



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

21 November 2019

**ORDINARY COUNCIL MEETING
HELD IN RYDGES HOTEL, 10 KOSCIUSKO ROAD, JINDABYNE NSW 2627
ON THURSDAY 21 NOVEMBER 2019**

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**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN JINDABYNE MEMORIAL HALL, THREDBO TERRACE, JINDABYNE NSW 2627**

**ON THURSDAY, 21 NOVEMBER 2019
COMMENCING AT 5:00PM**

PRESENT: Mayor Peter Beer
Councillor John Rooney
Councillor John Castellari
Councillor James Ewart
Councillor Rogan Corbett
Councillor Sue Haslingden
Councillor Anne Maslin
Councillor Brian Old
Councillor Bob Stewart

APOLOGIES: Deputy Mayor Linley Miners
Councillor John Last
Amanda Shepherd, Secretary Council & Committees

Staff: Peter Bascomb, General Manager
Suneil Adhikari, Director Operations & Infrastructure
Peter Smith, Director Environment & Sustainability
David Rawlings, Acting Director Corporate & Community Services
Joyleen Mathias, Manager Corporate Governance
Scott Goudie, ICT Manager
Gordon Grant, Help Desk Officer

Notes: *The Mayor opened the meeting at 5:08PM, The Mayor adjourned the meeting at 5.14PM for Public Forum, The meeting resumed at 6:04PM, At 7.20PM the meeting adjourned for a dinner break, The meeting resumed at 7.55PM, At 8.05pm the meeting was closed to the press and public, At 8.40PM the Closed Session ended and the Council meeting continued in Open Session, There being no further business the Mayor declared the meeting closed at 8.50PM.*

1. OPENING MEETING

The Mayor opened the meeting at 5:08PM.

2. ACKNOWLEDGEMENT OF COUNTRY

Note 1: Adjournment of Meeting

The Mayor adjourned the meeting at 5.14PM for Public Forum.

Note 2: Resumption of Meeting

The meeting resumed at 6:04PM.

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

COUNCIL RESOLUTION

400/19

That the apology from Cllr John Last and Deputy Mayor Lynley Miners be accepted and leave of absence be granted.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

4. CITIZENSHIP CEREMONIES

4.1 Mrs Alexis Karen Sirman

5. DISCLOSURE OF INTEREST

Nil.

6. MATTERS DEALT WITH BY EXCEPTION

Items by Exception

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

COUNCIL RESOLUTION

401/19

- A. That all items listed in Corporate Business both Open and Confidential be dealt with separately other than the following items which are moved by exception:
- 7.1- Ordinary Council Meeting 17 October 2019;
 - 7.2- Closed Session of the Ordinary Council Meeting 17 October 2019;
 - 7.3- Extraordinary Council Meeting 29 October 2019;
 - 7.4- Closed Session of the Extraordinary Council Meeting 29 October 2019;
 - 9.1.1- Closure of Part of the Road Reserve in Barrack Street Cooma;
 - 9.1.2- Minutes Of The Cemetery Advisory Committee Dated 24 September 2019;
 - 9.1.3- Minutes - Residential Aged Care Advisory Committee 22 July 2019;
 - 9.1.4- Section 355 Committee Residential Aged Care and Community Care Advisory Committee Review Proposal;
 - 9.1.5- Monthly Funds Management Report - October 2019;
 - 9.1.6- Bombala Library Expansion of Opening Hours;
 - 9.2.1- Draft Bombala Activation Plan;
 - 9.2.3- Adoption of a new Council Fee for the introduction of the new Subdivision Works Certificate;
 - 9.3.1- Minutes of the Recreational Facilities Committee Meeting Held on 22 July 2019;
 - 9.3.2- Minutes of the Water and Sewer Committee held on 29 October 2019 and adoption of recommendations;

9.3.3- Amendments to the SMRC Sewerage Pricing and Billing Policy;		
9.4.1- Minutes of Waste Management Committee Meeting held on 5 November 2019;		
9.4.2- Section 355 Committee Review Update;		
9.4.3- Answers to Questions With Notice;		
9.4.4- Resolution Action Sheet Update;		
9.4.5- Endorsement of Government Information Public Access (GIPA) Policy, Redaction Policy and Agency Information Guide;		
9.4.6- Minor Amendment to Adopted Complaints Handling Policy 245/18;		
9.4.7- Grant Applications - Activity Synopsis as at 30th September 2019;		
9.4.8- 2019 Annual Report Adoption;		
9.4.9- Presentation of 2019 Financial Statements;		
9.4.10- Quarterly Budget Review Statement (QBRs) to September 2019;		
9.4.11- Organisational Structure Review;		
13.1- Legal Actions and Potential Claims Against SMRC as at 31 October 2019;		
13.2- Private Land Encumbered with Council Infrastructure;		
13.3- Replacement of Council's waste landfill compactor. plant 3088;		
13.4- Audit, Risk and Improvement Committee (ARIC) - Offer of Extension to Two Independent Members;		
13.5- Audit, Risk and Improvement Committee (ARIC) - Appointment of Independent Member;		
13.6- East Jindabyne RFS Shed Tender;		
13.8- Yallabee Lodge Extension - Principal Design Consultant Tender Award; and		
13.11- Sale of 84 Polo Flat Road		
B. That the Officer's Recommendations in the reports listed above are hereby adopted.		
Moved Councillor Maslin	Seconded Councillor Rooney	CARRIED

Note 3: RECORD OF VOTING

COUNCILLORS FOR: MAYOR BEER , COUNCILLOR CASTELLARI, COUNCILLOR CORBETT, COUNCILLOR EWART, COUNCILLOR HASLINGDEN, COUNCILLOR MASLIN, COUNCILLOR OLD, COUNCILLOR ROONEY AND COUNCILLOR STEWART.

COUNCILLORS AGAINST: NIL.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 17 OCTOBER 2019

COUNCIL RESOLUTION	402/19	
THAT the minutes of the Ordinary Council Meeting held on 17 October 2019 are confirmed as a true and accurate record of proceedings.		
Moved Councillor Maslin	Seconded Councillor Rooney	CARRIED

Note 4: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 17 OCTOBER 2019

COUNCIL RESOLUTION	403/19	
THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 17 October 2019 are confirmed as a true and accurate record of proceedings.		
Moved Councillor Maslin	Seconded Councillor Rooney	CARRIED

Note 5: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

7.3 EXTRAORDINARY COUNCIL MEETING 29 OCTOBER 2019

COUNCIL RESOLUTION

404/19

THAT the minutes of the Extraordinary Council Meeting held on 29 October 2019 are confirmed as a true and accurate record of proceedings.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 6: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

7.4 CLOSED SESSION OF THE EXTRAORDINARY COUNCIL MEETING 29 OCTOBER 2019

COUNCIL RESOLUTION

405/19

THAT the minutes of the Closed Session of the Extraordinary Council Meeting held on 29 October 2019 are confirmed as a true and accurate record of proceedings.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 7: MOTIONS WITHOUT DEBATE

THE ABOVE OFFICER'S RECOMMENDATION BECAME A RESOLUTION OF COUNCIL AS A RESULT OF RESOLUTION 401/19 ABOVE AS THERE WAS NO CHALLENGE BY COUNCILLORS.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 MOD4069/2019 - MODIFICATION TO ENGINEERING CONDITIONS DA4127/2018 CONCEPT PLAN FOR LARGE LOT RESIDENTIAL SUBDIVISION

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. Draft Modified Conditions of Consent
2. Modified Plans
3. Applicants Planning Report
4. Applicants Response to Council Officer Concerns
5. Application Form

Further Operational Plan Actions:

Applicant Number:	MOD4069/2019
Applicant:	Dabyne Planning Pty Ltd

Owner:	Mr Luie Wehbe, Mr Raymond J Wehbe, Mr John J Wehbe, Mr Joseph J Wehbe, Mr Raymond Hkeik
DA Registered:	18/06/2019
Property Description:	Lot 50 DP 756686 Ph Clyde, Lot 95 DP 756686 Ph Clyde, Lot 111 DP 756686 Ph Clyde, Lot 140 DP 756686 Ph Clyde, Lot 142 DP 756686 Ph Clyde
Property Number:	104035
Approved Development:	Concept Plan for Large Lot Residential Subdivision (111 lots) and Stage 1 thirty (30) lots.
Modification Proposed:	Modification of DA4127/2018 to amend and/or delete engineering conditions relating to water/sewerage servicing, driveways and the requirement to construct the southern intersection and extension of Road 1 as part of Stage 1
Permitted in Zone:	Yes
Recommendation:	That the application be approved subject to the modified conditions recommended in this report.

