

BUSINESS PAPER

PUBLIC EXHIBITION COPY

Ordinary Council Meeting 17 September 2020

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

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

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

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

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

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Acknowledgement of Country

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

Webcasting

Council meetings are recorded and live streamed to the internet for public viewing. By entering the Chambers during an open session of Council, you consent to your attendance and participation being recorded and streamed on Council's website www.snowymonaro.nsw.gov.au

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

ON THURSDAY 17 SEPTEMBER 2020 COMMENCING AT 5:00PM

BUSINESS PAPER

1.	OPENING MEETING	
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3.	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS	
4.	CITIZENSHIP CEREMONIES	
5.	DISCLOSURE OF INTEREST (Declarations also to be made prior to discussions on each item)	
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8.1 AMENDMENT SNOWY RIVER LOCAL ENVIRONMENTAL PLAN 2013 MODIFICATION TO HIGHVIEW PLANNING PROPOSAL

Record No:

Responsible Officer: Coordinator Strategy Development

Author: Senior Strategic Land Use Planner

Key Theme: 3. Environment Outcomes

CSP Community Strategy: 8.1 Plan for rural, urban and industrial development that is

sensitive to the region's natural environment and heritage

Delivery Program Objectives: 8.1.2 Land use is optimised to meet the social, environment and

economic needs of the region

Attachments: 1. Amended Planning Proposal

2. Gateway Determination

3. Alteration to Gateway Determination

4. NSW Government Biodiversity Conservation Division (Formerly

OEH Advice)

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The planning proposal is for the rezoning and reduction in minimum lot size of Pt Lot 25 & 26 DP 1253407 and Lot 12 DP 1035279, Barry Way Jindabyne. This can only be achieved by amending the *Snowy River Local Environmental Plan (SR LEP) 2013*.

The subject planning proposal is to amend the SR LEP, 2013 by rezoning the subject site from zone RU1 Primary Production to zone R2 Low Density Residential, reduce the minimum lot size from 40 hectares to 700sqm and introduce a floor space ration of 0.5. This proposal requires amending the Land Zoning Map LZN_003AA, Lot Size Map LSZ_003AA and Floor Space Ratio Map FSR_003A in the *SR LEP 2013*.

The planning proposal is consistent with the Jindabyne Growth Structure Plan 2007. It involves the logical extension of a R2 Low Density Residential zone to include the subject site, where the Highview Estate subdivision is currently under construction. The further extension of the R2 zone will allow for future development consistent with the objectives of this direction and that will give effect to and are consistent with the aims, objectives and principles of the various strategies and planning schemes, including being broadly consistent with all relevant Ministerial Directions under section 9.1 of the *Environment Planning and Assessment Act 1979*. The planning proposal is, in the case of direction 1.2, not consistent however, these inconsistencies are justified by a strategy and are of minor significance.

RECOMMENDATION

That:

- A. The report from the Senior Strategic Land Use Planner on the Planning Proposal Pt Lot 25 & 26 DP 1253407 and Lot 12 DP 1035279 Barry Way be received;
- B. The amended Planning Proposal be submitted to the Minister of NSW Planning & Environment for a (altered) Gateway Determination in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979;*
- C. The Department of Planning, Industry and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the Planning Proposal; and
- D. In the event NSW Department of Planning, Industry & Environment issues an (altered) Gateway Determination to proceed with the Planning Proposal, consultation be undertaken with the community and government agencies in accordance with Schedule 1, Division 1, Clause 4 of the *Environmental Planning and Assessment Act 1979* and any directions of the Gateway Determination.

BACKGROUND

In May 2007 Snowy River Shire Council adopted the Jindabyne Growth Structure Plan 2007 (JGSP, 2007). The JGSP, 2007 identified the proposed site Pt Lot 25 & 26 DP 1253407 and Lot 12 DP 1035279 as being suitable for urban residential development.

On 28 November 2018 a planning proposal was lodged with Council (MA4003/2019) by Coastplan Consulting for Lot 25 & 26 DP 1253407 (formerly Lot 32 DP 1118132) Barry Way, Jindabyne. The proposal sought to rezone the western portion of the lot from zone RU1 Primary Production to zone R2 Low Density Residential and reduce the minimum lot size from 40 hectares to 700sqm.

On 7 March 2019 Council resolved (89/19) that:

- A. The report from the Senior Strategic Land Use Planner on the Planning Proposal Lot 32 DP 1118132 Barry Way be received.
- B. The Planning Proposal be submitted to the Minister of NSW Planning & Environment for a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.
- C. The Department of Planning and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the Planning Proposal.
- D. In the event NSW Department of Planning & Environment issues a Gateway Determination to proceed with the Planning Proposal, consultation be undertaken with the community and government agencies in accordance with Schedule 1, Division 1, Clause 4 of the Environmental Planning and Assessment Act 1979 and any directions of the Gateway Determination.

On 8 May 2019 the NSW Government issued a gateway determination subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:

- (a) the planning proposal is classified as low impact as described in A guide to preparing local environmental plans (Department of Planning and Environment 2016) and must be made publicly available for a minimum of 28 days; and
- (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment 2016).
- 2. Consultation is required with the Office of Environment and Heritage under section 3.34(2)(d) of the Act. The OEH is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
- 3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
- 4. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities. PP 2019 SMONA 001 00 (IRF 19/1931)
- 5. The planning proposal shall not be finalised until the NSW Government's Masterplan for Jindabyne is completed and the proposal is consistent with the outcomes of the completed Masterplan.
- 6. The time frame for completing the LEP is to be 18 months following the date of the Gateway determination.

On 23 May 2019 this planning proposal was referred to the Office of Environment and Heritage (OEH) in accordance with condition 2 of the Gateway determination. On 18 June 2019 OEH advised Council that "OEH involvement in site inspections on the Highview Estate indicated the area would appear to be suitable for residential development." And that "given the minor nature and inclusion in Jindabyne strategic planning statement a case could be made for rezoning".

From 26 June to 25 July 2019 the planning proposal was publicly exhibited in accordance with condition 1 of the Gateway determination. Three (3) submissions were received, these submissions focused on transport and traffic management, the need for a child care centre and a bypass road. A formal response on these matters was not received from the proponent.

On 16 March 2020, a revised gateway determination was received. This extended the timeframe to the Gateway determination to 9 October 2022 providing time for the proposal to be reconsidered following the Snowy Mountains SAP Masterplan completion in accordance with Gateway determination condition 5.

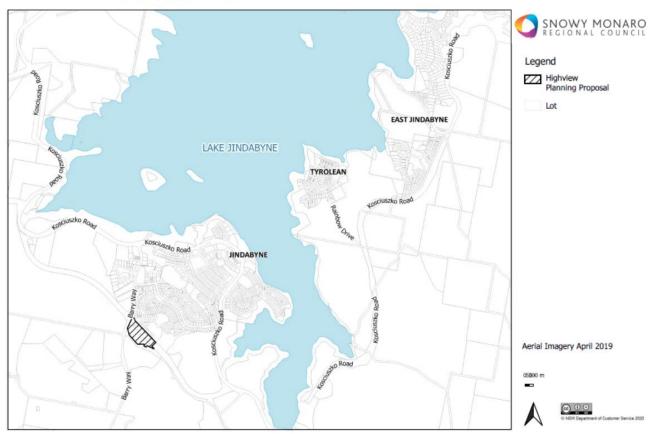
On 11 August 2020, an amended planning proposal was lodged with Council. The amended proposal seeks to include lot 12 DP 1035279 in the application which provides an additional 3.2ha of land to the application. The proposal seeks to amend the Snowy River Local Environmental Plan 2013 by rezoning part lot 25 & 26 DP 1253407 and Lot 12 DP 1035279 shown in figure 1 below from RU1 Primary Production to R2 Low-Density Residential, reducing the minimum lot size from 40ha to 700sqm and introduce a floor space ratio of 0.5.

ASSESSMENT

8.1

FIGURE 1 LOCALITY MAP





The planning proposal seeks to:

8.1

- Rezone part of the existing Lot 25 & 26 DP 1253407and Lot 12 DP1035279 from RU1
 Primary Production to R2 Low-Density Residential as identified in the zoning map attached
 to this Planning Proposal.
- To amend the minimum lot size map in the SR LEP, 2013 to change the minimum lot size for the subject site from 40ha to 700m².
- To amend the floor space ratio map in the SR LEP, 2013 to introduce a floor space ratio for the subject site of .5 to provide a consistent bulk and scale control for future development.
- Should the rezoning be successful the site would result in approximately 39 residential allotments and one lot for a childcare centre development.

FIGURE 2 INDICATIVE SUBDIVISION OF SUBJECT SITE (SUBJECT TO DEVELOPMENT ASSESSMENT SHOULD THE PLANNING PROPOSAL BE SUCCESSFUL)

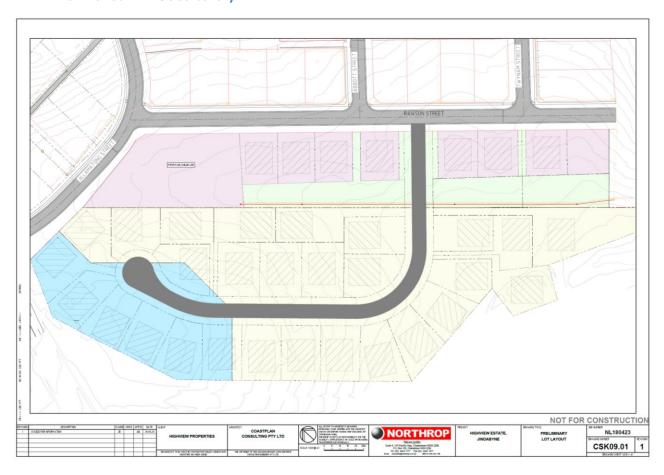


Table 1 below is an assessment of the proposals consistency with section 9.1 Ministerial Directions.

TABLE 1 MINISTERIAL DIRECTIONS

Section 9.1 Ministerial	Comment
Direction	
1.1 Business and Industrial Zones	Not applicable
1.2 Rural Zones	This direction applies when the planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone.
	However, a planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
	(a) justified by a strategy which:
	(i) gives consideration to the objectives of this direction,
	(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
	(iii) is approved by the Director-General of the Department of Planning, or
	(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or
	(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
	(d) is of minor significance.
	In this regard the proposal is justified by the Jindabyne Growth Structure Plan 2007 is in accordance with the regional strategy and the proposal is of minor significance. As such any inconsistencies are justified.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable

1.5 Rural Lands

8.1

Direction 1.5 Rural Lands requires that when a council prepares an LEP for land within a rural or environment protection zone it needs to be consistent with the rural planning principles listed in clause 7 of the SEPP which are set out below.

Rural Planning Principles

The Rural Planning Principles are as follows:

- (a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,
- (b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,
- (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,
- (d) in planning for rural lands, to balance the social, economic and environmental interests of the community,
- (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,
- (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,
- (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,
- (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

In relation to the relevant Rural Planning Principles

- a) most of the subject site is currently permitted to be used for residential purposes under the provisions of Clause 5.3(2)(a) of the Snowy River LEP 2013. The remaining part of the site is not suitable for rural uses due to its size and narrow width.
- b) The proposal will not impact on the changing nature

	of agriculture and of trends, demands and issues in agriculture in the area. c) The proposal will only affect a small area of land in the rural zone and the rezoning of this land will not affect the social and economic benefits of rural land use and development. d) N/A e) The rezoning of the land will not impact on biodiversity, the protection of native vegetation, the importance of water resources and will avoid constrained land f) N/A g) The rezoning proposal will not be serviced by existing infrastructure. h) The Snowy River Rural Lands Strategy and Rural Lands Study has been addressed above and there is no regional strategy of the Department of Planning applicable to the land. This planning proposal is consistent with the relevant rural planning principles as justified above and as such is consistent with ministerial direction 1.5 Rural Lands.
2.1 Environment Protection Zones	Not applicable
2.2 Coastal Management	Not applicable
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.
	The subject site is not far removed from the Jindabyne Winter Sports Academy at 207 Barry Way identified as a Heritage Item of Local Significance under Schedule 5 of the Snowy River Local Environmental Plan 2013 (see Figure 4 in Appendix A).
	The Planning Proposal will have a negligible impact on this item and facilitate its conservation.
	An Aboriginal Heritage Assessment Report has been prepared for this part of the site as part of the application for subdivision of the Highview Estate. The report has not identified any items of Aboriginal heritage on the subject site.
	As such the planning proposal is consistent with this direction.
2.4 Recreation Vehicle Areas	Not applicable

Overlays in Far North Coast LEPs		
3.1 Residential Zones	(1) The obje	ectives of this direction are:
	(a)	to encourage a variety and choice of housing types to provide for existing and future housing needs,
	(b)	to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
	(c)	to minimise the impact of residential development on the environment and resource lands.
	This direction applies when a relevant planning authority prepares a planning proposal that will affect land within: (a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary), (b) any other zone in which significant residential development is permitted or proposed to be permitted. (4) A planning proposal must include provisions that encourage the provision of housing that will:	
	(a)	broaden the choice of building types and locations available in the housing market, and
	(b)	make more efficient use of existing infrastructure and services, and
	(c)	reduce the consumption of land for housing and associated urban development on the urban fringe, and
	(d) be of good design.(5) A planning proposal must, in relation to land to which this direction applies:	
	(a)	contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
	(b)	not contain provisions which will reduce the permissible residential density of land.

The Planning Proposal is consistent with this direction in that: It involves a small strip of RU1 Primary Production zoned land, partly used as part of the Highview Estate subdivision by way of the "rubber boundary provisions" of the SR LEP, 2013 and a residual area no longer suitable for use for primary production due to its narrow width and size. The rezoning of this land to R2 Low Density residential in accordance with the zoning of land immediately to the east will broaden the choice of building types and locations available within the housing market in this locality and take advantage of the existing infrastructure capacity, currently provided to the Highview Estate subdivision. It will form a logical boundary between urban development and the urban fringe. The land will be adequately serviced as the servicing of the land has been addressed in the development of part of the site for a seniors housing development and the Highview Estate. It does not include any provisions which seek to reduce the permissible residential density of the land to be rezoned. Not applicable 3.2 Caravan **Parks** and **Manufactured Home Estates** 3.3 Home Occupations Not applicable The objective of this direction is to ensure that urban 3.4 Integrating Land Use **Transport** structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: improving access to housing, jobs and services (a) by walking, cycling and public transport, and increasing the choice of available transport (b) and reducing dependence on cars, and reducing travel demand including the number (c) of trips generated by development and the distances travelled, especially by car, and supporting the efficient and viable operation (d) of public transport services, and

(e)

providing for the efficient movement of

8.1

	freight.		
	A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:		
	(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and		
	(b) The Right Place for Business and Services — Planning Policy (DUAP 2001)		
	The Planning Proposal involves the logical extension of a R2 Low Density Residential zone to include the subject site, where the Highview Estate subdivision is currently under construction. The further extension of the R2 zone will allow for future development consistent with the objectives of this direction and that will give effect to and are consistent with the aims, objectives and principles of the documents mentioned in (a) and (b) above.		
3.5 Development Near Regulated Airports and Defence Airfields	Not applicable		
3.6 Shooting Ranges	Not applicable		
4.1 Acid Sulfate Soils	Not applicable		
4.2 Mine Subsidence and Unstable Land	Not applicable		
4.3 Flood Prone Land	Not applicable		
4.4 Planning for Bushfire Protection	Not applicable		
5.1 Implementation of Regional Strategies	Not applicable refer to direction 5.10		
5.2 Sydney Drinking water Catchments	Not applicable		
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable		
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable		
5.9 North West Rail Link Corridor Strategy	Not applicable		

5.10 Implementation of Regional Plans	This direction requires that the planning proposal be consistent with the Regional Plan prepared by the Minister for Planning.
	The South East Tablelands Regional Plan 2036 (SET RP) was released in July 2017 and applies to the region including Jindabyne. The following directions are relevant to the planning proposal.
	Direction 3: Develop the Snowy Mountains into Australia's premier year-round alpine destination
	The proposal will be consistent with this direction in that the rezoning of the land will provide opportunities for additional housing the residential zone which will enhance opportunities for visitation to the Snowy Mountains
	Direction 24: Deliver greater housing supply and choice
	The proposal will be consistent with this direction in that it will provide opportunities for additional housing which will promote increased housing choice within Jindabyne.
	Direction 25: Focus housing growth in locations that maximise infrastructure and services
	The planning proposal will be consistent with this direction in that the housing will be provided in Jindabyne where the infrastructure and services can be maximised.
	The proposal is consistent with direction 5.10.
6.1 Approval and Referral Requirements	Not applicable
6.2 Reserving Land for Public Purposes	Not applicable
6.4 Site Specific Provisions	Not applicable
Part 7 Metropolitan Planning	Not applicable

As outlined in the table above the planning proposal is broadly consistent with all relevant Ministerial Directions under section 9.1 of the *Environment Planning and Assessment Act 1979*. In the case of direction 1.2 the proposal is not consistent however these inconsistencies are justified by a strategy and are of minor significance.

The Planning Proposal seeks to gives effect to the Snowy Monaro Local Strategic Planning Statement adopted by Council in May 2020. This planning proposal responds in particular to Planning Priority 9 "Provide a variety of housing options throughout the Snowy Monaro". This planning proposal achieves this by responding to demand for greater residential development in and around Jindabyne, this demand is reflected in high property values in comparison to other towns in the Snowy Monaro. This proposal will result in greater housing supply in a tightly held market which has limited visual and environmental impact while also making efficient use of existing infrastructure.

8.1

This planning proposal also gives effect to planning priorities; 2, 7, 8, 10, 11 and 12 by providing a consistent, logical and contiguous development of Jindabyne in an area which limits visual impacts and responds to environmental factors and natural hazards. The proposal also seeks to provide for efficient use of existing infrastructure and capitalise on growth by providing suitable residential land.

The planning proposal is consistent with the Jindabyne Growth Structure Plan 2007 (JGSP, 2007), which provides a strategic framework for the growth of Jindabyne from 2007 until 2027. This plan was adopted by Snowy River Shire Council in May 2007 and recommends the subject site be rezoned to allow for general residential development. It is considered that zone R2 Low Density Residential is the most suitable for the site given its proximity to Jindabyne Town Centre. The sites size and shape makes it unsuitable for primary production.

The site was identified as a potential bypass route which was later not pursued. The land is currently in private ownership and the proposal is consistent with the JGSP. JGSP proposed an alternative alignment for a collector/bypass road considering the tenure of the land (shown in figure 3 below). This alignment utilises a traveling stock reserve which is land owned by the NSW Government. This alignment would allow this proposal to be made consistent with a bypass/collector road connecting Barry Way and Kosciusko Road.

FIGURE 3 EXERT FROM JINDABYNE GROWTH STRUCTURE PLAN 2008



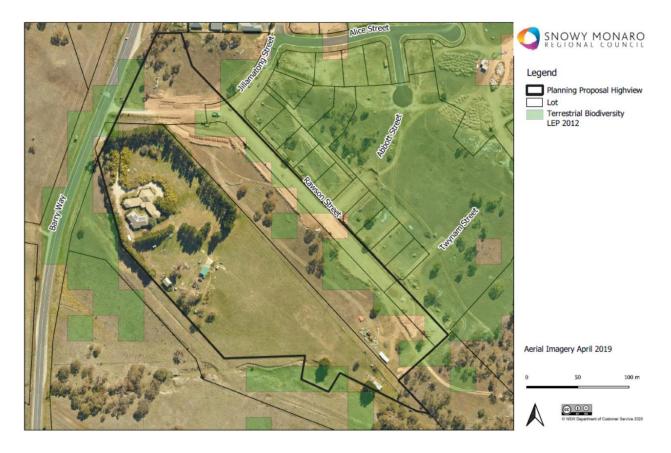
8.1

The Snowy Mountains SAP Masterplan process is considering a Jindabyne bypass route. This site was previously identified as a bypass route, and its use for such a purpose may arise again in the future. Due to the present uncertainty of the outcome, it is not considered a reason to withhold the proposal from proceeding to a gateway determination. It may be that as the Snowy Mountains SAP masterplan progresses, the potential bypass is an issue which will receive more clarity later in the year.

BIODIVERSITY

The site appears to be heavily disturbed as part of previous and surrounding development. The narrow residual strip to the western boundary of the lot contains little remnant vegetation. The amended planning proposal is unlikely to have any significant environmental impact and is unlikely to result in threatened species, populations or their habitats being adversely affected. Not withstanding this the amended proposal should be referred to the NSW Government Biodiversity Conservation Division (BCD) should a revised gateway determination.

FIGURE 4: AERIAL IMAGE OF SITE WITH TERRESTRIAL BIODIVERSITY MAPPING OVERLAYED



CONCLUSION

8.1

The planning proposal for Pt Lot 25 & 26 DP 1253407 and Lot 12 DP 1035279 Barry Way Jindabyne to amend the SR LEP, 2013 by reducing the minimum lot size from 40ha to 700sqm and rezone the site from zone RU1 Primary Production to zone R2 Low-Density Residential is considered to be consistent with Council's strategic framework and should be progressed by Council. The proposal is considered to be consistent with relevant legislation and ministerial directions. In addition, the planning proposal delivers on a recommendation from the JGSP and is broadly consistent with Councils LSPS.

In conclusion, it is considered that the proposal is generally economically, socially and environmentally acceptable, having regard to the surrounding natural and built environment. Accordingly, it is recommended that the amended proposal is sent to the NSW Government DPIE for a revised Gateway determination.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The planning proposal will not have a negative social impact. As identified below the proposal is unlikely to have a negative impact on the environment and will have a positive economic impact. This positive economic impact upon the local construction industry and the increase in population's positive impact on local retail will lead to positive social outcomes.

No known items or places of European or Aboriginal cultural heritage or proximate heritage items have been identified in the proposal which will be adversely impacted.

This proposal will also provide more housing stock and diversity in a tight housing market which will allow the community more choice in addition to seeing the community grow.

2. Environmental

The site is identified on the SR LEP 2013 terrestrial biodiversity map (BIO_003) the proponent has provided the following response as part of the planning proposal;

Notwithstanding the general biodiversity affectation on Council's mapping, it is evident that no critical habitat or threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the Planning Proposal. A Flora and Fauna Assessment was carried out for the development of the Highview Estate on. However, since this time several species that may occur in this locality have been listed as Threatened Species. This may require some further investigation should the application for rezoning be supported.

The site has been heavily disturbed as part of the Highview Estate Subdivision, or the application for the seniors housing on the site. The narrow residual strip to the western boundary of the lot contains little remnant vegetation. It is therefore evident that the planning proposal is unlikely to have any significant environmental impact and is unlikely to result in threatened species, populations or their habitats being adversely affected.

Should the altered Gateway determination be favourable it is expected a referral to BCD will be required to satisfy Gateway determination conditions. It is likely further investigations will be

required post gateway to establish if any impact on biodiversity this rezoning may have. Further investigations are not required at this stage.

3. Economic

This is an owner initiated planning proposal, Coastplan Consulting is the recognised applicants as such the relevant fees have been paid as outlined by the Council Fees and Charges. These fees are designed to cover the costs of Council resources in preparing this report and sending the planning proposal to the Department of Planning and Environment for a Gateway determination. Should the altered Gateway be determined, further favourable fees will be required from the proponent to cover the cost of council resources in progressing the planning proposal.

The subject site is currently zoned RU1 Primary Production is seeking to be rezoned R2 Low-Density Residential. Arguably this is more appropriate zoning of the land having regard to the existing Highview Estate subdivision currently under construction, partially within the subject site and immediately to the east of that area to be rezoned. The inclusion of the subject site for this purpose will have a positive social and economic impact on the availability of housing and other permissible uses in this locality.

Employment resulting from potential future uses of the site for different purposes in accordance with the R2 Low Residential zone, which will have a positive economic outcome.

4. Civic Leadership

In pursuing the planning proposal Council upholds the recommendations of the Jindabyne Growth Structure Plan adopted by Snowy River Shire Council in May 2007. The JGSP, 2007 provides a framework for Jindabyne's potential growth to 2027 and identifies locations for a diverse range of residential developments.

The planning proposal is broadly consistent with the Snowy Monaro Local Strategic Planning Statement adopted by Council in May 2020.

The planning proposal is consistent generally with all relevant section 9.1 Ministerial Directions, where there are inconsistencies these can be justified in accordance with the requirements of the direction.

8.1



Planning Proposal

at

Pt Lot 25 & 26 DP 1253407

Formally known as Lot 32 DP1118132 and

Lot 12 DP 1035279

Barry Way

Jindabyne

Prepared for

Highview Estate Properties-Erina Investments Holdings P/L

Village Style Retirement Services P/L

November 2018 Amended July 2020 (Project No 1809)

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8.1 AMENDMENT SNOWY RIVER LOCAL ENVIRONMENTAL PLAN 2013 MODIFICATION TO HIGHVIEW PLANNING PROPOSAL

ATTACHMENT 1 AMENDED PLANNING PROPOSAL

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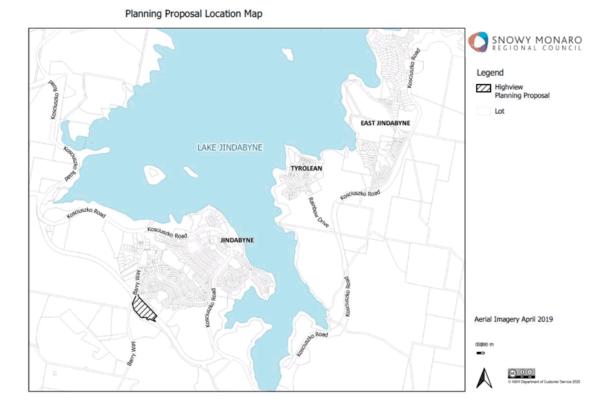
Preliminary

This Planning Proposal has been drafted in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 and the Department of Planning and Environment's 'A Guide to Preparing Planning Proposals' dated August 2016.

Subject Site

The subject site is the western part of the site known as Pt Lot 25 & 26 DP 1253407 and Lot 12 DP1035279 Barry Way, Jindabyne as shown in, figure 1 & 2 below.

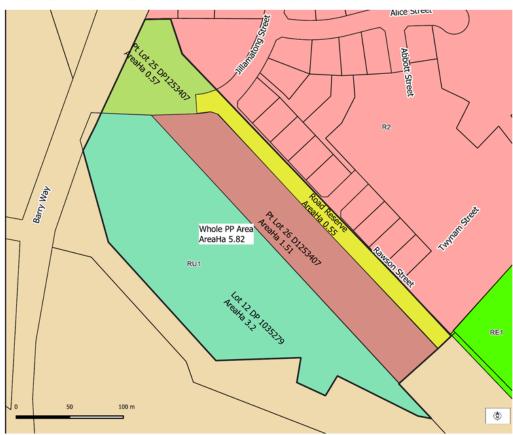
FIGURE 1 LOCALITY MAP



The land comprises two lots that are irregular in shape with Lot 25 & 26 DP1253407 having a frontage to Barry Way, proximate to its intersection with Jillamatong Street and lot 12 having frontage to Barry Way, Jindabyne. Lot 32 has a site area of approximately 2.6ha and Lot 12 has an area of 3.2ha with a total area of 5.8ha.

