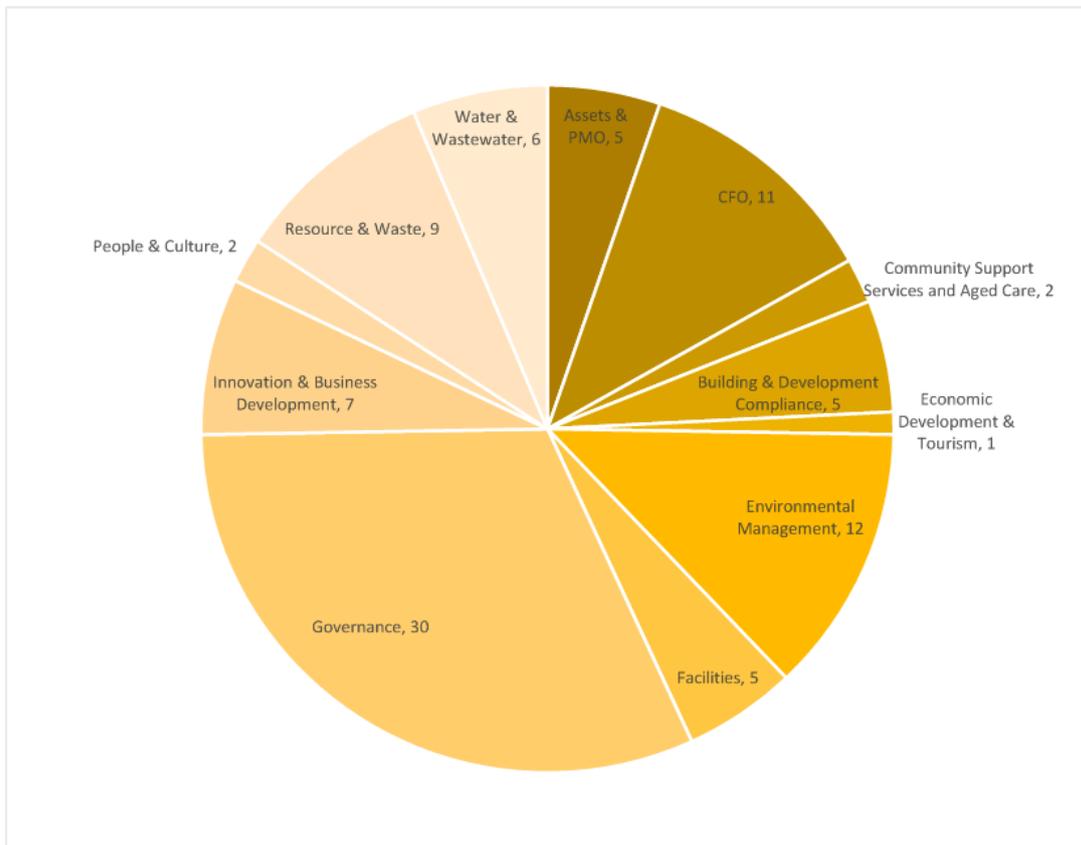


2.3.10 Service continuity, with smart service improvements

We see the majority of progress is being seen in continuity of business-as-usual services with many benefits related to improving service systems, processes and procedures through review and consolidation. Options to expand services or repurpose existing assets is seeing resource allocation being more responsive and adaptable. Streamlining the management of various assets including plant and technology is seeing positive returns.

The larger organisation is able to leverage better value through procurement, and access to a greater multi-skilled workforce is seeing less reliance on contractors in some areas of Council.

Some functions of Council have seen a significant increase in expansion of services using existing infrastructure and assets, such as residential collection services being introduced into three villages.



Service continuity, with smart service improvements

3 References

NSW Government, Premier & Cabinet, Delivering the benefits of council amalgamations, Snowy Monaro Regional Council 16 September 2016

Snowy Monaro Regional Council – Administrators Report 2017

PWC Local Government Effectiveness Survey – FY2017 and FY2018

4 Appendix A Consolidated Report – Benefits Achieved by Group



Business Unit: Consolidated Report for Functional Groups Prepared by: Executive Manager IBD & Group Managers	Reporting Progress and Benefits of Reform
Results and Benefits for Council and/or Community	

4.1.1 Value for Money	
My team has achieved better value for money by ...	
Assets & Engineering	Packaging contracts results in value for money We are able to attract more contractors to work with us due to the size of projects and contracts we offer Local industry continues to benefit from our asset investments, with many smaller contractors sub-contracting to the larger contractors Capability building in local industry Local business opportunities have expanded to other regional LGA's by being accessed through the VendorPanel software
Building & Development Compliance	Efficiencies achieved in providing services through location and service level delivery. Electronic lodgement of plans and e-planning is well underway. Council has implemented electronic referrals to external state government agencies. Online reporting to Building Professionals Board through application software implemented. Increased adaption and use of mobile technology. Tablets and phones to prepare electronic reports which are actioned and sent to our customers immediately. Maintaining Building Professional Boards accreditation and investing in skill development of existing employees.

4.1.1 Value for Money	
My team has achieved better value for money by ...	
CFO	<p>Harmonising policy and practice (eg new debt management policy and procedure)</p> <p>Single debt recovery agent</p> <p>Single commercial printer for issuing all rating notices</p> <p>Centralised investment management and consolidated monthly funds management reporting</p> <p>Consolidated data and processes for budget, financial reporting, accounts payable, inventory, sundry debtors and plant into one software system</p> <p>Commenced rates harmonisation for a more equitable rating structure</p> <p>Completed a capacity to pay study to inform potential rating structures and models</p>
Community Support Services & Aged Care	<p>Harmonising services; the business areas had separate management teams that were not justified for the size of operations.</p> <p>Having central oversight and management, although a challenge to implement, is proving to be successful.</p> <p>Through centralising Library Services, there has been growth in the area of Libraries, specifically Bombala</p>
Economic Development & Tourism	<p>Skills of staff have reduced the amount of money needed for specialist consultants and promotes ownership of outputs within the Council</p> <p>Partnerships with other council departments is building skills and capacity for internal research, data analysis and GIS</p> <p>Consistent ways of operating visitors centres, with a regional approach for directing tourism across the region</p> <p>New position of Events Coordinator has commenced. A benefit is the consistency in advice and provision of expertise to anyone holding any event in the region</p>

4.1.1 Value for Money	
My team has achieved better value for money by ...	
Environmental Management	<p>Dedicated officer for On Site Sewerage Management (OSSM) service. Fees and charges are minimal at \$25. This covers the administration which is internally managed by Council and the annual scheduled inspection.</p> <p>Food premises annual fee includes inspections schedule</p> <p>Service delivery review identified areas that require attention to meet our compliance requirements of Public Health Act</p> <p>Ability to attract qualified and skilled staff has built capacity in the team</p> <p>2019 is the first year we received full compliance from NSW Food Authority. We are one of only 24 Councils to receive this.</p> <p>Review service delivery of private property weed inspections</p> <p>We have been able to provide additional programs through grant funding such as the Hawkweed program which is 100% funded by an external stakeholder</p> <p>Weed action program using the drone</p> <p>Moving towards data capture for an online portal that will be available to all landholders</p> <p>Upgrading pound facilities in Cooma and Berridale,</p> <p>Planning and design completed for Bombala pound upgrade, with construction to commence in February 2020</p> <p>Solar panels for slab heating and other energy saving devices at pounds</p> <p>Fully handheld devices implemented for enforcement officers with a saving of \$6 per infringement. This will also significantly improve processing times of reviews due to the quality of information captured with the devices</p> <p>Streamlined work processes and service delivery that is linked to online agencies</p> <p>The team is using technology to manage information, including infringements and seizures and impounding</p>
Facilities Management	<p>Sharing plant and labour throughout the region reducing reliance on contractors and additional plant and equipment.</p>

4.1.1 Value for Money	
My team has achieved better value for money by ...	
Governance	<p>Reducing the reliance on external ICT support organisations thereby reducing support hourly costs. Identifying and decommissioning obsolete hardware and software, reducing licencing and leasing costs.</p> <p>Reducing power consumption through replacement and decommissioning of older physical hardware and expanding the virtual infrastructure</p> <p>Conducting only One Council meeting a month on every third Thursday from April 2019 onwards, in place of two meetings post amalgamation. This has not only saved time but also saved cost in terms of snacks, food, utilities, printing, man hours etc.</p> <p>Encouraging Councillors to read business papers via electronic copies. Post Amalgamation all Councillors were provided with printed copies, currently only 5 councillors are given printed copies of the business papers</p> <p>With many communications happen around council daily, Customer Service Officers have created their own tools to allow for them all to be looking off the same information sheets and then in turn providing the same information to the public</p> <p>Council has engaged the service of an emergency after hour's service with Southern Star. This has been beneficial to all teams, as the call centre runs off our procedures, alerting departments of issues throughout the night</p> <p>Having the physical mail being diverted to one office has been a benefit for processing. Electronic email can be processed via multiple offices and staff – this gives a more effectively and efficient internal service</p>
Innovation & Business Development	<p>We introduced processing mapping capability in the organisation. These informed service reviews and business cases for improvement projects such as the introduction of drones, and handheld devices for rangers. Other process maps were completed for internal services such as finance and development applications, which has assisted with the corporate information system project.</p> <p>The annual participation in the Local Government Excellence Survey, which is delivered by PWC and Local Government Professionals NSW, provides valuable insights into previous year performance and generates ideas for future improvement opportunities. The survey has input from over 11 service areas and benchmarks against like councils and the Local Government industry in NSW, Australia and New Zealand</p> <p>We have completed two extensive service reviews which consolidated information from three separate data systems and provided short, medium and long term recommendations for improvement and benefit realisation action plans. These projects provided business information that can inform risk management, workforce options, asset management and financial management for specific service functions.</p> <p>A dedicated Internal Audit is providing an independent assessment on priority functions and processes and recommending appropriate controls. These service is also responsive to management requests</p>