EXECUTIVE SUMMARY

The purpose of this report is to seek approval for amendments to conditions of DA4127/2018 approved by Council on 20 December 2018 (resolution 576/18).

DA4127/2018 was issued for the concept approval of a plan for a large lot residential subdivision (111 lots) and stage 1 thirty (30) lots. As such only stage one has a development consent to allow for construction and the majority of the conditions relate only to stage 1.

The applicant is seeking the modification and/or deletion of eight (8) conditions of consent relating to infrastructure servicing of stage 1 of the subdivision.

Those conditions are:

- 20, 21,23 & 25 – which relate to sewer and water servicing;
- 39 & 40 – which relate to the requirement to construct an intersection in the southern portion of the site, originally proposed to be carried out in stage 4 not stage 1 (this was added by Council as ‘Part C’ of Resolution 576/18 at the meeting of 20 December 2018);
- 44 & 45 - which relate to rural driveways.

It is recommended that the application be approved subject to the modified conditions recommended in this report (attachment 1).

The application was notified and publicly advertised and five (5) submissions were received.

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

COUNCIL RESOLUTION

406/19

That Council

- 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.
- B. Any person who made a submission is notified according to the regulations.

Moved Councillor Rooney

Seconded Councillor Ewart

CARRIED

Note 8: Record of Voting

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

Councillors Against: Nil.

Note 9: Draft Modified Conditions of Consent

Draft Amended Conditions of Consent MOD4069/2019

REASONS FOR DECISION

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

The reasons for the decision were:

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

CONDITIONS

ADMINISTRATIVE CONDITIONS

Approved Plans and Documentation (Amended By MOD4069/2019)

1. The developer is to ensure that the development complies fully with DA4127/2018 as submitted to Council on the 23/02/2018 and where amended by the first modification MOD4069/2019 submitted to Council on the 18/09/2019 with supporting documentation including, but not limited to the development plans below:

Reference/Dwg No	Title/Description	Prepared By	Date/s
59-17	Statement of Environmental Effects. Concept Plan & Stage 1 DA for a Large Lot Residential Subdivision 415 & 417 Barry Way Jindabyne Lots 50,95,111,140 & 142 DP756686	Dabyne Planning	February 2018
17HNG_8450	Flora and Fauna Assessment	Eco Logical	22/2/2018
17HNG_8450	Aboriginal Due Diligence Assessment	Eco Logical	21/2/2018
17HNG_8450	Revised Aboriginal Due Diligence Assessment	Eco Logical	21/6/2018
17HNG_8450	Statement of Heritage Impact	Eco Logical	21/2/2018
Rev 1.0	Engineering Infrastructure Report	RS&A and CLM Civil	22/02/2018
Sheet 1 of 2	Concept Plan – Sheet 1	CLM Civil Engineering	21/02/2018
Sheet 2 of 2	Concept Plan – Sheet 2	CLM Civil Engineering	21/02/2018
Sheet 1 of 2	Concept Plan – Staging – Plan Sheet 1	CLM Civil Engineering	20/02/2018
Sheet 2 of 2	Concept Plan – Staging – Plan Sheet 2	CLM Civil Engineering	20/02/2018
Sheet 1 of 2	Concept Plan – Staging - Plan Sheet 1	CLM Civil Engineering	23/10/2019
Sheet 2 of 2	Concept Plan – Staging - Plan Sheet 2	CLM Civil Engineering	23/10/2019
Sheet 1 of 2	Concept Plan – Transport Movement – Plan Sheet 1	CLM Civil Engineering	22/02/2018

Sheet 2 of 2	Concept Plan – Transport Movement – Plan Sheet 2	CLM Civil Engineering	22/02/2018
Sheet 1 of 2	Concept Plan – Transport Movement - Plan Sheet 1	CLM Civil Engineering	23/10/2019
Sheet 2 of 2	Concept Plan – Transport Movement - Plan Sheet 2	CLM Civil Engineering	23/10/2019
Sheet 1 of 2	Concept Plan – Stormwater – Plan Sheet 1	CLM Civil Engineering	22/02/2018
Sheet 2 of 2	Concept Plan – Stormwater – Plan Sheet 2	CLM Civil Engineering	22/02/2018
Sheet 1 of 2	Concept Plan – Stormwater - Plan Sheet 1	CLM Civil Engineering	23/10/2019
Sheet 2 of 2	Concept Plan – Stormwater - Plan Sheet 2	CLM Civil Engineering	23/10/2019
Sheet 1 of 2	Concept Plan – Water & Sewer Plan Sheet 1	CLM Civil Engineering	22/02/2018
Sheet 2 of 2	Concept Plan – Water & Sewer Plan Sheet 2	CLM Civil Engineering	22/02/2018
Sheet 1 of 2	Concept Plan – Water & Sewer Plan Sheet 1	CLM Civil Engineering	23/10/2019
Sheet 2 of 2	Concept Plan – Water & Sewer Plan Sheet 2	CLM Civil Engineering	23/10/2019
Sheet 1 of 3	Stage 1 Plan	CLM Civil Engineering	19/02/2018
Sheet 2 of 3	Stage 1 Plan – Sheet 1	CLM Civil Engineering	19/02/2018
Sheet 3 of 3	Stage 1 Plan – Sheet 2	CLM Civil Engineering	20/02/2018
Sheet 1 of 3	Stage 1 Plan	CLM Civil Engineering	23/10/2019
Sheet 2 of 3	Stage 1 Plan – Sheet 1	CLM Civil Engineering	23/10/2019

Sheet 3 of 3	Stage 1 Plan – Sheet 2	CLM Civil Engineering	23/10/2019
Sheet 1 of 1	Stage 1 Stormwater concept plan	CLM Civil Engineering	20/02/2018
Sheet 1 of 1	Stage 1 Stormwater concept plan	CLM Civil Engineering	23/10/2019
Sheet 1 of 1	Stage 1 Plan – Transport Movement	CLM Civil Engineering	20/02/2018
Sheet 1 of 1	Stage 1 Plan – Transport Movement	CLM Civil Engineering	23/10/2019
Sheet 1 of 1	Stage 1 Water and Sewer Concept	CLM Civil Engineering	20/02/2018
Sheet 1 of 1	Stage 1 Water and Sewer Concept	CLM Civil Engineering	23/10/2019
3494-P2 A	Concept Masterplan	DSB Landscape Architects	23/02/2018
3494-P3 A	Stage 1A and Stage 1B Concept Landscape Masterplan	DSB Landscape Architects	23/02/2018
3494-P7 A	Typical Open Space Corridor	DSB Landscape Architects	23/02/2018
3494- P5 A	Typical Riparian Buffer Section	DSB Landscape Architects	23/02/2018
3494-P8 A	Entry Road Concept Plan	DSB Landscape Architects	23/02/2018
3494-P4 A	Typical Road Sections	DSB Landscape Architects	23/02/2018
3494-P6 A	Typical Bio-Retention Basin Treatment	DSB Landscape Architects	23/02/2018
3494-P9 A	Typical Road/Street Intersection	DSB Landscape Architects	23/02/2018
3494-P10 A	Tree Species	DSB Landscape Architects	23/02/2018

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

Inconsistency between documents

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

Concept Approval

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

Impact on Aboriginal Cultural Heritage

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

Landscaping Concept Plan

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

Pathway in Crown Road

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

CONDITIONS APPLICABLE TO STAGE 1 (30 Lot Subdivision)

Staged Development

10. The development will be carried out in the following stages:
Stage 1A: lots 1– 22, 22 lots for residential purposes
Stage 1B: lots 23 – 30, 8 for residential purposes and residue lots (incorporating

future stages 2-4) and lot incorporating open space buffer.