Planning Proposal Part Lot 26 DP 1253407 and Lot 12 DP1035279 Barry Way Jindabyne Page 3





The subject site is currently zoned RU1 Primary Production under the *Snowy River Local Environmental Plan 2013* (SR LEP) and adjoins land to the east that is part of the Highview Estate subdivision. It is only proposed to rezone part of the site as to enable it to be used for residential uses as the remaining part of the site is steep and contains a significant gully as such it is not suitable for residential use. It is proposed to rezone the subject site R2 Low Density Residential in accordance with the zoning of the immediately adjoining land to the north and east. It is the owner's intention to lodge an application for subdivision which will create the site that will be subject to the rezoning and an application for the erection of a childcare centre on the lot created by the subdivision.

It is noted that Pt lots 25 ad 26 of DP1253407 of the subject planning proposal apply to land which was formerly identified as part of a 'bypass road' this plan was subsequently not

preceded with. A preferred bypass alignment passing south of lot 12 and DP 1035279 was identified in the Jindabyne Growth Structure Plan this is discussed in further detail below.

Background

The original planning proposal was submitted to council which related to Pt Lot 25 & 26 DP 1253407 formally known as Lot 32 DP1118132 and a Gateway Determination was issued by the Department of Planning Industry and Environment. A condition on the Gateway determination required that the planning proposal shall not be finalised until the NSW Government's Masterplan for Jindabyne is completed and the proposal is consistent with the outcomes of the completed Masterplan. The Masterplan for Jindabyne will not be finalised for the near future. The owner of Lot 26 recently entered an agreement to purchase Lot 12 and has intensions of developing the land for residential subdivision and now requests that this lot be included in the planning proposal.

Under previous Environmental Planning Instruments, Lot 26 was reserved for construction of a bypass to Jindabyne, however, this proposal was later abandoned. On land immediately adjoining the subject site to the east, the development application for the Highview Estate subdivision utilised the *5.3 Development Near Zone Boundaries* provisions of the Snowy River Local Environmental Plan 2013, to allow for development of the subdivision 50m into zone RU1 Primary Production zoned land within the subject site, in accordance with the allowances under Clause 5.3(2)(a). The resultant subdivision as per the relevant consents, left a residual strip of land approximately 15m wide within zone RU1 Primary Production that is impractical for usage for primary production purposes or for residential development if the land was later rezoned for residential purposes. Since the submission of the original Planning Proposal a further development application has been submitted to council for the subdivision of part of Lot 26 which also utilises the provisions of Clause 5.3 of the SRLEP.

Lot 12 adjoins Lot 26 to the south west and is currently used for Bed and Breakfast (B&B) accommodation. A draft lot layout has been prepared and is included in Appendix B to this Planning Proposal which indicates that the land, (if rezoned), can be developed in an orderly manner with the adjoining land.

Development Consent has been issued by Council for the erection of a Seniors Housing development on the part of the site that is subject to the rezoning and this consent has been

commenced. It is not the proponent's intent to proceed with the Seniors Housing Development on this site at this stage. Rather, a rezoning is being sort for a more efficient use of the land via residential and a childcare development which will not result in an unusable residual lot.

Development consent has been granted by council for the construction of a childcare centre on part of Lot 26 at the corner of Jillamatong and Rawson Streets.

This Planning Proposal is being prepared for the rezoning of Lot 12 DP 1035279 and that part of Lot 25 & 26 DP 1253407 that is suitable to be zone R2 Low Density residential zone with the remaining part of the site to be retained within the zones RU1 Primary Production and RE2 Private Recreation zones. The proposal also seeks to amend the lot size map to change the minimum lot size from 40ha to 700m².

PART 1 OBJECTIVES OR INTENDED OUTCOMES

The objectives of this planning proposal are:

- To rezone part of the existing Lot 25 & 26 DP 1253407and Lot 12 DP1035279 from RU1 Primary Production to R2 Low Density Residential as identified in the zoning map attached to this Planning Proposal.
- To amend the minimum lot size map in the SR LEP, 2013 to change the minimum lot size for the subject site from 40ha to 700m².
- To amend the floor space ratio map in the SR LEP, 2013 to introduce a floor space ratio for the subject site of 0.5:1 to provide a consistent bulk and scale control for future development.
- Should the rezoning be successful the site would result in approximately 39 residential allotments and one lot for a childcare centre development.

PART 2 EXPLANATION OF PROVISIONS

The proposed outcome will be achieved by amending the Snowy River Local Environmental Plan 2013 Land Zoning Map – Sheet LZN_003AA as it currently applies to the subject site, by changing the zoning from RU1 Primary Production to R2 Low Density Residential; by amending the Lot Size Map – Sheet LSZ_003AA applying to the site from 40ha (AB5) to 700m² (Q) and by amending Floor Space Ratio Map FSR_003A by inserting a ratio of 0.5:1 for the subject site in the *SR LEP 2013*.

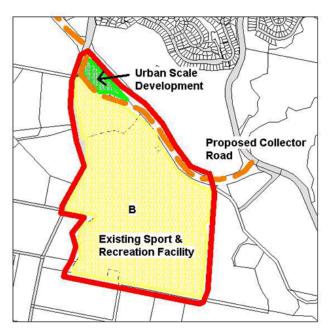
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PART 3 JUSTIFICATION

As mentioned in the *Background* section of this report, the subject site was historically identified as the route for a bypass road to Jindabyne, however, the project was later abandoned. The provisions Clause 5.3(2)(a) of the Snowy River Local Environmental Plan 2013 were utilised to enable a use of the majority of Lot 26, as part of the Highview Estate residential subdivision to the east. The utilisation of these provisions in respect of the subject site effectively left a narrow strip of land on Lot 26 unfit for the purposes of primary production and considered more suitable to permissible uses within a R2 Low Density Residential zone, as the land has similar attributes to the land that has been developed to the east. Development consent has been issued by Council for the erection of a Seniors Housing development on the part of the site that is subject to the rezoning and this consent has been commenced.

The Jindabyne Growth Structure Plan considered the growth of Jindabyne, connectivity and permeability and made recommendations based on this. The JGSP considered that an alternative alignment south of lot 12 DP 1035379 along a traveling stock reserve (TSR) would be a preferred option and provide a boundary between the 'urban areas' of Jindabyne and the 'rural residential' areas.

FIGURE 3 – JINDABYNE GROWTH STRUCTURE PLAN 2008 RECOMMENDED COLLECTOR ROAD ROUTE



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Lot 12 DP 1035279 adjoins Lot 26 and adjoins Crown Land to the south west that is classified as a travelling stock route. The land further to the south east is also crown land. Lot 12 DP 1035279 has an area of 3.2 ha which is well below the minimum lot size in the zone of 40ha. This site, because of its size is not suitable for agricultural purposes and would be suitable for use for residential purposes given its topography and location in relation to the Highview Estate where suitable services are located.

A meeting was held with the owner of the Highview Estate and the Department of Planning Infrastructure and Environment to discuss the Jindabyne Masterplan. The department indicated that consideration was being given to the possibility of providing a by-pass to Jindabyne with the route of the by-pass being as originally proposed. The part of the site that is the subject to this planning proposal in included in this area. However, a number of development consents have been issued on this part of the land and it is proposed as part of the DA for the subdivision of the Highview Estate to construct the intersection of Jillamatong Street and Barry Way which would impact on the construction of the by-pass in the original location. I believe that there is an opportunity to utilise Lot 26 DP 1253407 for the majority of the by-pass as originally proposed until reaching the subject site and then align the road with the travelling stock route on land owned by the Crown without impacting on the subject site.

Section A - Need for the Planning Proposal

 Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Planning Proposal gives effect to the Snowy Monaro Local Strategic Planning Statement adopted by Council in May 2020. This planning proposal responds in particular to Planning Priority 9 "Provide a variety of housing options throughout the Snowy Monaro". This planning proposal achieves this by responding to demand for greater residential development in and around Jindabyne, this demand is reflected in high property values in comparison to other towns in the Snowy Monaro. This proposal will result in greater housing supply in a tightly held market which has limited visual and environmental impact while also making efficient use of existing infrastructure.

This planning proposal also gives effect to planning priorities; 2, 7, 8, 10, 11 and 12 by providing a consistent, logical and contiguous development of Jindabyne in an area which limits visual impacts and responds to environmental factors and natural hazards. The proposal

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also seeks to provide for efficient use of existing infrastructure and capitalise on growth by providing suitable residential land.

The subject site was strategically assessed in the Jindabyne Growth Structure Plan (JGSP) 2007 and the plan recommends that the site be rezoned to an urban scale development. The JGSP was adopted by Snowy River Shire Council in May 2007, in relation to the subject site the plan states "Develop small area of land immediately south of High view Estate for general residential" (p.12).

"The area immediately adjoining and to the south of Highview Estate could easily be developed for urban scale development. Infrastructure can be readily provided to this portion of the area and development would have minimal adverse visual impacts." (p.12)

The JGSP made the following recommendation in regards to the subject site, "Incorporate provisions in the new Urban LEP to appropriately zone the area immediately to the south of Highview Estate for general residential development" (p.12). In 2013 the new SR LEP was gazetted though this recommendation was not addressed and a 'like for like' zoning was proceeded with. This planning proposal seeks to address the oversite and fulfil this recommendation from the JGSP. Zone R2 Low Density Residential is considered the most suitable zone due to the location of the subject site and surrounding land zones.

2. Is the planning proposal the best means of achieving the objectives or intended outcome or is there a better way?

The Planning Proposal is considered the best means of achieving the objectives and intended outcomes in this regard. The RU1 Primary Production zoning over the subject site is not appropriate, having regard to the size of the land. The minimal effective width of Part Lot 26 and useable site area for that purpose. The existing and potential future uses on the subject site would more appropriately relate to the R2 Low Density Residential zone and Highview Estate subdivision to the east and a rezoning is the best way to achieve this outcome.

Section B - Relationship to Strategic Planning Framework

 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including exhibited draft Strategies?)

The South East Tablelands Regional Plan 2036 (SET RP) was released in July 2017 and applies to the region including Jindabyne. The following directions are relevant to the planning proposal.

Direction 3: Develop the Snowy Mountains into Australia's premier year-round alpine destination

The proposal will be consistent with this direction in that the rezoning of the land will provide opportunities for additional housing the residential zone which will enhance opportunities for visitation to the Snowy Mountains

Direction 24: Deliver greater housing supply and choice

The proposal will be consistent with this direction in that it will provide opportunities for additional housing which will promote increased housing choice within Jindabyne.

Direction 25: Focus housing growth in locations that maximise infrastructure and services
The planning proposal will be consistent with this direction in that the housing will be provided
in Jindabyne where the infrastructure and services can be maximised.

4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Snowy Monaro Local Strategic Planning Statement

As mentioned above The Planning Proposal gives effect to the Snowy Monaro Local Strategic Planning Statement adopted by Council in May 2020. This planning proposal speficially gives effect to the following Planning Priorities identified in the SM LSPS:

Planning Priority 2 "Protect and enhance the scenic landscape of the region". This
proposal is occurring in an area which is not prominent and it is unlikely development
would negatively impact on the landscape.

- Planning Priority 7 "Support development of the Snowy Mountains as Australia's
 premier year round alpine destination". This planning proposal will help support the
 development of the Snowy Mountains as Australia's premier year round alpine
 destination by providing land for residential development which will assist in provide
 for the reasonable provision of short and long term accommodation.
- Planning Priority 9 "Provide a variety of housing options throughout the Snowy Monaro". This planning proposal achieves this by responding to demand for greater residential development in and around Jindabyne, this demand is reflected in high property values in comparison to other towns in the Snowy Monaro. This proposal will result in greater housing supply in a tightly held market which has limited visual and environmental impact while also making efficient use of existing infrastructure.
- Planning Priority 11 "Foster resilient, enduring and safe local communities using land
 use planning controls which address local and regional natural hazards". This
 proposal provides for land outside of flood and bushfire prone lands. Any development
 as part of this proposal will be connected to Jindabyne's pedestrian and shared path
 network to provide active transport links to services and recreational areas.
- Planning Priority 12 "Capitalise on growth and change by preparing for new business
 and population". The proposal also seeks to provide for efficient use of existing
 infrastructure and capitalise on growth by providing suitable residential land.

Town & Village Planning – Jindabyne

The subject site forms part of the western edge of the Jindabyne Action Plan, commencing a planning process for the urban areas of Jindabyne Kalkite, East Jindabyne and Tyrolean Village and their 3500 residents and visitors. The plan is still under development, but ultimately seeks to establish meaningful strategies for the coming 20 years so that long term planning issues such as climate change, ageing population, provision of community services and facilities, town centre revitalisation, transport, education and provision of infrastructure to sustain growth, can be addressed. The Planning Proposal is consistent with the Jindabyne Growth Structure Plan, being within the relevant catchment of where the broad level of growth should occur, and other identified strategies for Jindabyne.

Snowy River Rural Lands Strategy

The Snowy River Rural Lands Strategy and Rural Lands Study represent Council's direction into the future on rural land.

This document together with other strategic planning documents inform policy and planning on development of rural lands and settlement across the Shire.

The Planning Proposal to rezone the subject site which includes a small rural lot and an unusable strip of land for primary production currently zoned RU1 Primary Production, to R2 Low Density Residential, will not conflict with the Rural Land Strategy or other strategic outcomes, given its unfit size and configuration for use as primary production.

Cooma-Monaro Comprehensive Koala Plan of Management

The CKPoM is required to be prepared in accordance with State Environmental Planning Policy No. 44 Koala Habitat Protection (SEPP 44). The management plan, which is currently in draft form, will seek to address the existing, future and continuing koala habitat issues to ensure the ongoing survival of the species in the study area.

The subject site is within the CKPoM catchment and identified as containing biodiversity under the Snowy River Local Environmental Plan 2013 mapping (see Appendix A to this report). Notwithstanding, given that the majority of the site has been developed as part of the Highview Estate subdivision, the residual area does not contain potential core habitat as defined under SEPP 44. This planning proposal will therefore not conflict with the aims, objectives or management measures within the Plan.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The following assessment of the planning proposal is provided in relation to relevant State Environmental Planning Policies (SEPP's).

Compliance with SEPP's is discussed only where applicable to the subject land or proposal.

State Environmental Planning Policy (Koala Habitat Protection) 2019

As discussed in the previous section whilst this policy applies to the subject site there is no koala habitat on the site therefor the provisions of the SEPP would not apply.

Whilst numerous State Environmental Planning Policies apply to the subject site, none are specifically relevant or adversely affected by this Planning Proposal. The relevant State Environmental Planning Policies would apply specifically to future development of the site if it is rezoned and would be assessed with any development application.

It is noted that the subject site is not mapped on the NSW Government Koala Development Application Regulatory Map.

State Environmental Planning Policy Rural Lands

The aims of State Environmental Planning Policy (Rural Lands) 2008 are to:

- facilitate the orderly and economic use and development of rural lands for rural and related purposes
- identify Rural Planning Principles and the Rural Subdivision Principles so as to assist
 in the proper management, development and protection of rural lands for the purpose
 of promoting the social, economic and environmental welfare of the State (refer
 Attachment B)
- implement measures designed to reduce land use conflicts
- identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations
- amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.

In general, the SEPP achieves this by:

- introducing rural planning principles to provide guidance for local councils when preparing new comprehensive LEPs or amending LEPs in respect to rural and environment protection zones
- introducing rural subdivision principles to provide guidance for local councils which seek to vary existing minimum lot sizes in rural and environment protection zones

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- enabling subdivision of rural land for the purpose of primary production below the minimum lot size without allowance for a dwelling
- introducing heads of consideration for the assessment of land use conflict when councils consider development applications in rural areas
- removing concessional lot provisions from LEPs to minimise land use conflicts and fragmentation of rural lands
- enabling the Minister to identify State significant agricultural land and limit certain types of development on such land
- enabling the Minister to establish rural lands planning panels to provide advice to the Director-General on developments that propose to vary development standards.

Rural Planning Principles

The rural planning principles in the SEPP identify the range of matters that should be considered when preparing LEPs for rural areas. Planned outcomes for rural lands should enable economic opportunity, protection of resources and environmental values, opportunities for a range of housing types in appropriately planned locations and the efficient provision of infrastructure. In general, the principles require councils to have regard for social, economic and environmental planning considerations when preparing a new LEP. Section 9.1 Direction 1.5 – Rural Lands requires that when a council prepares an LEP for land within a rural or environment protection zone it needs to be consistent with the rural planning principles listed in clause 7 of the SEPP. An assessment of this direction is provided in the following section of the Planning Proposal.

6. Is the planning proposal consistent with the applicable Ministerial Directions (s9.1 directions)?

The following assessment is provided in respect of the consistency of the planning proposal with relevant Section 9.1 Directions applying to planning proposals lodged after 1 September 2009. Section 9.1 Directions are only discussed where applicable. The planning proposal is consistent with all other S9.1 Directions or they are not applicable.

Direction 1.2 – Rural Zones

This direction applies when the planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone.

However, a planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:
- (i) gives consideration to the objectives of this direction,
- (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
- (iii) is approved by the Director-General of the Department of Planning, or
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or
- (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) is of minor significance.

In this regard the proposal is justified by the Jindabyne Growth Structure Plan 2007 is in accordance with the regional strategy and is of minor significance.

Direction 1.5 – Rural Lands

Direction 1.5 Rural Lands requires that when a council prepares an LEP for land within a rural or environment protection zone it needs to be consistent with the rural planning principles listed in clause 7 of the SEPP which are set out below.

7 Rural Planning Principles

The Rural Planning Principles are as follows:

- (a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,
- (b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,
- (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,
- (d) in planning for rural lands, to balance the social, economic and environmental interests of the community,

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- (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,
- (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,
- (g the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,
- (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

In relation to the relevant Rural Planning Principles

- a) part of the subject site is currently permitted to be used for residential purposes under the provisions of Clause 5.3(2)(a) of the Snowy River LEP 2013. The remaining part of the site is not suitable for rural uses due to its size and narrow width.
- b) The proposal will not impact on the changing nature of agriculture and of trends, demands and issues in agriculture in the area.
- c) The proposal will only affect a small area of land (5.82ha) in the rural zone and the rezoning of this land will not affect the social and economic benefits of rural land use and development.
- d) N/A
- e) The rezoning of the land will not impact on biodiversity, the protection of native vegetation, the importance of water resources and will avoid constrained land
- f) N/A
- g) The rezoning proposal will not be serviced by existing infrastructure.
- h) The Snowy River Rural Lands Strategy and Rural Lands Study has been addressed above and there is no regional strategy of the Department of Planning applicable to the land.

This planning proposal is consistent with the relevant rural planning principles as justified above and as such is consistent with ministerial direction 1.5 Rural Lands.

Direction 2.3 - Heritage Conservation

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

The subject site is not far removed from the Jindabyne Winter Sports Academy at 207 Barry Way identified as a Heritage Item of Local Significance under Schedule 5 of the Snowy River Local Environmental Plan 2013 (see Figure 5 in Appendix A).

The Planning Proposal will have a negligible impact on this item and facilitate its conservation.

An Aboriginal Heritage Assessment Report has been prepared for the part of the site which is within the Highview Estate as part of the application for subdivision. The report has not identified any items of Aboriginal heritage on the subject site. Lot 12 was not included in this study, but this site is heavily disturbed and there is not likely to contain any items of Aboriginal heritage. It may be necessary to prepare a due diligence report should the gateway determination be amended to include Lot 12.

As such the planning proposal is entirely consistent with this direction

3. Housing, Infrastructure and Urban Development Direction 3.1 - Residential Zones Objectives

- (1) The objectives of this direction are:
 - (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,
 - (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
 - (c) to minimise the impact of residential development on the environment and resource lands.

This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:

- (a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),
- (b) any other zone in which significant residential development is permitted or proposed to be permitted.

- (4) A planning proposal must include provisions that encourage the provision of housing that will:
 - (a) broaden the choice of building types and locations available in the housing market, and
 - (b) make more efficient use of existing infrastructure and services, and
 - (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and
 - (d) be of good design.
- (5) A planning proposal must, in relation to land to which this direction applies:
 - (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
 - (b) not contain provisions which will reduce the permissible residential density of land.

The Planning Proposal is consistent with this direction in that:

- It involves a small area of land within the RU1 Primary Production zone, partly used as part of the Highview Estate subdivision by way of the "flexible boundary provisions" of the SR LEP, 2013 and a residual area and a small adjoining lot that are no longer suitable for use for primary production due to its size.
- The rezoning of this land to R2 Low Density residential in accordance with the zoning
 of land immediately to the east will broaden the choice of building types and locations
 available within the housing market in this locality and take advantage of the existing
 infrastructure capacity, currently provided to the Highview Estate subdivision.
- It will form a logical boundary between urban development and the urban fringe.
- The land will be adequately serviced as the servicing of the land has been addressed in the development of part of the site for a seniors housing development and the Highview Estate.
- It does not include any provisions which seek to reduce the permissible residential density of the land to be rezoned.

Direction 3.4 - Integrating Land Use and Transport Objectives

- (1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:
 - (a) improving access to housing, jobs and services by walking, cycling and public transport, and
 - (b) increasing the choice of available transport and reducing dependence on cars, and
 - (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
 - (d) supporting the efficient and viable operation of public transport services, and
 - (e) providing for the efficient movement of freight.
- (4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:
 - (a) Improving Transport Choice Guidelines for planning and development (DUAP 2001), and
 - (b) The Right Place for Business and Services Planning Policy (DUAP 2001)

The Planning Proposal involves the logical extension of a R2 Low Density Residential zone to include the subject site, where the Highview Estate subdivision is currently under construction. The further extension of the R2 zone to include the narrow residual strip of unused land and an adjoining small rural lot will allow for future development consistent with the objectives of this direction and that will give effect to and are consistent with the aims, objectives and principles of the documents mentioned in 4 (a) and (b) above.

Direction 5.1 - Implementation of Regional Strategies

Clause (4) of the Direction requires planning proposals to be consistent with a Regional Strategy released by the Minister for Planning.

Direction 5.1 Identifies regionals strategies which have been superseded by the South East and Tablelands Regional Plan 2036, this is addressed in direction 5.10 below.

The Regional Strategies identified in this direction are not applicable to the Planning Proposal.

Direction 5.2 - Sydney Water Catchment

The objective of this Direction is to protect water quality in the Sydney Water Drinking Catchment.

The subject site is not land located in Sydney Drinking water catchment and as such direction 5.2 is not relevant to this planning proposal.

Direction 5.10 – Implementation of Regional Plans

This direction requires that the planning proposal be consistent with the Regional Plan prepared by the Minister for Planning.

The South East & Tablelands Regional Plan 2036 (SET RP) applies to the region including Jindabyne. Section B of this report indicates that the planning proposal is consistent with the SET RP.

Direction 6.1 - Approval and Referral Requirements

Clause (4) of the Direction requires a planning proposal to minimise the inclusion of concurrence/consultation provisions and not identify development as designated development.

This planning proposal is consistent with this direction as no such inclusions or designation is proposed.

Direction 6.2 - Reserving Land for Public Purposes

The objectives of this direction are:

- to facilitate the provision of public services and facilities by reserving land for public purposes, and
- (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.

Clause 4 of the direction provides:

(4) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).

The Planning Proposal will not create, alter or reduce any existing zoning or reservations of land for public purposes.

Direction 6.3 - Site Specific Provisions

The objective of this Direction is to discourage unnecessarily restrictive site specific planning controls.

- (4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:
 - (a) allow that land use to be carried out in the zone the land is situated on, or
 - (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or
 - (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.

The Planning Proposal will rezone the site to R2 Low Density Residential, an existing zone already applying in the Snowy River Local Environmental Plan 2013, without imposing any development standards or requirements additional to those already contained in that zone and the respective LEP. As such, the Planning Proposal is consistent with this Direction.

Section C - Environmental, Social and Economic Impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats, will be adversely affected as a result of the proposal?

Notwithstanding the general biodiversity affectation on Council's mapping, it is evident that no critical habitat or threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the Planning Proposal. A Flora and Fauna Assessment was carried out for the development of the Highview Estate. However, since this time several

species that may occur in this locality have been listed as Threatened Species. This may require some further investigation should the application for rezoning be supported.

No flora and fauna investigation has been carried out on Lot 12 however this land is heavily disturbed as shown in figure and does not contain any of the original native vegetation.

FIGURE 4 – AERIAL OF SITE WITH NSW THREATENED ENTITIES AND MONARO CEEC LAYERS OVERLAYED.



The site has been heavily disturbed as part of the Highview Estate Subdivision, or the application for the seniors housing on the site. The narrow residual strip to the western boundary of the lot contains little remnant vegetation. It is therefore evident that the planning proposal is unlikely to have any significant environmental impact and is unlikely to result in threatened species, populations or their habitats being adversely affected.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There are no other likely environmental effects as a result of the planning proposal.

There are no hazards of Flooding, Acid Sulfate Soils, Mine Subsidence and Unstable Land and the land is not identified as Bushire Prone land on Councils Bushfire Prone Land Map.

9. How has the planning proposal adequately addressed any social and economic effects?

The likely social and economic benefits resulting from the rezoning of the land will be:

- No items or places of European or Aboriginal cultural heritage or proximate heritage items will be adversely impacted.
- The small area of land currently zoned R1 Primary Production will be rezoned R2 Low Density Residential, a more appropriate zoning of the land having regard to it being part of an adjoining the existing Highview Estate subdivision currently under construction, partially within the subject site and immediately to the east of that area to be rezoned. The inclusion of the subject site for this purpose will have a positive social and economic impact on the availability of housing and other permissible uses in this locality.
- Employment resulting from potential future uses of the site for different purposes in accordance with the R2 Low Residential zone, which will have a positive economic outcome.

Section D - State and Commonwealth Interests

10. Is there adequate public infrastructure for the planning proposal?

The existing adequate infrastructure is available within the Highview Estate subdivision immediately to the east to service the subject site. The Planning Proposal will not alter the adequacy of provision of infrastructure to cater for any future use of the land in accordance with that permissible under the R2 Low Density Residential zone, within the residual portion of the land.

11 What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the Planning Proposal?

Minimal consultation has been held with the State and Commonwealth agencies as a result of the current gateway determination. The relevant agencies were notified of the current gateway determination. There has been some consultation with the Department of Planning

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Coastplan Consulting

Infrastructure and the Environment in relation to the Go Jindabyne project. This consultation has raised an issue of the location of a future by-pass for Jindabyne but the location as previously proposed will be constrained by current development consents. There are other opportunities that exist by utilising crown land to the west of the subject site.

Part 4 Mapping

The existing zoning map and a map showing the location of the subject site and that area to be rezoned are included in Appendix A. Extracts identifying the land zoning, height of building and minimum lot size and terrestrial bio-diversity affectations under the Snowy River LEP are also attached.

Amendments will be required to the following map sheets:

- Land Zoning Map Sheet LZN_003AA
- Lot Size Map Sheet LSZ 003AA

The subject site as identified in the plan in Figure 2 of Appendix A would be rezoned R2 Low Density Residential.

PART 5 COMMUNITY CONSULTATION THAT IS TO BE UNDERTAKEN

S3.33 (2) (e) Details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

The relevant State and Commonwealth agencies were notified of the gateway determination that was issued on has not yet been issued on 8 May 2019. The amended Planning Proposal is not likely to result in any different response from these agencies.

Other Matters for Consideration

There are no other matters relevant to the consideration of this Planning Proposal.

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Coastplan Consulting

CONCLUSION

This Planning Proposal provides for the rezoning of part of Lot 26 DP 1253407and Lot 12 DP1035279from RU1 Primary Production to R2 Low Density Residential under the *Snowy River Local Environmental Plan 2013*.

The proposed rezoning will facilitate the rezoning of a strip of land within the RU1 Primary Production zone on the subject site which is located on the western edge of the Highview Estate immediately to the east and a small lot which adjoins to the west. Part of the subject could be developed as part of the Highview Estate subdivision under the provisions of Clause 5.3(2)(a) of the *Snowy River LEP 2013* with the residual land including a narrow strip of land. This is not considered a desired outcome.