4.1.1 Value for Money	
My team has achieved better value for money by ...	
People & Culture	<p>Utilising common practices across all branches to reduce administration time, including reduction of payroll staff from 3.5 full time equivalent staff to 1.</p> <p>The People and Culture team represents 10% of the Corporate Services staff. In contemporary councils the figure is between 15% and 18%.</p> <p>We have 1.3 HR staff per 100 employees compared to similar Councils in NSW that have 2.5</p>
Resource & Waste Management	<p>Implemented side arm collections vehicle for recycling and FOGO. More efficient service. Saving 1 FTE and approximately \$100,00 P/A</p> <p>Waste management charge and how it is applied. Consolidate multiple assessments in to one charge. Promoting more equitable fees across rural and residential.</p>
Transport Infrastructure – Operations	<p>Overcome the challenges presented by geographical separation by creating a more integrated workforce which has allowed capability in both maintenance and construction to be focussed on priority areas, and due to improved planning and scheduling, we are seeing a better use of contractors to focus on infrastructure defects that existing staff, plant and materials cannot address</p>
Water & Wastewater	<p>Staged introduction of harmonisation of the fees and charges promoting a fair pricing system across all sections of the community</p> <p>Harmonisation of fees and charges project was completed by internal staff, saving significant consultancy fees</p>

4.1.2 Service Delivery	
My team is providing a better service through ...	
Assets & Engineering	<p>Project management group focusing on consistent delivery for our capital projects</p> <p>Holistic review of all assets across multiple depots</p> <p>10 year plan for all plant. We are moving assets around that is increasing their utilisation. As a result, we are replacing assets that have been used at full capacity at end-of-life.</p> <p>Greater reliability in fleet with less reactive maintenance through planned scheduling.</p> <p>Planning and design of public infrastructure includes opportunity for future expansion on the asset</p> <p>Provide information that can be issued through multiple communication mediums regarding projects</p> <p>Identifying key stakeholders earlier and involving them early</p>
Building & Development Compliance	<p>Availability and range of positions in a larger organisation can support new employees.</p> <p>Variety of work available is attracting skilled and professional staff to the region.</p> <p>Hard copy records are being entered into our electronic record keeping system.</p> <p>Responsive to changes in legislation.</p> <p>Consistent fees and charges for services across region.</p> <p>Additional experience has broadened the skill sets of staff overall.</p>

4.1.2 Service Delivery	
My team is providing a better service through ...	
CFO	<p>Ratepayers have access to an online portal for rate notices as well as email delivery with the “Go-Green” option</p> <p>Major stakeholder in the Corporate Information System evaluation and implementation will improve data capture, analysis and reporting</p> <p>Added security for suppliers by implementing EFTSure in February 2019</p> <p>Improved debt management - Outstanding debt ratio reduced to 9.7% which is under the 10% benchmark for the first time since amalgamation</p> <p>Managing an increasing number of grants - Providing administrative support in the application and acquittal of external funding.</p> <p>Improved controls through the introduction of the Internal Control Framework</p> <p>Gap analysis on Fraud Control which has informed a number of initiatives to improve our control environment</p> <p>Working with Internal Audit service for several audits that have improved our systems and processes</p> <p>Budget monitoring reporting processes have engaged management with taking ownership of budget management, including provision of training and support that is tailored for the customer</p> <p>Centralised support enquiries, which allows people across the team to respond quickly</p> <p>Consistently met legislative deadlines despite multiple systems</p>
Community Support Services & Aged Care	<p>Our team is taking a region wide approach to their business units. They have commenced working in collaboration with other providers and Council business units rather than operating in silos</p>
Economic Development & Tourism	<p>Broader content on social media for events that is expanding our audience and reach</p> <p>Business survey sent out to over 2000 local businesses in 2019. Report presented to Council and provides baseline information which will progressively increase Council’s engagement with local business over the coming years</p> <p>Recreational facilities survey issued in 2019, with over 300 responses representing approximately 1000 residents. This information will inform the Regional Recreation Strategy</p> <p>Council has reformed our partnership with Tourism Snowy Mountains (TSM). We are seeing the region being marketed more extensively and funding is being matched by state government</p> <p>Developed Destination Management Plan for the entire region which will guide tourism growth</p>

4.1.2 Service Delivery	
My team is providing a better service through ...	
Environmental Management	<p>We have a 24 hour ranger service provided across the whole region</p> <p>Dedicated resource in Bombala</p> <p>Dedicated parking officer in Jindabyne over winter period for parking and camping patrols</p>
Facilities Management	<p>Sharing expertise across the region. Outdoor crews will often travel to other areas to undertake specialised works in line with particular skill sets</p>
Governance	<p>Improved Helpdesk operations with designated service level agreements and triaging of severity and urgency of all helpdesk requests</p> <p>Webcasting all meetings conducted in Cooma, so that the members of community who could not attend in person could watch it through webcast and from November 2019 all meetings conducted outside Cooma will also be webcasted for the community</p> <p>Maintaining the delegations in Council in a new software purchased by the Governance team.. This software has not only improved the efficiency of updating delegation, but also improved the accuracy of information maintained</p> <p>Use of document control to enhance the process of keeping track of and maintaining consistency is policies and procedures of Council</p> <p>Having multiple offices on the same phone system makes it really easy for overflow phones to be picked up from other locations.</p> <p>Staff that are trained for multiple offices, particularly Berridale, Cooma and Jindabyne, gives some flexibility to the rosters.</p> <p>Since the structure has confirmed the Customer Service Officer Relief role approx. 2 years ago, this has also help with covering other CSO leave and not relying on Casual staff as much</p> <p>Knowledge of 2 corporate systems has been effective for internal customer service between departments. As there are many aspects of Council Business that still requires former council based programs or knowledge.</p> <p>Having a trainee within the team has been a benefit to our team's customer's service to other departments</p>

4.1.2 Service Delivery	
My team is providing a better service through ...	
<p>Innovation & Business Development</p>	<p>IBD strategic and operational documents are published on the intranet for easy access</p> <p>We have prepared an organisational Business Continuity Management Plan, including Business Continuity Plans for each directorate.</p> <p>Council has a comprehensive Enterprise Risk Management Framework which is supported by a toolkit of templates, documents and checklists to build capability across the organisation</p> <p>We introduced the CAMMS Risk and Audit Module which supports electronic data management of risk assessments and Risk Register functionality. This was identified as a significant improvement area through the 2019 Financial Statement Audit process</p> <p>We have introduced principles of systems thinking to senior management and finalised templates for this tool to be used through a service review process</p> <p>Completed a draft suite of Project Management documents for an end-to-end framework that can be used by all Council services</p> <p>The Continuous Improvement Program considers strategy, compliance, operations and documentation across the region. Facilitation of this has promoted a risk management culture and provides useful information in improvement opportunities.</p> <p>We have partnered with many technical officers for the assessment and development of business cases and project plans for improvement projects, including vault online incident, introduction of a drone, handheld devices for rangers, smart and skilled grant funding for project managers</p> <p>Prepared and delivered a productivity lunch and learn session for staff with tips and tricks on managing their outlook emails, calendars and task lists. Some people saw a saving of 1 hour per week as a result of the tools learned</p> <p>Whole team actively contributed to the employee engagement survey results consultation</p>
<p>People & Culture</p>	<p>Significant work on consolidating operational protocols for the organisation and supporting staff at all levels to ingrain these improved HR, Payroll and WHS practices</p> <p>Supporting staff at all levels to better self-manage processes.</p> <p>Diverse range of information distribution to the workforce including intranet, email, payslips</p> <p>Technology is being used to maximise employee access to training and professional development. This reduces the need for extensive travel distances.</p>

4.1.2 Service Delivery	
My team is providing a better service through ...	
Resource & Waste Management	<p>Better utilisation of plant</p> <p>Team members provide back-up to multiple service delivery functions within the department. Staff are trained in all areas of waste management, not just one specific area.</p> <p>Modified operating hours 30% reduction in opening hours at 4 sites which saved 1 FTE and \$100,000 per annum</p> <p>Expanded collection services to additional 600 households by providing kerbside collection to Nimmitabel, Bredbo and Michelago, using existing plant</p> <p>We rotate the Chemical collection day through the region, expanding to Bombala. This also sees an environmental benefit of chemicals being responsibly disposed</p> <p>Improved visual amenity of sites and litter management</p> <p>Dedicated Project Manager for resource projects</p> <p>Improved long term planning by capable and professional staff.</p> <p>Much better understanding of our financial liabilities relating to landfill legacy sites and rehabilitation, which can then be costed and annual review process for ongoing operating landfill rehabilitation over long term. Spread costs over generations.</p> <p>Consolidated kerbside bin audit identifying contamination levels, used for improving education areas.</p> <p>New Waste committee that is regionally focussed</p> <p>Captured every property that receives a service, commercial and residential. Now paying for service. Recoup lost revenue.</p> <p>Extensive Service Review provided some focus on minimising cost on some services and/or improve revenue. Background data to bridge the gaps.</p> <p>Investment into new recruits into waste department. Learning and development.</p>
Transport Infrastructure – Operations	<p>We have created a more centralised administrative response to the community, reducing the time taken for acknowledging community concerns/complaints. This has been demonstrated by the number of compliments we now receive</p>
Water & Wastewater	<p>Improved water quality and wastewater services in Bombala</p> <p>Significant improvements in water and waste water infrastructure addressing long-standing issues that were previously unable to be resourced</p> <p>Metering of Delegate properties promoting incentives for saving water</p>