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

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

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

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

APPROVALS FROM STATE AGENCIES

General Terms of Approval from the NSW Natural Resources Access Regulator

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

	approval application, and approved by Natural Resources Access Regulator.
GT0030-00006	The application for a controlled activity approval must include plans prepared in accordance with Natural Resources Access Regulator's guidelines located on the website https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities .
GTA0032-00019	The application for a controlled activity approval must include the following document(s): A. Plan showing the demarcation of waterfront land. B. Design details of all works proposed on waterfront land. C. A Vegetation Management Plan for the proposed Cobbin Creek Riparian Corridor. D. Construction Management Plan for waterfront land including but not limited to a schedule and sequence of works, erosion and sediment control measures and site rehabilitation

OTHER APPROVALS

Separate Section 138 Permit – Roads Act 1993

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

SUBDIVISION ENGINEERING

Construction Certificate

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

Pre-commencement Meeting

16. Prior to the commencement of subdivision works for each stage of development, the developer and contractor shall meet on site with Council’s representative to review the scope of works, soil and water management control measures and the inspection and testing regime. The developer or his representative shall make arrangements with Council for this meeting not less than seven days in advance.

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

The developer must obtain a Compliance Certificate, either from Council to

demonstrate that all subdivision works have been completed. The subdivision works must be inspected by Council's inspector at each of the following stages of construction to confirm compliance with the standards set out in Council's Development Design and Construction Specifications.

- a) After placement of all signs in accordance in with the approved Traffic Control Plan.
- b) After stripping of topsoil from roads and fill areas, all Soil and Water Management Plan controls shall be in place at this stage.
- c) After completion of road subgrade.
- d) During field density testing, string line checking and proof rolling of the finished subgrade.
- e) After placement of water service conduits prior to backfilling.
- f) After placement and compaction of each layer of gravel pavement material.
- g) During field density testing, string line checking and proof rolling of each finished gravel pavement layer.
- h) During application of bitumen seal or asphaltic concrete wearing surface.
- i) Prior to concrete pour and after boxing and placement of reinforcement has been completed of all concrete driveways including battle-axe driveways within properties.
- j) After laying and jointing of all storm water pipelines prior to backfilling.
- k) After completion of all storm water pits.
- l) After laying and jointing of all water supply pipelines prior to backfilling and after installation of all water meters.
- m) After laying and jointing of all sewerage pipelines prior to backfilling.
- n) During pressure testing of all water supply pipelines.
- o) During pressure testing of all sewerage pipelines.
- p) During testing of all sewer manholes.
- q) After completion of works prior to acceptance and commencement of "on-maintenance" period.
- r) During the "off-maintenance" period inspection.
- s) As otherwise required to confirm that the works are satisfactorily executed and in conformity with environmental controls.

It should be noted that Council charges fees for inspections and Compliance Certificates. These fees must be paid prior to the endorsement of a Subdivision Certificate.

Traffic Control

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

Planting of Street Trees

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

Water Servicing

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

20. **The developer shall establish a 6metre easement over the line of the trunk water main within the proposed rural residential lots in Stage 1. The 6m wide reserve must be accurately determined by survey.**

Building envelopes shall be established on lots 3,4,17 & 18 as shown on the approved modified development plan. A S88B instrument shall be prepared which restricts any building or site disturbance to within the approved building envelopes.

(Condition Amended by MOD4069/2019)

Sewerage Servicing

- ~~21. **Prior to the issue of the construction certificate for the Stage 1A subdivision works the developer shall undertake a capacity assessment of the peak load for both the current and the future development of the existing sewerage pump station (JWWPS 5) catchment located in Lot 4 DP 864386. The developer shall upgrade any deficiencies resulting from this development as identified in the capacity assessment report for pumping station (JWWPS 5) at no cost to Council.**~~

~~**(Condition Deleted by MOD4069/2019)**~~

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

23. **A gravity sewerage system will only be permitted and such system shall service every lot in this development. A pumped sewerage system will not be permitted. The connection point for the gravity sewerage main shall be Council's pumping station (JWWPS 5) located on Lot 4 DP864986.**

Any proposal for a new pump station must be approved by Council and will be checked on its merits at the design stage. If alternate routes to enable gravity main is possible this option will be selected

(Condition Amended by MOD4069/2019)

24. Prior to the approval of any construction certificate, the Developer must demonstrate that the existing easement to pump sewage 4 wide (within Lot 1 DP 864986) is able to accommodate (legally and physically) the gravity sewerage main from the development to Council's pumping station (JWWPS 5 located on Lot 4 DP864986). Alternatively (prior to the approval of any construction certificate), a new 5m wide sewerage easement shall be created by the Developer at no cost to Council within Lot 1 DP 864986 with the consent of the owner of Lot 1 DP 864986.
25. **The developer shall at establish a 6metre easement over the line of the rising sewerage main within the proposed rural residential lots in Stage 1. The 6m wide reserve must be accurately determined by survey.**
- Building envelopes shall be established on lots 25, 26, 27 & 28 as shown on the approved modified development plan. A S88B instrument shall be prepared which restricts any building or site disturbance to within the approved building envelopes. The sewer rising main is to be marked along the length of the route and at the property boundaries.**
- (Condition Amended MOD4069/2019)**

Note:

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

Storm Water Drainage – Council System

26. The developer shall construct storm water drainage infrastructure to service each lot in the development in conformity with the standards set out in Council's Development Design and Construction Specifications.
27. The plan of subdivision shall include the creation of inter-allotment drainage easements as necessary to allow every lot to discharge storm water runoff from roof and paved areas to a public road or a Council controlled drainage system. The plan of subdivision shall include the creation of easements to drain water not less than 3.0 metres wide in favour of Council to provide for storm water drainage within the subdivision and generally as shown in the Approved Development Plan. Drainage works within these easements shall be designed and constructed in conformity with the standards set out in Council's Development Design and Construction Specifications. Appropriate mitigation measures shall be implemented prior to the discharge to Cobbin Creek to the satisfaction of Council. All bio retention/sedimentation basins shall be designed to the satisfaction of Council and the Natural Resources Access Regulator.

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

Excavation

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

Easement to Drain Sewage

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

Electricity Servicing

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

Telecommunications Servicing

33. The developer shall make arrangements for the provision of telecommunications services to each proposed lot in the subdivision at no cost to Council and no cost to the future lot owner. Prior to the endorsement of a subdivision certificate, the developer shall submit to the Principal Certifying Authority written notification from a recognized telecommunications carrier to confirm that arrangements have been undertaken to satisfy this condition.

Maintenance Period for Subdivision Works

34. The developer shall carry out any maintenance works required to the completed subdivision works (including landscaping as required by the concept landscaping plan for stages 1A and 1B) and shall rectify any defects becoming apparent

within a period of twelve months after the date that Council accepts that the works have reached practical completion.

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

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

Soil and Water Management

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

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

Owners Consent - Neighbouring Properties

36. Evidence of owners consent shall be submitted to Council prior to the issue of a Construction Certificate for any works proposed on any lot not part of this application.

Completion of Engineering Works

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

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

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

Intersection treatment – CHR/AUL South (Stage 1A) (Deleted By MOD4069/2019)

- ~~39. The intersection of proposed Road 1 with Barry Way at the southern end of the development site (in accordance with the location shown on the Concept Master Plan) shall be designed and constructed to satisfy the minimum standards for a CHR/AUL intersection treatment as set out in the Austroads "Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections", including the requirement for Safe Intersection Sight Distance for a 100 km/hr design speed in Barry Way.~~

Road construction – rural standard Road 1 (Stage 1A) (Amended By MOD4069/2019)

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

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

41. The plan of subdivision shall include the dedication of the proposed Road 2 as a public road, not less than 20.0 metres wide as shown on the Approved Development Plan. This road shall be constructed in conformity with Council's Development Design and Construction Specifications to include the following:
- a) Construction between Road 1 and the end of proposed Lots 9 and 10.
 - b) A 6.0 metre wide bitumen sealed pavement (primer seal plus 2 coat flush seal or asphalt) with 0.5 metre wide sealed shoulders on both sides.
 - c) 1.5 metre wide table drains with scour protection along steep gradients.
 - d) The road shall be designed in such a way to ensure that the maximum longitudinal gradient does not exceed 16%.
 - e) Constructed stormwater drainage (minimum pipe size shall be 375mm

- diameter).
- f) Installation of guideposts, protection fencing, pavement markings and signposting, to the standards specified in the Roads and Traffic Authority "Road Design Guide".
 - g) Erection of road name signs. The road name must be approved by Council in advance and must be shown on the final plan of subdivision.
 - h) Road design speed of not less than 60 km/hr.
 - i) A suitable (minimum 10m radius) temporary bitumen sealed vehicle turning facility (primer seal plus 2 coat flush seal or asphalt) at the end of this road (proposed Lots 9 and 10).