In accordance with the Planning Proposal, the subject site is suitable for including within the R2 Low Density Residential zone. This rezoning will is intended to facilitate the subdivision of the land into residential allotments and a childcare facility which is consider the best use of the site.

The Planning Proposal is consistent with The South East Tablelands Regional Plan 2036, Jindabyne Growth Structure Plan, Snowy River Town & Village Planning – Jindabyne, Snowy River Rural Lands Strategy and Cooma-Monaro Comprehensive Koala Plan of Management. The proposal is generally consistent with all relevant 9.1 Directions; Direction 1.2 – Rural Zones 2.3 Heritage Conservation, Direction 3.4 - Integrating Land Use and Transport Objectives, Direction 5.1 - Implementation of Regional Strategies, Direction 5.2 - Sydney Water Catchment, Direction 5.10 Implementation of Regional Plans. Direction 6.1 - Approval and Referral Requirements, Direction 6.2 - Reserving Land for Public Purposes and Direction 6.3 - Site Specific Provisions.

Whilst the site is identified as containing biodiversity, the site has been heavily disturbed as part of the Highview Estate Subdivision, or the application for the seniors housing on the site. The narrow residual strip to the western boundary of the lot and the adjoining lot to the west contains little remnant vegetation. It is therefore evident that the planning proposal is unlikely to have any significant environmental impact and is unlikely to result in threatened species, populations or their habitats being adversely affected.

8.1 AMENDMENT SNOWY RIVER LOCAL ENVIRONMENTAL PLAN 2013 MODIFICATION TO HIGHVIEW PLANNING PROPOSAL

ATTACHMENT 1 AMENDED PLANNING PROPOSAL

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Coast	plan	Cons	ulting
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The Planning Proposal is unlikely to result in any adverse social or economic impact. There is adequate public infrastructure available for the existing and potential future uses of the land.

An assessment of the proposed Local Environmental Plan, in accordance with the Guide to Preparing Planning Proposals indicates that the planning proposal is worthy of support.

APPENDIX A - Land to which the Planning Proposal applies

Planning Proposal Location Map

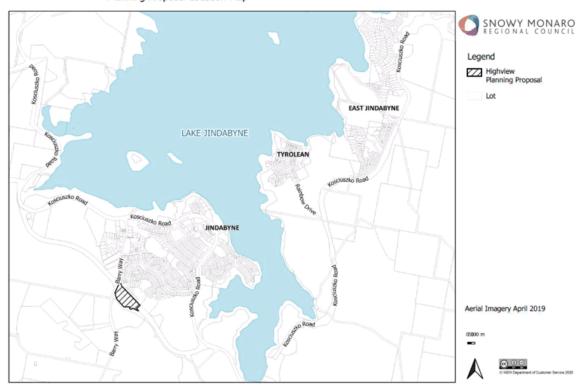


Figure 1 - Locality Map - Showing the subject site in relation to the wider Jindabyne Township.

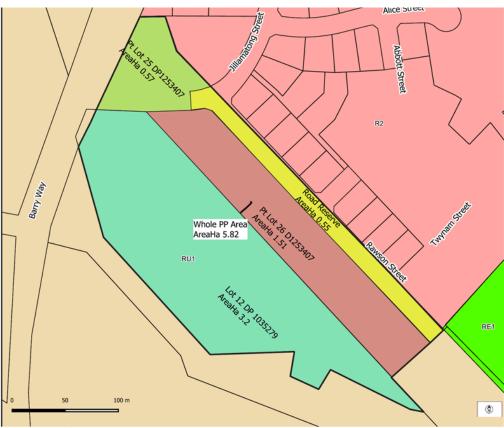


Figure 2: Map Showing lots and land area applying to this planning proposal



Figure 3: Aerial Image of Subject Site with Terrestrial Biodiversity Mapping from the Snowy River LEP overlayed.



Figure 4: Aerial Image of Subject Site with South East NSW Threatened Entities and Monaro Werriwa CEEC Mapping overlayed.

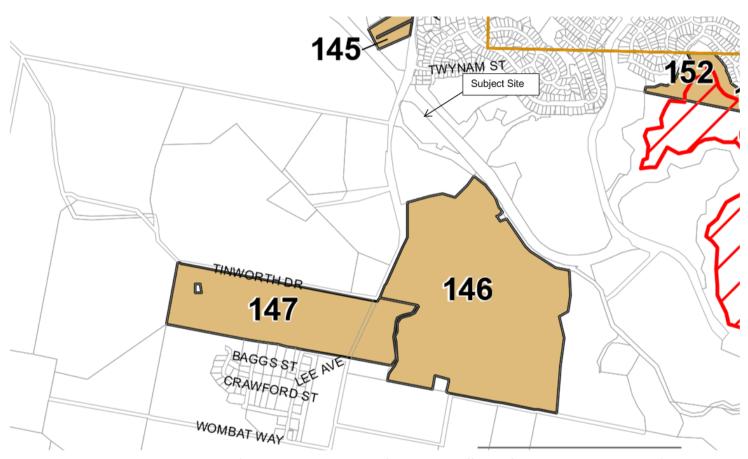


Figure 5: Heritage mapping showing proximity of Heritage Item 146 in respect of the subject site (Source: Snowy River LEP 2013 mapping)

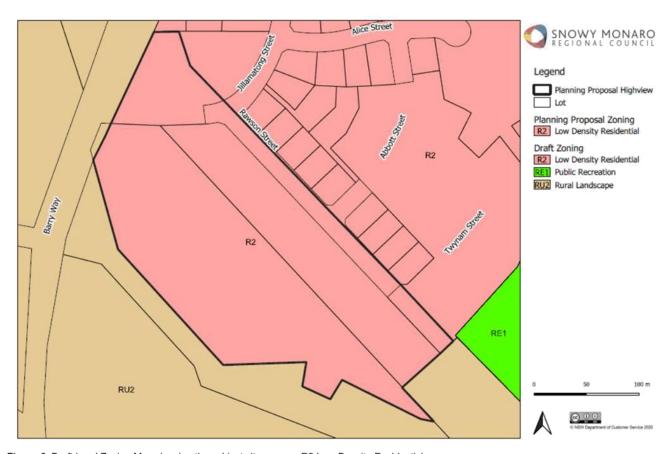


Figure 6: Draft Land Zoning Map showing the subject site as zone R2 Low Density Residential

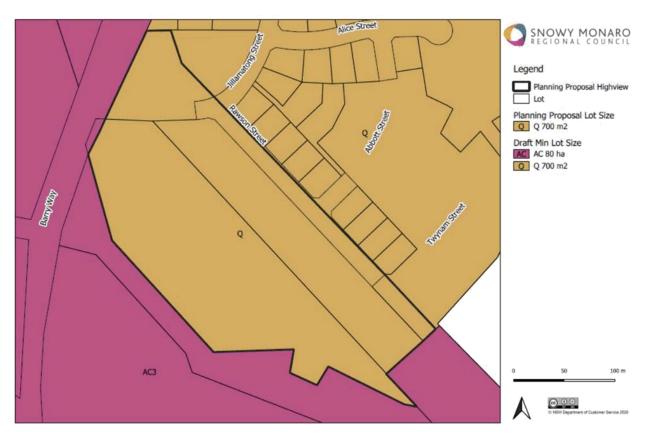


Figure 7: Draft Lot Size Map showing the subject site with a MLS of (Q) 700sqm.

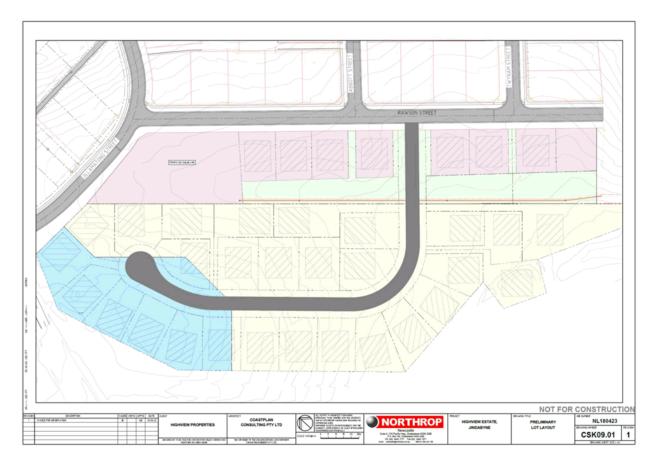


Figure 8: Potential Future Subdivision should the Planning Proposal be successful

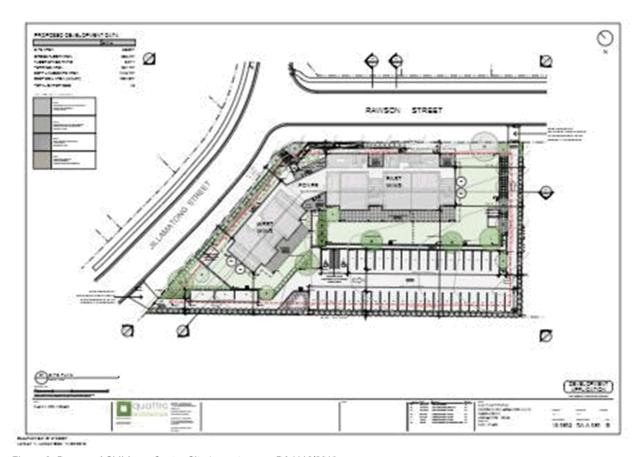


Figure 9: Proposed Childcare Centre Site Layout as per DA4116/2019

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8.1



Gateway Determination

Planning proposal (Department Ref: PP_2019_SMONA_001_00): The planning proposal seeks to rezone and amend the lot size for land being part Lot 32, DP111832

I, the Director Regions, Southern at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Snowy River Local Environmental Plan (LEP) 2013 to rezone and amend the lot size for land being part Lot 32, DP111832 should proceed subject to the following conditions:

- 1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide* to preparing local environmental plans (Department of Planning and Environment 2016) and must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment 2016).
- Consultation is required with the Office of Environment and Heritage under section 3.34(2)(d) of the Act. The OEH is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
- 3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
- 4. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

- 5. The planning proposal shall not be finalised until the NSW Government's Masterplan for Jindabyne is completed and the proposal is consistent with the outcomes of the completed Masterplan.
- 6. The time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 8th day of May 2019.

Ben Eveleigh Director Regions, Southern Planning Services Department of Planning and Environment

Delegate of the Minister for Planning



Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2019_SMONA_001_01)

I, the Director, Southern Region, Local and Regional Planning at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 8 May 2019 for the proposed amendment to the Snowy River Local Environmental Plan 2013 to rezone land and amend the minimum lot size as follows:

1. Amend the property description by deleting "part Lot 32 DP1118132" and replacing with "part Lots 25 & 26 DP1253407".

2. Delete:

8.1

"condition [5]" "The planning proposal shall not be finalised until the NSW Department of Planning and Environment's Go Jindabyne Masterplan is completed and the proposal is consistent with the Masterplan."

and replace with:

a new condition [5]: "The planning proposal shall not be finalised until the planning for the NSW Government's Snowy Mountains Special Activation Precinct is completed and the proposal must be consistent with this work."

3. Delete:

"condition [6]" "The time frame for completing the LEP is to be 18 months from the date of the Gateway determination."

and replace with:

a new condition [6]: "The time frame for completing the LEP is to be 42 months from the date of the Gateway determination."

Dated 16th day of March 2020.



Sarah Lees
Director, Southern Region, Local and Regional Planning
Department of Planning, Industry and Environment

Delegate of the Minister for Planning and Public Spaces



DOC19/213885 MA/4001/2019

> Mr Alexandra Adkins Senior Strategic Planner Snowy Monaro Regional Council Alexanda.Adkins@snowymonaro.nsw.gov.au

Dear Mr Adkins

RE: Planning proposal for Part Lot 32 DP 1118132 Barry Way Jindabyne Prepared for Highview Estate Properties (PP 2019S MONA 001)

Thank you for your letter of 23 May 2019 referring the draft planning proposal to the Office of Environment and Heritage (OEH) for our consideration.

It is proposed to rezone the subject site R2 Low Density Residential in accordance with the zoning of the immediately adjoining land to the north and east. The land was previously part of linear lot reserved for construction of a bypass to Jindabyne, however, this proposal was later abandoned. The proposal is described as consistent with Jindabyne Growth Structure Plan 2007 which includes the small area of land immediately south of High view Estate as suitable for residential development.

We have reviewed the planning proposal and background document provided *Planning Proposal Lot* 32 *DP 1118132 Barry Way Jindabyne Prepared for Highview Estate Amended April 2019 Coastplan.* Which would result in approximately 14 residential allotments and one childcare centre development.

The site is described as part of planning proposal report as:

- Being has been heavily disturbed as part of the Highview Estate Subdivision and is a narrow residual strip to the western boundary of the lot contains little remnant vegetation. That the biodiversity would be further investigation should the application for rezoning be supported.
- An Aboriginal Heritage Assessment Report has been prepared for this part of the site as part
 of the application for subdivision of the Highview Estate. The report has not identified any
 items of Aboriginal heritage on the subject site.
- · There are no flood hazards

No technical studies have been included to support these statements instead relying on the assessment reports from the Highview Estate Development application. OEH involvement in site inspections of Highview Estate indicated the area would appear to be suitable for residential development. OEH notes land outside this area in the steeper gully creekline of the property was previously identified as an offset and should be should be protected.

Given relative minor nature and inclusion in Jindabyne strategic planning statement a case could be made for rezoning.

OEH notes the site is within the Department of Planning and Environment's *Go Jindabyne Masterplan study area*. This strategic document is to investigate biodiversity and Aboriginal cultural heritage

PO Box 733 Queanbeyan NSW 2620 11 Farrer Place Queanbeyan NSW 2620 Tel: (02) 6229 7188 Fax: (02) 6229 7001 TTY Click here to enter text. ABN 30 841 387 271 www.environment.nsw.gov.au 8.1 AMENDMENT SNOWY RIVER LOCAL ENVIRONMENTAL PLAN 2013 MODIFICATION TO HIGHVIEW PLANNING PROPOSAL

ATTACHMENT 4 NSW GOVERNMENT BIODIVERSITY CONSERVATION DIVISION (FORMERLY OEH ADVICE)

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Page 2

assets in the area on a landscape scale and will provide valuable contextual information for a small-scale rezoning as proposed.

If you wish to discuss this letter further, please contact the Miles Boak on (02) 6229 7095.

Yours sincerely

ALLISON TREWEEK
Senior Team Leader Planning
South East Branch
Conservation and Regional Delivery Division

9.1.1 ACQUISITION - EASEMENT FOR ACCESS ADAMINABY SEWAGE TREATMENT PLANT AND TOWN WATER SUPPLY

Record No:

Responsible Officer: Chief Operating Officer

Author: Property Officer

Key Theme: 4. Leadership Outcomes

CSP Community Strategy: 10.2 Sound governance practices direct Council business and

decision making

Delivery Program Objectives: 10.2.2 Councillors are supported to make informed decisions in

the best interest of the community and to advocate on behalf of

the community

Ordinary Council at its meeting on 16 July 2020 resolved that the matter be deferred to the meeting to be held on 20 August 2020.

Attachments: 1. Map and Information on Adaminaby STP and TWS

Cost Centre

Project PJ260009

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Adaminaby Town water supply and Sewage Treatment Plant (STP) are land locked by Crown land, with no legal easement for access in place. Currently there are tracks in use to access these essential services but these tracks are not legal easements. It is now a requirement to have legal access in place, therefore it is necessary for an acquisition for easement to take place for both sites.

The town water supply is located on Lot 291 DP 729876 and the STP is located on Lot 1 DP 539221 in Adaminaby. Both sites have different access points which traverse through Crown land.

OFFICER'S RECOMMENDATION

That Council:

- A. Proceed with the compulsory acquisition of the interest in the land described as part Lot 287 DP 729870 Land fronting Snowy Mountains Highway, Adaminaby and having an area of approximately 22m for the purpose of easement for access to essential services being the Sewage Treatment Plant in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991;
- B. Proceed with the compulsory acquisition of the interest in the land described as part Lot 292 DP 729876 having an area of approximately 200m and part Lot 292 DP 729876 Land fronting Chalker Street, Adaminaby and having an area of approximately 344m for the purpose of easement for access to essential services being Town Water Supply in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991;
- C. Make an application to the Minister and the Governor for approval to acquire part Lot 287

9.1.1 ACQUISITION - EASEMENT FOR ACCESS ADAMINABY SEWAGE TREATMENT PLANT AND TOWN WATER SUPPLY

DP 729870 Land fronting Snowy Mountains Highway, Adaminaby and having an area of approximately 22m and Part Lot 292 DP 729876 having an area of approximately 200m and part Lot 292 DP 729876 Land fronting Chalker Street, Adaminaby and having an area of approximately 344m for the purpose of easement for access to essential services by compulsory process under section 187(1) of the *Local Government Act 1993*;

- D. Classify the land as easement for access in accordance with the *Local Government Act 1993*; and
- E. Authorise the CEO to sign any documentation required for this Acquisition process.

BACKGROUND

The Adaminaby town water supply is located on Lot 291 DP 729876 and the STP is located on Lot 1 DP 539221 in Adaminaby. Both sites have different access points, which traverse through Crown land on existing tracks in use.

Under the Crown Land Management Act 2016, these tracks in use must now be made legal easements for access. For this to be made possible it is necessary for an acquisition for easement to take place for both sites.

The sites have been in operation for over 20 years and an upgrade is taking place for the STP, which brought to light that neither site has legal easements for access in place. The areas that these access tracks pass through are Crown land and have Aboriginal Land Claims attached. To ensure Council's Due Diligence has taken place the Property Officer has been liaising with the NSW Aboriginal Land Council to ensure all legislative requirements and approvals are in place, along with Native Title reports, for temporary access to be permitted whilst the acquisition process takes place.

Public Works Advisory have a proven record with enabling the acquisition processes and are the recommended option to deliver the acquisition process to ensure access to essential services are retained. The acquisition process is lengthy, which involves planning, research, due diligence and implementation activities all under strict timelines.

It is essential for Council to have permanent legal access to this essential infrastructure.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

These essential services bring a multitude of social and economic benefits to the community.

2. Environmental

The environmental factors have been investigated and there are no known impacts arising from the use of the current access tracks.

3. Economic

There will be survey fees, Crown fees, valuation fees and acquisition process fees associated with the acquisition. These fees are currently estimated as follows. Final fees will not be known until the end of the acquisition process.

9.1.1 ACQUISITION - EASEMENT FOR ACCESS ADAMINABY SEWAGE TREATMENT PLANT AND TOWN WATER SUPPLY

Crown Fees: \$2,500.00

Application Fee: \$650.00

Survey Fee: \$3,500.00

Valuation Fee: \$800.00

Acquisition Fee: \$12,000.00

4. Civic Leadership

Regularising access to the Adaminaby town water supply and STP is demonstrating compliance with legislative requirements and civic leasdership.

ATTACHMENT 1 MAP AND INFORMATION ON ADAMINABY STP AND TWS

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Adaminaby Sewage Treatment Plan (STP) and Town Water Supply (TWS) Information

STP Lot 1 DP 539221

The area of the current track in use goes through Lot 287 DP 729870 (Aboriginal Land Claim 41143 & 42486) and Lot 292 DP 729876 (ALC 19969 & 42500).

TWS Lot 291 DP 729876

The area of the current track in use goes through Lot 292 DP 729876 (Aboriginal Land Claim 19969 & 42500).



9.1.2 MONTHLY FUNDS MANAGEMENT REPORT - AUGUST 2020

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: Nil.

Cost Centre 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 August 2020.

Cash and Investments are \$74,980,591.

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.

OFFICER'S RECOMMENDATION

That Council:

- A. Receive and note the report indicating Council's cash and investments position as at 31 August 2020; and
- B. Receive and note the Certificate of the Responsible Accounting Officer.

BACKGROUND

Council's Cash and Investments 31 August 2020:

Cash at Bank	971,699
Investments	74,008,892
Total	74,980,591

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Total Cash and Investments are available to provide services and infrastructure to the community in accordance with the 2021 budget, Council resolutions and other external restrictions.

2. Environmental

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

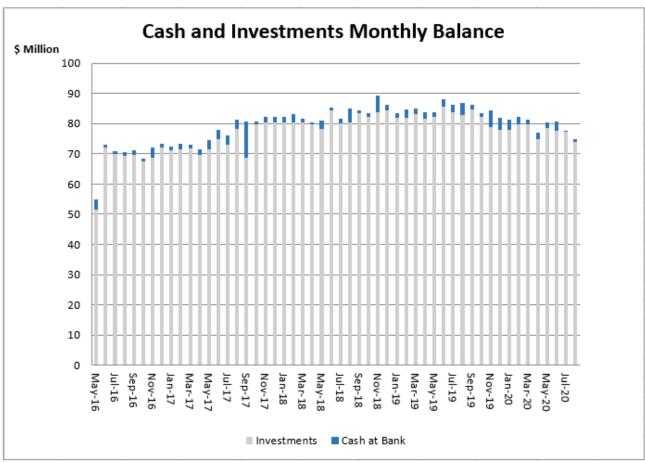
3. Economic

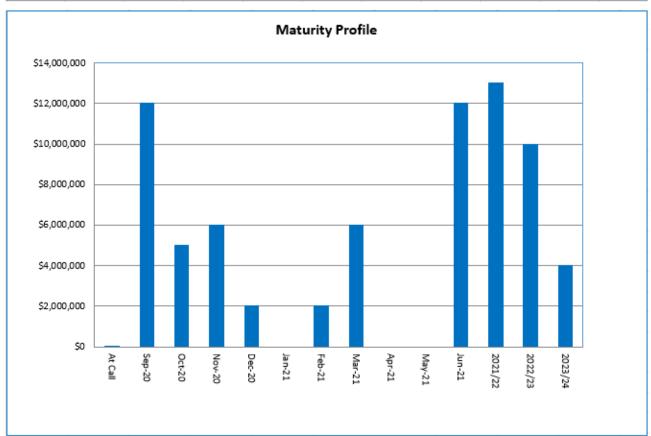
Total investments for Snowy Monaro Regional Council were \$74,008,892 on 31 August 2020.

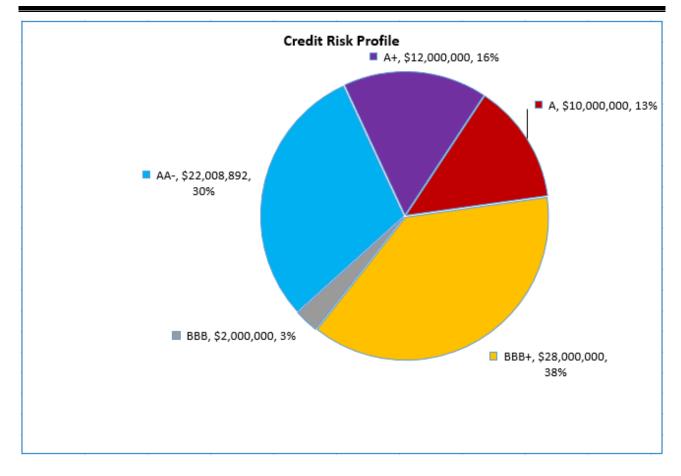
Investment Register – 31 August 2020:

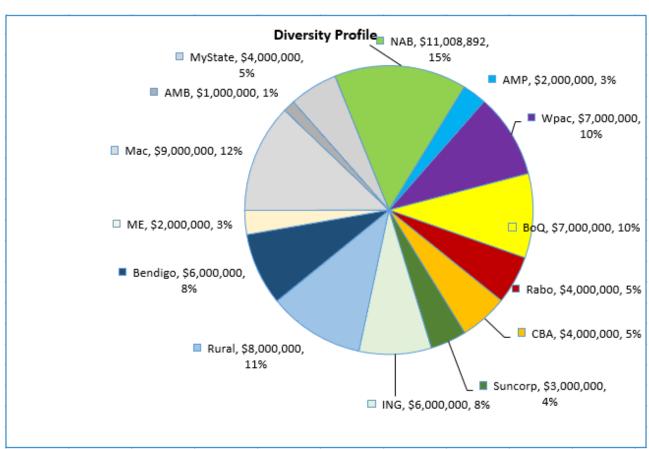
		Short-	Long-				
DATE		Term	Term		CURRENT	INTEREST	
INVESTED	FINANCIAL INSTITUTION	Rating	Rating	TYPE	INVESTMENT	RATE	MATURITY
n/a	National Australia Bank - At Call*	A1+	AA-	At Call	8,892	0.65%	At Call
23-Mar-16	ING Bank	A1	Α	TD	1,000,000	3.66%	22-Mar-21
23-Jun-16	Commonwealth Bank	A1+	AA-	TD	4,000,000	1.21%	23-Jun-21
26-Jun-17	Bank of Queensland	A2	BBB+	TD	4,000,000	3.30%	25-Jun-21
29-Aug-17	Westpac Bank	A1+	AA-	TD	4,000,000	1.04%	29-Aug-22
15-Sep-17	Westpac Bank	A1+	AA-	TD	1,000,000	1.00%	15-Sep-21
29-Jun-18	National Australia Bank	A1+	AA-	TD	4,000,000	1.00%	29-Jun-23
11-Sep-18	RaboDirect	A1	Α	TD	2,000,000	3.33%	08-Sep-23
13-Sep-18	AMP Bank	A2	BBB+	TD	2,000,000	2.85%	14-Sep-20
17-Dec-18	Rabobank Australia	A1	Α	TD	2,000,000	3.15%	16-Dec-22
19-Dec-18	Bendigo and Adelaide Bank	A2	BBB+	TD	2,000,000	2.80%	17-Dec-20
27-Aug-19	ING Bank	A1	Α	TD	3,000,000	1.44%	31-Aug-21
09-Sep-19	Macquarie Bank Limited	A1	A+	TD	3,000,000	1.55%	03-Sep-20
10-Sep-19	National Australia Bank	A1+	AA-	TD	3,000,000	1.65%	09-Sep-20
17-Sep-19	Bank of Queensland	A2	BBB+	TD	1,000,000	1.85%	19-Sep-23
23-Oct-19	Bank of Queensland	A2	BBB+	TD	1,000,000	1.80%	23-Oct-23
03-Dec-19	Australian Military Bank	A2	BBB+	TD	1,000,000	1.72%	02-Dec-21
26-Feb-20	Westpac Bank	A1+	AA-	TD	2,000,000	1.48%	24-Feb-21
27-Feb-20	MyState Bank Limited	A2	BBB+	TD	4,000,000	1.65%	23-Nov-20
05-Mar-20	Macquarie Bank Limited	A1	A+	TD	1,000,000	1.60%	30-Nov-20
06-Mar-20	ING Bank	A1	Α	TD	1,000,000	1.45%	05-Mar-21
12-Mar-20	Rural Bank Limited	A2	BBB+	TD	4,000,000	1.20%	17-Mar-22
17-Mar-20	ING Bank	A1	Α	TD	1,000,000	1.63%	17-Mar-25
19-Mar-20	ME Bank	A2	BBB	TD	2,000,000	1.25%	19-Mar-21
20-Mar-20	Bank of Queensland	A2	BBB+	TD	1,000,000	1.85%	19-Mar-25
28-Apr-20	Suncorp Bank	A1	A+	TD	1,000,000	1.20%	24-Nov-20
09-Jun-20	Rural Bank Limited	A2	BBB+	TD	4,000,000	0.90%	07-Sep-20
22-Jun-20	National Australia Bank	A1+	AA-	TD	4,000,000	0.95%	22-Jun-22
25-Jun-20	Bendigo and Adelaide Bank	A2	BBB+	TD	4,000,000	0.75%	29-Jun-21
31-Jul-20	Macquarie Bank Limited	A1	A+	TD	5,000,000	0.45%	29-Oct-20
31-Aug-20	Suncorp Bank	A1	A+	TD	2,000,000	0.70%	01-Mar-21
					74,008,892		

Cash and Investments Charts:









Investment Portfolio Return:

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

Month	YTD Annualised Return	Monthly Average Interest Return	90 Day Bank Bill*	Margin
August	1.55%	1.47%	0.09%	1.38%
July (2020)	1.62%	1.62%	0.10%	1.52%

^{*}The Australian Financial Market Association (AFMA)

Understanding Ratings:

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

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

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

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

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

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

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

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

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

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

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

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

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

Source: S&P Global Ratings.