4.1.3 Infrastructure Management	
We are achieving better management of infrastructure by ...	
Assets & Engineering	Consolidating asset register and improving the data Traffic counts improve service delivery (road classification)
Building & Development Compliance	More efficient DA processing has delivered capital infrastructure projects that achieve quality outcomes for the community.
CFO	Provide advice and input into valuations which assist long term planning Depreciation review that identified potential savings of \$1.6M across council's infrastructure asset categories Fair value assessments on all infrastructure assets, to review the alignment of useful life and unit rates. Identified improvement opportunities for asset management
Community Support Services & Aged Care	Nil
Economic Development & Tourism	Having a regional focus on facilities, complimenting what is provided at a local level, improving investment decisions Coordinating skill levels across staff means community facilities are complimenting each other across the region, for example the expansion and improvement of mountain bike network
Environmental Management	Converting the disused Bombala saleyard kiosk into the new dog pound facility \$500,000 of investment into significant improvements at cemeteries across the region. Works have included construction of a new cemetery, tree management, information boards, car paring, upgraded historical buildings, new fencing at sites, new sheds
Facilities Management	Undertaking compliance inspections on key facilities in order to determine maintenance requirements and gaps in relations to compliance
Governance	Streamlining and consolidating disparate sets of hardware, software and communication systems. Providing a standardised and simplified infrastructure management model Staff that are able to utilise 3 corporate systems has been a benefit to not only our team within council but the community Understanding our responsibilities under the State Records Act and the retention timeframes under GA39 has helped with the continued destruction of records in all offices

4.1.3 Infrastructure Management	
We are achieving better management of infrastructure by ...	
Innovation & Business Development	<p>Project managed the renovation of two residential units to office and meeting space at head office, including installation of technology capable of online meetings</p> <p>Green Team continues to receive and recommend initiatives that decrease Council's energy consumption.</p> <p>Extensive Service reviews include the assessment and consideration of assets and infrastructure used to deliver our services. The outcomes of these reviews make recommendations to improve asset and plant management options</p>
People & Culture	Promote and utilise technology platforms that supports less travel in Council fleet between offices
Resource & Waste Management	<p>Management and planning for legacy sites and rehabilitation</p> <p>Planning for future needs for waste management. Background work identifying available airspace at landfills and will engage detailed planning work for opening additional airspace. Long term stability for waste disposal and extending life of site</p> <p>Management of Crown Land sites under correct management framework. Use of site and purpose being accurately documented</p> <p>Better understanding of our resource and waste assets</p> <p>Bombala improvement in kerbside collection services with new waste and recycling bins being issued to residents, removing the small crates. This is seeing a significant increase in recycling material collections.</p> <p>Cooma residents received 360L recycling bins, also removing the crates from collection service</p> <p>Improved plant at all sites being more effectively allocated to sites based on usage</p> <p>Future proofing with assets that will meet standards for the future, fuel efficiency and emissions</p> <p>Improved data with vehicles that assist with operations and maintenance, worker health and safety, chain of responsibility</p>
Transport Infrastructure – Operations	We now have a consolidated database of road assets. This enables the workforce to be force-packaged depending on need, condition and risk
Water & Wastewater	<p>Our 30 year capital works program has identified major infrastructure upgrades. This plan has created greater investment from other stakeholders, with many capital works projects being successful for funding</p> <p>Our team is delivering quicker response times to failures across the region.</p> <p>Improved maintenance of network and treatment plants through documentation of standard operating processes and procedures. There is now a more consistent operation of our treatment plants.</p> <p>Flushed all mains in Bombala</p>

4.1.4 Our Good News Stories	
As a result of the merger, the good news stories about what has happened in my group are ...	
Assets & Engineering	<p>Emergency management protocols maintain services</p> <p>Local Emergency Management Committee completed draft risk assessment hosted by SMRC in May 2019 and involved multiple internal and external stakeholders</p> <p>\$14M new and renewed infrastructure across the whole region</p> <p>Increased grant opportunities due to regional benefits</p> <p>Hosted business information sessions for local businesses. Focussed on engaging contractors to promote opportunities to work with Council as well as networking</p>
Building & Development Compliance	<p>Easy to do business program commenced in January 2018 with Service NSW.</p> <p>Continued Heritage Grant Program deployed across the region. Consolidation of heritage items that have been identified for the new consolidated Local Environmental Plan, which will be eligible for future grant funding.</p> <p>Increase in market share in building certification has generated additional revenue that contributes to operational income.</p> <p>Continued service throughout the merger, low staff turnover demonstrating that people are comfortable with job satisfaction in their roles.</p> <p>The team has been able to provide continued service during periods of staff leave and demonstrates a resilience during change which is also adaptable to customer needs and expectations.</p>
CFO	<p>We can support trainees in various careers (stores trainee)</p> <p>Improved engagement with customers and suppliers (Increased suppliers using VendorPanel, suppliers maintaining their own personal information through EFTsure, customer access to notices through FormsExpress portal)</p> <p>Dedicated resource for Quality Assurance and Systems Accounting reviewing systems and processes for improved financial control and operational efficiency</p> <p>Access to a broader range of skilled workforce who can support and build capability across operations</p>
Community Support Services & Aged Care	<p>A review into aged care services across the region was completed. This region wide approach to aged care in general rather than the service Council provides has been welcomed by Community. In addition Council were successful in gaining 16 places to expand residential aged care services in Cooma.</p>

4.1.4 Our Good News Stories	
As a result of the merger, the good news stories about what has happened in my group are ...	
Economic Development & Tourism	<p>With stronger management coordination, focussed on the region as a whole, we are seeing better strategic outcomes for our diverse communities</p> <p>Improved planning contributes to decision making that spreads benefits across the region</p> <p>Unified approach in preparing for, and considering impacts of, major projects such as Snowy 2.0</p> <p>Ability to advocate on behalf of the region during external planning proposals, such as Go Jindabyne</p> <p>Introduction of Snowy Monaro Youth Council bringing together young people from across the region</p> <p>Snowy Monaro Youth Crew (SMYC) clothing brand. This branding project encourages youth to bond with the region and each other</p> <p>Inaugural Snowy Monaro Business Awards held in 2018</p> <p>Improved relationships and confidence in our capability and capacity has improved our position to confidently respond and advocate to external agencies and the private sector</p> <p>Stronger relationships with Canberra Region Joint Organisation, Department of Premier and Cabinet, Regional NSW and Department of Planning</p> <p>Our strong vision for the region creates interest with private investment</p> <p>Regional Lifestyle Magazine project coordinated through our tourism department with content from across the whole Snowy Monaro Region</p> <p>Involved in the development of the Snowy Region App</p>
Environmental Management	<p>Expansion of roadside weed spraying program across the region</p> <p>Dedicated resource for On Site Sewage Management (OSSM) inspections. During the previous 12 months we have completed over 600 inspections. This is not only contributing to better environmental health practices across the region, it is also creating positive and supportive relationships with community members who operate an OSSM on their private land.</p> <p>Consistent service delivery due to consolidation of policies and procedures across the region</p>
Facilities Management	<p>The Facilities team has undertaken a vast amount of corrective and reactive maintenance requirements over the last three years and is working toward a more planned maintenance model. Significant and recognised upgrades to many of Council assets has occurred including swimming pools, council owned houses, public toilets, recreation areas, parks and gardens</p>

4.1.4 Our Good News Stories	
As a result of the merger, the good news stories about what has happened in my group are ...	
Governance	<p>Consolidation of three corporate websites into one single hosted website and intranet.</p> <p>Connected three disparate network environments into a multi domain trust environment enabling all staff to logon in all offices</p> <p>Established interoperations between three Exchange email servers, enabling internal email communications for all staff for all email domains.</p> <p>Expanded Citrix access to all staff and established App-stores for Cooma and Bombala applications.</p> <p>Replaced and centralised obsolete datacentres and decommissioned physical hardware</p> <p>Implementing an updated disaster recovery and data protection facility.</p> <p>Review, streamlined and standardised on telecommunications system and services through CountryTell</p> <p>Provided improved access to Council Meetings through webcasting solution</p> <p>A single point of contact has been established for section 355 Committees to communicate and assist with enquiries, funding's, fees & charges etc.</p> <p>A dedicated staff to process GIPA applications on a timely and efficient manner</p> <p>Within the last 2 years a uniform for CSO's has been out into place. Although the colour of the shirts may need updating</p> <p>With the CIS Project underway this will give our records department a much needed benefit to be on 1 platform.</p> <p>Digitisation of all physical records that need to be kept under GA39 will be able to be digitised into the new corporate records system</p>

4.1.4 Our Good News Stories															
As a result of the merger, the good news stories about what has happened in my group are ...															
Innovation & Business Development	<p>Coordinated and prepared seven submissions for Local Government Excellence Awards in 2018. We had five finalists as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>Award Category</i></th> <th style="text-align: left;"><i>Project</i></th> </tr> </thead> <tbody> <tr> <td>Local Economic Contribution</td> <td>L'Etape Australia by Tour de France</td> </tr> <tr> <td>Special Project</td> <td>Pay It Forward Project</td> </tr> <tr> <td>Service Delivery Initiative</td> <td>Extensive Service Review Analysis Projects</td> </tr> <tr> <td>Community Partnerships & Collaboration</td> <td>'Cooking for Cohesion'</td> </tr> <tr> <td>Asset Management & Infrastructure</td> <td>Lake Wallace Dam</td> </tr> <tr> <td>Organisational Diversity & Inclusion</td> <td>Snowy Monaro Regional Council Youth Council</td> </tr> </tbody> </table> <p>Over a period of approximately six months in 2018/2019 we supported the NSW Audit Office to undertake a Performance Audit. The final report demonstrated that SMRC had made good progress towards achieving benefits of the merger.</p> <p>We have a strong and engaged Audit, Risk and Improvement Committee.</p> <p>In 2019 we supported the LG Professionals Australia International Mentoring Program (IMP). The Life Library Project in Hun Sen Taing Kork High School, Kompong Thom, Province Cambodia has achieved the goal to "expand the activities of the school library, provide life skills that promote many opportunities available for young people after finishing high school".</p> <p>Introduced Evidence Based Leadership in Innovation & Business Development team, linking all department improvement activities to the integrated planning and reporting framework.</p> <p>Developed a foundational suite of project management documents to assist with planning, implementing and evaluating SMRC operational and capital works projects</p> <p>We provide flexible work arrangements that create a responsive and adaptable team, with a healthy work-life balance</p>	<i>Award Category</i>	<i>Project</i>	Local Economic Contribution	L'Etape Australia by Tour de France	Special Project	Pay It Forward Project	Service Delivery Initiative	Extensive Service Review Analysis Projects	Community Partnerships & Collaboration	'Cooking for Cohesion'	Asset Management & Infrastructure	Lake Wallace Dam	Organisational Diversity & Inclusion	Snowy Monaro Regional Council Youth Council
<i>Award Category</i>	<i>Project</i>														
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Community Partnerships & Collaboration	'Cooking for Cohesion'														
Asset Management & Infrastructure	Lake Wallace Dam														
Organisational Diversity & Inclusion	Snowy Monaro Regional Council Youth Council														

4.1.4 Our Good News Stories

As a result of the merger, the good news stories about what has happened in my group are ...