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

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

Road construction – rural standard Road 3

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

- diameter).
- f) Installation of guideposts, protection fencing, pavement markings and signposting, to the standards specified in the Roads and Traffic Authority "Road Design Guide".
 - g) Erection of road name signs. The road name must be approved by Council in advance and must be shown on the final plan of subdivision.
 - h) Road design speed of not less than 60 km/hr.
 - i) A suitable (minimum 10m radius) bitumen sealed vehicle turning facility (primer seal plus 2 coat flush seal or asphalt) at the end of this road (proposed Lot 15).

Rural Driveways (Amended by MOD4096/2019)

44. **The developer shall construct a minimum 4m wide, gravel vehicular crossing between the edge of the carriageway and the property boundary, generally in accordance with Austroads "Guide to Road Design Part 4 (2009) – Intersections and Crossings - General" including the "RMS" Supplement to Austroads "Guide to Road Design Part 4 (2009) – Intersections and Crossings - General".**

Note – works are required to be carried out on lots 3, 5, 10, 17,18 and 26 prior to the release of the subdivision certificate. Works on the remaining lots may be carried out after release of the subdivision certificate if an appropriate bond is agreed to by Council.

45. **The developer is to ensure that a pipe culvert vehicle crossing is to be provided to all proposed lots. The pipe culvert is to be a minimum of 375mm in diameter, 5 metres in length, constructed of reinforced concrete, RRJ, class 4 with headwalls on both ends. Should the table drain be diverted along the driveway and into the property, then the pipe culvert is not required to be installed.**

Note – works are required to be carried out on lots 3, 5, 10, 17,18 and 26 prior to the release of the subdivision certificate. Works on the remaining lots may be carried out after release of the subdivision certificate if an appropriate bond is agreed to by Council

Site Management

46. **The developer is to ensure that all builder' sheds, including temporary sanitary closets, must at all times be:**
- (a) located wholly within the site;
 - (b) properly constructed and maintained to industry standards;
 - (c) securely anchored to the ground, and
 - (d) removed upon completion of the project.

Trade Waste

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

Use of Power Tools - Residential and Village Areas

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

Mon - Fri 7.00am to 6.00pm

Saturday - Sunday 8.00am to 1.00pm

No work to occur on Public Holidays

Public Access and Site Security

49. It is the responsibility of the developer to restrict public access to the site, building works or materials or equipment on the site when building work is not in progress or the site is otherwise unoccupied. In this regard, the developer must ensure that perimeter fencing is provided for all construction sites in accordance with Work Health and Safety Regulation 2011.

Dust Control Measures

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

- shade cloth, and
(h) Cleaning of footpaths and roadways will be carried out regularly.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

Monetary Contributions (Stage 1A)

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

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

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

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

Monetary Contributions (Stage 1B)

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

Jindabyne Area Shared Trails	\$5,160.00
Community Services and Facilities	\$4,864.00
Regional Waste	\$5,848.00
Bushfire Services	\$1,416.00

Open Space and Public Art	\$1,224.00
Sports field and Recreation Facilities	\$904.00
Jindabyne Area Shared Pathways	\$560.00
Total	\$19,976.00

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

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

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

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

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

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

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

55. An application is required to be submitted to Council in accordance with section 305 of the Water Management Act 2000 to determine the applicable developer charges for water supply and wastewater (sewerage) services for the proposed development.

56. Once the application is received, Council will issue a notice of required contributions as section 306 of the Water Management Act 2000 for the proposed development.

57. Payment of the contributions will need to be made before Council can issue a Certificate of Compliance as per section 307 of Water Management Act 2000 for the works. A Certificate of Compliance is required before an occupation certificate/subdivision certificate for the development can be issued.
58. The contributions above, if unpaid after the end of the current financial year, shall be increased to the amount adopted by Council for the financial year in which the payment is made.

Testing of Council Water and Sewer Infrastructure

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

Property Numbers/House Numbers

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

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

Works-as-executed Plan

61. Upon completion of the subdivision works, the developer shall provide Council with a complete set of plans of the works as constructed, detailing all variations from the approved plans and to the acceptance of the Council's Director Service Delivery or his nominee.

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

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

Performance, Safety and Restoration Bond (Major Works)

62. The provision of a Performance, Safety and Restoration Bond to Council to the value of 5% of the cost of the engineering construction or a minimum of \$5,000.00 (plus non-refundable administration charge) whichever is the greater, prior to the release of the Subdivision Certificate, in order to guarantee the protection of public assets, and performance of any work or use in the road reserve during construction and rectification of any defects in public works for twelve (12) months after construction (i.e. after construction is completed to Council's satisfaction). This bond may be in the form of a cash bond or unconditional bank guarantee and is refundable upon written application and subject to an inspection, 12 months after certified completion of the works.

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

Property Numbers/House Numbers

63. Prior to the submission of the application for the Subdivision Certificate, the developer shall obtain a property number or house number for each lot from Council's Rates/Property Officer in conformity with Council's numbering system.

Landscaping

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

Fencing

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

Subdivision Certificate Application

66. The developer is to submit to Council a completed Subdivision Certificate application form together with:
- a) The original linen plan/s and six (6) copies;
 - b) Any required or relevant Section 88B instrument under the Conveyancing Act 1919;
 - c) Subdivision Certificate application form fully completed and accompanied

with the applicable fee;

d) Certificate from a recognised telecommunications carrier certifying that telephone connection has been provided to the site;

e) Certificate from a recognised power authority certifying that electricity connection has been provided to the site;

f) A location map of all water meters on the site; and

g) Details on all water meters on the newly created lots.

f) Certificate from Snowy Monaro Regional Council certifying that all necessary and appropriate weed control/management work has been completed on all lots in the applicable stage of the subdivision.

The reasons for the imposition of the conditions are:

- 1 To minimise any likely adverse environmental impact of the proposed development.
- 2 To ensure the protection of the amenity and character of land adjoining and in the locality.
- 3 To ensure the proposed development satisfies the relevant statutory requirements.
- 4 To ensure the development does not conflict with the public interest.
- 5 To ensure development proceeds in accordance with approved plans.

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:	<ol style="list-style-type: none">1. Draft Conditions of Consent (<i>Under Separate Cover</i>)2. Revised Development Plans (<i>Under Separate Cover</i>)3. Statement of Environmental Effects (<i>Under Separate Cover</i>)4. Response to Development Control Plan (<i>Under Separate Cover</i>)5. Preliminary Hazard Analysis (<i>Under Separate Cover</i>)6. Preliminary Hazard Analysis, additional comments from applicant (<i>Under Separate Cover</i>)7. Waste Management Plan (<i>Under Separate Cover</i>)8. Environmental Site Assessment (<i>Under Separate Cover</i>)9. Submissions (<i>Under Separate Cover</i>)10. Application Form (<i>Under Separate Cover</i>)

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.

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.

COUNCIL RESOLUTION

407/19

That the decision of the DA be deferred pending discussion between the applicant and the General Manager of Rydges Horizons Snowy Mountains.

Moved Councillor Castellari

Seconded Councillor Stewart

CARRIED

Note 10: Record of Voting

Councillors For: Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Old and Councillor Stewart. Councillor Maslin

Councillors Against: Mayor Beer , Councillor Ewart, and Councillor Rooney.

Note 11: Amendment to Original Motion

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

The original motion Moved: Clr Rooney, Seconded: Clr Ewart was:

“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.”.

Note 12: Record of Voting for Amendment to Motion

Councillors For: Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Maslin, Councillor Old and Councillor Stewart.

Councillors Against: Mayor Beer , Councillor Ewart and Councillor Rooney.