4. Civic Leadership

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

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

9.1.3 SHANNONS FLAT HALL

Record No:

Responsible Officer: Chief Operating Officer

Author: Land & Property Officer

Key Theme: 1. Community Outcomes

CSP Community Strategy: 3.1 Develop, maintain and promote safe spaces and facilities that

are enabling, accessible and inclusive for all

Delivery Program Objectives: 3.1.1 Public and community spaces are regulated and managed to

be safe and equitable for all abilities

Attachments: 1. Email from Laura Luton - Shannons Flat Hall

Cost Centre Work Order 167 – Shannons Flat Community Hall

EXECUTIVE SUMMARY

On 20 December 2018 Council resolved to accept the "gift" of Shannons Flat Community Hall from the current landowners, which was to be classified as community land upon transfer to Council.

The landowner has since changed his mind and is now requesting Council rescind the former resolution and instead resolve to lease the hall from the landowner for \$200 per annum; with the landowner to be responsible for power, rates and maintenance.

Council is also being requested to place the Shannons Flat Hall on its insurance schedule.

OFFICER'S RECOMMENDATION

That Council:

- A. Rescind resolution 575/18;
- B. Approve the request for Council to lease the hall for \$200 per annum; and
- C. If B is agreed to that the following actions occur:
 - a) The Shannons Flat Hall be added to Council's insurance schedule.
 - b) The lease conditions be approved by Council's CEO.
 - c) Authorise the CEO to execute the Lease on behalf of Council; and
- D. Notify the landowner of Shannons Flat Hall of Council's decision.

BACKGROUND

In September 2018, Council's Land and Property Manager and Land and Property Officer attended a meeting of the management committee for Shannons Flat Community Hall. During the meeting, the ownership and responsibility for the building, and the cost of the power associated with the building were discussed. The landowner of the property (Lot 78 DP 750527) has been paying for the power for many years, and indicated that he could not sustain this practice. The landowner being keen to still afford community use of the site.

The possibility of transferring ownership of the hall to Council was discussed. Various follow up meetings with Council staff were conducted. The landowner concluded that the best option would be for the hall, and the land immediately surrounding the hall (approx. 800m²), to be gifted to

Council and classified as "community land"; with Council to bear all costs for the transfer including survey, legal costs and registration of the plan.

At the meeting of Council on 20 December 2018, Council resolved to accept the gift of Shannons Flat Community Hall, and approximately $800m^2$ of land surrounding the hall. Council also agreed to bear the costs of the survey and registration of the plan to be funded from former Cooma reserves.

When the plan of subdivision was registered in readiness for the "gift" of the property, the power was placed in the name of Council, thus presently Council pays the power bills. The cost of the power is negligible as the hall is only used 3-4 times a year.

The landowner has changed his mind with respect to transferring the hall to Council.

Under the former Cooma-Monaro Shire Council (CMSC) - From 1 March 2012 through to 28 February 2014 Council leased the hall for a rental fee of \$200 per annum, in accordance with Council resolution No. 1339 of 13 September 2010. However, this lease was not renewed. Council listed the hall on its insurance schedule during the above referenced period of lease.

The landowner is now requesting that Council enter into a lease for the hall for the sum of \$200 per annum. This mirrors the precedent treatment delivered by the former CMSC from 2012 to 2014.

The landowner has indicated that he intends to donate the \$200 to the management committee to offset the costs of the power. The management committee is also requesting that Council be responsible for insuring the property. Confirmation was received from Council's insurers that the property could be insured by Council if it is under lease.

The Shannons Flat community is a small close knit local community and the site is used as an engagement hub. The landowner will benefit from the lease income to assist with offsetting the costs of the power. The landowner will also benefit from Council covering the insurance costs for the property, whilst the management committee will continue to maintain the property and manage bookings.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The fabric of the community is enhanced by social interaction and events at the site, which permit the residents to socialise with other local residents in a relaxed atmosphere. The hall provides a local meeting place.

2. Environmental

It is anticipated that the environmental impact will be minimal, regardless of the decision outcome.

3. Economic

If the property had been transferred to Council any and all costs associated with the site would have rested with Council. Under the lease proposal the property owner will continue to bear the costs for improvements and maintenance of the hall, in addition to rates and power. Under a lease agreement (for community use) there may still be opportunities for Council to seek grant funding to carry out improvements. The cost of including the hall on Council's insurance schedule is negligible. Upon rescission of Resolution 575/18 the electricity cost will no longer be Council's

9.1.3 SHANNONS FLAT HALL

responsibility; and steps will be taken to revert the electrical NMI connection back to the landowner.

4. Civic Leadership

On 20 December 2018 Council resolved as follows:

COUNCIL RESOLUTION 575/18

That Council

- A. Agree to accept the gift of Shannon's Flat Community Hall and approximately 800m² of land surrounding the hall.
- B. Classify the property as "community land" upon transfer to Council.
- C. Engage the services of a surveyor to survey lot 78 DP 750527 and create a plan of subdivision of the land to excise the hall and surrounding land within the immediate fence line.
- D. Agree to bear all costs associated with the subdivision and registration of the plan including any legal costs.
- E. Fund the costs of approximately \$8,000 from former Cooma Reserves.

Moved Councillor Corbett Seconded Deputy Mayor Miners CARRIED

Note: Costs related to the completion of elements C and D have already been incurred by Council.

Lynette Bottrill

From:

Laura Luton

Sent:

Friday, 7 August 2020 12:10 PM

To:

'Sharelle Dey';

'Cheryl L. Dickson'; ron & Margaret

'Janette Miners '

Wainwright;

Cc:

Lynette Bottrill

Subject:

Shannons Flat Hall

Hello Lovely Committee!

Just a quick update.

On Wednesday, I had a call from Thomas Ross asking to book the Hall for a Wild Dog Meeting. I phoned Lyn Bottrill, who confirmed that we have no insurance from Council at the moment. Lyn suggested that any booking must have their own public liability. Obviously this needs to change as quickly as possible.

I had a good chat with Lyn. She has agreed to make an official request to the September Snowy Monaro Council meeting, asking that the previous lease agreement be put back into place. Specifically, she will ask Council to lease the Hall from Greg Luton at \$200 per year. Greg will then make a donation back to the Hall to cover the costs of electricity. This allows us to retain community ownership, community management, and to preserve our strong sense of history – getting things done by ourselves. This agreement would simply allow us to enjoy the benefits of Council insurance.

Lyn will prepare a report, which is submitted to Council. A Business Paper then appears online, which we can read ahead of time. We are allowed to attend the meeting, and Lyn has agreed to send us the information for addressing the meeting (ie: any bookings, notice of motion, submission of paperwork etc). I suggest that Sharelle should attend, and either myself or Peter on behalf of the Luton family. Margaret has said she would be happy to attend also. I guess we need to monitor the COVID restrictions and limitations on gatherings??

With any luck, we might be able to have the lease arrangement again. This was by far the best solution for our community, and involved the least amount of fuss. Fingers crossed!!!

Thanks to Lyn for her help on this issue. She has been very friendly and understands that this Hall has a strong emotional attachment within our Community.

Stay warm,

Laura.



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9.1.4 NOMINATION RECEIVED FOR MEMBERSHIP TO BREDBO HALL SECTION 355 COMMITTEE

Record No:

Responsible Officer: Chief Strategy Officer

Author: Governance Officer

Key Direction: 4. Leadership Outcomes

Delivery Plan Strategy: 12.3 Our community is empowered and supported in facilitating

community outcomes

Operational Plan Action: 12.3.3 Volunteer and Community group participation is valued and

leveraged to improve community outcomes

Attachments: 1. Michelle Henkel - Nomination for Bredbo Hall s355 Committee

2. Muriel Stockheim - Nomination for Bredbo Hall s355

Committee

3. Resignation - Steven Littlehales

Cost Centre

Project Section 355 Committees

EXECUTIVE SUMMARY

After receiving the resignation of a member of the Bredbo Hall Committee Council advertised calling for nominations in the Monaro post from 30 July 2020 to 13 August 2020, on Councils website, and Council's Facebook page. The vacancy was also promoted by the committee.

Council received Two (2) nominations from the community for the Bredbo Hall Committee.

OFFICER'S RECOMMENDATION

That Council:

- A. Accept the resignation of Stephen Littlehales; and
- B. Appoint one of the two applicants to the Bredbo Hall Committee

BACKGROUND

The Bredbo Hall s355 Committee has five (5) positions, as resolved by the former Cooma Monaro Shire Council (resolution no. 229/15). On the 16 July Council received the resignation of Stephen Littlehales from the Bredbo Hall s355 Committee, leaving one vacancy on the committee.

Council received 2 nominations from;

- Michelle Hinkel; and
- Muriel Stockheim.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Nil.

9.1.4 NOMINATION RECEIVED FOR MEMBERSHIP TO BREDBO HALL SECTION 355 COMMITTEE

2. Environmental

Nil.

3. Economic

Nil.

4. Civic Leadership

Nil.

Erin Donnelly

From: council@snowymonaro.nsw.gov.au

Sent: Thursday, 13 August 2020 12:32 PM

To: Records Snowy Monaro Regional Council

Subject: Online Form Submittal: Nomination For Appointment To Committee

Nomination For Appointment To Committee

Section 355 Comittee Nomination From

Bredbo Community Hall S355 Management Committee
Michelle Lee Henkel
Bredbo
NSW
2626
Field not completed.
I have been living in Bredbo for two and a half years and really enjoy being part of the community. I worked in the Public Service for fourteen years, at the Patent Office in Canberra. I dealt with Freedom Of Information (FOI), Section 55, and corresponded with Patent Examiners and Attorneys. So I have a lot of different experiences and skills. Since moving to Bredbo, I now work as the Bredbo Primary School Crossing Supervisor. I am the Secretary of the P&C for the local primary school and I'm on the Bredbo Community Progress Association Committee. I would like the opportunity to be nominated for the committee.
Field not completed.
I acknowledge receipt of the Privacy and Personal Information Protection Act 1998 Pre-Collection (Section 10) document., I have read the contents of the notice and agree that the personal information may be used for the purposes identified and provided to the recipients identified in the notice., I consent

9.1.4 NOMINATION RECEIVED FOR MEMBERSHIP TO BREDBO HALL SECTION 355 COMMITTEE ATTACHMENT 1 MICHELLE HENKEL - NOMINATION FOR BREDBO HALL S355 COMMITTEE Page 78

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Erin Donnelly

From: council@snowymonaro.nsw.gov.au
Sent: Friday, 31 July 2020 2:16 PM

To: Records Snowy Monaro Regional Council

Subject: Online Form Submittal: Nomination For Appointment To Committee

Nomination For Appointment To Committee

Section	355	Comittee	Nomination	From

Bredbo
Muriel Stockheim
Bredbo
NSW
2626
Field not completed.
t
I have lived in the area since approximately 1979 and have always been involved in the community, CWA, Progress and Hall Committees. I have been treasurer of both the Progress and Hall Committees for the past few years and enjoy this very much. I am also welfare officer for the RFS. I am also editor of our local Bredbo Bulletin. I would be very privileged to be considered for the role again. My husband and I do travel a few months of the year, however I don't believe this has ever been a problem in the past. I have always been very particular and conscientious and never let my role as treasurer suffer.
Field not completed.
I acknowledge receipt of the Privacy and Personal Information Protection Act 1998 Pre-Collection (Section 10) document., I have read the contents of the notice and agree that the personal information may be used for the purposes identified and provided to the recipients identified in the notice., I consent

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9.1.4 NOMINATION RECEIVED FOR MEMBERSHIP TO BREDBO HALL SECTION 355 COMMITTEE ATTACHMENT 2 MURIEL STOCKHEIM - NOMINATION FOR BREDBO HALL S355 COMMITTEE Page 80

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Erin Donnelly BCPA <bre> <bre> bredboprogress@gmail.com> From: Thursday, 16 July 2020 6:02 PM Sent: Erin Donnelly To: Fwd: Resignation Subject: Follow Up Flag: Follow up Flag Status: Flagged ----- Forwarded message -----From: Stephen Littlehales Date: Thu, 16 Jul 2020, 10:41 am Subject: Re: Resignation To: BCPA < bredboprogress@gmail.com> To whom it may concern, I hearby resign my position as Treasurer of the Bredbo Progress Association S355, effective immediately. Kind Regards, Stephen Littlehales Sent from my iPhone > On 15 Jul 2020, at 11:08 am, BCPA < breadboprogress@gmail.com > wrote: > Hi Steve > Could you please send me your resignation as Treasurer of the S355 Hall Committee? I need to send it to Council and an email will be fine. > Thanks > Karen > Bredbo Community Progress Association

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9.1.5 AUGUST YOUTH COUNCIL MINUTES AND MOSAIC TIME WALK 2.0 PROJECT

Record No:

Responsible Officer: Chief Operating Officer

Author: Youth Officer

Key Theme: 1. Community Outcomes

CSP Community Strategy: 1.4 Youth in the region are supported to reach their maximum

potential

Delivery Program Objectives: 1.4.1 Youth of the region are engaged, supported, mentored and

trained to be the leaders of tomorrow

Attachments: 1. August Youth Council Minutes

Cost Centre

Project Youth Council Meeting – August 2020

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Youth Council held their monthly meeting 24 August 2020 over Zoom. The minutes are attached for Council's consideration.

The minutes include an overview of the Youth Council's proposal to extend the Mosaic Time Walk in Centennial Park, Cooma. Installed in 1988 as part of Bicentennial celebrations, the Youth Council seek to continue the Time Walk along the back of the existing monument; capturing, preserving and celebrating the region's modern history.

Following in principle from the Arts and Culture Section 355 Committee and South East Arts, Council staff submitted a time sensitive application to the Foundation for Rural and Regional Renewal (FRRR) to fund the project. The outcome of this application is expected in November and the Youth Council are now seeking formal permission from Council to move ahead with the project.

OFFICER'S RECOMMENDATION

That Council:

- A. Receive and note the minutes of the Youth Council meeting held 24 August 2020;
- B. Note the Arts and Culture Committee's in principle support for the Mosaic Time Walk 2.0:
- C. Approve the Youth Council to extend the Mosaic Time Walk monument in Centennial Park, in partnership with the Arts and Culture Committee, South East Arts and Council Staff:
- D. Approve Council staff to pursue funding for the Mosaic Time Walk 2.0 project on behalf of the Youth Council; and
- E. Approve the Youth Council to commence community consultation, with leadership from Council staff, once funding has been secured.

BACKGROUND

The Mosaic Time Walk was installed in 1988 as part of the Nation's Bicentennial celebrations. Funded by the NSW Bicentennial Council and TAFE NSW, with in-kind support from the former Cooma-Monaro Shire Council, the project culminated with 40 mosaic panels depicting settlement in the region.

The original project involved a series of participatory community arts workshops, facilitated by local artist, Chris Graham. Each panel reflects information provided by the Historical Society and was built in partnership with community groups and TAFE students. The Youth Council will employ the same method to continue the Time Walk; capturing, preserving and celebrating stories from the past 30 years.

Dubbed, the 'Time Walk 2.0', the Youth Council intend to consult with the community to determine what stories to capture through the project. It is proposed that the panels will be installed on the rear of the existing monument structure, however advice and direction from Council staff will determine the exact position of the new mosaic panels.

With Council's permission to move forward, the Youth Council will work alongside Council staff, the Arts and Culture Committee and South East Arts to secure funding and begin consultation with stakeholders.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

In capturing, preserving and celebrating the region's shared history, the Time Walk 2.0 presents an opportunity to bring our communities together, fostering social connection through shared experiences.

2. Environmental

No direct environmental impacts associated with this report.

3. Economic

The Youth Council were tasked with developing a project plan inclusive of a detailed cost estimate. The Time Walk 2.0 can be installed for approximately \$20,000, inclusive of the artist facilitation fee(s), materials, installation and a generous provision for unexpected costs. The Youth Council intend to secure external funding for the project, however would ask Council to assume responsibility for the ongoing management of the artwork, in line with provisions for managing the existing asset.

Following support in principle from the Arts and Culture Committee and advice from South East Arts, Council staff made a time sensitive application to the Foundation for Rural and Regional Renewal (FRRR) to fund the initiative. Applications closed 27 August 2020, with successful projects expected to be announced in November.

4. Civic Leadership

Public art contributes to the cultural, aesthetic and economic vitality of a community. It is now a well-accepted principle of urban design that public art contributes to a community's identity, fosters pride in place and a sense of belonging, and enhances the quality of life for residents and visitors. Endorsing the Youth Council to pursue this project presents Council with an opportunity

9.1.5 AUGUST YOUTH COUNCIL MINUTES AND MOSAIC TIME WALK 2.0 PROJECT

to harness the intrinsic value of the arts, and channel it towards fostering connection, cohesion and cultural vibrancy.





Committee Minutes

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

Date: 24 August 2020 **Time:** 10.00am

Position	Member (Name)	Present/Apology
Chair	Councillor James Ewart	Present
Youth Council Mayor	Will Wright	Present
Youth Council Deputy Mayor	Josh McMahon	Present
Youth Council Secretary	Olivia Weston	Present
Public Relations Officer	Molly Brabham	Present
Youth Councillors	Jake Barnes Lani Holfter Charlie Paul Sam Pevere Lexi Cross Lucy Cross Leanne Adams Josh Abrokwah Andrea Bosco Cheyenne Nelson Harry Knowles Alex Elgey Georgia Pond	Present
	Neeve Creely Aaron Penny Elsie Kember	Apology
Council Staff (non-voting members)	Mel Sass, John Graham	Present

1. Opening of the Meeting

Councillor James Ewart opened the meeting in at 10:06am

2. Acknowledgement of Country

I would like to acknowledge the Traditional Owners of the land upon which we meet and pay our respect to Elders past, present and emerging.

3. Apologies

An apology for the meeting was received from Youth Councillors Aaron Penny, Neeve Creely and Elsie Kember.

4. Adoption of Previous Minutes

Minutes of the previous meeting held 27 July 2020 were noted as a true and correct record of the proceedings.

5. Business Arising from the Previous Minutes

 Youth Councillor Lani Holfter presented at the July Council meeting. Councillor James Ewart noted the presentation was well received.

6. Correspondence

In:

Councillor Sue Haslingden re: presentation request.

Out:

Meeting Minutes and Agenda.

7. Reports

7.1. Youth Mayor – Tabled

7.2. Publicity Relations Officer - Tabled

- Liaised with Council staff to secure a Youth Council presentation at the July Council meeting.
- Presented the concept to extend the Mosaic Time Walk to the Arts and Culture Committee. Molly
 noted that the Committee were excited by the idea and noted that would advocate for Council to
 support the initiative.

6.3 Secretary – Tabled

The role of Secretary will be supported by Youth Councillor Sam Pevere as the current Secretary,
 Olivia Weston, concentrates on school commitments.

6.4 Youth Development Officer - Tabled

Page 2 of 5

- Mel Sass noted that she had received correspondence from the Arts and Culture Committee
 confirming their support for the Mosaic Time Walk project. Mel will work with South East Arts on an
 application to FRRR to fund the project under the Tackling Tough Times Together grant round.
- John Graham outlined that the afternoon tea program at Jindabyne Central School has been well attended.

6.5 Chair - Tabled

- Noted that the Youth Council presentation to Council by Youth Councillor Lani Holfter was well recieved. Councillor Ewart encouraged the Youth Council to keep up this engagement.
- Following a recommendation from the Youth Council, Councillor Ewart will provide a notice of motion to Council, requesting financial support to fund Teen Mental Health First Aid training in the region.
- Councillor Ewart noted that the Bush Summit will be held in Cooma on the 28 August.

Action: Mel to follow up with Council's Communications team regarding any opportunity available for the Youth Council to table questions at the Bush Summit.

Motion: That the Youth Council accept the reports as tabled. Carried. All in favour.

8. Presentations

8.1. Councillor Sue Haslingden

- Councillor Haslingden noted that the Arts Discussion paper is now on public exhibition. The document can be accessed on Council's website.
- Sue encouraged the Youth Council to review the document and provide feedback to ensure that the voice of young people is reflected in the final document.

8.2. Daniel Pevere - Kosciuszko Design Solutions

- Daniel provided an update on the progress of the plans for the HUBGrade, being delivered with funding under the Stronger Country Community Fund programs.
- Daniel noted that he expects to have a draft CAD design of the planned upgrade available for review in the next week.

9. General Business

9.1. Mosaic Time Walk 2.0

- Youth Councillor Molly Brabham noted that she developed a project plan for the proposed continuation of the Mosaic Time Walk in Centennial Park, Cooma.
- The project plan was presented to the Arts and Culture Section 355 Committee on 14 August 2020. The Committee provided in principal support for the project and outlined a commitment to support the Youth Council to pursue the concept.
- South East Arts advised that the project would be eligible for funding from the FRRR Tackling Tougher Times Together grant and encouraged the Youth Council to apply.

- The group identified the Cooma Historical Society, TAFE and Council as stakeholders. The Youth Council will engage these stakeholders with the support of the Arts and Culture Committee and the Youth Development team.
- Discussion about the need for a robust community consultation to identify what stories to tell in the new panels.
- The Youth Council agreed the project presented a unique opportunity to capture and preserve the regions modern history and noted the contribution that public art makes to developing pride in place, tourism and cultural vibrancy.
- The Youth Council agreed to pursue the project.

Motion: That the Youth Council seeks formal permission from Council to extend the Mosaic Time Walk in Centennial Park. **Carried. All in favour.**

Motion: That the Youth Council support Council staff to make an application to the Foundation for Rural and Regional Renewal to fund the Mosaic Time Walk 2.0 initiative. **Carried. All in favour.**

Action: Mel to submit FRRR funding application prior to 27 August 2020.

9.2. Pen Pal Project

- Mel noted that Council staff working in the aged care sector identified that many older people in the region continue to self-isolate in an effort to stay safe during the pandemic. It was noted that social isolation and disconnect impacts health and wellbeing and that a pen pal project could help address this issue.
- Youth Councillor Lani Holfter noted that the Leo Club would be interested in pursuing this idea.

Action: Mel to connect Lani Holfter with Tab Williams to discuss logistics.

10. General Business not on notice

10.1. Rubbish at the Snow Stop, Cooma.

- Youth Councillor Harry Knowles raised that littering was an issue at the Snow Stop in Cooma, noting that there are no rubbish bins visible.
- Councillor Ewart outlined that this is likely the responsibility of private land holders, although noted that he would raise the concern at the next Waste Management Committee meeting.
- Mel noted that Council employ two Resource and Waste Education Officers who may be interested to hear Harry's concerns.

Action: Mel to connect Harry with Edwina and Belinda from the Resource and Waste team.

10.2. School Strike

 Youth Councillor Alexi Cross noted that the next Climate Strike is scheduled for 25 September, however given the social gather restrictions, online activism is encouraged, using the hashtag #FundOurFuture.

10.3. Voting Project

 Councillor Ewart raised an idea for some kind of project that would support young people to register to vote.

Page 4 of 5

- Boo suggested that a workshop and advocacy project might be appropriate. The group endorsed the idea in principal.

Action: Councillor Ewart to make contact with potential workshop facilitator and report back to the Youth Council.

10.4. Children's Week Parliament

- Mel noted that she had recommended Youth Councillor Molly Brabham to attend Children's Week Parliament 2020 to represent the Eden-Monaro Electorate. Molly has accepted the opportunity.

11. Project Updates

11.1. Youth Exchange Project - Youth Councillor, Lani Holfter

 The group decided to push the project back to 2021 due to uncertainty surrounding the pandemic and travel restrictions.

11.2. HUBGrade

- Funding has still not been issued by the State.

11.3. RYDER

- Funding has still not been issues by the State.

11.4. The Y NSW Online Youth Leadership Project

- Several Youth Councillors have been participating in an online leadership project, coordinated by the Y NSW.
- Youth Councillor Leanne Adams outlined that her group had been working on an environmental activism project which included drafting and distributing and advocacy paper and working with school canteens to encourage more sustainable practices.
- Youth Councillor Lani Holfter noted that her group had been focusing on better mental health outcomes and had launched a podcast.

12. Date of next Meeting

The next meeting will be held on 28 September 2020.

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

13. Close of Meeting

CHAIRPERSON	DATE

9.2.1 PROPOSAL TO CLOSE PART MITTAGANG ROAD - YALLAMBEE LODGE

Record No:

Responsible Officer: Chief Operating Officer

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: 9.1.1 Management of road corridors is effective and efficient

Attachments: 1. Draft survey plan - proposed road closure - Mittagang Road -

Yallambee Lodge

Cost Centre: Work Order 313 – Yallambee Lodge Extension

EXECUTIVE SUMMARY

Council is in the process of consolidating lot 29 DP 416596 (the former garage site adjacent to Yallambee Lodge) with Lot 1 DP 841447 (Yallambee Lodge).

Council staff have noted that the Yallambee Lodge bin enclosure which is located on Mittagang Road is on the road reserve. It is a timely opportunity to tidy up this anomaly whilst the project for the expansion works at Yallambee Lodge and consolidation of the former service station site with Yallambee Lodge is ongoing.

It is proposed to close part of Mittagang Road in accordance with the draft plan attached to this report to ensure that the bin enclosure is not located on the road reserve.

OFFICER'S RECOMMENDATION

That Council:

- A. Approve the road closing of part of Mittagang Road in accordance with the Roads Act 1993;
- B. Consolidate the new lot with lot 1 DP 841447 (Yallambee Lodge); and
- C. Authorise Council's CEO to execute all necessary documents to complete the road closing and lodgement of the plan of consolidation.

BACKGROUND

Council is in the process of consolidating lot 29 DP 416596 (the former garage site adjacent to Yallambee Lodge with Lot 1 DP 841447 (Yallambee Lodge).

Council staff have noted that the Yallambee Lodge bin enclosure which is located on Mittagang Road is on the road reserve. It is a timely opportunity to tidy up this anomaly whilst the project for the expansion works at Yallambee Lodge and consolidation of the former service station site with Yallambee Lodge is ongoing.

It is proposed to close part of Mittagang Road to ensure that the bin enclosure is not located on the road reserve in accordance with the plan attached to this report. The lot being created through the road closure is lot 11.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Council's infrastructure should be located on Council land to meet community expectations and legislative requirements under the Roads Act 1993.