<p>People & Culture</p>	<p>We have a blended team of staff from the former Councils and new team members integrated across the organisation.</p> <p>All staff at Council have up to date position descriptions and annual performance reviews</p> <p>We have a single salary system that provides salary progression opportunities for all staff in accordance with Award conditions</p> <p>Health and Wellbeing program in its third year for the merged Council includes skin screening and wellness programs</p> <p>We are implementing online portals for Recruitment, WHS Incident reporting and E Learning.</p> <p>Our current (2019) organisation redesign and restructuring program has been endorsed by the United Services Union as “....an example to other Councils of how this should be done...”</p> <p>Expanded employment screening has enabled improved recruitment decisions</p> <p>The People and Culture team participated in a study conducted by The Audit Office of NSW Government related to Workforce Reform in Three Amalgamated Councils. This was tabled in a report to the Auditor General in May 2019. SMRC compared well with the two Council in the study being Queanbeyan Palerang and Inner West Council in Sydney both of whom have a larger customer base in a smaller LGA to access resources to implement change.</p> <p>We better understand the workforce through regular engagement survey’s, which have informed future strategic direction and used as a leadership tool</p> <p>Quarterly reports to the Executive Leadership Team provide data and analysis as to the performance of the service, as well as the organisation</p> <p>Improved relationships with various recognised training organisations that are utilised based on specific need</p> <p>Greater resourcing of group provides the ability to develop forward looking plans with an engaged, positive and motivated team</p>
<p>Resource & Waste Management</p>	<p>Widespread and consistent education provided across the region</p> <p>Business and community groups are actively involved with providing waste minimisation education through Council</p> <p>Internal education program presented to all staff promoting recycling and reuse</p> <p>Community recycling centre trailer program for movable facility for regional residents. Increasing chances of items being recycled and residents gets to a facility</p> <p>Regional waste strategy underway</p> <p>Active in Canberra Region Join Organisation (CRJO) improving grant funded programs and relationships with JO member Council’s</p>

4.1.4 Our Good News Stories	
As a result of the merger, the good news stories about what has happened in my group are ...	
Transport Infrastructure – Operations	We have finalised the ARRB strategic network review. The results will be presented in early 2020. This provides a platform from which Council can make the strategic decisions necessary for road improvement, including funding. This document will be critical to informing the Integrated Planning and Reporting framework for local government
Water & Wastewater	Our improved strategic planning has enabled us to identify and attract the needed qualified and experienced technical staff, including engineers Improved training and business practices promoted to all staff. Standard procedures and mentoring are creating a more adaptable and skilled workforce across the teams Sam Samra Award for the “Most Improved Water Utility” in NSW in 2018

4.1.5 Community Satisfaction	
We know the community is happy because we are seeing and hearing ...	
Assets & Engineering	<p>We are engaging with the community more</p> <p>More stakeholders and community groups are participating in community surveys and sessions</p> <p>The team is having more conversations with community stakeholders and are accessible to the public to discuss projects during the planning and delivery stages</p> <p>The team is being invited to attend community group meetings and we are having meaningful discussions on community priority projects and options</p>
Building & Development Compliance	<p>Consistency of service through documentation, administration and fees.</p> <p>Streamlining and uniformity of advice in building certification.</p> <p>Improved quality of buildings for the community due to better understanding of requirements/standards.</p> <p>Community safety is improved due to building compliance requirements and inspection schedules</p> <p>Templates, assessment processes, reporting to council streamlined for better understanding.</p> <p>Briefing sessions for Councillors that include planning and building certification has built capability and knowledge of the industry and Council service; improved decision-making.</p> <p>Development of an Applicant Guide based on State Government documents.</p> <p>Skills and qualifications of team members have improved processing times.</p> <p>Employees hosted a Swimming Pool Safety stall at the markets in October 2019.</p> <p>Presentations undertaken at Housing Industry Association and Master Builders Association industry nights.</p> <p>Hosting Department of Planning forums and partnering with neighbouring Local Government Areas.</p>
CFO	<p>Positive feedback from customers receiving email notices and accessing the online portal</p> <p>Positive feedback from suppliers using the EFTsure system</p> <p>Positive feedback from managers who have received budget management training</p> <p>Positive feedback from Auditors regarding our procedures and working papers</p>
Community Support Services & Aged Care	<p>They are telling us at Community conversation sessions that are held throughout the region</p>

4.1.5 Community Satisfaction	
We know the community is happy because we are seeing and hearing ...	
Economic Development & Tourism	<p>Successful Joint-Use Project for Regional Performing Arts Centre at Monaro High School</p> <p>Strong representation at NSW State Level for investment in regional projects as a major stakeholder</p> <p>Excellent participation in the Snowy Monaro Business Awards which has promoted business confidence to apply for regional and state awards</p> <p>Increased local recognition for business who are achieving economic activity in the region; we are seeing an increased sense of pride in the business community</p> <p>Regional Chambers of Commerce meetings, resulting in joint outcomes</p> <p>More visitors to the Mt Gladstone mountain bike trail following upgrades and new tracks built in 2018</p>
Environmental Management	<p>Improved maintenance schedules at the cemeteries has reduced the number of complaints we receive</p> <p>Compliance services were ranked in top 3 performing services in the 2017 Community Satisfaction Survey</p>
Facilities Management	<p>Facilities staff often get recognition from the community in relation to the presentation of public areas and response to reported issues relating to the facilities they are using</p>
Governance	<p>Limited complaints on the Technology and Telecommunication provisions of Council</p> <p>The volunteers from section 355 committees who are proactively communicating with the Governance Officer for enquires and issues related to the committee facilities, assets etc.</p> <p>Publication guide was published last year, so that the members of community can be aware of information that is readily available for them to view.</p> <p>Feedback from the community on donations and sponsorships & BOCO ROCK programs provided thorough Council.</p> <p>My team has had positive feedback about seeing and hearing a male the front desk and the phone</p>
Innovation & Business Development	<p>We receive more applications for professionals seeking appointment to our Audit, Risk and Improvement Committee</p> <p>Our management of public liability incidents is customer focussed and fair</p> <p>We provide internal audit support through independent assurance projects with our Canberra Region Joint Organisation partners</p>

4.1.5 Community Satisfaction	
We know the community is happy because we are seeing and hearing ...	
People & Culture	<p>Good responses to recruitment advertising</p> <p>Our staff turnover is slightly below industry average at 14%</p> <p>We have an excellent reputation and relationship with our industrial stakeholders due to consistent and fair human resource management practices</p>
Resource & Waste Management	<p>Education officers are getting a lot of input from community groups, business and schools promoting the 'reduce, reuse, recycle' messaging. Expanding this service to isolated communities across the whole region</p> <p>Increased participation in Garage Sale Trail each year. This has been so successful that in 2018, Snowy Monaro Regional Council won the 'Choose to Reuse' Award from Garage Sale Trail.</p> <p>Community consultation has been thorough before making changes to services, fees and charges</p> <p>Availability for land owners to consolidate their properties and reduce the waste management charge</p> <p>Compliments on the time taken to respond to service issues</p> <p>Education sessions, positive feedback from stakeholders that participate in educational sessions facilitated by resource and waste staff</p> <p>Waste Expo event in July 2019 was well supported by vendors and guests</p> <p>Presence at regional events such as spring fairs and regional shows has built community relationships</p>
Transport Infrastructure – Operations	<p>We receive regular compliments on the quality of road maintenance and key infrastructure project delivery. This is clearly visible through works on the Jindabyne Boat Ramp, Parsonage Creek Bridge and Jerangle Road, where significant financial assistance has enabled critical infrastructure to be improved.</p> <p>Significant investment in road and bridge network that is improving our regional infrastructure</p>
Water & Wastewater	<p>Water and sewerage services was one of the top three performing service areas of Council in the 2017 Community Satisfaction Survey results</p> <p>We know that there is improved water quality across the region and we ensure water supply meets drinking water quality management quality.</p> <p>Our risk controls mitigate the risk of 'catastrophic incidents'</p> <p>We actively participate and liaise with internal departments when developing regional strategic plans to ensure our community has needed infrastructure and services in areas of growth</p> <p>Annual review with all operational staff to promote open communication and promotes quick response times</p> <p>We have been funded to undertake regional studies that will document and plan for us achieving the remaining best practice guideline elements</p>