9. OTHER REPORTS TO COUNCIL

9.1 KEY THEME 1. COMMUNITY

9.1.1 CLOSURE OF PART OF THE ROAD RESERVE IN BARRACK STREET COOMA

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Land & Property Officer
Key Theme:	1. Community Outcomes
CSP Community Strategy:	1.3 Recreation, sporting and leisure facilities encourage all ages to live in an active and healthy lifestyle
Delivery Program Objectives:	1.3.3 Council's recreational facilities, parks and public open spaces are safe, well managed and accessible
Attachments:	1. Submission 1 - Proposed Closure of Barrack Street Cooma 2. Submission 2 - Proposed Closure Barrack Street Cooma
Project	PJ100108 – C PP-025 – Nijong Oval Improvements – Learner Bike Track

EXECUTIVE SUMMARY

At the meeting of Council on 15 August 2019, a resolution was passed to approve the proposal to close part of Barrack Street Cooma road reserve, classify the new lot as operational land, and to consolidate lot 4 DP 32321 with the new lot.

COUNCIL RESOLUTION	1/19
That Council	
A. Approve the proposal to close part of the Barrack Street Cooma road reserve in accordance with the plan in this report;	
B. Classify this new lot as operational land;	
C. Approve the consolidation of lot 4 DP 32321 with the new lot to be created by the road closure; and	

D. Classify the new consolidated lot as operational land.

Moved Councillor Corbett

Seconded Councillor Stewart

CARRIED

In accordance with legislative requirements (Roads Act 1993) the proposal was advertised, service authorities and property owners in the immediate vicinity were notified and the proposal was advertised on two separate occasions in the Monaro Post.

Two property owners responded and their submissions are attached to this report.

Following the consultation process, the following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

408/19

That Council

- A. Approve the closure of part Barrack Street Cooma in accordance with the plan attached to this report following consideration of the submissions attached to the report;
- B. Submit a S138 Application (Roads Act NSW 1993) for consent to commence construction of the learner bike track whilst the road closure is proceeding; and
- C. Notify residents who submitted objections of the decision of Council.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 13: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.1.2 MINUTES OF THE CEMETERY ADVISORY COMMITTEE DATED 24 SEPTEMBER 2019

Record No:

Responsible Officer: Director Environment & Sustainability

Author: Group Manager Environmental Management

Attachments: 1. Minutes of the Cemetery Advisory Committee Dated 24 September 2019

2. Policy - Ordering Cemetery Plaques

3. Procedure - Ordering of Cemetery Plaques

EXECUTIVE SUMMARY

The Cemetery Advisory Committee met on 24 September 2019 in Berridale. The Committee's recommendations are presented for Council's consideration and adoption.

COUNCIL RESOLUTION

409/19

That Council

- A. Receive and note the minutes of the Cemetery Advisory Committee; and
- B. Adopt recommendation CAC2/19 of the meeting of the Cemetery Advisory Committee held on 24 September 2019.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 14: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.1.3 MINUTES - RESIDENTIAL AGED CARE ADVISORY COMMITTEE 22 JULY 2019

Record No:

Responsible Officer: Group Manager Community Support Services and Aged Care
Author: Executive Assistant to Acting Director Corporate and Community Services
Attachments: 1. Minutes - Residential Aged Care Advisory Committee 22 July 2019

EXECUTIVE SUMMARY

The Residential Aged Care Advisory Committee meeting was held on 22 July 2019 in Berridale. The Minutes are presented for Council's information.

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

COUNCIL RESOLUTION

410/19

That Council receive and note the Minutes of the Residential Aged Care Advisory Committee meeting held on 22 July 2019.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 15: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.1.4 SECTION 355 COMMITTEE RESIDENTIAL AGED CARE AND COMMUNITY CARE ADVISORY COMMITTEE REVIEW PROPOSAL

Record No:

Responsible Officer: Acting Director Corporate and Community Services
Author: Group Manager Community Support Services and Aged Care
Key Theme: 1. Community Outcomes
CSP Community Strategy: 1.2 High quality community support and residential aged care services are available and accessible to residents across the region
Delivery Program Objectives: 1.2.1 Competitive cost effective aged care and community support services are available within the region
Attachments: 1. Attachment A: Residential Aged Care Advisory Committee - Charter Cost Centre Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Residential Aged Care Advisory Committee has been operational since 2018. The Community Care Advisory Committee is not yet active. On 1 July 2019, new Aged Care Quality Standards came into force. Due to this change and its effect on overarching governance, we propose to merge both committees

into one named Community Services Committee.

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

COUNCIL RESOLUTION

411/19

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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 16: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.1.5 MONTHLY FUNDS MANAGEMENT REPORT - OCTOBER 2019

Record No:

Responsible Officer:	Director Corporate and Community Services
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.6 Increase and improve Council's financial sustainability.
Operational Plan Action:	OP7.18 Effective management of Council funds to ensure financial sustainability.
Attachments:	
Cost Centre	4010 Financial Services
Project	Funds Management
Further Operational Plan Actions:	OP7.2 Completion of reporting requirements in accordance with legislation.

EXECUTIVE SUMMARY

The following report details the funds management position for the reporting period ending 31 October 2019.

Cash and Investments are \$83,531,426.

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.

COUNCIL RESOLUTION

412/19

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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 17: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.1.6 BOMBALA LIBRARY EXPANSION OF OPENING HOURS

Record No:

Responsible Officer: Acting Director Corporate and Community Services
Author: Group Manager Community Support Services and Aged Care
Key Theme: 2. Economy Outcomes
CSP Community Strategy: 5.1 Advocate for and promote education and lifelong learning opportunities
Delivery Program Objectives: 5.1.1 The Region's Library Network promotes community connectedness and facilitates the provision of information and services for the community
Attachments: Nil
Cost Centre
Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Bombala Library is a hub for lifelong learning and is currently open 13.5 hours per week, over a period of 3 days. This is not meeting the needs of the Community as confirmed through consultation and survey data. State Library NSW recommend a minimum of 17 hours per week for branch Libraries located in areas with a population less than 10,000. Bombala fits this criterion with a population of 2,195 inclusive of Delegate and Cathcart (Census 2016). We propose that the Bombala Library expand on this to open 18 hours per week over a period of 4 days.

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

COUNCIL RESOLUTION

413/19

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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 18: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.2 KEY THEME 2. ECONOMY

9.2.1 DRAFT BOMBALA ACTIVATION PLAN

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Economic Development Officer
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	4.1 Attract diverse businesses and industries to the region, supporting their establishment and retention
Delivery Program Objectives:	4.1.1 Council's Regional Economic Development Strategy provides a framework that fosters and grows the Region's diverse businesses
Attachments:	1. Draft Activate Bombala 2020-25 2. Activate Bombala 2020-25 Community Consultation Survey Questions

EXECUTIVE SUMMARY

The attached "Draft Activate Bombala 2020-25" has been developed to improve liveability and attract working families to Bombala.

Activate Bombala 2020-25 is an 'activation plan' which details its own strategic context, a range of challenges Bombala needs to overcome and multiple actions for Council, the Bombala and District Chamber of Commerce, the Bombala business community and general community to implement over the next 3 - 5 years to 2025.

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

COUNCIL RESOLUTION

414/19

That Council endorse the Draft Activate Bombala 2020-25 for community consultation through December 2019 to the end of February 2020.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 19: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.2.2 MONARO RAIL TRAIL DRAFT FEASIBILITY REPORT

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Recreation Planner
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:	1. Draft Monaro Rail Trail Feasibility Study Volume 1 (<i>Under Separate Cover</i>) 2. Draft Monaro Rail Trail Feasibility Study Volume 2 (<i>Under Separate Cover</i>)
Cost Centre	7020
Project	Monaro Rail Trail Draft Feasibility Study Report
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

At the Council meeting held 19 September, Council was updated on the progress of the Monaro Rail Trail Feasibility Study. The project contract was awarded to Transplan Pty Ltd and Mike Halliburton Associates. Both Companies have a high level of experience and expertise within the subject area of rail trails.

The Draft Feasibility study report has been completed and is now available for Council review and further comment. The draft report is comprehensive and presents a number of outcomes in support of the proposed rail trail. There are a number of conditions that would need to be considered if the project were to proceed. One of the major issues pertaining to the development of the trail includes the requirement for the rail line to not be reinstated. It is recommended that a trail could not share the same corridor as a rail service.

The following report summarises the key outcomes of the draft Feasibility Study for Council's consideration. It is recommended that the Draft Feasibility Study be released on public exhibition for 21 days. This will allow for the general public to make any further comment or recommended changes to the draft report.

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

COUNCIL RESOLUTION

415/19

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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 20: Record of Voting

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

Councillors Against: Nil.