2. Environmental

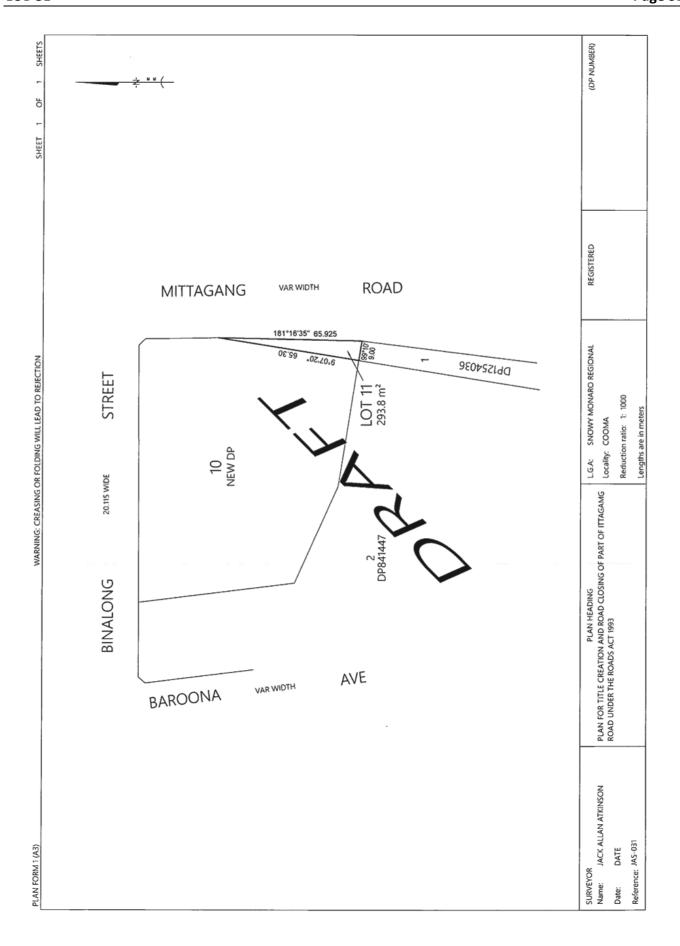
There will be no environmental impact

3. Economic

A draft road closure plan has already been prepared by the Corporate Projects team and costs for the road closure have been allowed for along with the construction works at Yallambee Lodge.

4. Civic Leadership

Council ensures that it complies with legislative standards whilst meeting community expectations.



9.3.1 DELEGATE WATER SUPPLY OPTIONS REPORT - UPDATE

Record No:

Responsible Officer: Chief Operating Officer

Key Theme: 3. Environment Outcomes

CSP Community Strategy: 8.2 Improve and maintain our public owned infrastructure and

assets and facilities to a high standard

Delivery Program Objectives: 8.2.1 Council maximises its Asset utilisation to deliver services

today and into the future

Attachments: 1. Options_Assessment_Delegate_Water_Supply - final Draft 30-

7-2020

Cost Centre 347 – 4690 - 410

Project Delegate Water Supply Options report

Further Operational Plan Actions: N/A

EXECUTIVE SUMMARY

The scope of this report and attachment is to inform Council on the progress of the Delegate Water Supply Options Report and to endorse the report for public exhibition. The options report covers bore hole drilling and results, existing Delegate weir considerations, raw water pump station and proposed new water treatment plant (WTP) with options to achieve reliable and sustainable water treatment, compliant with current Australian Drinking Water Guidelines (ADWG) plus "water industry best practice in operation".

OFFICER'S RECOMMENDATION

That Council endorse the Options Assessment Report – Delegate Water Supply for public exhibition.

BACKGROUND

Snowy Monaro Regional Council (SMRC) engaged GHD to carry out an Options Assessment and Concept Design for upgrades to the water supply systems for the towns of Bombala and Delegate in southeast New South Wales. This report covers the town of Delegate.

Delegate is supplied with treated water from a 283 kilolitre concrete reservoir on the hill above the Delegate river pump station.

The raw water is sourced from the Delegate River by way of an intake structure that is then pumped up the hill to the distribution reservoir.

The existing Bombala and Delegate water supply systems face a number of challenges related to the reliable provision of safe, high quality drinking water to their communities. Residents of Bombala and Delegate have expressed severe dissatisfaction about water quality and in response, the NSW Government has allocated substantial funding for upgrades to the water systems servicing these towns.

The new water treatment plant construction is a concern as the land where Reservoir is currently located and the land required for the proposed water treatment plant is not owned by Council.

The report covers alternate water supplies in section 4.0 which clearly states that the bores drilled and assessed by hydrologists engaged by Council were not a viable alternate or even a supplement to the delegate River water supply.

Also covered in section 4.0 is a description and basic requirements of the existing "Delegate weir". This is not covered in any detail in the attached report as needs to be covered in the new integrated water cycle strategy currently under development.

Please note that "Recommendations/conclusions" on the preferred option on treatment are in section 8.0 of the attachment.

Note - \$200,000 has already been spent by Council on the Bombala and Delegate Water Supply Option study as required by the funding arrangement for this project.

The attached Options Assessment Report – Delegate Water Supply final Draft 30-7-2020 has been sent to DPIE Water on 11th August for preliminary review and SMRC officers are awaiting comment.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

This information report and attached options report is to update the Council and community on raw water quality, alternate supplies and water security and water treatment plant options.

2. Environmental

Prior to construction on any approved new water treatment plant option, a full review of environmental factors (REF) will be undertaken along with other critical steps in the process.

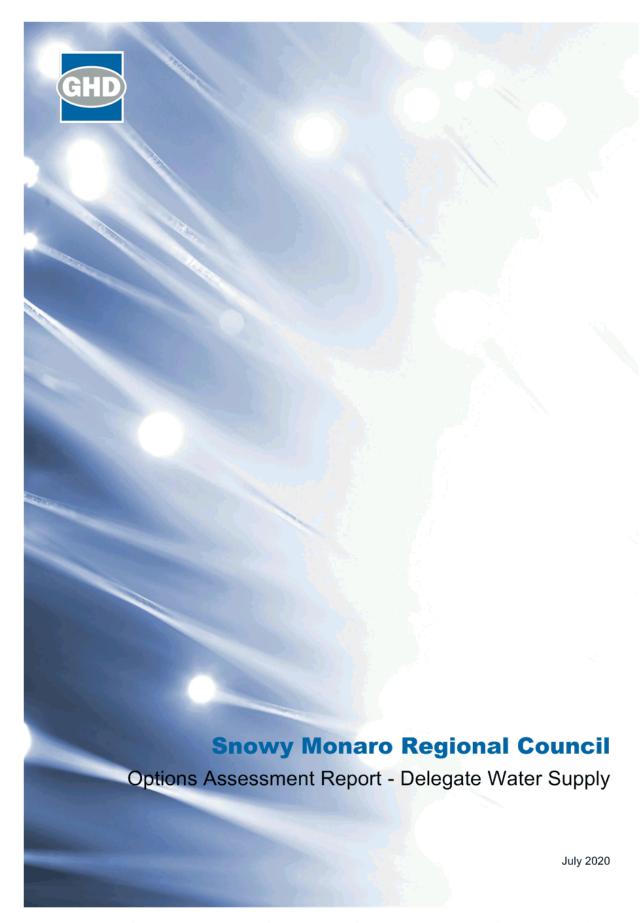
9.3.1 DELEGATE WATER SUPPLY OPTIONS REPORT - UPDATE

3. Economic

Funding is available for the new WTP through state funding with a commitment by the Minister for Regional NSW. Mr. John Barilaro in the amount of up to \$15M for Bombala and Delegate water supply systems.

4 Civic Leadership

Council is driving this initiative to deliver an efficient, sustainable and high quality water supply for the community of Delegate.



WATER | ENERGY & RESOURCES | ENVIRONMENT | PROPERTY & BUILDINGS | TRANSPORTATION

Executive summary

Conclusions

The main conclusions from this assessment covering of demand, surface water supply systems, surface water quality and treatment and groundwater alterative are:

Demand; Design peak day demand for the new WTP has some uncertainty due to

- lack of long-term reliable records for supply from the raw water pump station
- uncertain effect of switch from non-potable supply to potable supply

In response it is considered the best cost-effective solution is a 0.5ML/d capacity WTP combined with a large 800kL treated water tank to allow draw/fill of the tank to achieve reliable supply for a peak day demand of up to 750kL/day and average dally demand up to 450 kL/day over the peak week

Raw Water supply system: the existing raw water pumps achieve performance well below design duty point. It is assumed they will be replaced for the new WTP. The existing weir pool, intake structure and rising main are now 70 yrs old. They need replacement/upgrade work. The assessment of what is needed and cost is not included in this project.

Raw Water Quality and Treatment; the Delegate river source has relatively high E.coli levels and is from an inhabited catchment with livestock and farm houses with septic tanks. It is a run of river supply with variable turbidity and colour and a wide temperature range. It is a soft water source that needs alkali addition to stabilise the treated water, especially after chlorine gas is added. Effective Treatment requires a 2- stage process of clarification (Lamella plate clarifier or Dissolved Air Floatation) then filtration (Gravity dual media filters or Microfiltration). UV then chlorine disinfection is also needed to achieve Health Based Targets.

<u>Groundwater alternative</u>: preliminary drilling reveals that this groundwater alternative is not a viable option

Other matters; Council does not own the land where the existing storage tank is located, which is also the site for the new WTP

Comparison of Cost and advantages/disadvantages is summarised in Table 1below.

Table 1: Comparative costs advantages and MCA Scoring for each option

Item	Option 1 DAF then MF	Option 2 Lamella Plates Clarifier then MF	Option3 Lamella Plates Clarifier then gravity filters	Option 4 DAF then gravity filters
CAPEX*	\$5.55 m	\$5.52 m	\$5.32 m	\$5.35 m
Land acquisition for WTP**	\$0.25-0.3 m	\$0.25-0.3 m	\$0.25-0.3 m	\$0.25-0.3 m
OPEX*	\$0.142 m/yr	\$0.139 m/yr	\$0.134 m/yr	\$0.138 m/yr
NPC 6%pa for 25 yrs	\$7.62-7.67 m	\$7.55- 7.60 m	\$7.29-7.34 m	\$7.37 -7.42 m
Advantages	Easy to manage barrier for achieving LRV for protozoa risk (eg	Easy to manage barrier for achieving LRV for protozoa risk (eg	No de-rating for low water temperature Least complexity for automatic controls	No de-rating for low water temperature Low complexity for automatic

		Cryptosporidiu m) Least sensitivity to rapid change in raw water turbidity/ colour/water temp Council operates MF at nearby Dalgety Raw water used in backwash DAF best for algae removal	Cryptosporidiu m) Low complexity for automated control for Lamella plate clarifier Council operates MF at nearby Dalgety Raw water used in backwash		control of gravity filters Good for algae removal
Disadva	ntages	De-rating plant capacity progressively required when water temp is <15 oC Most complex automatic control Expensive Proprietary membranes that have to be replaced every 7 to 8 yrs Higher backwash volume compared to gratify filters Limitation on future PAC dose(if required)	De-rating plant capacity progressively required when water temp is <15 oC Expensive Proprietary membranes that have to be replaced every 7 to 8 yrs Higher backwash volume compared to gravity filters	More sensitive to rapid change in raw water turbidity/colo ur Careful control of coagulation, clarification and filtration processes required to always achieve LRV for protozoa risk Treated water used in backwash reducing volume in treated water tank for drawdown	More sensitive to rapid change in raw water turbidity/colo ur careful control of coagulation, DAF an filtration processes required to always achieve LRV for protozoa risk Treated water used in backwash reducing volume in treated water tank for drawdown Limitation on future PAC dose(if required)
Relativ e score	Barrier to chlorine resistant protozoan	\	\ \ \ \ \	///	///
against MCA	Low attendance for operation	\ \ \ \ \	\ \ \ \ \	√ √	/ / /
	Easy to maintain	$\checkmark\checkmark$	$\checkmark\checkmark\checkmark$	$\checkmark\checkmark\checkmark\checkmark$	$\checkmark\checkmark\checkmark$
	Environment	$\checkmark\checkmark\checkmark$	$\checkmark\checkmark\checkmark$	////	///
	OHS	////	////	////	////
	Easy procurement/construct ion	/ / /	/ / /	////	////

(preferred Option=1, Less	1 or 2	1 or 2	3	4
preferred=2)				

*The above costs do not include Fluoridation and other possible future chemical dosing systems. However costs for these items are include in the detailed breakdown for information only purposes

Recommendations

The preferred 0.5ML/d capacity treatment process for the Delegate WTP is the following:

Option 2: Lamella Plate Clarification then MF

The main common works are;

- New raw water pumps
- Repurpose the existing 283 kL tank as a raw water storage to balance out changes in raw water quality and provide some security of supply capability
- · UV disinfection then chlorination
- New 800 kL usable volume treated water storage
- · Sludge treatment by sludge drying beds
- The main treatment processes located inside a new colour-bond type building
- Allowance in floor area within the treatment plant building for future addition of PAC, potassium permanganate and ammonia dosing

The key benefit of this MF based option is the presence of a physical membrane, which allows occasional suboptimal performance of the coagulation and settling or floatation process to be tolerated. This is important for a run of the river raw water supply system where raw water quality can change rapidly. In addition, Council has experience with MF technology at nearby Dalgety WTP. Also, usually a MF based process requires less operator attendance at site compared to gravity filters based process, as it is more automatic process.

The main benefit of lamella plates clarification is it can handle higher solids loading due to high dose of coagulant for events of high turbidity plus colour.

This treatment process also has a small footprint.

It is also recommended that;

- . Land at the existing water tank site be acquired for the new WTP and associated works
- · No further groundwater investigations be considered
- assessment of the weir pool, intake structure and raw water pipeline be completed and necessary upgrade works be defined

^{**}Nominal land acquisition cost for WTP at existing tank site

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Appendices

Appendix A – SMRC Delegate Operational Data for storm event period

9.3.1 DELEGATE WATER SUPPLY OPTIONS REPORT - UPDATE ATTACHMENT 1 OPTIONS_ASSESSMENT_DELEGATE_WATER_SUPPLY - FINAL DRAFT 30-7-2020 Page 102

Appendix B - Plant flows and Chlorine Dose

Appendix C - Comparison of treatment processes

Appendix D - Comparison of DAF and Settling

Appendix E - Proposed Building Layout

Appendix F - Cost Estimates, CAPEX, OPEX, NPC

1. Introduction

1.1 Project need

GHD has been engaged by Snowy Monaro Regional Council (SMRC) to carry out an Options Assessment and Concept Design for upgrade to the water supply system for the towns of Bombala and Delegate in southeast New South Wales. This report covers the town of Delegate.

Water supplied to Delegate Township is designated as non-potable and residents are on a Boil Water Notice. Water is from a weir on the Delegate River. The weir is located upstream of the Delegate Township. The water is chlorinated and pumped to a reservoir on top of a hill overlooking the town. From the tank, the disinfected water flows by gravity into the town reticulation system.

Residents of Delegate have expressed a significant dissatisfaction regarding water quality and in response, the NSW Government has allowed substantial funding for upgrade works.

1.2 Project scope

This report outlines the results of a brief visual audit of existing water supply assets and an Options Assessment for a new Delegate Water Treatment Plant (WTP). Specifically, the aims of this report were to:

- Review information supplied by council, including the analysis of the water quality and demand data
- Assess the existing raw water pump station and balancing tank for capacity and integration
 with a new Water Treatment Plant(WTP) located next to the existing balance tank
- Confirm capacity of the new WTP and develop options for the treatment process for the new WTP, including advantages, disadvantages and cost estimate
- Recommend a preferred upgrade option for the raw water supply and new WTP
- Address alternate water supply opportunities Ground water bore drilling and results
- · Overview of existing weir
- Overview of intake structure and depth of the intake pool in the river

1.3 Purpose of report

The purpose of this report is to develop upgrade options for a new Delegate WTP and recommend a preferred WTP treatment option to SMRC.

1.4 Scope and limitations

This report: has been prepared by GHD for Snowy Monaro Regional Council and may only be used and relied on by Snowy Monaro Regional Council for the purpose agreed between GHD and the Snowy Monaro Regional Council as set out in section 1.3 of this report.

GHD otherwise disclaims responsibility to any person other than Snowy Monaro Regional Council arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report section 1.5. GHD disclaims liability arising from any of the assumptions being incorrect.

GHD has prepared this report on the basis of information provided by Snowy Monaro Regional Council and others who provided information to GHD (including Government authorities)], which GHD has not independently verified or checked beyond the agreed scope of work.

GHD has prepared the preliminary cost estimate set out in section 7 of this report ("Cost Estimate") using information reasonably available to the GHD employee(s) who prepared this report; and based on assumptions and judgments made by GHD.

The Cost Estimate has been prepared for the purpose of comparison of options and must not be used for any other purpose.

The Cost Estimate is a preliminary estimate only. Actual prices, costs and other variables may be different to those used to prepare the Cost Estimate and may change. Unless as otherwise specified in this report, no detailed quotation has been obtained for actions identified in this report. GHD does not represent, warrant or guarantee that the works can or will be undertaken at a cost which is the same or less than the Cost Estimate.

Where estimates of potential costs are provided with an indicated level of confidence, notwithstanding the conservatism of the level of confidence selected as the planning level, there remains a chance that the cost will be greater than the planning estimate, and any funding would not be adequate. The confidence level considered to be most appropriate for planning purposes will vary depending on the conservatism of the user and the nature of the project. The user should therefore select appropriate confidence levels to suit their particular risk profile.

1.5 Assumptions

The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this section of this report). GHD disclaims liability arising from any of the assumptions being incorrect.

The assumptions for this report are

- · Drawings provided by Council represent as constructed details
- Demand and water quality data provided by Council are reasonable representation of history for this site
- Council projection of the rate of increase in demand of 0.05% pa is correct
- Changes to the weir in the river and the associated intake structure and pipework to the raw water pumps and land acquisition at the proposed WTP site has not been considered, commentary on this is provided in section 5
- The existing raw water pipeline and balance tank are assumed to be adequate for reuse as part of the new WTP system, no assessment of condition or cost to upgrade these works has been carried out in this report
- Replacement of the raw water pumps is required and the replacement is sized to suit the future requirements. (refer section 3)
- GHD does not accept liability in connection with such unverified information, including errors and omissions in the report which were caused by errors or omissions in that information

GHD | Report for Snowy Monaro Regional Council - Options Assessment Report - Delegate Water Supply, 3137056 | 8

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ATTACHMENT 1 OPTIONS_ASSESSMENT_DELEGATE_WATER_SUPPLY - FINAL DRAFT 30-7-2020 Page 105

DELEGATE WATER SUPPLY OPTIONS REPORT - UPDATE

9.3.1

2. Performance Objectives

2.1 Introduction

This section outlines a number of water supply performance objectives used to develop the new Water Treatment Plant (WTP) process design;

- Meet current and future water demand
- · Meet treated water quality requirements Australia Drinking Water Guidelines (ADWG)
- Achieve asset life, environmental and Occupational Health and Safety (OH&S) requirements and reliable operation targets
- · Minimise whole-of-life cost

These objectives are further developed below.

2.2 Water quantity

The water quantity objective is to provide adequate WTP capacity to meet expected peak day demand once treated water is available. It is assumed there is no increase in the number of properties supplied by the new WTP will occur for the planning horizon of 25 years.

2.3 Treated Water Quality Requirements

The key guidance documents for treated water quality are:

- Australian Drinking Water Quality Guidelines (ADWG)
- Health Based Targets (HBT) framework for Raw Water Quality conditions

Note that the ADWG provides water quality limits measured at customer taps. Consequently, the treated water quality targets at the WTP are more stringent.

Table 2 sets out the normal treated water quality requirements that the Water Treatment Plant (WTP) needs to be designed for to achieve the requirements of ADWG and HBT.

Table 2 Treated water quality targets

Parameter	Units	ADWG or "Good Practise" Target	Monitoring Location
E. Coli	org / 100 mL	Not detected	CWT outlet
Total Coliforms	org / 100 mL	Not detected	CWT outlet
pH		Set point* ± 0.2	CWT outlet
Filtered turbidity	NTU	<0.3 @95%, max ≤0.5	Each Filter outlet
True Colour	Hazen or Hu	<5 @95%, max ≤10	CWT outlet
Aluminium	mg/L	<0.1 @ 95%, max ≤0.2	CWT outlet
Iron, total	mg/L	<0.1 @ 95%. max ≤0.3	CWT outlet
Manganese, total	mg/L	<0.02 @ 95%. max ≤0.05	CWT outlet
THMs	mg/L	Max <0.25	Reticulation Network
Taste & Odour Geosmin MIB	ng/ L ng/L	<5 <5	For good T&O at customer taps
Free Chlorine Residual (FCR)	mg/L	Set point* ± 0.2	At CWT inlet
Treated Water Stabilisation	mg/L	-6 to 0	CWT outlet

CCPP LSI	-1 to 0	
Health Based targets (HBT)	LRVs for category 4 unprotected catchment	CWT outlet

^{*} Set point for pH normally =7.5 to 7.8. Set point for FCR = 1 to 2 mg/L.

2.3.1 Health Based Targets (HBTs)

The National Health and Medical Research Council (NHMRC) current draft of the Health Based Targets (HBT) document (2018) sets out required Log Reduction Value (LRV) for pathogens based on various Source Water Categories. The HBT document also defines the LRVs achieved by various treatment processes. Refer Manual for Application of Health-Based Treated Targets, WSAA (2005) and ADWG: Revised Chapter 5 Microbial Quality of Drinking Water incorporating a microbial health based target, NHMRC (2018) for further information.

Assessment of the source water risk category for Delegate WTP is set out in section 3.3 of this report.

2.4 Asset life, environmental and OH&S requirements and reliable operation

2.4.1 Asset Life

Asset life decisions need to include consideration of:

- Innovation; for example SCADA hardware and control software continue to reduce in cost and increase in capacity/capability, but have limited support life (now about 15 to 20 yrs).
- Corrosion; correct protection systems are essential for achieving design asset life.
- <u>Design and maintenance/planned replacement</u>; for example correct materials of construction, catholic protection systems, timely replacement of old assets and allowance/prevention of settlement of structures are essential for achieving design asset life.

2.4.1 Reliable Operation

It is required that each treatment system is "fit for purpose" in terms of minimum dependence on proprietary equipment, easy to operate and perform well under design raw water conditions and have adequate asset life.

Reliability in operation needs to be in accordance with good industry practice, for example:

- <u>Automation</u>: Adequate online monitoring equipment, alarms and telemetry to allow automatic response to process or equipment failure and efficient operation.
- Reliability: Duty/standby with automatic standby unit start-up upon fault of the duty unit, for process critical equipment
- . OH&S: Minimisation of manual handling, automation of processes
- <u>Storage</u>: Sufficient balancing storages to minimise start/stop operation, allow for system failures/power outages and pressure surge risks, and sufficient bulk storage of treatment chemicals.

2.4.2 Contingency Management

Contingency management is required to ensure continuous treated water supply to customers by considering risks and actions to minimise to "acceptable" including:

- Equipment failure and associated redundancy
- · Local or regional power failure
- · Poor raw water quality events
- 2.4.4 Legislative compliance

2.4.3 Regulations

The WTP must comply with statutory requirements including:

- Chemical storage and handling Dangerous Goods regulations including the Dangerous Goods Act (DGA)
- Occupational health and safety (OH&S) requirements

2.4.4 Environmental management

Environmental considerations for operation of the WTP include:

- Compliance with waste disposal and noise requirements (EPA)
- Minimisation of energy consumption
- Sludge disposal including backwash supernatant recovery EPA requirements

2.5 Value for Money

The capital cost together with operating and maintenance costs, needs to be minimised over the adopted planning horizon

Current Performance of Existing System

3.1 Overview of Existing System

Raw water is pumped from the Delegate river to a 283 kL Reinforced Concrete Tank located at the top of a nearby hill. Gaseous chlorine is added at the suction side of the existing raw water pump station. Delegate township is gravity-fed from this Tank

3.2 Water demand and number of properties connected to the Delegate water supply system

Water supply data for Delegate River Pump Station for the period 2013/20 was provided to GHD in the format of operator record sheets showing daily pump run times and daily total volume pumped. The data had significant periods where no daily flow or pump run time was recorded.

The current number of property connections to the Delegate water supply is 898 and the number of unique water meters is 651. This compares with Bombala, which has 1531 property connections.

For the 2018/2020 period the peak daily flow recorded was 728 kL/d (refer Figure 1).

The average demand during the peak week for 2018, 2019 and 2020 is shown in Table 5. For years with high peak day demand a relatively low ratio for ave daily demand for peak 7 days /peak day demand of 0.6 to 0.64 occurred.

In 2014 a high average daily flow for the peak month of 514.3kL/d was recorded (refer Table 4).

Over the 2013/20 period, annual volume of water pumped to Delegate has ranged between 56 to 77.8 Ml/yr.

Demand also correlates with water temperature. This is important to understand for main water treatment process selection and sizing (refer section 6). The following table 2 and figure 1 show that it is unlikely that peak period demand will occur when water temperature is less than 15 oC,

Table 3: Demand versus water temperature

Months(inclusive)	Demand range (kL/day)	Water temperature range (oC)
June to July	37 – 230	2.5 – 7.2
August to September	42 – 251	3.8 – 9.8
October to November	72 - 453	10.1 – 18.5
December to January	59 – 728	16.2 – 24.4
February to March	62 – 359	12.4 – 21.8
April to May	38 – 210	6.5 – 17.0

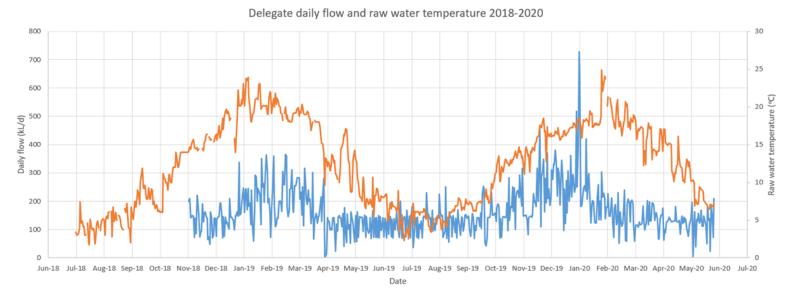


Figure 1: Daily flow from raw water pumps and raw water temperature in RC reservoir

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Table 4: Summary of peak day, peak week, peak month and annual data

Year	Peak day demand	Peak week demand	Peak month demand	Annual ave daily (kL/day)	1st Oct to 31st Jan meter reading (4 months)
2013/14	NA	NA	Feb – 14,400 kL/month (514.3 kL/d)	213	NA
2014/15	NA	NA	Mar – 9698 kL/month (312.8 kL/d)	213?	NA
2015/16	Dec 11th – 555 kL/d (only have sporadic daily data)	NA	Jan – 9248 kL/month (298 kL/d)	NA	NA
2016/17	Feb 6th - 640 kL/d	Jan 31st – Feb 6th - 2879 kL/week (411.3 kL/d)	Jan 8th – Feb 6th – 10,579 kL ~ 353 kL/d	195.3	NA
2017/18	Feb 24th – 515 kL/d	18th - 24th of Feb - 2171 kL/week (310 kL/d)	Feb 17th – March 18th– 7152 kL ~238.4 kL/d	160.5	154.3
2018/19	Feb 16th- 366 kL/d	21st- 27th of Jan – 2022 kL/week (289 kL/d)	Feb 13th to March 14th – 7150 kL ~238.3 kL/d	172.0	96.9
2019/20 (to date)	Jan 4th – 728 kL/d	Dec 31st 2019 - 5th of Jan 2020 – 2993 kL/week (427.6 kL/d)	7-Dec 2019 to 5th of Jan – 9061 kl ~254 kL/d	NA	156.2

Table 5: Daily flows for peak week from 2016-2020

Suspected Peak week	2016/2017 – 31st Jan – 6th of Feb 2017	2017/2018 – 18th to 24th Feb 2018	2018/2019- 21st to 27th of Jan 2019	2019/2020 – 31st of Dec to 5th of Jan 2020
Day 1	400	302	351	233
2	351	441	251	247
3	410	228	263	518
4	413	194	196	251
5	332.5	211	293	378
6	332.5	280	363	728
7	640	515	305	638
Peak week Total	2879 kL/week 411.3 kl/d	2171 kL/week 310 kL/d	2022 kL/week 289 kL/d	2993 kL/week 428 kL/d

3.3 Assessment of Raw Water quality and Health risk

3.3.1 Raw water quality

Results for important raw water quality parameters is summarised in Table 6. The results are for monthly NSW Health data over January 2019 to May 2019, daily data collected by SMRC operator and one recent ALS result.