4.1.6 Financial Savings	
Financial savings that have been achieved include...	
Assets & Engineering	<p>Internal team that are delivering projects save overhead and consultancy fees</p> <p>Fleetmex is reducing administration costs. Managing work orders and fleet management is improving speed of maintenance and service schedules</p> <p>Capacity to service RFS vehicles has increased</p>
Building & Development Compliance	<p>Heritage advisor maintained and provides service across the whole region</p> <p>Assisted state government with their Heritage grant program. Auspiced loan money for building upgrades at Commercial Hotel in Bombala.</p>
CFO	<p>Consolidation of outsourced services such as debt recovery and printing</p> <p>Administration savings achieved through streamlined processes through data and process consolidation into single systems (refer above)</p> <p>Streamlined audit process</p> <p>Through the 2021 budget process and Corporate Information System implementation a review of the consolidated historical cost of council's services will enable trend analysis to identify the overall impact of the merger and savings vs costs of increased service delivery</p>
Community Support Services & Aged Care	<p>As a result of industry pressures, financial savings related to Aged Care and Community have not been achieved, in addition Libraries. Projections in relation to the future as a result of harmonisation of services are positive</p>
Economic Development & Tourism	<p>330% return on investment for regional marketing campaign</p>
Environmental Management	<p>Administrative savings in penalty infringement management at \$6.00 per notice</p> <p>All OSSM inspections are delivered by staff, rather than external contractor \$6000 pa</p>
Facilities Management	<p>Reduced reliance on contractors and through deploying crews to other areas sharing of plant and equipment</p>
Governance	<p>Reduction in power consumption across datacentres</p> <p>Licence consolidation across software systems</p> <p>Reduction in engagement of third part support services.</p> <p>Telecommunications services review</p> <p>Lease review and return of obsolete equipment</p> <p>Significant reduction in cost by holding only one Council meeting a month.</p> <p>Reduced cost of printing and providing business papers to more than half the Councillors</p>

4.1.6 Financial Savings	
Financial savings that have been achieved include...	
Innovation & Business Development	<p>\$58,000 savings in 2020 insurance premium following a review of our property schedule</p> <p>Service review delivery – various potential return on investment depending on benefits realisation recommendations implemented</p> <p>Improved public liability claim management</p> <p>\$1,000 per annum Internal Audit providing independent service that was previously outsourced</p> <p>\$30,000 smart and skilled grant funding for project management training across the workforce</p> <p>\$19,500 rebate from Statewide Mutual for compliance with risk management program</p>
People & Culture	<p>Running a team that is lean and service driven</p> <p>Reaching for efficiency with online portal services to enable customer focus over administration</p> <p>Navigating the difficult landscape of organisational reform without a single incident of industrial dispute</p>
Resource & Waste Management	<p>1 Full Time Equivalent employee position</p> <p>Leverage financial implications of China Sword. Negotiated a \$58/t increase on the disposal cost of recycling saving approximately \$120,000 per annum</p>
Transport Infrastructure – Operations	<p>Grant funding and investment in the region has increased since amalgamation. Applications for grant funding carry more weight at State and Federal government. This is especially true through the Joint Organisation.</p> <p>\$130M Bridge funding for capital projects</p>
Water & Wastewater	<p>Successful funding applications have secured financial contributions needed to deliver known infrastructure projects such as \$7M for Bombala Sewerage Treatment Plant; \$3.5M at Adaminaby and \$15M for the Bombala Delegate Water Treatment Plant</p> <p>Across the region we have been able to meet the pricing elements of best practice guidelines for water and sewer services, which is invested back into infrastructure and operations</p> <p>Through improved pricing, we generate revenue that is then invested back into the assets. This also gives us the ability to match investment and grant funding for needed projects when opportunity arises</p> <p>Financial savings from energy management decisions that are achieved through operating procedures at plants</p>

9.4.7 CANCELLATION OF JANUARY 2020 COUNCIL MEETING

Record No:

Responsible Officer:	Acting Director Corporate and Community Services
Author:	Manager Corporate Governance
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments:	Nil

EXECUTIVE SUMMARY

On 19 September 2019, Council agreed on the Council meeting dates, time and locations for October 2019 to September 2020 [Resolution Number 352/19].

As per the resolution, a Council Meeting is scheduled for Thursday, 16 January 2020 at the Bombala Community Centre, however it has been suggested that the January Council meeting be cancelled, due to the impact of the Christmas and New Year period on the generation of reports and business papers for the January meeting.

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

OFFICER'S RECOMMENDATION

That Council

- A. Endorse cancelling the Council Meeting scheduled on 16 January 2020 at the Bombala Community Centre.
- B. Authorise updating Council's Website to inform members of the public of the cancellation.

BACKGROUND

The following shows the impact of the recommendation on the schedule for SMRC Council Meetings from October 2019 to October 2020.

Date	Location	Comment
17 October 2019	Cooma Chambers	
21 November 2019	Jindabyne Memorial Hall	Already booked and advertised on website.
19 December 2019	Cooma Chambers	
16 January 2019	Bombala Community Centre	Not to be held.
20 February 2019	Cooma Chambers	
19 March 2019	Jindabyne – Location TBD	

9.4.7 CANCELLATION OF JANUARY 2020 COUNCIL MEETING

16 April 2019	Cooma Chambers	
21 May 2019	Bombala Community Centre	
18 June 2019	Cooma Chambers	
16 July 2019	Bombala Community Centre	
20 August 2019	Cooma Chambers	
17 September 2019	Cooma Chambers	Swap Jindabyne and Cooma meetings to late season meeting in Jindabyne.
15 October 2019	Jindabyne – Location TBD	

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Community to be made aware of no public forum to take place in the month of January.

2. Environmental

There is no impact on environmental sustainability.

3. Economic

Costs relating to organising and conducting the January Council meeting will not be incurred.

4. Civic Leadership

There is no impact on civic leadership.

9.4.8 NAMING OF ROADS

Record No:

Responsible Officer:	Acting Director Corporate and Community Services
Author:	Land, Property & GIS Admin Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	12.3 Our community is empowered and supported in facilitating community outcomes
Delivery Program Objectives:	12.3.2 Council has two-way mechanisms in place to encourage people to maintain their involvement in the regions community planning and decision making
Attachments:	1. Map Showing Location of Calabria Way and Aratula Drive
Cost Centre	
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Council is the Authority for naming roads in the Local Government Area and two new road names have been proposed for a development off Towrang Vale Road in the Locality of Dairymans Plains.

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

OFFICER'S RECOMMENDATION

That Council:

- A. Endorse the names Calabria Way and Aratula Drive for advertising prior to the gazettal process;
- B. Proceed to gazette the road names if the Geographical Names Board concurs with the names and no objections are received during the advertising period.

BACKGROUND

The land owners developing the subdivision on Towrang Vale Road have proposed to name two of the new roads Calabria Way and Aratula Drive, as shown on the attached map. These names are a reference to their family origins in Italy. The naming is also linked to the growth of an Italian community in Cooma during and after the Snowy Hydro scheme and provides a representation in Cooma's street names of the Italian migration to the area. The road types Way and Drive may change following consultation with the Geographical Names Board.

The road names meet the recommendations for name selection within the Council's road naming procedure and the NSW Address Policy and User Manual.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Naming of roads assists with the efficient delivery of services and helps emergency services to locate properties and assets quickly.

2. Environmental

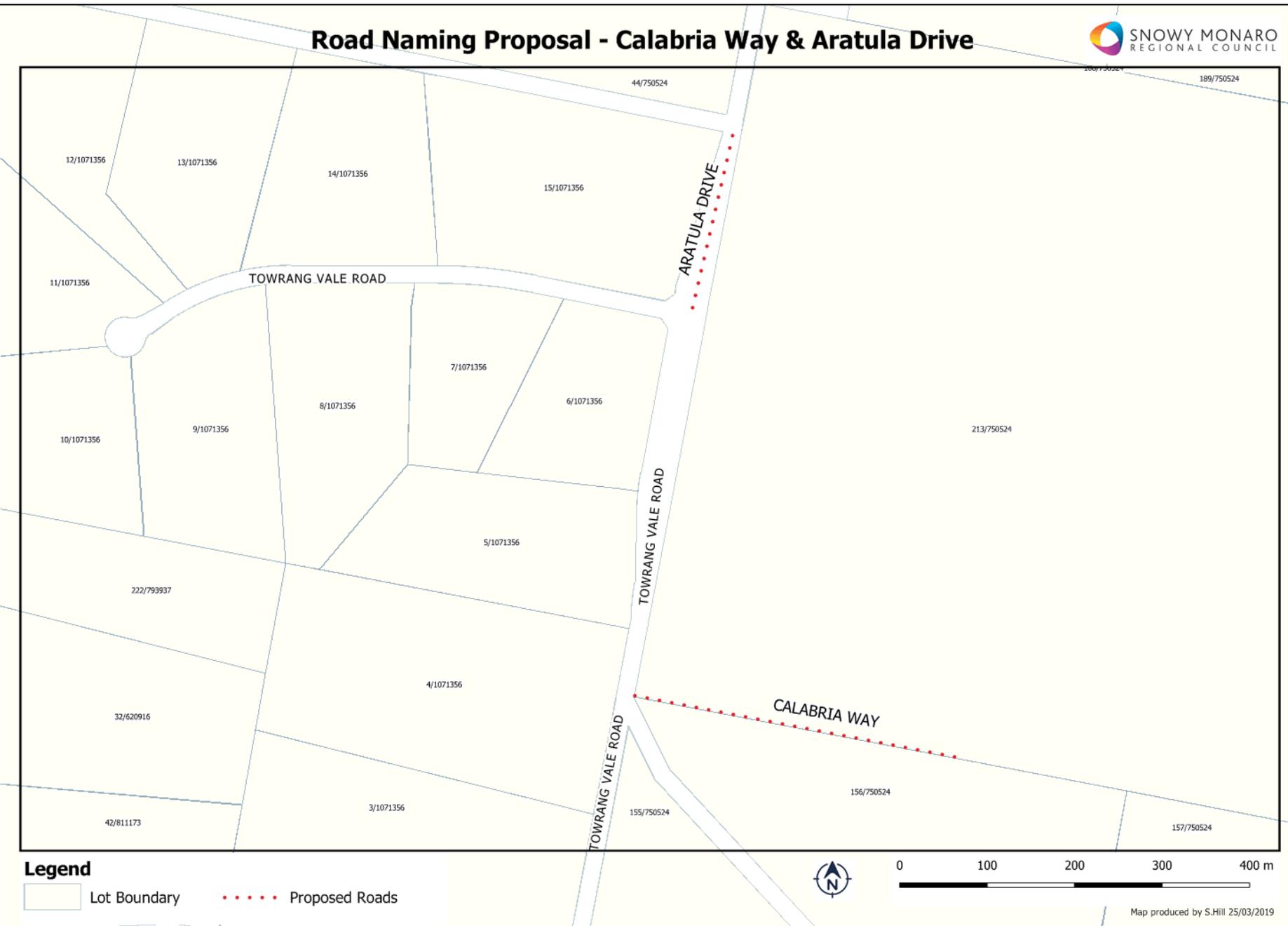
Nil.