9.2.3 ADOPTION OF A NEW COUNCIL FEE FOR THE INTRODUCTION OF THE NEW SUBDIVISION WORKS CERTIFICATE

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Development Engineer
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:	Nil
Cost Centre	1505 Assets and Engineering Services
Project	Fee for
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

With the introduction of a new Subdivision Works Certificate (SWC) application under Section 6.13 of the Environmental Planning and Assessment Act 1979, Council must adopt a new fee structure. It is proposed that the new fee structure be the same as that adopted by Council in the 2019/2020 Fees and Charges for Construction Certificate applications as the only effective change has been a name change to separate the Construction Certificates for building works from subdivision works.

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

COUNCIL RESOLUTION

416/19

That Council

- A. Amend the 2019/2020 Fees and Charges to include Subdivision Works Certificate application fees;
- B. Adopt the 2019/2020 fee structure for a Construction Certificate application as the new fee structure for a Subdivision Works Certificate application; and
- 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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 21: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.3 KEY THEME 3. ENVIRONMENT

9.3.1 MINUTES OF THE RECREATIONAL FACILITIES COMMITTEE MEETING HELD ON 22 JULY 2019

Record No:

Responsible Officer: Director Operations & Infrastructure

Author:	Open Space & Recreation Manager
Key Theme:	1. Community Outcomes
CSP Community Strategy:	1.3 Recreation, sporting and leisure facilities encourage all ages to live in an active and healthy lifestyle
Delivery Program Objectives:	1.3.3 Council's recreational facilities, parks and public open spaces are safe, well managed and accessible
Attachments:	1. Recreation Committee minutes 22 July 2019
Cost Centre	N/A
Project	Recreational Facilities Committee of the 22 July 2019
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The Recreational Facilities Committee met on 22 July 2019 in the Cooma Council Chambers. The minutes from this meeting are attached for Council's information.

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

COUNCIL RESOLUTION

417/19

That Council receive and note the minutes of the Recreational Facilities Committee meeting of 22 July 2019.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 22: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.3.2 MINUTES OF THE WATER AND SEWER COMMITTEE HELD ON 29 OCTOBER 2019 AND ADOPTION OF RECOMMENDATIONS

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Group Manager Water & Wastewater Services
Attachments:	1. Business Paper to the SMRC Water and Sewer Committee held on 29 October 2019
	2. Final Draft Terms of Reference of the SMRC Water and Sewer Committee
	3. Draft minutes of the SMRC Water and Sewer Committee held on 29 October 2019

EXECUTIVE SUMMARY

The Water and Sewer Committee met on 29 October 2019 in Cooma at the Council chambers. The Committee's recommendations are presented for Council's consideration and adoption.

The following documents from the meeting are attached:

- Business paper
- Terms of Reference of the Water and Sewer Committee
- Draft Minutes of the meeting held on 29 October 2019

COUNCIL RESOLUTION

418/19

That the recommendations of the meeting of the Water and Sewer Committee held on 29 October 2019 be adopted.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 23: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.3.3 AMENDMENTS TO THE SMRC SEWERAGE PRICING AND BILLING POLICY

Record No:

Responsible Officer: Director Operations & Infrastructure
Author: Group Manager Water & Wastewater Services
Key Theme: 3. Environment Outcomes
CSP Community Strategy: 7.2 Water, waste, sewer and stormwater management practices are contemporary and efficient
Delivery Program Objectives: 7.2.1 Water and sewer management services and operations meet legislative and quality requirements
Attachments: 1. Submissions and Consultation Documentation - **Confidential**
Cost Centre 14-2110 Sewer Management
Project N/A
Further Operational Plan Actions:

EXECUTIVE SUMMARY

Following Council approval of 18 July 2019, the amendments to the Sewerage Pricing and Billing Policy was advertised for public comment in the Monaro Post on July 31, August 7,14,21,28 and September 4 2019 and on Councils website throughout this period. Submissions closed on 5 September 2019.

Additionally, an information pamphlet which noted the proposed amendment to the policy was sent to all customers with their bills in July/August 2019. The proposed amendments were also discussed at the public meetings held in Cooma and Jindabyne on 24 July 2019.

Seven comments were received and a summary of the comments received are in the attachments (Note all names and addresses have been redacted).

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

COUNCIL RESOLUTION

419/19

That Council

A. Approve the following proposed amendments to the SMRC Sewerage Pricing and Billing Policy:

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”:-

2.2.1 – Discount on sewer access charges for multiunit properties with area under 60m²

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.

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:

- 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.

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:

- The property owner shall make an application to Council for the discount
- Council’s approval to pump effluent only shall be attached to the application

B. All references in the current policy to the “Revenue Policy” to be amended to “Fees and Charges”.

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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 24: Motions Without Debate

The above officer’s recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.3.4 REQUEST FOR COUNCIL TO APPLY FOR POVEYS ROAD COLINTON TO BE TRANSFERRED TO COUNCIL AS A COUNCIL PUBLIC ROAD

Record No:

Responsible Officer: Director Operations & Infrastructure

Author: Land & Property Officer

Key Theme: 3. Environment Outcomes

CSP Community Strategy: 9.1 Transportation corridors throughout the region are improved and maintained

Delivery Program Objectives:	9.1.2 Our local road network is planned, built and repaired to improve movement across the region
Attachments:	1. Letter to Council and Replies - Poveys Road Colinton - Confidential 2. Map - Poveys Road Colinton - Confidential
Cost Centre	1802 – Roads Management Operations

EXECUTIVE SUMMARY

On 15 April 2019 Council received a letter from a resident who resides on Poveys Road, Colinton requesting that Council consider opening approximately 1.3 kms of Crown Road from the intersection of the Council public road (Poveys Road) travelling south east.

There is a creek crossing on the Crown road which currently is the responsibility of the Crown and if Council resolves to open the relevant section of Crown reserve road as a Council public road, then there will be significant costs incurred to remediate the creek crossing and construct the road to Council's standard.

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

COUNCIL RESOLUTION

420/19

That Council

- A. Decline the request to open the Crown reserve road section of Poveys Road as a Council public road;
- B. Notify the landowner of Council's decision; and
- 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 Memorandum of Understanding with the Crown and landowners.

Moved Councillor Rooney

Seconded Councillor Corbett

CARRIED

Note 25: Record of Voting

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

Councillors Against: Nil.

9.3.5 COUNCIL'S LISTING ON THE PROTECTION OF THE ENVIRONMENT OPERATIONS (CLEAN AIR) REGULATION 2010 - SCHEDULE 8

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Environmental Health Officer
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 Council's Listing on the POEO (Clean Air) Regulation
Further Operational Plan Action:

EXECUTIVE SUMMARY

Snowy Monaro Regional Council has been invited to review Council's listing within Schedule 8 of the *Protection of the Environment Operations (Clean Air) Regulation 2010*.

Currently Cooma-Monaro Shire Council is the only former Council entity listed within schedule 8 – which refers to controlling the burning of vegetation and domestic waste materials within areas where a waste collection service is provided.

By removing Cooma-Monaro Shire Council and including Snowy Monaro Regional Council, the Regulation will be amended to ensure consistency across the region.

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

COUNCIL RESOLUTION

421/19

That Council

- A. Resolve that all burning, including vegetation and domestic waste within areas with domestic waste collection services is prohibited except with Council approval; and
- 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.

Moved Councillor Rooney

Seconded Councillor Maslin

CARRIED

Note 26: Record of Voting

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

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

Note 27: Lost Motion for Amendment

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

"That Council

- A. Resolve that all burning, of domestic waste within areas with domestic waste collection services is prohibited except with Council approval; and*
- B. Endorse that Snowy Monaro Regional Council be included within Schedule 8 – Part 3 of the Clean Air Regulation as part of the remake of this Regulation."*

Note 28: Record of Voting for Amendment to Motion

Councillors For: Councillor Haslingden, Councillor Maslin, Councillor Old and Councillor Stewart.

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

Note 29: Adjournment of Meeting

At 7.20PM the meeting adjourned for a dinner break.

Note 30: Resumption of Meeting

The meeting resumed at 7.55PM.