A subset of a period when turbidity was high in the water quality routinely measured by Snowy Mountains Regional Council (SMRC) is included in Appendix A. Generally, this water supply has low hardness, is relatively soft and has variability in iron, turbidity, colour and pH. It is low in manganese. It is uncertain as to organic content (eg DOC and TOC), algae, and T&O levels as there is very limited data for these parameters.

Table 6 Raw Water Quality results

Water Quality Parameter	NSW Health Jan/Dec 2019 twelve results	SMRC 2017/20 daily results	ALS testing 19/5/2020 single result	5%ile for Delegate historical data for retic 2001-2019 (1)	95%ile for Delegate historical data for retic 2001-2019 (1)
рН	6.5 - 7.3	6.07 to 7.73	7.35	5.4 (4.6)	7.61
Alkalinity mg/L (as CaCO3)		8 to 75	26		
Hardness (mg/L as CaCO3)	10.4 – 26.1			10.3	26
TDS (mg/L)	7 – 220		57	24	60
Calcium (mg/L)	1.3 - 3.8			1.57	5.2
Copper (mg/L)				0.038	1.35
Turbidity (NTU)	0.6 - 9.7	3.5 to 20.7	5.4	1.03	20.5 (28.7)
True Colour (HU)	7 – 42		26	2	22 (32)
Apparent Colour (Hu)i		37 to 237			
Iron (mg/L)	0.33 - 0.71		0.36	0.29	0.91 (1.03)
Manganese (mg/L)	0.009 - 0.042		0.012	0.0025	0.028 (0.13)
herbicides	Not detected				
DOC (mg/L)			2		
TOC (mg/L)			2		
Total blue green algae			200 (Cyanophyta)		
Total Algae			1720		
Water Temperature(oC)		2 to 25			
Taste & Odour Geosmin MIB	No data		5 <1		

NOTE (1); in retic WQ for example; 95%ile for turbidity = 20.5 and max for turbidity = (28.7)

3.3.2 Health Based Targets & Log Removal Values (LRVs)

The HBTs set out required Log Reduction Value (LRV) for pathogens based on various Source Water Categories. As per the HBT guidelines (2018), "the source water category should be determined by combining the vulnerability assessment with the E. coli band allocated according to results of the microbial indicator assessment".

The matrix in Figure 2 below defines how this works.

	Micr	robial indicator concentration c	ategory
Preliminary source water		Maximum <i>E. coli</i> result per 100	mL
category based on vulnerability assessment	<20	20 to 2000	2001 to 20,000
,	(E. coli band 1)	(E. coli band 2)	(E. coli band 3)
Vulnerability category 1	Category 1 (/)	Category 2 (*)	Anomalous (x)
Vulnerability category 2	Category 2 (*)	Category 2 (/)	Anomalous (x)
Vulnerability category 3	Anomalous (x)	Category 3 (/)	Category 4 (*)
Vulnerability category 4	Anomalous (x)	Category 4 (*)	Category 4 (/)

Combining the results of the E. coli data and vulnerability assessment will result in one of the following outcomes:

- 1 The two assessments are consistent and support each other
- * The result is feasible, but has a lower degree of confidence. Both the *E. coli* data and vulnerability assessment should be reexamined to better understand the reasons for the misalignment. For example, if the *E. coli* results indicates a higher level of
 microbial risk than inferred by the vulnerability assessment, then the vulnerability assessment of the catchment should be repeated
 to determine if there are sources of microbial risk that were not previously identified.
- X- This result should not be accepted. The results should be critically reviewed to understand the discrepancy. In the interim, the most conservative source water category option under consideration should be adopted. These results should be discussed with the relevant party (e.g. a health authority or other regulator).

Figure 2 Vulnerability versus Microbial indicator concentration category in HBT document (2018)

Vulnerability assessment

A vulnerability assessment uses a risk assessment process based on identified sources of, and barriers to, pathogen contamination within the water supply catchment. The results are used to allocate the source water into one of four source water vulnerability categories.

Figure 3 shows a photo of the Delegate water supply pump station and weir on Delegate River. The photo show there is easy access to the watercourse for livestock.



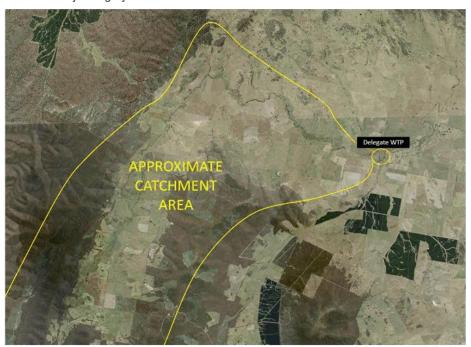




Figure 3 Photo of Delegate water supply Pump station and weir on Delegate River from GHD site visit (16 April 2019)

Figure 4 shows the approximate catchment boundary above the Delegate raw water pump station. The catchment area is mainly farmland, with some forested areas along high areas and a number of rural properties presumably with septic tanks.

There is no exclusion zone around the river which has a frontage of 30 kms and would not change the Vulnerability Category of this catchment even if it was fenced as animal faecal matter would still contaminate the river as it flows into the river with run off during wet weather. Farmland goes up to the edge of the river. Based on this desktop assessment the source water is Vulnerability Category 4.



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Figure 4 Approximate catchment area for Delegate's water supply

E.coli testing

The Health Based Targets (HBTs) concept also requires measurements of the E.coli concentration in the untreated water source. Table 4 shows monthly E.coli results in 2019 for this raw water supply.

Most E. Coli results were >20 cfu/100mL and some were >200cfu/100ml which indicates the source water is E.coli band 3 (refer Figure 2)

Table 7 Results for coliforms in raw water (MPN/100mL, as assessed by SMRC)

Date	E.coli (MPN/100mL)
30/01/2019	>200
19/02/2019	>200
18/03/2019	>200
15/04/2019	200
21/05/2019	74
18/06/2019	53
16/07/2019	120
21/08/2019	11
18/09/2019	59
15/10/2019	62
13/11/2019	130
19/05/2020 *	74

^{*} Data from ALS testing single result, the rest are from DHHS monitoring

Source Water category

The source water category is therefore determined using the table provided in Figure 2 as follows:

• Vulnerability category 4 + E.Coli band 3 = Source water category 4

Required LRVs

Table 8 shows the required Log Removal Values (LRVs) that must be achieved to comply with the HBT for a Source Water Category 4. It also shows the existing Delegate water supply is estimated to currently achieve.

The existing treatment process does not achieve the required pathogen Log Removal Values (LRVs) for protozoa, bacteria or viruses.

Table 8 Delegate Water Supply Log Removal Values (LRVs) under HBT guidelines

Process	Bacteria	Virus	Protozoa	Comment
LRV Required	6	6	5.5	based on source water at Category=4
EXISTING TREATMENT	T PROCES	S		
Chlorination	0	0	0	Turbidity is not <1NTU and therefore LRV is less than 4 and for design purposes is assumed to be 0
Additional LRVs required to meet HBT	6	6	5.5	

Table 9 below summaries the performance achieved for each of the proposed treatment process options discussed in section 6.

Table 9 Log Removal Values (LRVs) for Future Treatment Options

NEW PROPOSED PROC Option 1 Lamella Plate or DAF+ MF+ UV+ Chlorination TOTAL	Bacteria 1 3 0 4 8	Virus 1 1 0 4 6	Protozoa 0.5 3 2 0 5.5	Comments LRV for MF based on individual filters at 95% <0.1 NTU and max 0.15NTU plus routine membrane Integrity testing LRV for UV based on 5.8mJ/cm2 LRV for Chlorination based on CT>15mg/L-min, pH<8.5 & turbidity <1NTU
Option 2 Lamella Plate or DAF+ Gravity Filters+ UV+ Chlorination TOTAL	1 1 0 4 6	1 1 0 4 6	0.5 2.5 3 0	LRV for gravity filtration based on individual filters at 95% <0.3NTU and max 0.5NTU LRV for UV based on 12mJ/cm2 Chlorine CT>15mg/L-min, pH<8.5 & turbidity <1NTU

3.1 Reliable Operation: Assessment of existing system

3.1.1 Asset Condition and Life

A recent NSW Public Works Advisory report (2017) noted that the existing weir and external CICL and AC pipework were installed in 1949. Based on normal asset life criteria the pipeline is approaching end of asset life. The 283 kL Reinforced Concrete tank to which the water is pumped prior to distribution to Delegate customers was built in 1958 and has areas of exposed reinforcement.

The manual duty only gas chlorination system (1kg/hr capacity) was reported to show signs of gas leak in pipework. At the site visit by GHD it is evident works had been done to rectify this risk. The integrator type flow meter appear to be less than 25 years old and in reasonable condition.

Currently, chlorine is dosed to the suction side of the existing duty/standby grunfos type pump. This is likely to have shorten the life of the pumps due to corrosion. The pH of the chlorinated water can, based on operational data 2018/20, to as low as 5.

The measured flow from one of the raw water pumps appears to be around 7 to 14L/s (refer Appendix B) compared to design duty point of 30L/s. A tank fill test completed by the NSW Public Advisory and recently by Council showed the other pump runs at an even lower rate of 6 to 7.2L/s respectively.

Based on the above findings replacement of both existing pumps is recommended to achieve reliable operation over the planned life of the new WTP.

3.1.2 Reliable Operation

Operational water quality results indicate the existing manual and duty only chlorinator is undersized for the existing water supply. For example, during recent poor raw water quality conditions in February 2020 (refer appendix A) it was dosing at up to 0.6 to 0.7 kg/hr but this was not sufficient to maintain a chlorine residual in water going to town. Based on operator log sheets the chlorine dose concentrations appear to range between 5 to 12 mg/L, which is high, and suggest the organics content of this raw water supply can at times be quite high. It also is dosing to a water supply with turbidity up to 20 to 25 NTU which is well in excess of the ADWG recommendation of turbidity <1 NTU at the point of chlorination.

The existing tank feeding treated water to Delegate Township has a total volume of 283 kL. (Refer NSW Public Works Advisory report-2107) This is small given the historical peak day demand, which ranges between 450 to 720 kL/d. Normal operational requirement is to provide an operational volume of at least one peak day demand.

3.1.3 Contingency management

The duty/standby-raw water pumps provide a reasonable supply security. However, the existing manual adjustment and duty only gas chlorinator is a serious current limitation in relation to contingency management, especially given the relatively high raw water E.coli levels and unprotected catchment classification.

3.1.4 Regulations

Compliance with EPA, OHS and WHS regulations

Current chlorination system has a windsock and safety shower and a chlorine gas detector but does not have a chlorguard or similar automatic gas shutoff system linked to high chlorine gas alarm. Hence, it would not comply with modern OHS requirements. In addition, access to the flowmeter is via a pit with step irons, which is an OHS risk.

Chemical storage and handling

Access for changing 70kg gas bottles is reasonable

3.1.5 Environmental management

The only concern at present is the apparent low flowrate of the raw water pumps compared to design duty point. This results in greater energy consumption than expected.

4. Groundwater Investigation

GHD advised Council to undertake a field drilling investigation program to investigate the quality and bore yield potential of the groundwater resources in the vicinity of the townships of Delegate.

A groundwater investigation drilling program was therefore undertaken at the township of Delegate. The objective of this drilling program was to investigate potential groundwater resources in close proximity to the current water reticulation infrastructure at this township.

Two pilot investigation bores were drilled. At Delegate, the drilling focussed on the fractured basement rock aquifer.

The pilot bores drilled at the Delegate Reservoir site and Pumping station site to approximately 120 m depth produced a maximum yield in the order of 1 L/sec. Although the groundwater salinity was suitable for potable use, at around 300 mg/L TDS, there was insufficient yields to warrant the construction of a test bores or any further groundwater investigates.

Based on these results, there was insufficient yield for ground water to be a reliable future source of supply or to warrant the construction of any test bores or any further groundwater investigations. It is recommended that other potable supply options are pursued.

The Groundwater Investigation Report has been issued to SMRC separately to this report.

5. Existing Delegate River weir, intake structure and raw water pipeline

Potential upgrades of the weir on the Delegate River, the raw water intake structure and pipeline from the raw water pump station have not been addressed in this report. GHD understands that SMRC plans to undertake an Integrated Water Cycle Management Study (IWCMS) that will address the weir.

5.1 Weir across Delegate River

Raw water for Delegate is sourced from a pool in the Delegate River, upstream of the town. This pool is semi-formalised by the placement of reclaimed concrete blocks across the river to form a permeable weir. The raw water intake consists of a rudimentary timber platform, with manually operated winch assembly for raising and lowering the intake pipe in the pool. Refer to photographs in Figure 3.

The existing water intake and access do not meet current OH&S standards, as reported to Council by NSW Public Works Advisory in June 2017.

GHD has been advised that the existing weir was not formally designed or approved, but has received some level of recognition by the Department of Primary Industries in its report from 2006 addressing seven weirs across rivers in the area of responsibility of the Southern Rivers Catchment Management Authority (as it then existed). That report addresses the informal weir at Delegate in the same manner as the larger weir on the Snowy River at Dalgety. This does not constitute formal approval of this weir, but does acknowledge that it has existed since the 1950s. That report focussed on environmental considerations and recommended either the

9.3.1 DELEGATE WATER SUPPLY OPTIONS REPORT - UPDATE ATTACHMENT 1 OPTIONS ASSESSMENT DELEGATE WATER SUPPLY - FINAL DRAFT 30-7-2020 Page 120

removal of the weir or upgrading the weir to include a partial width rock fishway, with the weir upgraded to a solid (non-permeable) structure directing normal flows through the proposed fishway.

There has been some recent discussion by Council around the potential to undertake some works on the weir at Delegate for the purpose of improving water security. GHD is not aware of a formal proposal for this weir. GHD understands that the weir will be considered as part of the planned IWCMS for Delegate.

The existing weir arrangement is currently serving to maintain a pool of water around the raw water intake.

The existing informal weir currently provides a workable pool at the raw water intake. This Options Study has assumed that this existing weir will remain in its current configuration and will be addressed in the upcoming IWCMS that SMRC is undertaking.

The following matters would need to be addressed in any proposal for changes to the existing weir arrangement, following from the IWCMS.

- · Water security
- Fishway
- Storage capacity
- Investigation and design of ugraded weir
- Upstream and downstream flora and fauna habitats
- · Formal approvals and environmental approvals from statutory bodies

6. Options for New Water Treatment Plant (WTP)

6.1 Capacity of new WTP and treated water storage

For the purposes of the new WTP options, the following capacity related aspects apply;

- Council Strategic Planner advice for Delegate is a 0.05% pa growth rate in population
- It is assumed there will be up to 10% increase in demand due to shift from a nonpotable to a potable supply
- Based on ratio of Delegate to Bombala number of property connections and Bombala peak day demand for treated water of 1350 to 1450 kL/d, then on properties connected ratio the peak day demand for treated water at Delegate would be about 790 to 850 kL/day. This is significantly higher than seen in pump station records
- Historical peak day demand at Delegate is in the range 640 to 728 KI/day and average demand over the peak 7 days has been up to 410 kL/day

Based on the above assessment the design basis is as follows;

- A 0.5ML/d capacity WTP combined with anew 800kL usable volume treated water storage. This arrangement
 - Allows reliable treated water supply via draw/fill of the 800 kl tank based on a design peak day demand up to 750 kL/day and average daily demand over the peak week up to 450 kL/d.
 - Provides security of supply for contingencies (eg extended power failure or raw water pump station unavailable).
- Annual demand of 200 kL/day or 73 ML/yr.

6.2 Development of suitable Water treatment process trains

6.2.1 Introduction

The key treatment challenges associated with the raw water source for a new Delegate WTP are:

- Achieve Log Removal Values (LRVs) for bacteria, virus and protozoans based on Source Water Category=4 under Health Based Targets
- Moderate level of Iron, probably in oxidised state, and generally low levels of Manganese.
 Allowance for pre-oxidation using potassium permanganate is recommended
- A single measurement shows low Geosmin level at 5 ng/L and no detection of MIB. As this
 is a river source it is unlikely to have high levels of algae generated MIB or Geosmin, but it
 remains an uncertain but probably low risk. No specific treatment process is proposed,
 however the repurposing of the existing tank as a raw water balance tank would be suitable
 for future PAC dosing in the future, if required.
- Low alkalinity, pH and calcium levels and therefore relatively corrosive to cement lined and AC pipes
- cold water in winter down to 2oC and summer temperature up to 25oC and apparent day to day variations up to about 2 to 5oC

- True colour levels up to 42Hu indicate significant level of Dissolved Organic Carbon (DOC) occur. However, a special organics removal process such as GAC is not required to avoid excessive THM formation. In addition, the relatively compact Delegate retic system means detention time in the retic is relatively short which further reduces the risk of excessive levels of THMs. However the following contingencies are adopted;
 - allowance in the new 800 kL treated water tank design (i.e. about 600 mm headspace) for future, if required, retrofitting of a PAX type THM stripping system is recommended
 - room allowance in the WTP building for future ammonia and trim chlorine dosing for monochloramine based final disinfection

The WTP also needs to achieve the following design requirements;

- "Fit for Purpose" treatment barriers to achieve treated water targets based on the raw water quality envelope and HBT for the unprotected catchment conditions
- Sized for net peak day production of 0.5 ML/d and an annual output of 70 ML/yr and has integrated automatic operation with a new treated water tank of operating capacity of 800 kl
- Achieve asset life, environmental and OH&S requirements and reliable operation objectives
 (e.g. adequate automatic, duty/standby for critical equipment)

6.2.2 Treatment process options

Overview

A brief survey and assessment of various treatment technologies for the delegate raw water quality conditions is summarised in Appendix C. The preferred treatment processes, based on the raw water quality conditions and the treated water targets, are highlighted and are discussed below.

Raw Water balance tank

The raw water source is from a river and there is evidence from dally operational readings of relatively rapid changes in raw water quality (e.g. water temperature, turbidity, alkalinity, pH and colour). In addition, the raw water pumps are relatively remote. A raw water balance tank will mitigate these risks. It would have a bypass for direct pumping to the WTP for emergency conditions.

Repurposing use of the existing 283 kL tank as the raw water balance tank is recommended as it;

- Enables simple control of both the raw water pump station and the WTP (i.e. start/stop on level)
- Protects the WTP from water hammer related pressure surge from the raw water pump
- Enables blending out short-term variations in water quality
- Provides reaction time for oxidation of iron and manganese
- Provides reaction time for future PAC dosing (if required).
- Provides some raw storage for WTP operation during unexpected events, eg extended power failure, flood damage

Pre-oxidation and/or treatment for Taste/odour

Analysis of water quality data (table 5) indicates relatively low levels of manganese, moderate levels of iron and very little data on MIB/Geosmin/algae. However, as the raw water source is a relatively fast moving river with only small pools, it is unlikely that peroxidation for manganese or iron will be needed. It is possible that algae related taste/odour would occasionally occur in hot summers. Consequently, space allowance in the WTP building for future retrofitting of PAC and potassium permanganate systems is recommended. In addition, a pre-chlorine system would be provided now at this new WTP to dose chlorine to the raw water balance tank. This will be needed during commissioning and is a suitable contingency allowance for these water quality risks.

Coagulation and pH control

Based on the jar test work for Bombala, alum based coagulation is recommended. Alum dosing at low pH of 5.8 to 6.2 maximises organics removal to minimise disinfection by-product production (eg Tri-Halo-Methanes (THMs) - which has a limit in ADWG)

pH control by caustic soda or soda ash is recommended. Lime dosing would be mean a lower chemical dose but for a small plant the difference in chemical cost is not big. However, a lime system has a significantly higher CAPEX and operational costs due to its handling difficulties.

Clarification options; Dissolved Air Floatation (DAF) or lamella plate clarifier

The low turbidity and moderate colour plus the variable and at times very low water temperature conditions are well suited to a Dissolved Air Floatation (DAF) type clarification process. It is also best for algae removal, but this appears to be a relatively low risk in the raw water. It also has a small footprint and for this size plant can be fabricated off site in FRP or coated steel or stainless steel and then transported to site. However, it has a relatively high power requirement of about 80 to 120 kWhr/ML. In addition, if future dosing of PAC is required there is an upper limit for PAC dose at around 80mg/L for the DAF process

The alternative of a lamella plate based settling process is marginally more sensitive to water temperature variation but this effect will be minimised by use or the balance tank. It has a small footprint and for this size plant can be fabricated off site. It also has a low relative power requirement of about 10 to 15 kWhr/ML and has less automatic equipment and pressure vessels to maintain. The clarifier process can also accept very high doses of PAC if required in the future and has a greater capacity to treat high turbidity events.

Further discussion regarding the alternatives of a Dissolved Air Floatation (DAF) versus a suitable settling process is also included in Appendix D.

Finally, for this size plant DAF and lamella plate clarifier have about the same CAPEX.

Filtration options; MF or gravity filters

The very low water temperature conditions in winter would require de-rating of a Microfiltration (MF) process. For a 0.5MLD capacity plant the maximum flowrate through the membranes would be around 7L/s. The effect of water temperature on this maximum flow rate is estimated as follows;

Table 10: Water temperature effect on maximum flow rate

Water Temperature	Relative maximum flow rate (L./s)	Net production capacity(MLD)
20°C	7	0.5
15°C	6.2	0.44
10°C	5.4	0.39
5°C	4.6	2.3

Based on findings from the relationship between demand and water temperature it is proposed that the MF process be designed for maximum production at a water temperature down to 15oC.

The relative benefits of MF technology compared to gravity filtration are:

- Council has this MF process the nearby 0.24 ML/d capacity plant at Dalgety
- Easier to run remotely mainly because the process deals well with non- optimum coagulation/clarification conditions due to rapidly varying raw water turbidity/colour as it has a membrane barrier with pores that are smaller than bacteria and protozoan microbes
- backwash is by air and raw water reducing loss of treated water in backwashing
- Log Removal Value (LRV) for protozoa is higher for MF compared to gravity filters.
- The MF process has an extra energy requirement of about 80 to 90 kWhr/ML compared to a gravity filtration process

However, gravity filtration has the benefit of not requiring plant de-rating in cold-water conditions. It also has less automated systems and valves and hence a lower specialist maintenance requirement.

Organics and MIB/Geosmin removal options

Special treatment process options for additional organics removal to control THMs or MIB/Geosmin removal to control taste/odour (eg Ozone/GAC or GAC or Nanofiltration etc.) is not included. That is, the single measurement of TOC/DOC and MIB/Geosmin showed low levels when colour reading was near the average value. Relatively low TOC/DOC and MIB/Geosmin levels are relatively common for river sources in this area.

However, contingency allowance for future powdered Activated Carbon (PAC) dosing for possible intermittent MIB/Geosmin risk is recommended.

Fluoridation

For this small size plant, the recommendation is a sodium fluoride saturator based system installed within a separate purpose built air-conditioned room within the new WTP. A decision on fluoridation of this water supply requires community and Department of Health consultation, which has not yet occurred and is not within the scope of this project.

Ultra-Violet (UV) disinfection

UV disinfection is required for protozoa removal to achieve LRV target. A higher dose is required for the process with clarification/filtration compared to clarification/MF but the difference is small in terms of power consumption and costs.

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Disinfection: chlorination and allowance for chloramination

Chlorination based on dosing chlorine gas from new duty/standby 72 kg cylinders via duty + standby chlorinators that are automated to adjust dose based on flow pace and trim to a free chlorine residual control as well as automatic changeover on fault. Chlorine would be added to the inflow to the treated water tank. Based on;

- Tank minimum operating volume of 100 kL
- · chlorine residual at 1mg/L in water leaving the tank
- peak flow of 7.5L/s and
- shortcircuiting factor of 0.1 (assumes worst case of USEPA allocation for tank with no baffling)

Then the calculated Concentration(C) x detention time (T) at the tank outlet is 22mg/L-min compared to ADWG minimum recommendation of 15mg/L-min.

In addition, allowance is recommended for trim chlorine dosing plus dosing of ammonia to create monchloramine disinfection residual in the treated water leaving the treated water tank is proposed to minimise THM exceedance risk and maintain a stable disinfectant residual in the town. This requirement may not be required if jar test work during detail design stage shows the THM formation potential is less than the target of <0.25mg/L

Washwater and sludge management

Washwater and sludge would be discharged to a washwater tank and then slowly pumped to a thickener to produce a sludge suitable for dewatering by 2 No. sludge drying beds. Polymer is added to the flow going to the thickener. The clay-lined sludge drying beds with underdrains in a bottom sand bed, would be located as shown in figure 5. Design is based on an average suspended solids production of 15-20 mg/L and treated water production of 73 ML/yr. Two drying beds are proposed sized for a sludge drying capacity of 30 kg DS/m2/yr for this comparison of options stage. Supernatant from the thickener plus occasional subnatant flow from the drying beds will be stored in a separate small tank. The combined supernatant/subnatant would be pumped back to the raw water balance tank at a controlled rate of <10% of the flowrate of raw water inflow from the pump station at the river. This approach minimises water losses for sludge dewatering. Dried sludge would be removed approximately 1 to 2 times per year from each bed.

The alternative to the sludge drying beds of a mixed thickened sludge tank (approximately 10 to 20 kL) that is emptied every few weeks/monthly will be assessed during concept design stage.

Summary of Future Treatment Process Options

Based on the above assessment it was determined that suitable alternative treatment process trains for treatment of this raw water are;

- Option 1 or 2: Raw water balance tank + Lamella Plate Clarifier or DAF + MF/UF +UV + Chlorination and the chloramination
- Option 3 or 4: Raw water balance tank + Lamella Plate Clarifier or DAF + Gravity Filters
 +UV + Chlorination AND then chloramination

6.2.3 New Water Treatment Plant (WTP) Building

To achieve good security and long asset life the new WTP would be located in a lined Colorbond building, containing the main process units, chemical systems, control room and

electrics. The figure below shows photos for a similar size plant inside such a building. The building dimensions and nominal internal layout of equipment is included in Appendix E.





Figure 5 0.6 ML/d Balmoral DAFF main building (left) & Lined sludge drying bed for 23 MLD Hamilton WTP (right)

6.2.4 Proposed WTP and Treated Water Tank location

The proposed location is between the existing access road to the existing 283 kL tank and the southwest boundary of the property. (Refer figure 6) The new WTP location is to the west of the existing raw water pipe to enable easy access to this pipeline. New road works and a small "farm dam" structure (to contain overflows) are proposed. A concrete chemical delivery bund with associated underground spill tank is also included. (Refer figure 7).

The new Treated water tank location minimises extra pipe work while allowing easy access.

6.2.5 Land acquisition

We understand that Council does not own the site at Delegate where the existing 283 kl tank is located and the new WTP infrastructure is to be located. This is lot 1 DP 348134 as shown below in figure 6.

The current CAPEX for this project does not include the cost for Council to acquire the land. While Council does not need to acquire the whole area of the existing lot, the UCV used for rating purposes for the whole site would allow a margin for subdivision and acquisition costs over the land value of the area that does need to be acquired.