3. Economic

Any costs associated with this proposal and addressing of subsequent lots are covered as part of the subdivision process.

4. Civic Leadership

Road naming is undertaken according to the Council's road naming procedure and the NSW Address Policy and User Manual. Council provides the opportunity for Authorities to comment on the proposal as part of this process.



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9.4.9 UPDATE FROM SNOWY MONARO REGIONAL COUNCIL'S GREEN TEAM

Record No:

Responsible Officer:	Chief Executive Officer
Authors:	Executive Manager Innovation & Business Development Land, Property & GIS Admin 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:	10.1.3 Council demonstrates improvement in it's knowledge capture, performance and service delivery by fully embracing a learning organisation and innovation mindset
Attachments:	Nil
Cost Centre	PJ100165
Project	Green Team
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

This report has been prepared to provide information to council and the community about some of the activities of the Green Team and achievements from operational areas across the organisation as a result of analysis undertaken by members of the Green Team.

Terms of Reference for the Snowy Monaro Regional Council Green Team state the following purpose:

- a) *Monitor and evaluate Council's environmental performance against agreed targets;*
- b) *Investigate any and all opportunities and make recommendations for changes / improvements that will enhance Council's environmental performance;*
- c) *Deliver internal awareness and education programs that stimulate and reward environmental initiatives across all departments, where appropriate officers are employed;*
- d) *Raise awareness in the community about matters relating to environmental sustainability;*
- e) *To establish, promote, and maintain a culture of sustainability by the Council and Council staff;*
- f) *Support programs and initiatives that deliver ESD outcomes across all programs, services, and operations.*

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

OFFICER'S RECOMMENDATION

That Council receive and note the progress report from Council's Green Team

BACKGROUND

Prior to amalgamation community concerns about Climate Change and escalating energy costs resulted in measures taken by all three councils to reduce energy costs and greenhouse emissions. Snowy River Shire Council formed a Green Team in 2007 in response to a commitment made to the community to try to reduce power and increase use of renewable power by the year 2020.



The Green Team initiative has been carried forward to Snowy Monaro Regional Council and has representation from staff in all areas of operation and Cllr John Castellari. The group meets four times a year to discuss ways in which council can become more sustainable in our operations, and provide an example and support to the community to do likewise. We also have quarterly performance reviews where we examine changes in council's energy use, both positive and negative, and action any potential issues.

This report aims to highlight some of the recent improvements and challenges to our energy balance and activities of the Green Team.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The Green Team is a passionate group of employees who represent their teams to progress and enhance Council's social responsibilities relating to sustainability across many aspects of council's activities. Investment in this area of strategic governance sees a return through initiatives that work towards achieving long-term benefits across many aspects of operations. For example, we have a strong interest in supporting initiatives that promote a circular economy, such as the upcoming review of Council's procurement policy and practices.

In addition to the various energy usage and cost initiatives, the Green Team is also focused on leading by example. Our small committee supports initiatives such as Earth Hour, National Recycling Week and National Tree Day. Our activities promote and educate sustainability with a conscious effort and decision-making with a view to protect our planet, people and profit.

A recent activity saw us join the global conversation "*The Climate Crisis and its Solutions*". We had the opportunity to engage with two local schools and also invited interested community members to join us. We discussed what climate change means for our community; as well as the solutions and actions we can take to make a difference. It was very encouraging to hear perspectives of our youth. Without doubt, there is support to reduce our carbon footprint, look to renewable energy sources, leverage advances in technology, value water and make informed consumer choices.

The Green Team will also be an important sounding board for the Climate Change Risk Assessment scheduled to be commenced in February 2019. With our assets and environmental teams, this activity will provide additional views on the opportunities and threats to our various operations; adding value to conversations around planning, designing, building and maintaining community infrastructure.

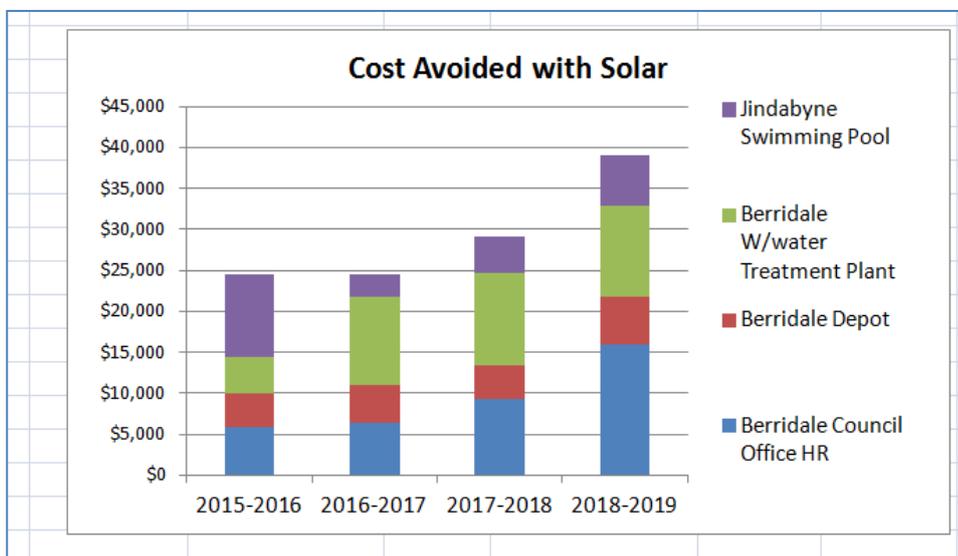
2. Environmental

Established solar sites

Prior to merger the three councils had 8 small solar sites (1.5 to 2.8 KW) installed when the rebate for solar exported to the grid was 35 cents per KWH. While most of these are still operational they produce very little return now. There were also 4 larger sites installed in Snowy River in 2015 which were net-metering sites where power is used on site and any power not used is exported to grid at a much lower rebate of between 8 and 11 cents per kwh.

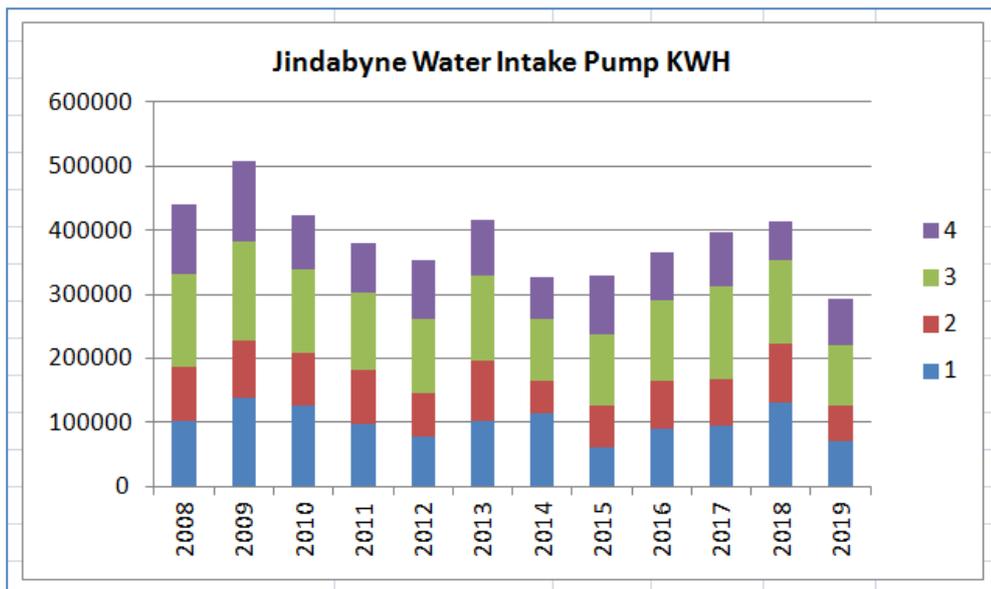
A simple Business As Usual analysis compares the cost of electricity for the years post installation with what the cost would have been if the power use was the same as the year prior to installation. Results show site savings of between \$18,500 (for the smallest system) to \$37,500 over four years and a total of \$117,000. Installation costs of around \$45,000 per site mean that these systems will be paid off in 5-7 years. Variation in performance of sites is dependent on site factors including some shading at the Jindabyne Pool, variable orientation at the Berridale Office and ideal installation conditions at the Berridale Treatment works. There was also additional infrastructure installed at Jindabyne Pool in FY 2017 which resulted in higher power use and lower apparent “savings” from solar.