9.3.6 MANAGING HEAVY VEHICLES IN BOMBALA TOWN CENTRE - COMMUNITY CONSULTATION

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Group Manager Asset Management & Engineering
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.2 Improve and maintain our public owned infrastructure and assets and facilities to a high standard
Delivery Program Objectives:	8.2.3 Major capital projects deliver improved community infrastructure and assets through the major project program
Attachments:	1. Managing Heavy Vehicles in Bombala Town Centre - Community Consultation Report
Cost Centre	
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The report on the Management of Heavy Vehicles in Bombala Town Centre was put to the community for their comments and input in the priorities for improving the Bombala Town Centre.

A consultation program was completed with the community using face to face and on-line processes to ensure maximum input on the project from the community.

As a result of the consultation, the equal highest priorities are: Option 2 Mahratta St Extension and Option 5 Town Centre Improvements.

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

That Council:

- A. Receive and note the 'Management of Heavy Vehicle Traffic in Bombala Town Centre' Community Consultation report.
- B. Seek grant funding for the design and construction of the Town Centre Improvements (Option 5).
- C. Seek grant funding for the design and project approvals for the Mahratta St Extension (Option 2).

MOVED COUNCILLOR ROONEY..... SECONDED COUNCILLOR HASLINGDEN

Record of Voting

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

COUNCIL RESOLUTION

422/19

That the matter be deferred for further consultation with the public including correspondence from the Bombala Chamber of Commerce.

Moved Councillor Stewart

Seconded Councillor Maslin

CARRIED

Note 31: Record of Voting

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

Councillors Against: Nil.

Note 32: Amendment to Original Motion

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

The original motion Moved: Clr Stewart, Seconded: Clr Maslin was:

“That Council:

- A. Receive and note the ‘Management of Heavy Vehicle Traffic in Bombala Town Centre’ Community Consultation report.*
- B. Seek grant funding for the design and construction of the Town Centre Improvements (Option 5).*
- C. Seek grant funding for the design and project approvals for the Mahratta St Extension (Option 2).”*

9.4 KEY THEME 4. LEADERSHIP

**9.4.1 MINUTES OF WASTE MANAGEMENT COMMITTEE MEETING HELD ON
5 NOVEMBER 2019**

Record No:

Responsible Officer: Group Manager Resource & Waste Management
Author: Resource & Waste Administration 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: 10.1.1 Council has a transparent and bold growth objective which provides a framework for decision making
Attachments: 1. Waste Management Committee Meeting minutes 5 November 2019
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Waste Management Committee met on 5 November 2019. The Committee’s recommendations from the meeting are presented for Council’s consideration and adoption.

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

COUNCIL RESOLUTION

423/19

That Council

- A. Receive and note the minutes of the Waste Committee held on 5 November 2019; and
- 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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 33: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.4.2 SECTION 355 COMMITTEE REVIEW UPDATE

Record No:

Responsible Officer:	Acting Director Corporate and Community Services
Author:	Governance Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.1 Planning and decision making is holistic and integrated and has due regard to the long term and cumulative effects
Delivery Program Objectives:	10.1.2 Integrated Planning and Reporting guides long term planning and organisational sustainability
Attachments:	1. s355 Proposed Timeline

EXECUTIVE SUMMARY

In November 2017 Council endorsed consistent criteria for Advisory and Management Committees, allowing Council to move forward with the implementation and consolidation of the Advisory Committees. Council also resolved to reappointment of the Management Committees as existing until a review could be undertaken.

This report provides an update on the review and current status of the committees.

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

COUNCIL RESOLUTION

424/19

That Council receive and note the information on the report Section 355 Committee Review Update.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 34: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

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 October 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 October 2019.

The Councillor Questions In Progress for the period ending October 2019 is attached to this report.

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

COUNCIL RESOLUTION

425/19

That Council receive and note the Councillor Questions In Progress report for the period ended October 2019.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 35: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

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 Action Sheet for Period ending October 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 October 2019.

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

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

COUNCIL RESOLUTION

426/19

That Council receive and note the In Progress Resolution Action Sheet Update for the period ending October 2019.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 36: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.4.5 ENDORSEMENT OF GOVERNMENT INFORMATION PUBLIC ACCESS (GIPA) POLICY, REDACTION POLICY AND AGENCY INFORMATION GUIDE

Record No:

Responsible Officer: Acting Director Corporate and Community Services
Author: Manager Corporate Governance
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. GIPA Policy
2. Agency Information Guide

EXECUTIVE SUMMARY

Council has developed a revised draft Government Information Public Access (GIPA) Policy and Agency Information Guide (AIG) as a result of changes to the legislation. In accordance with the legislative requirements these policies are required to be submitted for public exhibition and feedback prior to adoption by Council.

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

COUNCIL RESOLUTION

427/19

That Council resolve the draft GIPA Policy and Agency Information Guide to be placed on public exhibition for a period of 28 days.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 37: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.4.6 MINOR AMENDMENT TO ADOPTED COMPLAINTS HANDLING POLICY 245/18

Record No:

Responsible Officer:	Acting Director Corporate and Community Services
Author:	Governance IP&R Contractor
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	12.2 Residents have access to timely, relevant and accurate information on issues that affect them
Delivery Program Objectives:	12.2.2 Council provide convenient ways for customers to engage with us and we respond appropriately
Attachments:	1. Complaint Handling Policy 245/18 2. Complaint Management Policy
Cost Centre	3120

EXECUTIVE SUMMARY

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

COUNCIL RESOLUTION

428/19

That Council adopt the Complaints Management Policy.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 38: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.4.7 GRANT APPLICATIONS - ACTIVITY SYNOPSIS AS AT 30TH SEPTEMBER 2019

Record No:

Responsible Officer:	Chief Financial Officer
Author:	Grants Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	11.2 Council utilises sound fiscal management practices, pursues and attracts other sources of income

Delivery Program Objectives: 11.2.3 Alternative sources of revenue to rating income are identified and maximised

Attachments: Nil

Cost Centre 4010 – Finance (Grants Management)

Project Applications - Activity Synopsis as at 30th September 2019

Further Operational Plan Actions:

EXECUTIVE SUMMARY

This report provides an update on Grants activity for the quarter ended 30 September 2019.

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

COUNCIL RESOLUTION

429/19

That Council receive and note the information related to Grants activity for the quarter ending 30 September 2019.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 39: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.4.8 2019 ANNUAL REPORT ADOPTION

Record No:

Responsible Officer: Acting Director Corporate and Community Services

Author: Governance IP&R Contractor

Key Theme: 4. Leadership Outcomes

CSP Community Strategy: 12.1 Our community has multiple opportunities to be consulted and engaged in the development of plans, services and policies that affect the region

Delivery Program Objectives: 12.1.2 Community strategic planning is managed in partnership with the community

Attachments: 1. SMRC 2019 Financial Year Annual Report

Cost Centre 3120

Project Integrated Planning and Reporting

EXECUTIVE SUMMARY

The purpose of this report is to formally submit the SMRC 2019 Annual Report to Council, as required by Section 428 of the *Local Government Act 1993*. The purpose of an Annual Report is to provide open and transparent reporting to the community of the Snowy Monaro region.

The 2019 Annual Report details the achievements against the 2018/19 Operational Plan activities and

budget as well as a summary overview of the work undertaken in each Directorate.

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

COUNCIL RESOLUTION

430/19

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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 40: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.4.9 PRESENTATION OF 2019 FINANCIAL STATEMENTS

Record No:

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

EXECUTIVE SUMMARY

Council has received the external auditor's reports on the Financial Statements for the period 1 July 2018 to 30 June 2019. The Financial Statements and the external auditor's reports are included in the attachment.

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

COUNCIL RESOLUTION

431/19

That Council receive and note:

- A. General Purpose Financial Statements including independent external auditors report and report on the conduct of the audit;
- B. Special Purpose Financial Statements including independent external auditor's report; and
- C. Special Schedules and independent external auditor's report on the Permissible income for general rates.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 41: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.4.10 QUARTERLY BUDGET REVIEW STATEMENT (QBR) TO SEPTEMBER 2019

Record No:

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

EXECUTIVE SUMMARY

Council adopted its 2020 Operational Plan on the 20 June 2019, including details of Estimated Income and Expenditure.

The quarterly budget review statement for the period ended 30 September 2019 is now reported to Council.