Figure 6: Aerial view of key site features

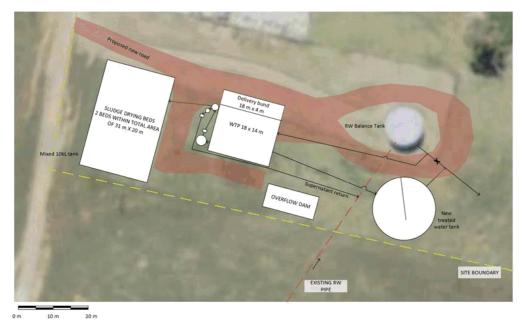


Figure 7: Proposed site location and layout for Option 1 &2

6.3 Raw water pump station and raw water main

Existing raw water pumps are 18.5 kW and design duty point is 30 L/s at 42.6 m head. At the site visit, the duty pump was drawing 30 amps at 410v, which is consistent with this power rating.

However, investigations of the raw water pump hours, flow integrator readings (provided by SMRC from 2017-2020) plus site tests indicate pump 1 runs at a flow rate between 4.8-7.2 L/s while Pump 2 runs at a flow rate between 13-13.6 L/s.

To achieve asset life and reliably of operation requirements it is assumed both pumps are replaced for the new WTP project. Based on design peak day demand of 750kL/d, a pump capacity of 12L/s is required. The new pumps need to be duty/standby with auto changeover on fault. Fixed speed pumps that start/stop on Low/high water level in the raw water balance tank is all that is needed.

It is assumed that no changes to the raw water main is required.

6.4 Common Works for this WTP project

Works that are common to Option 1 and Option 2 include:

- · General road/site works and civils
- Replacement of both raw water pumps at raw water pump station
- No upgrade of the existing Raw Water main
- · Pre- alkali and potassium permanganate or pre-chlorine dosing
- Existing 283 kL tank repurposed for a Raw water balance tank
- New soda ash, polymer, alkali and coagulant systems
- UV disinfection
- Chlorination
- Treated Water Stabilisation by addition of alkali and carbon dioxide
- · Mixed washwater tank, pumps and pipeline to thickener
- · Polymer dosing to feed to thickener
- · Sludge handling via thickener and sludge drying beds
- Supernatant return tank and pipeline to raw water tank
- New treated water tank (800 kL)
- Overflow "farm dam" of about 100 kL capacity
- · Concrete delivery bund and chemical spill tank
- · Service water, compressed air , telemetry link and new power supply and transformer

6.5 Option 1 or 2: New DAF or lamella Plate clarifier then Membrane Filtration

This treatment solution includes:

- Dissolved Air Floatation (DAF) or Lamella plate clarifier to produce settled water
- Settled water balance tank and MF feed pumps on VSD control
- Low pressure High Output type Microfiltration (MF) skid backwashed by raw water plus air scour
- CIP system

Figure 8 shows the Process Flow Diagram and the approximate building layout is shown in Figure 7

6.6 Option 3 or 4: Lamella Plate or DAF then Gravity Filtration

This treatment solution includes:

9.3.1 DELEGATE WATER SUPPLY OPTIONS REPORT - UPDATE ATTACHMENT 1 OPTIONS_ASSESSMENT_DELEGATE_WATER_SUPPLY - FINAL DRAFT 30-7-2020 Page 129

- Dissolved Air Floatation (DAF) or Lamella plate clarifier to produce settled water
- · Gravity filters with dual media
- Backwash operation using air scour then high rate filtered water backwash from the existing treated water tank
- Filtered water balance tank and associated level controlled pumps on VSD delivering treated water to the existing RC tank

Figure 8 shows the Process Flow Diagram and the approximate building layout is shown in Appendix E.

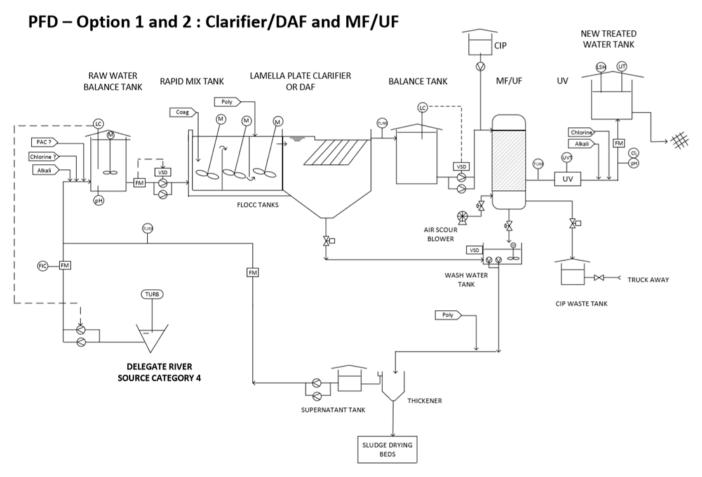


Figure 8 Process flow diagram of new WTP to treat water from Delegate River (Source Category 4)

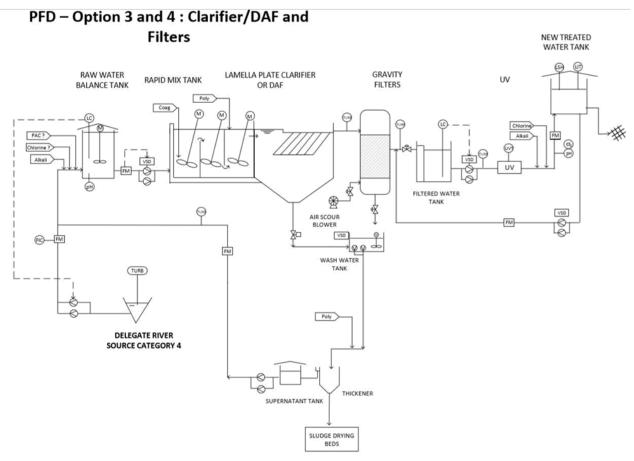


Figure 9: Process flow diagram of new WTP to treat water from Delegate River (Source Category 4)

7. Comparison of options

7.1 Introduction

The relative CAPEX, OPEX, Net Present Cost (NPC) and non-cost related advantages and disadvantages for each option are discussed in this section of the report.

Refer to Appendix F for breakdown of costing of CAPEX, OPEX and NPC.

7.2 Comparison of Options for new WTP

The comparison of options is summarized in Table 11 below.

It is notes that the accuracy of the relative cost estimates is estimated at 30%. Based on this accuracy both options are comparable in terms of CAPEX and NPC.

PAC dosing has not been included in the costing presented in Table 11 as it is a relatively unknown risk and can be retrofit later. A preliminary cost for PAC dosing has been provided in the cost breakdown in Appendix F for information however not added to the final total

Potassium permanganate for manganese oxidation is not included in the cost estimate shown in table 7 as again it is a relatively unknown but probably low risk and can be retrofit later.

Cost for fluoridation is also not included in the cost estimate shown in table 7.

The important features of the comparison of options are;

- The relative differences in energy cost are quite small for the process options;
 - o Clarifier/gravity filtration: 30 to 40 kWhr/ML or about \$500 to \$700pa
 - o DAF/filtration: 80 to 100 kWhr/ML or about \$1400 to \$1800pa
 - DAF/MF: 160 to 200 kWhr/ML or about \$2500 to \$3000pa
- The MF option has the benefit of low operator attendance requirement as it has the
 most robust treatment process due to the presence of a physical membrane barrier that
 prevents passage of protozoans and bacteria. Suboptimal coagulant dosing can be
 better tolerated compared to DAF or lamella plate clarification
- DAF is well best suited to variable cold water temperature conditions. MF has to be derated for water temperature <15oC and the clarification process operates best where water temperature variation rate is < 2oC/hr
- All processes can be fabricated offsite and brought to site on a truck for skid type
 installation, however the MF system is usually the most suitable for this approach as it
 comes with its own PLC controller and all automated valves set in place
- All these treatment processes are fabricated locally so procurement of the main process is relatively easy eg;
 - DuPont for Memcor MF structures and controls but note that membrane modules are usually imported
 - Water Treatment Australia and Aquatec Maxcon for DAF and Lamella plate clarifiers structures but lamella plate casettes are often imported

Table 11: Comparative costs advantages and MCA Scoring for each option

		Option 1 DAF then MF	Option 2 Lamella Plates Clarifier then MF	Option3 Lamella Plates Clarifier then gravity filters	Option 4 DAF then gravity filters
CAPEX*		\$5.55 m	\$5.52 m	\$5.32 m	\$5.35 m
Land acqu	isition for WTP**	\$0.25-0.3 m	\$0.25-0.3 m	\$0.25-0.3 m	\$0.25-0.3 m
OPEX*		\$0.142 m/yr	\$0.139 m/yr	\$0.134 m/yr	\$0.138 m/yr
NPC 6%pa	a for 25 yrs	\$7.62-7.67 m	\$7.55- 7.60 m	\$7.29-7.34 m	\$7.37 -7.42 m
Advantage	es	Easy to manage barrier for achieving LRV for protozoa risk (eg Cryptosporidium) Least sensitivity to rapid change in raw water turbidity/ colour/water temp Council operates MF at nearby Dalgety Raw water used in backwash DAF best for algae removal	Easy to manage barrier for achieving LRV for protozoa risk (eg Cryptosporidium) Low complexity for automated control for Lamella plate clarifier Council operates MF at nearby Dalgety Raw water used in backwash	No de-rating for low water temperature Least complexity for automatic controls	No de-rating for low water temperature Low complexity for automatic control of gravity filters Good for algae removal
Relative D	isadvantages	De-rating plant capacity progressively required when water temp is <15 °C Most complex automatic control Expensive Proprietary membranes that have to be replaced every 7 to 8 yrs Higher backwash volume compared to gratify filters Limitation on future PAC dose(if required)	De-rating plant capacity progressively required when water temp is <15 °C Expensive Proprietary membranes that have to be replaced every 7 to 8 yrs Higher backwash volume compared to gravity filters	More sensitive to rapid change in raw water turbidity/colour Careful control of coagulation, clarification and filtration processes required to always achieve LRV for protozoa risk Treated water used in backwash reducing volume in treated water tank for drawdown	More sensitive to rapid change in raw water turbidity/colour careful control of coagulation, DAF an filtration processes required to always achieve LRV for protozoa risk Treated water used in backwash reducing volume in treated water tank for drawdown Limitation on future PAC dose(if required)
Relative score	Barrier to chlorine resistant protozoan	1111	////	///	/ / /
against MCA	Low attendance for operation	////	////	√ √	///
	Easy to maintain	√ √	\ \ \ \	////	√√ √
	Environment	///	///	////	///
	OHS	////	////	////	////
	Easy procurement/construction	VVV	/ //	////	/ ///
(preferred preferred=	Option=1, Less 2)	1 or 2	1 or 2	3	4

^{*}The above costs do not include Fluoridation or other possible future chemical dosing systems. However costs for these items are include in the detailed breakdown for information only purposes

^{**}Nominal land acquisition cost for WTP at existing tank site

8. Conclusions & Recommendations

8.1 Conclusions

The main conclusions from this assessment covering of demand, surface water supply systems, surface water quality and treatment and groundwater alterative are:

Demand; Design peak day demand for the new WTP has some uncertainty due to

- lack of long-term reliable records for supply from the raw water pump station
- · uncertain effect of switch from non-potable supply to potable supply

In response it is considered the best cost-effective solution is a 0.5ML/d capacity WTP combined with a large 800kL treated water tank to allow draw/fill of the tank to achieve reliable supply for a peak day demand of up to 750kL/day and average dally demand up to 450 kL/day over the peak week

Raw Water supply system: the existing raw water pumps achieve performance well below design duty point. It is assumed they will be replaced for the new WTP. The existing weir pool, intake structure and rising main are now 70 yrs old. They need replacement/upgrade work. The assessment of what is needed and cost is not included in this project.

Raw Water Quality and Treatment; the Delegate river source has relatively high E.coli levels and is from an inhabited catchment with livestock and farm houses with septic tanks. It is a run of river supply with variable turbidity and colour and a wide temperature range. It is a soft water source that needs alkali addition to stabilise the treated water, especially after chlorine gas is added. Effective Treatment requires a 2- stage process of clarification (Lamella plate clarifier or Dissolved Air Floatation) then filtration (Gravity dual media filters or Microfiltration). UV then chlorine disinfection is also needed to achieve Health Based Targets.

<u>Groundwater alternative</u>: preliminary drilling reveals that this groundwater alternative is not a viable option

Other matters; Council does not own the land where the existing storage tank is located, which is also the site for the new WTP

8.2 Recommendations

The preferred 0.5ML/d capacity treatment process for the Delegate WTP is:

Option 2: Lamella Plate Clarification then MF

The main common works are;

- New raw water pumps
- Repurpose the existing 283 kL tank as a raw water storage to balance out changes in raw water quality and provide some security of supply capability
- · UV disinfection then chlorination
- New 800 kL usable volume treated water storage
- · Sludge treatment by sludge drying beds
- The main treatment processes located inside a new colour-bond type building
- Allowance in floor area within the treatment plant building for future addition of PAC, potassium permanganate and ammonia dosing

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9.3.1 DELEGATE WATER SUPPLY OPTIONS REPORT - UPDATE ATTACHMENT 1 OPTIONS ASSESSMENT DELEGATE WATER SUPPLY - FINAL DRAFT 30-7-2020 Page 136

The key benefit of this MF based option is the presence of a physical membrane, which allows occasional suboptimal performance of the coagulation and settling or floatation process to be tolerated. This is important for a run of the river raw water supply system where raw water quality can change rapidly. In addition, Council has experience with MF technology at nearby Dalgety WTP. Also, usually a MF based process requires less operator attendance at site compared to gravity filters based process, as it is more automatic process.

The main benefit of lamella plates clarification is it can handle higher solids loading due to high dose of coagulant for events of high turbidity plus colour.

This treatment process also has a small footprint.

It is also recommended that;

- · Land at the existing water tank site be acquired for the new WTP and associated works
- No further groundwater investigations be considered
- assessment of the weir pool, intake structure and raw water pipeline be completed and necessary upgrade works be defined

Appendices		
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DELEGATE WATER SUPPLY OPTIONS REPORT - UPDATE

9.3.1

Appendix A – SMRC Delegate Operational Data for storm event period

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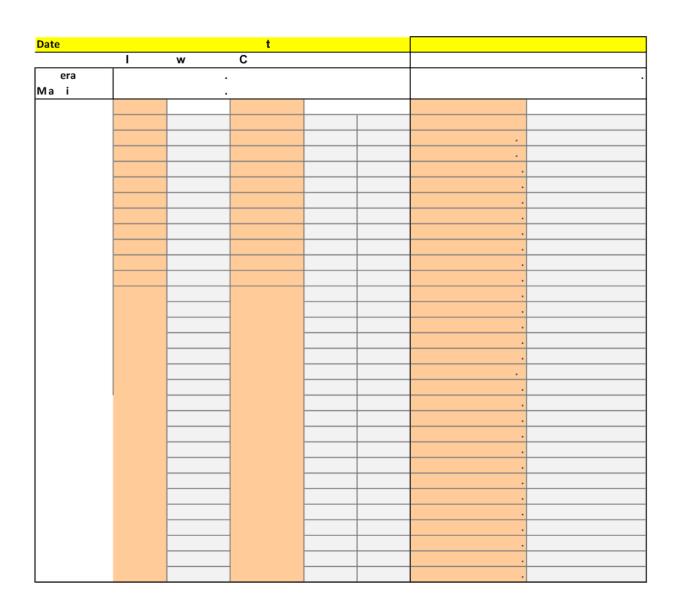
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Appendix B - Plant flows and Chlorine Dose

Refer to following page.



Appendix C – Comparison of treatment processes

Refer to following page

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Table 12 Comparison of treatment processes based on treatment of contaminants in raw water from Delegate river

LEGEND

- preferred process
- optional process
- Additional process if shown later to be required

Contaminant Removed	Iron & Manganese	Turbidity and flocc particles	Colour	pH control	Dissolved Organic Carbon	Pesticide chemicals	MIB& Geosmin	Virus	Bacteria	Protozoans	THMs	Algae	Comment
Treatment Process													
Potassium Permanganate	////												Best at pH >7.5 – 8.5 in high DOC water as if prevents overdose risk
Powder activate carbon					✓		√√√						Best if MIB/Geosmin is intermittent
Alchlor (ACH)		////	//	✓	✓								Preferred for high turbidity/low colour(DOC) water and where high coagulation pH is preferred
Alum		<mark>√√√√</mark>	////		<mark>√√</mark>								Preferred for high colour(DOC)/ low to high turbidity water and where low coagulation pH 5.8-6.2 is preferred for maximum DOC removal
Dissolved Air Floatation (DAF)		√√	√√√√									√√√√	Best for high colour/low turbidity water and good for confined site
Sedimentation by Lamella Plates		////	///									//	Good for confined site and best for high turbidity /low to moderate colour conditions
Sedimentation by Reactivator		////	//										Best for high turbidity low colour water and less confined site
Gravity Dual Media Filtration	√√ (greensand)	<mark>√√√</mark>								✓			Requires polymer dosing & air scour + water backwash & filter to waste
Microfiltration (MF)		<mark>////</mark>	✓							<mark>√√√</mark>			Pore size $0.3 - 0.5 \mu m$, lower power and raw water plus air scour backwash
Ultrafiltration (UF)		√√√√	//							√√√			Pore size 0.1 – 0.2 μm, higher power and raw water plus air scour backwash
Nano Filtration (NF)					///		√?			√√ √(if no bypass)			Get about 50% DOC removal and recovery 85-90%
Nanofiltration (SW)					\ \ \ \ \ \ \		√?			√√ √(if no bypass)			Get about 90% DOC removal and recovery 80%
MIEX					1111								Proprietary design & high OPEX risk
Ozone/GAC					/ /	///	1111			√√ (if CT correct)			ozone mainly for MIB/geosmin present most of the time
GAC/BAC					√√	✓ ✓	√√			·			DOC removal drops from 50% to 20-30% over 1 year then drops to 15-25% over 10 year
Chlorine	√√√							√√√√	////				Need to have treated water DOC < 4 to 6 mg/L to avoid THMs >250 µg/L
Chloramine								✓	//		√√√		Stops further THMs production
Caustic Soda				////									Dangerous good but lower dose required compared to soda ash
Soda Ash				////									Not a dangerous good
UV Disinfection										√√√√			Installed power increases a lot as UVT in filtered water reduces from >90% to < 80%
PAX type aeration in Treated water tank											///		Removes > 35% of THM's when water temp <15oC

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Appendix D - Comparison of DAF and Settling

The following Figure 10.1, based on International Water Treatment experience, shows the normal operating range for a Dissolved Air Floatation (DAF) process. The TOC is related to colour and in turn alum dosage, which adds to the solids load. This figures show that, for water that has a high TOC (or DOC or true colour) and a low turbidity, the preferred treatment process is DAF then filtration. At Delegate the true colour (from NSW Health results) can reach 40Huin the water canurDOC can be up to about 24mg/L and the turbidity is almost all the time <10NTU in all raw water data.

Settling processes, such as the existing reactivator clarifier or lamella Plate clarifier, are not preferred until the raw water turbidity exceeds about 40 NTU (Degremont-Suez). This is consistent with experience by GHD at several plants such as Hamilton in Victoria, where only the combination of high turbidity with high colour caused de-rating of the DAFF process.

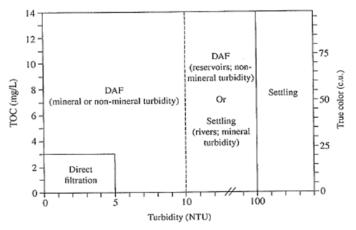


FIGURE 10-1 Process selection diagram based on average raw water quality conditions (Source: reprinted from Valade et al. (2009), Journal of Water Supply: Research and Technology AQUA, 58 (6), 424–432, with permission from the copyright holder, IWA Publishing).

Appendix E - Proposed Building Layout

Refer following page..

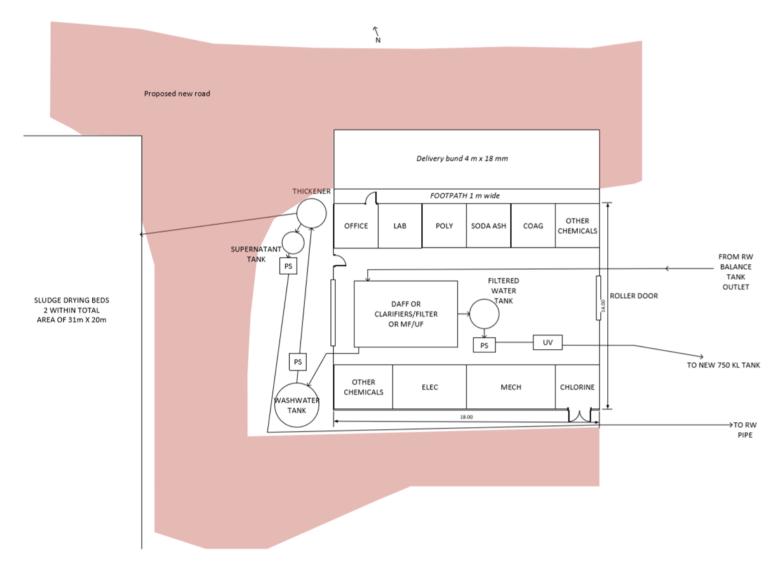


Figure 10: Proposed building layout

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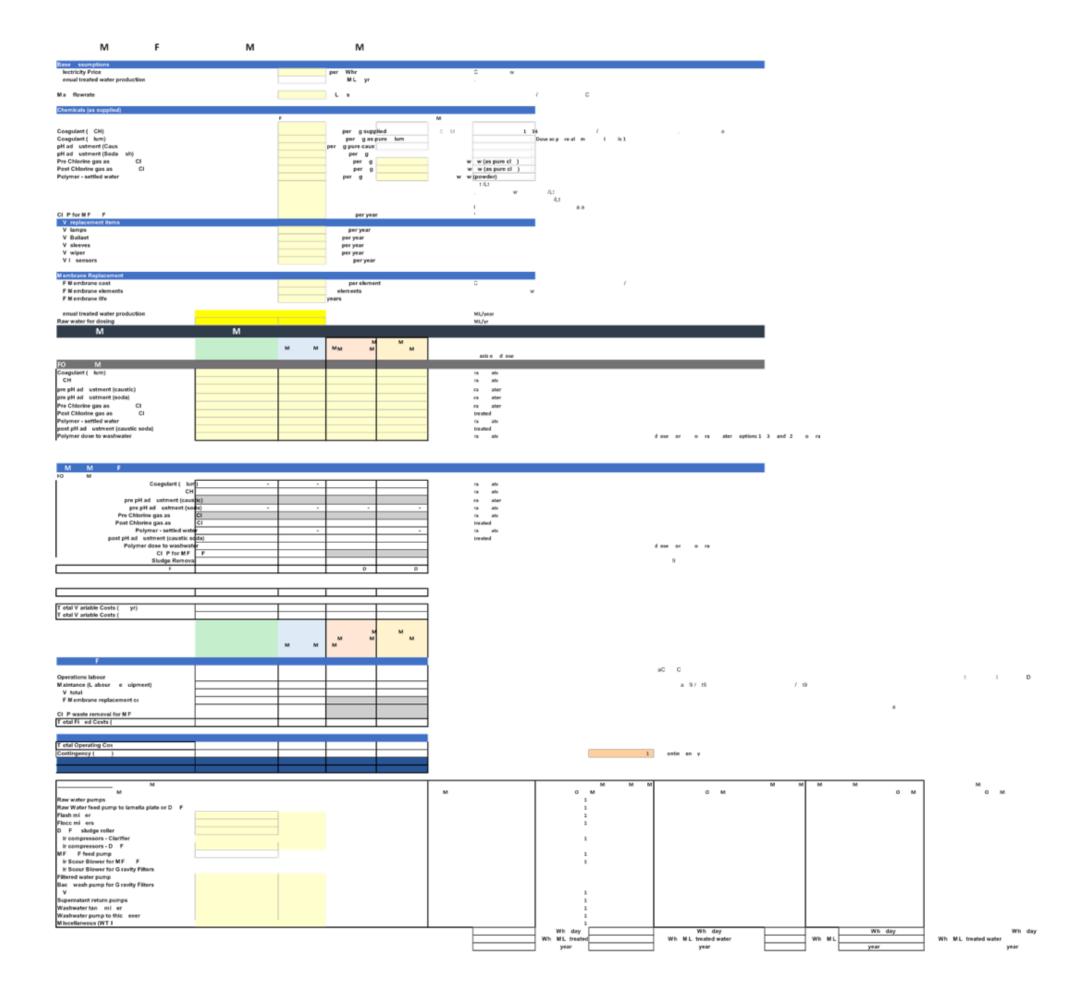
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Appendix F - Cost Estimates, CAPEX, OPEX, NPC

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Cost Estimates have been developed based on supplier budget quotes for some equipment items, extrapolation of recent similar project pricing and GHD experience. It should be noted that at this level of design, the scope and quality of the works has not yet been fully identified and some items may not be included. Therefore the estimates are not warranted by GHD and the accuracy of the estimates is typically not expected to be better than about ± 40%.





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9.3.1 DELEGATE WATER SUPPLY OPTIONS REPORT - UPDATE ATTACHMENT 1 OPTIONS_ASSESSMENT_DELEGATE_WATER_SUPPLY - FINAL DRAFT 30-7-2020 Page 161

GHD

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Document Status

Revision Author		Reviewer		Approved for Issue					
		Name	Signature	Name	Signature	Date			
A	B. Jackson M. Chapman	M. Chapman	M. Chapman	J Wearne	J. Wearne	7/7/2020			
0	B. Jackson M. Chapman	M. Chapman	M. Chapman	J Wearne	J. Wearne	29/7/2020			

www.ghd.com



Record No:

Responsible Officer: Chief Operating Officer

Author: Roads Safety Officer

Attachments: 1. Minutes of the Local Traffic Committee meeting held Thursday

23 July 2020

EXECUTIVE SUMMARY

Due to the COVID-19 Pandemic, the Local Traffic Committee held their meeting on Thursday 23 July 2020 electronically.

Members on the Committee submitted their approval and comments for each item via e-mail. Resolutions and comments from the Committee members are included in the minutes attached to this report.

The Committee's recommendations and comments are presented for Council's consideration and adoption.

OFFICER'S RECOMMENDATION

That Council adopt the Recommendations of the Local Traffic Committee meeting held on 23 July 2020:

A. LTC162/20 - Rare Cancers Australia - Canberra to Thredbo Charity Ride "Parliament to Peak"

That Council approve the application for the Ride for Rare Cancer Event to be conducted over 11th and 12th March 2021;

B. LTC163/20 - Jindabyne East Residents Committee (JERC)

The Jerrara Drive Road Safety Review was noted by the Local Traffic Committee and advises Council that this report is not within the scope of the Delegation from Transport for NSW; and

C. LTC164/20 - Cardwell Street & Wellington Street Bombala

That the Local Traffic Committee requests Council officers to investigate the engineering and funding possibilities to make to intersection of Cardwell Street and Wellington Street safer.

RECOMMENDATIONS OF THE LOCAL TRAFFIC COMMITTEE – HELD ELECTRONICALY ON THURSDAY 26 MARCH 2020

4.1 LOCAL TRAFFIC COMMITTEE MEETING HELD ON 28 MAY 2020

COMMITTEE RECOMMENDATION

LTC2/20

THAT the minutes of the Local Traffic Committee Meeting held on 28 May 2020 are confirmed as a true and accurate record of proceedings.