The very large savings at Berridale Office last year (\$16,000) are not just due to solar production which has been consistent year by year. Instead there appears to have been significant power savings at this office. Staff reported that timers are now in operation to turn heating/cooling on at start of day and off at the end. There was also removal of a number of under desk heaters. These changes have contributed to the significant reduction in power use at this office last year.



Jindabyne Water Intake Pump

Last winter a pattern of increasing power use at the water intake pump in Jindabyne was picked up in a quarterly performance review. Investigation by the Water and Wastewater Engineer found that the pump was performing poorly and was in need of replacement. Power use was reduced at this site by 30% in 2019 as a result of this upgrade with a 20% reduction in cost of electricity or a saving of almost \$20,000 for the year.

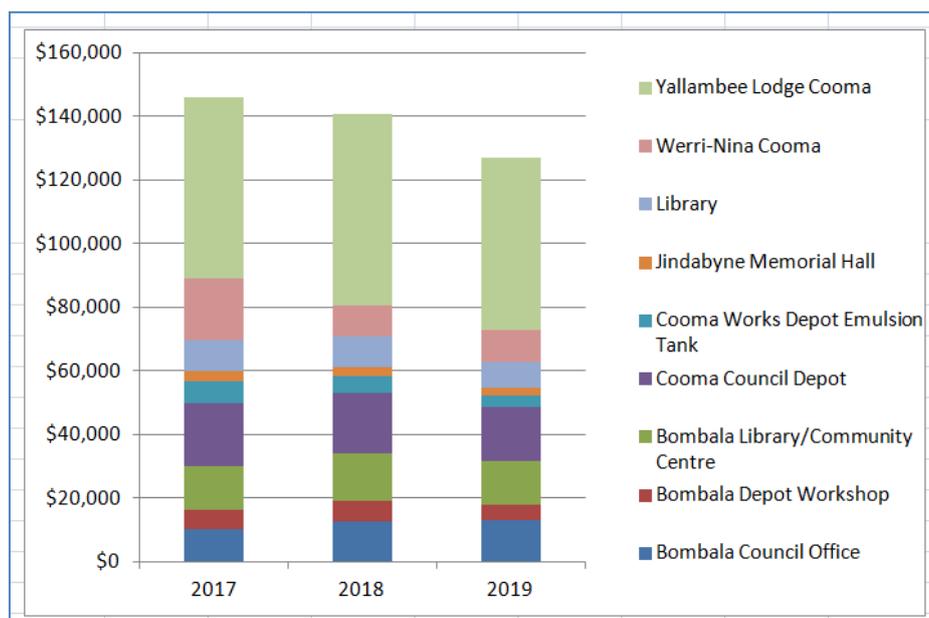


1=Jan – Mar, 2=Apr – Jun, 3=Jul – Sep, 4=Oct – Dec

There is considerable variation year in power use by this pump from year to and is dependent on community water use which in turn is largely dependent on visitor numbers.

New Solar Sites

Following evaluation of council facilities for renewable energy potential a number of new solar projects have been funded by the Stronger Communities Fund. Most of these sites are now producing significant savings in electricity use including Werri-Nina where there has been a 40% drop in cost of power since 2017 and the Depot Emulsion Tank with a 36% drop and the Bombala Depot a 21% drop. There have been significant issues with billing from our energy retailer which are being resolved at the moment but have resulted in apparent poorer performance for other sites and we expect larger savings in the coming year.



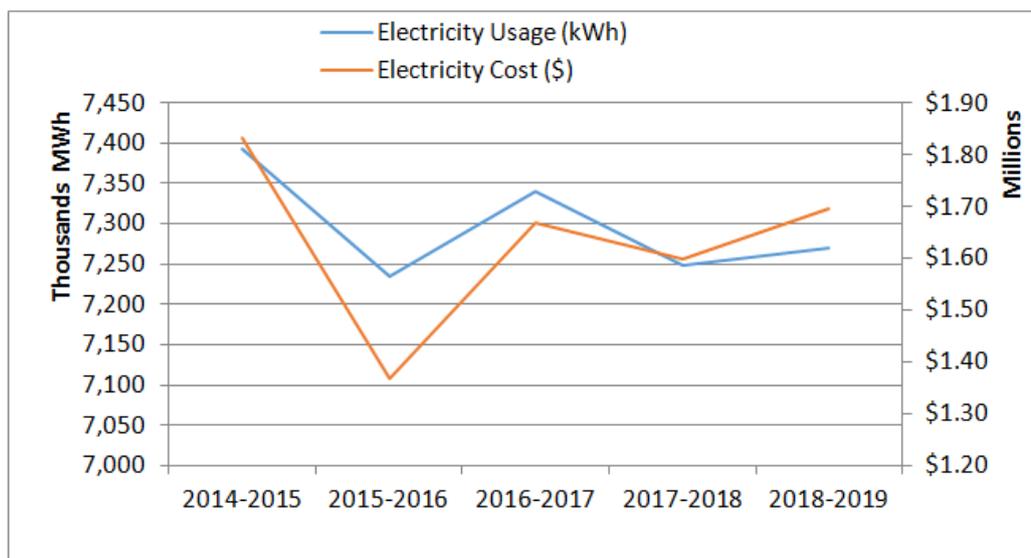
Yallambee Lodge showed a 10% reduction in cost (almost \$6000) and 5% decrease in consumption last year. Unfortunately we have seen quite a big increase in power use in the first quarter of this year which is under investigation. Getting the most from solar installations requires monitoring of

equipment and some behavioral change to ensure that where possible maximum use of power is concentrated when the panels are producing the most energy.

3. Economic

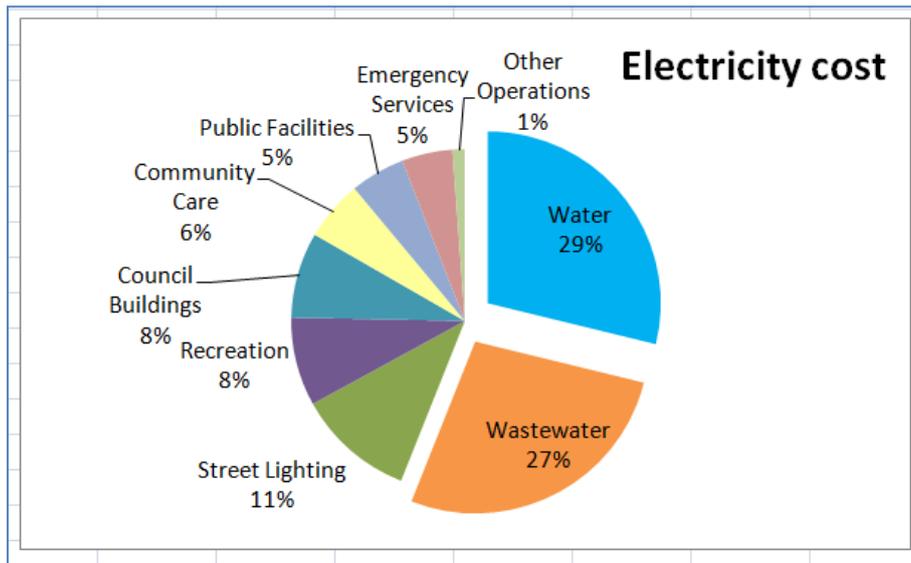
Energy savings measures have significant impact on the budget

Currently roughly \$1.8M p.a. is spent by council on electricity and gas (including street lighting power) with the majority being spent on electricity. While some of the improvement in power use and cost since the peak of 2014 is a result of changes in sites included on council contracts, a number of energy audits and facility improvements, including renewable energy installations have resulted in considerable reductions in power use at a number of sites since the peak of 2014.

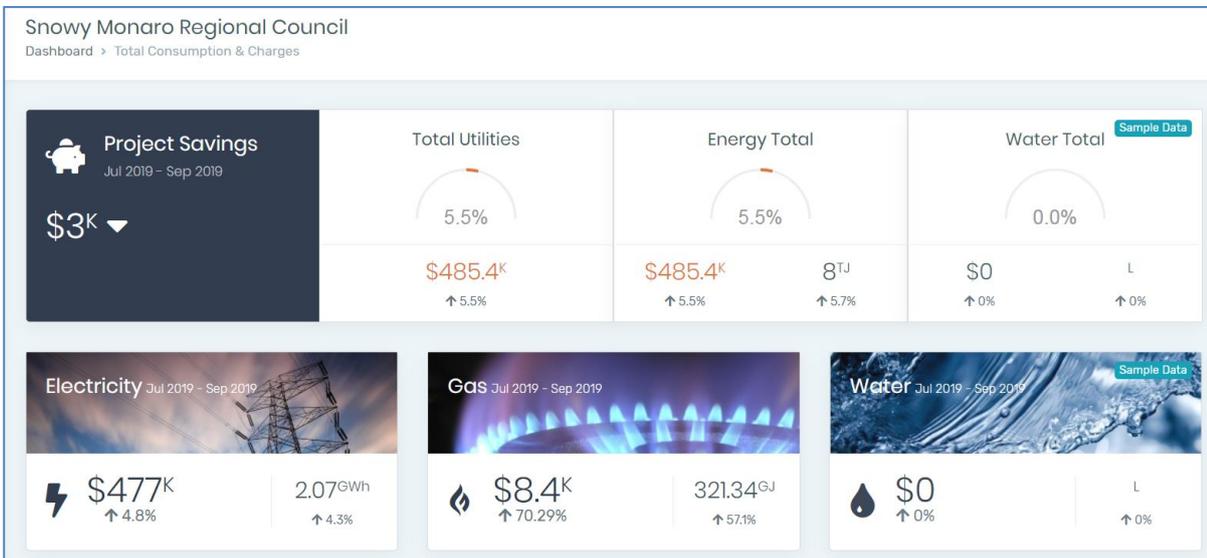


The former councils joined the NSW Government Sustainability Advantage program and took advantage of funding to assist with energy audits and facility improvements. Renewable energy projects were implemented from initial small schemes (<2.5 KW) which provided good returns on solar exports to more substantial schemes (15-30KW) which had significant impacts on power use at a number of sites.