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

COUNCIL RESOLUTION

432/19

That Council

- A. Receive the quarterly budget review statement (QBR) for the period ended 30 September 2019; and
- B. Authorise the adjustments to the Council's budgeted Income & Expenditure, Capital Expenditure and Cash & Investments as shown in the QBR.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 42: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

9.4.11 ORGANISATIONAL STRUCTURE REVIEW

Record No:

Responsible Officer:	General Manager
Author:	Acting Director Corporate and Community Services

Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.4 Council will manage service delivery in an efficient and sustainable way as an employer of choice
Delivery Program Objectives:	10.4.1 Council employs an engaged multi -skilled, workforce and encourages staff to take ownership of service delivery in a responsible and efficient manner
Attachments:	1. Senior Staff Positions and Responsibilities
Cost Centre	
Project	Organisational Redesign – Organisation Structure
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

A review of the organisation structure has identified proposed changes that affect the positions currently determined as senior staff positions.

It is proposed that only the positions where it is currently considered that the total remuneration required to attract suitable applicants meets the minimum requirements will be included as senior staff positions.

The roles proposed of the senior staff roles are:

- Chief Operating Officer (COO): Provision of services to the community.
- Chief Strategy Officer (CSO): Development of strategic direction and provision of internal services including governance, general administration and technology support services.
- Chief Executive Officer (General Manager): All other roles, including engagement, financial services and workforce planning.

These roles are shown pictorially in an attachment.

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

COUNCIL RESOLUTION

433/19

That Council

- A. Create the position of Chief Operating Officer as a senior staff position;
- B. Create the position of Chief Strategy Officer as a senior staff position;
- C. Designate the position of General Manager to be Chief Executive Officer;
- D. That the role of the senior staff positions be:
 - (a) Chief Operating Officer:
 - (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,
 - (ii) Develop plans of action to ensure that the strategies of Council are being achieved through the delivery of services and management of infrastructure.
 - (iii) Effective management of the resources provided by Council for the provision of services and infrastructure for the community.

- (b) Chief Strategy Officer:
- (i) Support the Council in the development of corporate strategy, other than financial strategies, but including community, land use and asset management planning.
 - (ii) Ensure the efficient and effective provision of strategic, governance, general administrative, fleet and technological support services.
 - (iii) Ensure robust project management techniques are in place and being utilised to manage the delivery of projects resourced by the Council.
 - (iv) The day to day management of the Internal audit function.
- (c) That the two positions report to the Chief Executive Officer.
- (d) Chief Executive Officer (General Manager):
- (i) Any functions not allocated to the Chief Operating Officer or Chief Strategy Officer.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

Note 43: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 401/19 above as there was no challenge by Councillors.

10. NOTICE OF MOTION

10.1 NOTICE OF MOTION - COUNCILLOR BOB STEWART_ RECURRING DONATIONS FOR NON PROFIT COMMUNITY GROUPS

Record No:

Responsible Officer: General Manager
Author: Councillor Bob Stewart
Attachments: 1. Copy of Notice of Motion

Councillor Bob Stewart has given notice that at the Ordinary Meeting of Council on 21 November 2019, he will move the following motion.

COUNCIL RESOLUTION

434/19

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.

Moved Councillor Stewart

Seconded Councillor Castellari

CARRIED

Note 44: Record of Voting

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

Councillors Against: Nil.

11. MAYORAL MINUTES

11.1 – GENERAL MANAGER’S PERFORMANCE REVIEW PANEL

COUNCIL RESOLUTION

435/19

That Council nominate Councillor Rogan Corbett for the General Managers Performance Review Panel

Moved Mayor Beer

Seconded Councillor Ewart

CARRIED

Note 45: Record of Voting

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

Councillors Against: Nil.

12. QUESTIONS WITH NOTICE

12.1 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.

12.2 FERAL CAT CONTROL

Councillor Brian Old

Question: Can there be something done about the feral cats at the Jindabyne tip?

12.3 ROADS

Councillor Sue Haslingden

Question: Can Council investigate developing a policy that it does not consider developments / big approvals that do not have access to a Council road?

13. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

436/19

1. THAT pursuant to Section 10A subsections 2 & 3 and Section 10B of the Local Government Act, 1993 (as amended) the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

13.1 Legal Actions and Potential Claims Against SMRC as at 31 October 2019

Item 13.1 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.2 Audit, Risk and Improvement Committee (ARIC) - Offer of Extension to Two Independent Members

Item 13.2 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.

13.3 Audit, Risk and Improvement Committee (ARIC) - Appointment of Independent Member

Item 13.3 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.4 Private Land Encumbered with Council Infrastructure

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 Replacement of Council's waste landfill compactor. plant 3088

Item 13.5 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.6 East Jindabyne RFS Shed Tender

Item 13.6 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.

13.7 Werralong Road - Proposed Acquisition With and Without Consent

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 Yallambee Lodge Extension - Principal Design Consultant Tender Award

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 2019-20 Weed Control Services - Northern region

Item 13.9 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.10 Sale of Southern Phone Company

Item 13.10 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.

13.11 Sale of 84 Polo Flat Road

Item 13.11 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 (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.

2. The press and public be excluded from the proceedings of the Council in Closed Session on the

basis that these items are considered to be of a confidential nature.

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

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Note 46: Invitation to Public

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

Note 47: Confidential Session of Committee

At 8.05pm the meeting was closed to the press and public.

Note 48: Resumption of Open Committee Meeting

At 8.40PM the Closed Session ended and the Council meeting continued in Open Session.

14. REPORT FROM CONFIDENTIAL SESSION

13.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 31 OCTOBER 2019

COUNCIL RESOLUTION

437/19

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 31 October 2019 report.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

13.2 AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - OFFER OF EXTENSION TO TWO INDEPENDENT MEMBERS

COUNCIL RESOLUTION

438/19

That Council

- 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.
- 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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

13.3 AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - APPOINTMENT OF INDEPENDENT

MEMBER

COUNCIL RESOLUTION

439/19

That Council

- 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.
- 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 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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

13.4 PRIVATE LAND ENCUMBERED WITH COUNCIL INFRASTRUCTURE

COUNCIL RESOLUTION

440/19

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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

13.5 REPLACEMENT OF COUNCIL'S WASTE LANDFILL COMPACTOR. PLANT 3088

COUNCIL RESOLUTION

441/19

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

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

13.6 EAST JINDABYNE RFS SHED TENDER

COUNCIL RESOLUTION

442/19

That Council :

- 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.
- B. Authorise the General Manager to execute the construction contract and issue the purchase order for the works.
- 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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

13.7 WERRALONG ROAD - PROPOSED ACQUISITION WITH AND WITHOUT CONSENT

COUNCIL RESOLUTION

443/19

That Council

- 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 provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* 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.
- 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 *Land Acquisition (just Terms Compensation) Act 1991* 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.
- C. To authorise the General Manager to execute all documents relevant to the acquisitions both without consent and with consent on behalf of Council.
- D. Agrees to bear all costs for the acquisition of the proposed lots.

Moved Councillor Rooney

Seconded Councillor Corbett

CARRIED

13.8 YALLAMBEE LODGE EXTENSION - PRINCIPAL DESIGN CONSULTANT TENDER AWARD

COUNCIL RESOLUTION

444/19

That Council:

- A. Award the Principal Design Consultant package for the Yallambee Lodge Extension contract to Ignite Architects Pty Ltd (ABN 28 109 256 368) for \$286,185.00 Including GST, and
- B. Authorise the General Manager to execute the contract.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

13.9 2019-20 WEED CONTROL SERVICES - NORTHERN REGION

COUNCIL RESOLUTION 445/19

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.

Moved Councillor Stewart

Seconded Councillor Haslingden

CARRIED

13.10 SALE OF SOUTHERN PHONE COMPANY

COUNCIL RESOLUTION 446/19

That Council:

- A. Agree to the sale of its share held in Southern Phone Company
- B. Authorise the Mayor and General Manager to negotiate the terms of any such sale.

Moved Councillor Stewart

Seconded Councillor Maslin

CARRIED

13.11 SALE OF 84 POLO FLAT ROAD

COUNCIL RESOLUTION 447/19

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.

Moved Councillor Maslin

Seconded Councillor Rooney

CARRIED

There being no further business the Mayor declared the meeting closed at 8.50PM.

CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 21 November 2019 were confirmed by Council at a duly convened meeting on 19 December 2019.