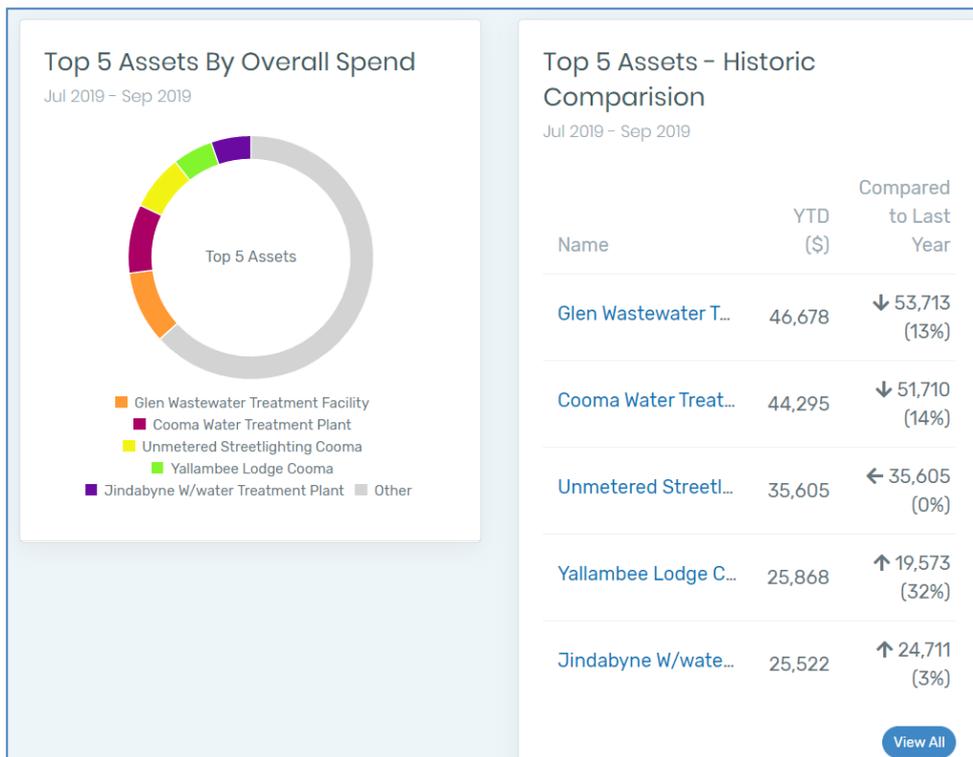
More than half the use and cost of electricity is from water and wastewater operations. These are particularly high for our LGA because of very high visitation rates and the terrain which requires water and wastewater to be pumped long distances and up hills.



Council engages Azility (formerly Planet Footprint) to assist with performance monitoring for electricity and gas use and we now have many years of data from former and the current council to analyze trends, look for anomalies which require investigation and to report on outcomes of energy saving projects. The online portal allows managers to quickly view how we are performing at any level of the organization, as illustrated with the screen shots below. It also allows us to delve into the data, to follow up on any accounts with big changes and try to work out what is happening. The dashboard below is showing results for the first quarter of this financial year shows power use is up by 4.3% on same period last year with cost up by 4.8%.



We also get a quick view of the Top 5 assets and their performance in cost compared to same period previous year.



The Climate Change Risk Assessment referred to earlier in the report is required for Council to be eligible for a grant funding stream from Department of Planning, Industry and Environment. We will be preparing this assessment through the member service offering from Statewide Mutual in the 2020 financial year.

This report has been prepared utilising the salary and wages operational budget that funds the activities of the Sustainability Officer and administration support to the committee. It is noted that the Sustainability Officer position has been vacant since it was approved on the organisational structure in June 2017.

4. Civic Leadership

Experience from many years of monitoring power use has shown time and again that there is potential to make enormous savings on energy bills and at the same time make reductions in our carbon emissions. Solar installations can result in significant savings in emissions and in the longer term significant savings in cost. The installation costs will be covered in 5-7 years for the former Snowy River sites but for more recent installations financed by grant funding the savings will be realized immediately.

Electricity retailers make many mistakes in billing which often result in duplicate bills, wrong Tariffs being charged and estimated reads for long periods. Having a utility control tool like Azility can assist with this but it also requires careful monitoring by staff to pick up and interpret anomalies. Frequent monitoring of power use can prevent equipment being left on winter settings out of season, continued use of old equipment which uses too much power and provide feedback to staff when behavioural changes result in changes in energy use.

The Green Team will continue to explore ways in which the Azility portal can help asset managers to monitor power use and the impact of improvements they make. With additional resourcing from a Sustainability Officer we hope to implement improved monitoring of other sustainability metrics including the use of fuel, water use and paper. Return on investment modeling for sustainability projects will also assist with making decisions on future energy saving projects.

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9.4.10 RESCINDING SIGNING OF COUNCIL AND COMMITTEE MINUTES POLICY

Record No:

Responsible Officer:	Acting Director Corporate and Community Services
Author:	Manager Corporate Governance
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments:	1. Policy -Signing of Council and Committee Minutes
Cost Centre	
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Council's new Code of Meeting Practice adopted by Council on 20 June 2019 [Resolution Number 200/17] includes information on the signing of Council and committee minutes in sub section 19.5 and 20.26. This supersedes the Signing of Council and Committee Minutes policy (Adopted by resolution 16/16, 25 May 2016) and that policy is no longer required.

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

OFFICER'S RECOMMENDATION

That Council rescind Policy SMRC 7 - Signing of Council and Committee Minutes adopted on 25 May 2016 [Resolution Number 16/16].

BACKGROUND

QUADRUPLE BOTTOM LINE REPORTING

1. Social

There is no social impact on our community.

2. Environmental

There is no environmental impact.

3. Economic

There is no cost associated by rescinding the policy.

4. Civic Leadership

A single policy will assist the Council and the leadership to fulfil their responsibilities smoothly and efficiently.

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Title of Policy	SMRC 7 - Signing of Council and Committee Minutes		
Responsible Department	Governance	Document Register ID	250.2016.7.1
Policy Owner	Director Governance and Executive Services	Review Date	September 2017
Date of Council Meeting	25 May 2016	Resolution Number	16/16
Legislation, Australian Standards, Code of Practice	The Local Government Act, 1993, Section 375 (2) State Records Act 1998 Snowy Monaro Regional Council Code of Meeting Practice		
Aim	To ensure Council's procedure for signing Council and Committee Minutes complies with the Local Government Act, 1993.		

1 Policy Details

This policy shall be implemented immediately upon adoption by Council and shall be applied to all Council and Committee Minutes from 12 May 2016.

With regards to the signing of Council Minutes, the Local Government Act 1993, Section 375(2) states that;

"The minutes must, when they have been confirmed at a subsequent meeting of the council, be signed by the person presiding at that subsequent meeting."

With regards to the signing of Council Committee Minutes, the Local Government (General) Regulation, Clause 266 states that:

"As soon as the minutes of an earlier meeting of a committee of the council have been confirmed at a later meeting of the committee, the person presiding at the later meeting must sign the minutes of the earlier meeting."

All Council and Committee minutes require one signature, on the last page. The signature is to be of the Chairperson of the meeting where the minutes were confirmed and adopted.

Documentation

Nil

Variation

Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.

10.1 COUNCIL COURT ACTIONS

Record No:

Responsible Officer: Chief Executive Officer

Author: Councillor John Last

Attachments: Nil

Councillor John Last has given notice that at the Ordinary Meeting of Council on 19 December 2019, he will move the following motion.

MOTION

That Councillors be notified of all Court cases being contested by SMRC and receive monthly reports as such.

BACKGROUND

Currently Councillors are notified of Court cases that stand to cost SMRC \$50,000 or more. In the interests of transparency and risk mitigation, it is advisable that Councillors be aware of all Court actions contested by SMRC.

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.*
-

10.2 NOTICE OF MOTION - COUNCILLOR STEWART - ADVISING FEDERAL GOVERNMENT ON NOT RECEIVING DROUGHT RELIEF FUNDING.

Record No:

Responsible Officer: Chief Executive Officer
Author: Councillor Bob Stewart
Attachments: Nil

Councillor Bob Stewart has given notice that at the Ordinary Meeting of Council on 19 December 2019, he will move the following motion.

MOTION

That Council write to the Federal Government advising of SMRC's disappointment that our region did not receiving drought relief funding.

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.*
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 - (4) *The rules applying to the content of Questions also apply to the content of Notices of Motion.*
 - (5) *Councillors are to ensure, where it is intended that staff be asked to carry out some specific defined action, that a Notice of Motion is written in such a way that, if carried, the motion carries such clear and unambiguous direction.*
-

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 Heavy patching and Shoulder rehabilitation Tender

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 Request for Lease - Snowy River Health Centre

Item 13.2 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, (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 (dii) of the Local Government Act because it contains and information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.3 Sale of Council Land - Percy Harris Street Leesville by Auction off the Plan

Item 13.3 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be,

on balance, contrary to the public interest.

13.4 Request to extend lease

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 Legal Actions and Potential Claims Against SMRC as at 30 November 2019

Item 13.5 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.

13.6 Audit, Risk and Improvement Committee - Minutes of Meeting held on 23 October 2019

Item 13.6 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.

13.7 Delegate Preschool Compliance Report

Item 13.7 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.8 Tender Award - Snowy Oval Amenities Building

Item 13.8 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.9 Award Of Tender For The Reseal And Relining Of The Snowy 1 Reservoir - Cooma Water Supply System

Item 13.9 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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.