ADOPTED ELECTRONICALLY

CARRIED

7.1 RIDE FOR RARE CANCERS

COMMITTEE RECOMMENDATION

LTC162/20

That Council approve the application for the Ride for Rare Cancer Event to be conducted over 11th and 12th March 2021.

ADOPTED ELECTRONICALLY

CARRIED

Note 1 Rare Cancers Australia - Canberra to Thredbo Charity Ride "Parliament to Peak".

Members of the Local Traffic Committee submitted their comments electronically for item 7.1 – Rare Cancers Australia - Canberra to Thredbo Charity Ride "Parliament to Peak".

NSW Police representative: No objections.

Transport NSW Representative: No objections.

Local MP Representative: No objections.

Councillor Lynley Miners: No objections.

7.2 JINDABYNE EAST RESIDENTS COMMITTEE (JERC)

COMMITTEE RECOMMENDATION

LTC163/20

The Jerrara Drive Road Safety Review was noted by the Local Traffic Committee and advises Council that this report is not within the scope of the Delegation from Transport for NSW.

ADOPTED ELECTRONICALLY

CARRIED

Note 2 Jindabyne East Residents Committee (JERC)

Members of the Local Traffic Committee submitted their comments electronically for item 7.2 - Jindabyne East Residents Committee (JERC).

NSW Police representative: No objections, LTC not the correct forum to review.

Transport NSW Representative

- Local Traffic committee (LTD) isn't the appropriate forum to review this document.
- There are no regulatory items to be recommended for Council approval.
- Guidelines can be passed onto the Jindabyne East Resident's Committee if required.

Local MP Representative: No objections. **Councillor Lynley Miners:** No objections.

7.3 CARDWELL STREET & WELLINGTON STREET BOMBALA

COMMITTEE RECOMMENDATION

LTC164/20

That the Local Traffic Committee requests Council officers to investigate the engineering and funding possibilities to make to intersection of Cardwell Street and Wellington Street safer.

ADOPTED ELECTRONICALLY

CARRIED

Note 4 Cardwell Street & Wellington Street Bombala

Members of the Local Traffic Committee submitted their comments electronically for item 7.3 - Cardwell Street & Wellington Street Bombala

NSW Police representative: Cardwell St and Wellington, the Stop Sign in my opinion will be more problematic in relation to enforcement. Unless Police are there 24/7, which won't happen. The compliance or lack thereof, will be even more evident and will no doubt generate more complaints. Perhaps more investigation is needed and other options considered, such as a one way sign.

Transport NSW Representative: More information will be required before Transport NSW can support this. Currently, if a 'give way' sign is not working, will a 'stop sign' be any better? Has a 'one wat' sign been investigated? Has line marking be discussed?

Local MP Representative: No objections. **Councillor Lynley Miners:** No objections.



Minutes (DRAFT)

Local Traffic Committee Meeting

23 July 2020

ATTACHMENT 1 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD THURSDAY 23 JULY 2020

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LOCAL TRAFFIC COMMITTEE MEETING HELD ELECTRONICALLY

ON THURSDAY 23 JULY 2020

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MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD ELECTRONICALLY

ON THURSDAY, 23 JULY 2020 COMMENCING AT 9:30AM

PRESENT: Mr Graham Hope Chair, SMRC Road Officer

Sgt Adam Kite NSW Police Force Representative

Councillor Lynley Miners Councillor Representative

Jesse Fogg Roads & Maritime Services (RMS) Representative

Mrs Judie Winter Local MP Representative

APOLOGIES: Amanda Shepherd Secretary Council & Committees

1. OPENING OF THE MEETING

The Local Traffic Committee Meeting held on Thursday 23 July 2020 was held electronically. Members on the Committee submitted their comments and approval for each item via e-mail.

2. APOLOGIES

Nil.

3. DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST

Nil.

4. ADOPTION OF MINUTES OF PREVIOUS MEETING

4.1 LOCAL TRAFFIC COMMITTEE MEETING 28 MAY 2020

COMMITTEE RECOMMENDATION

LTC161/20

THAT the minutes of the Local Traffic Committee Meeting held on 28 May 2020 are confirmed as a true and accurate record of proceedings.

ADOPTED ELECTRONICALLY

CARRIED

5. BUSINESS ARISING

Nil.

6. ACTION SHEET

Nil.

ATTACHMENT 1 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD THURSDAY 23 JULY 2020

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7. CORRESPONDENCE

7.1 RIDE FOR RARE CANCERS

Record No:

Responsible Officer: Roads Safety Officer

Key Theme: 1. Community Outcomes

CSP Community Strategy: 1.1 Quality health and well-being services that support the changing

needs of the community through all stages of the lifecycle are provided

through government and non-government organisations

Delivery Program Objectives: 1.1.1 Regional health and wellbeing services have been planned through

community consultation and partnerships with other levels of

government

Attachments: 1. Ride for rare Cancers

Cost Centre 1802 Transport Infrastructure (Operations)
Project Snowy Monaro Local Traffic Committee

1. EXECUTIVE SUMMARY

Rare Cancers Australia formally requests approval to conduct the Canberra to Thredbo Charity Ride "Parliament to Peak". The ride is to be held between Thursday 11 March to Friday 12 March 2021

This is a fundraising event, not a cycle race. Rare Cancers Australia Ltd (RCA) requests a permit to hold this ride as an opportunity to raise funds for patient care.

RCA is a not-for-profit organisation with charitable status. RCA seeks to raise public awareness and improve the health outcomes of Australians living with rare and less common (RLC) cancers. Australian Cancer statistics show that approximately 52,000 people were diagnosed with RLC cancers in Australia last year, with an estimated 25,000 deaths attributable to a diagnosed RLC.

People living with RLC receive less funded support than those diagnosed with more frequently occurring cancers of the breast, prostate, bowel, and lung, or melanoma. RCA works tirelessly to ensure that people suffering from RLCs are provided with all the support and care they need to sustain the quality of life.

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

COMMITTEE RECOMMENDATION LTC162/20

That Council approve the application for the Ride for Rare Cancer Event to be conducted over 11th and 12th March 2021.

ADOPTED ELECTRONICALLY CARRIED

Representative of the NSW Police	Representative of the NSW RMS

ATTACHMENT 1 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD THURSDAY 23 JULY 2020

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Representative of the State MP

Representative of the Council

Note 1 Rare Cancers Australia - Canberra to Thredbo Charity Ride "Parliament to Peak".

Members of the Local Traffic Committee submitted their comments electronically for item 7.1 – Rare Cancers Australia - Canberra to Thredbo Charity Ride "Parliament to Peak".

NSW Police representative: No objections.

Transport NSW Representative: No objections.

Local MP Representative: No objections. **Councillor Lynley Miners:** No objections.

7.2 JINDABYNE EAST RESIDENTS COMMITTEE (JERC)

Record No:

Responsible Officer: Roads Safety Officer

Key Theme: 3. Environment Outcomes

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

maintained

Delivery Program Objectives: 9.1.1 Management of road corridors is effective and efficient

Attachments: 1. Jindabyne East Residents Committee

2. Jindabyne East Road Safety Audit

Cost Centre 1802 Infrastructure (Operations)

Project Snowy Monaro Local Traffic Committee

2. EXECUTIVE SUMMARY

At the June Ordinary Council meeting it was resolved that:

COUNCIL RESOLUTION 79/20

That Council refer the Jerrara Drive Road Safety Review to the Local Traffic Committee for technical review and comment.

Moved Deputy Mayor Miners Seconded Councillor Corbett CARRIED

This study and a further follow-up letter from the Jindabyne East Residents Committee are attached.

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

COMMITTEE RECOMMENDATION

LTC163/20

The Jerrara Drive Road Safety Review was noted by the Local Traffic Committee and advises Council that this report is not within the scope of the Delegation from Transport for NSW.

ADOPTED ELECTRONICALLY

CARRIED

ATTACHMENT 1 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD THURSDAY 23 JULY 2020

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Representative of the NSW Police	Representative of the NSW RMS
Representative of the State MP	Representative of the Council

Note 2 Jindabyne East Residents Committee (JERC)

Members of the Local Traffic Committee submitted their comments electronically for item 7.2 - Jindabyne East Residents Committee (JERC).

NSW Police representative: No objections, LTC not the correct forum to review.

Transport NSW Representative

- Local Traffic committee (LTD) isn't the appropriate forum to review this document.
- There are no regulatory items to be recommended for Council approval.
- Guidelines can be passed onto the Jindabyne East Resident's Committee if required.

Local MP Representative: No objections. **Councillor Lynley Miners:** No objections.

7.3 CARDWELL STREET & WELLINGTON STREET BOMBALA

Record No:

Responsible Officer: Roads Safety Officer

Key Theme: 3. Environment Outcomes

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

maintained

Delivery Program Objectives: 9.1.1 Management of road corridors is effective and efficient

Attachments: 1. Cardwell Street & Wellington Street Bombala

Cost Centre 1802 Transport Infrastructure (Operations)
Project Snowy Monaro Local Traffic Committee

3. EXECUTIVE SUMMARY

Numerous complaints have been received by Council regarding a section of Wellington Street Bombala. They fall into two categories:

- 1. The bus companies have difficulty with their vehicles negotiating the section between Cardwell Street and Bright Street. Both Bombala Public School and Bombala High School are located in Bright Street. This section of Cardwell Street has a sealed pavement width of only six (6) metres. This makes it difficult for a bus to pass any other vehicle coming from the opposite direction.
- 2. Residents have reported a number of near-misses when travelling along Wellington Street towards Bright Street and approaching the Cardwell Street intersection.

ATTACHMENT 1 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD THURSDAY 23 JULY 2020

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- a. The issue stems from the fact that Cardwell Street from Maybe Street to Wellington Street is on two levels. The southern level ends up approximately four (4) metres higher than the northern level.
- b. Each level has a sealed pavement width of approximately 4.8 metres.
- c. However, a number of residents use the southern or higher level for both directions of travel. There is a GIVE WAY sign on the higher level at the intersection with Wellington Street
- d. This has led to a number of occasions where two vehicles have approached each other from opposite directions on the higher level.
- e. Due to the inappropriate design of the intersection of the higher level of Cardwell Street with Wellington Street, traffic entering Wellington Street are do so virtually blind to traffic approaching from the north along Wellington Street. This has also contributed to a number of near misses at this intersection. A survey has already been completed on the intersection in the hope that Council will be able to improve the safety of the intersection.

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

COMMITTEE RECOMMENDATION

LTC164/20

That the Local Traffic Committee requests Council officers to investigate the engineering and funding possibilities to make to intersection of Cardwell Street and Wellington Street safer.

ADOPTED ELECTRONICALLY

CARRIED

Representative of the NSW Police	Representative of the NSW RMS
Representative of the State MP	Representative of the Council

Note 3 Amendment to Original Officer's Recommendation

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

The original Officer's Recommendation was:

"The Local Traffic Committee

- A. Approve the replacement of the GIVE WAY sign with a STOP sign, on the higher level of Caldwell Street at the intersection with Wellington Street.
- B. Council requests Council officers to investigate the engineering and funding possibilities to make to intersection of Cardwell Street and Wellington Street safer."

Note 4 Cardwell Street & Wellington Street Bombala

Members of the Local Traffic Committee submitted their comments electronically for item 7.3 - Cardwell Street & Wellington Street Bombala

ATTACHMENT 1 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD THURSDAY 23 JULY 2020

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NSW Police representative: Cardwell St and Wellington, the Stop Sign in my opinion will be more problematic in relation to enforcement. Unless Police are there 24/7, which won't happen. The compliance or lack thereof, will be even more evident and will no doubt generate more complaints. Perhaps more investigation is needed and other options considered, such as a one way sign.

Transport NSW Representative: More information will be required before Transport NSW can support this. Currently, if a 'give way' sign is not working, will a 'stop sign' be any better? Has a 'one wat' sign been investigated? Has line marking be discussed?

Local MP Representative: No objections.

Councillor Lynley Miners: No objections.

8. GENERAL BUSINESS

Nil.

9. MATTERS OF URGENCY

Nil.

10. NEXT MEETING

Thursday 24 September 2020.

There being no further business the Chair declared the meeting closed.

CHAIRPERSON

The above minutes of the Local Traffic Committee Meeting of Snowy Monaro Regional Council held on 23 July 2020 were confirmed by Committee at a duly convened meeting on 24 September 2020 at which meeting the signature hereon was subscribed.

9.3.3 AMENDMENT OF THE TERMS OF REFERENCE OF THE WASTE MANAGEMENT COMMITTEE

Record No:

Responsible Officer: Chief Operating Officer

Author: Manager Resource & Waste 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: 7.2.3 Innovative solutions and infrastructure supporting waste and

recycling operations to reduce landfill have been investigated

Attachments: 1. Amended Terms of Reference - Waste Management Committee

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Waste Management Committee was established in February 2018 for the purpose of investigating and reporting to Council on recommendations for optimum efficiencies relating to Council's waste management operations, services and facilities.

Under the current terms of reference, the limited membership of the committee has made it difficult for a quorum to be achieved to enable meetings to be held.

The purpose of this report is to amend the terms of reference of the Waste Management Committee to expand membership to ensure that the committee will have a quorum at each meeting along with increased representation across the LGA. The report also recommends an additional Councillor be nominated to the Waste Management Committee.

OFFICER'S RECOMMENDATION

That Council:

- A. Adopt the revised terms of reference for the Waste Management Committee;
- B. Nominate an additional Councillor as a member of the Waste Management Committee.

BACKGROUND

Resource and Waste Services are now seeking to amend the terms of reference of the Waste Management Committee to increase membership to ensure that the committee have a quorum at each meeting along with increased representation across the LGA.

Since the conception of the Waste Management Committee it has comprised of 3 Councillors. Due to the limited membership, there has been difficulty in obtaining a quorum to enable meetings to proceed. This report is seeking to amend the committee charter to increase membership to 4

councillors and additional staff from Corporate Projects and Communications for advisory input at meetings.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The NSW Local Government Act 1993 requires councils to provide waste management services, which include the provision for waste and recycling collection, treatment and disposal. Council will seek to encourage waste reduction and recycling programs across the region and work towards providing new and improved waste management techniques and services into the future.

2. Environmental

The aim is to ensure that Council's waste and recycling activities minimise any detrimental effect on the environment, through the saving and re-use of resources and a reduction in the impacts resulting from landfill.

Council is also required to meet minimum standards for the on-going operation of its waste and resource facilities.

Other environmental benefits will be introducing tailored solutions and also seeking solutions to increase landfill capacity in our region for future generations and assisting communities to manage waste and recyclables and utilising re-use resources.

3. Economic

The aim will be to provide longer-term savings through better management and avoidance of non-compliance issues, and to ensure pricing of services reflects the operational and long-term costs of ensuring adequate facilities and services are available for future generations.

4. Civic Leadership

Further strengthening of the Waste Management Committee will assist in dealing with Resource and Waste issues that are vital to ensuring well informed decisions are being undertaken.

9.3.3 AMENDMENT OF THE TERMS OF REFERENCE OF THE WASTE MANAGEMENT COMMITTEE

ATTACHMENT 1 AMENDED TERMS OF REFERENCE - WASTE MANAGEMENT COMMITTEE

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Waste Management Committee		

Dago 176

Date Approved	
Minute Number	
Version Number	2
Responsible Officer	Manager Resource and Waste Services
Council File Reference	
Related Policies	
	Local Government Act 1993,
Applicable Legislation	Local Government (General) Regulations 2005,
Applicable Legislation	Waste Avoidance & Recovery Act 2001
	Protection of the Environment Operations Act 1997 (POEO Act)

Establishment & Terms Of Reference of the Waste Management Committee

1. Establishment of the Waste Management Committee

Local Government Act 1993, the Council establishes a Committee to be known as the Waste Management Committee ("the Waste Management Committee") for the purpose of investigating and reporting to Council on recommendations for optimum efficiencies relating to Council's waste management operations, services and facilities and the setting of any proposed annual fees and charges.

2. Membership

The Waste Management Committee shall consist of no less than 3 elected council members with an option for further councillors or an alternate representative and that consideration is given for a fair regional area representation when nominating.

Council staff attending will be in an advisory capacity only and will include the Manager Resource and Waste Services and staff members from Communications and Corporate Projects.

3. Terms of Reference

The Terms of Reference for the Waste Management Committee are as follows.

9.3.3 AMENDMENT OF THE TERMS OF REFERENCE OF THE WASTE MANAGEMENT COMMITTEE

ATTACHMENT 1 AMENDED TERMS OF REFERENCE - WASTE MANAGEMENT COMMITTEE

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- **3.1** The Committee does not enjoy the delegations of any powers, functions and duties of the Council therefore, all decisions of the Committee will constitute recommendations to Council.
- 3.2 The Committee shall act at all times in strict accordance with the Local Government Act 1993 and the Local Government (general) Regulations 2005 and with written policies and guidelines of the Council which are relevant to the Committee in the performance of its functions.
- **3.3** The Committee shall meet in a designated meeting room at one of Councils offices at a venue, date and time to be determined by the Committee.
- **3.4** A quorum for a meeting of the Committee shall be at least 4 consisting of a minimum 2 Councillors.
- **3.5** All decisions of the Committee shall be made on the basis of a majority decision of the members present.

Committee

The Waste Management Committee is charged with development of waste management strategies including;

- 1. Kerbside Collection general waste, recycling and FOGO (Food Organics and Garden Organics)
- 2. Review and development of Waste Management Strategy (Local and/or subregional)
- 3. Resource and Waste Landfill and Facility continuity

9.3.4 REQUEST FOR EASEMENT OVER COUNCIL LAND IN COOMA

Record No:

Responsible Officer: Chief Operating Officer

Author: Land & Property 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: 10.1.4 Harmonisation of policies, procedures and processes

deliver customer focused business practices

Attachments: 1. Proposed Pipe Location

Cost Centre Work Order 216 (Cooma Open Spaces related)

EXECUTIVE SUMMARY

Council has received a request from the owner of Lot 1 DP 224408 (the applicant) in Barrack Street Cooma to install a 25mm pipeline across Council land in Cooma being Lot 2 DP 224408, which is open land adjoining Cooma Creek. The applicant owns the adjoining property being Lot 1 DP 224408, where he keeps two horses. He intends to pump water from the creek to provide water for his horses.

The applicant has agreed to meet all costs involved in creating the easement. It was pointed out that whilst Council may approve the easement for water supply, the applicant would still need the consent of NSW Water to pump water from the creek. The beneficiary of the easement will be responsible for all remediation and maintenance of the easement, including ensuring that any subsidence is remediated on an ongoing basis under the 88B Instrument prepared to create the easement.

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

OFFICER'S RECOMMENDATION

That Council

- A. Approve the request to create an easement for water supply over Lot 2 DP 224408 subject to:
 - I. All costs being borne by the owner of Lot 1 DP 224408.
 - II. Any disturbance to Lot 2 DP 224408 to be remediated by the applicant, as soon as possible, to the same condition as prior to disturbance.
 - III. The owner of Lot 1 DP 224408 obtaining a licence to pump water from Cooma Creek prior to installing the pipeline for water supply.
- B. Authorise Council's CEO to execute any documents necessary to register the easement.

BACKGROUND

Council has received a request from the owner of Lot 1 DP 224408 (the applicant) in Barrack Street Cooma to install a 25mm pipeline across Council land in Cooma being Lot 2 DP 224408 adjoining Cooma Creek. The applicant owns the adjoining property being Lot 1 DP 224408 where he keeps two horses. He intends to pump water from the creek to provide water for his horses.

The applicant has agreed to meet all costs involved in creating the easement. The applicant has been advised that whilst Council may approve the easement for water supply, the applicant would still need the consent of NSW Water to pump water from the creek.

The proposed location of the pipeline is demonstrated on the map attached to this report. The proposed easement will not interfere with Council infrastructure. A phone conversation with the applicant confirmed that he is intending to bury the pipeline through Council's land and remediate the disturbed land should Council agree to his request.

The creation of the easement will not need a development consent but will require Council to sign off on the 88B Instrument which will be created by the applicant's solicitor.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The license from NSW Water will restrict the amount of water that the applicant will be able to pump from Cooma Creek. Therefore it is envisaged that the extraction of the water from Cooma Creek will not adversely affect neighbouring properties or the community in general.

2. Environmental

It is anticipated that the environmental impact will be minimal.

3. Economic

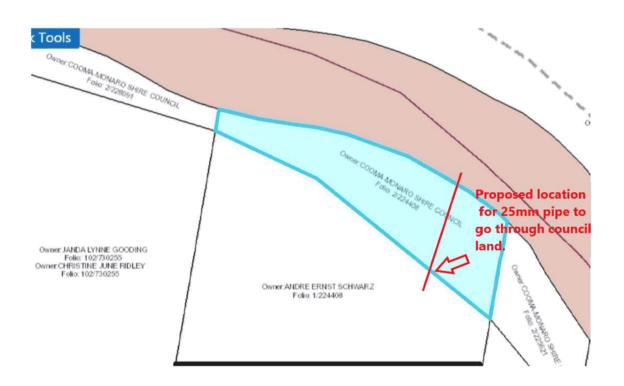
There will be no economic impact on Council's budget, as all costs will be borne by the landowner.

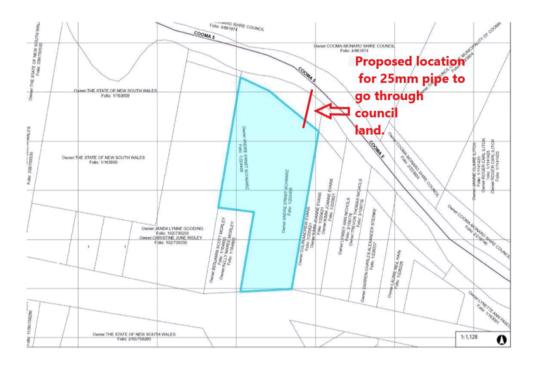
4. Civic Leadership

The installation of the pipeline will not result in negative impact to Council land but will provide the landowner with the means of caring for his stock. Demonstrating flexibility in Council efforts to meet community needs.

Annexure A

Map/ Image showing the location of the Water Management Work





9.3.5 NSW GOVERNMENT ROAD CLASSIFICATION REVIEW AND ROAD TRANSFER INITIATIVE

Record No:

Responsible Officer: Chief Operating Officer

Author: Manager Infrastructure

Key Theme: 3. Environment Outcomes

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

and maintained

Delivery Program Objectives: 9.1.1 Management of road corridors is effective and efficient

Attachments: 1. Road Classification Review & Transfer Information Paper

Cost Centre 1802 – Road Management Operations
Project Road Classification & Transfer Review

Further Operational Plan Actions:

EXECUTIVE SUMMARY

In February 2019, the NSW Government announced the initiation of a Road Classification Review to ensure the road classification framework is still fit for purpose and that roads across NSW are appropriately classified.

Also in February 2019, the NSW Government announced that up to 15,000 kilometres of council owned roads would be returned to State management as part of a broader package of support for local councils to better manage and maintain the rural road network.

On 21 August 2020 Transport NSW released the following:

Earlier this month, nominations opened for all priority and non-priority reclassifications and/or transfers. This is the first step in a two-step process, and requests high-level information about roads currently planned to be submitted to the Independent Panel for consideration in a <u>non-binding</u> format.

Some councils have submitted feedback that the initial August deadline for nominations does not provide sufficient time for response. In response, the Independent Panel has <u>extended the due date</u> until 25 September 2020.

Given the latest information from NSW Transport does not commit Council, but is an initial expression of interest, it is recommended that Council proceeds with submission of all regional roads and upgrade of Jerangle road, Bobeyan road and the Barry Way to regional road status.

There remain concerns over the adequacy of funding for maintenance of these roads and how transfer to state ownership will impact on funding levels and Council's workforce development. These concerns can be discussed concurrently with the NSW Government as the transfer of ownership process proceeds.

Council can also give further consideration of priority roads to be transferred prior to the finalisation of the transfer process which is in 2021.

OFFICER'S RECOMMENDATION

That Council makes a submission under the NSW Transport Round 1 Road Classification and Transfer Initiative for transfer or all Regional Roads and reclassification to regional road status and transfer of Jerangle Road, Bobeyan Road and the Barry Way.

BACKGROUND

In February 2019, the NSW Government announced the initiation of a Road Classification Review to ensure the road classification framework is still fit for purpose and that roads across NSW are appropriately classified.

Also in February 2019, the Government announced that up to 15,000 kilometres of council owned roads would be returned to State management as part of a broader package of support for local councils to better manage and maintain the rural road network.

The Road Classification Review has been initiated because:

- A review of existing road classifications should occur on a regular basis to maintain the integrity of the road network to support planning, policy making and the equitable distribution of resources.
- An issue has been identified in some council areas with the cost of maintaining regional roads, or with the standard of maintenance of some regional roads.
- There is an opportunity to make adjustments to individual road classifications and to reexamine the current classification framework to better align with current and developing State and national frameworks.

The NSW Government Road Classification Review and Transfer Information Paper is attached for information.

The NSW Government initiative was first briefed to Councillors at the Council briefing session on 6 August 2020 with a deadline for "Round 1" submission on road reclassification and road transfer by the end of August 2020. The process allowed for a second round of road reclassification and transfer in early 2021.

If all Council managed regional roads were accepted for transfer under this process, along with the reclassification of Bobeyan Road, Jerangle Road and Barry Way to regional road status, Council's transportation network maintenance responsibilities would reduce by approximately 443 kilometres. More importantly, this process would include 38 bridges (31 on regional road and 7 on roads nominated for reclassification) as part of the transfer submission.

On 21 August 2020 Transport NSW released the following:

Earlier this month, nominations opened for all priority and non-priority reclassifications and/or transfers. This is the first step in a two-step process, and requests high-level information about roads currently planned to be submitted to the Independent Panel for consideration in a <u>non-binding format</u>.

Some councils have submitted feedback that the initial August deadline for nominations does not provide sufficient time for response. In response, the Independent Panel has <u>extended the due date until 25 September 2020</u>.

Given the latest information from NSW Transport does not commit Council, but is an initial expression of interest, this report recommends that Council proceed with submission of all regional roads and upgrade of Jerangle road, Bobeyan road and the Barry Way to regional road status and submission.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The financial challenges with maintaining a geographically dispersed transportation network along with an excessive gravel road network (in excess of 1,700 kilometres) are evident through the Strategic Network Review findings already undertaken by Council. The additional threat of Crown roads that are subject to transfer without negotiation only serves to compound Councils ability to maintain the network commensurate with public expectations (or level of service agreements).

The positive public effect of State investment for upgrades to Bobeyan Road (\$20M), Jerangle Road (\$6M) and \$17.5M on eight (8) local roads (Smiths, Avonside, Tinderry, Springfield, Mila, Dry Plains, Shannons Flat and Maffra Roads) are evident from those who both reside and travel on roads scheduled for upgrade. The opportunity to further reduce Councils maintenance burden (both road and bridge) through the NSW Government Road Classification Review and Transfer initiative would allow greater focus on local road maintenance and therefore gain public support.

Roads (and bridges) scheduled for Transfer and Reclassification through this process are as follows:

Road Name	Sealed Length (Km)	Unsealed Length (Km)	Total Road Length (Km)	Reclassification (Regional) / Transfer
Badja Road MR7625	7.37	20.48	27.85	Transfer
Barnes Street MR394	0.25		0.25	Transfer
Barry Way	22.42	11	33.42	Reclassify
Barry Way MR4056		34.96	34.96	Transfer
Barry Way MR7626	4.32		4.32	Transfer
Black Lake Road MR563	0.15	9.4	9.55	Transfer
Bobeyan Road	2.25	18.83	21.08	Reclassify
Bombala Street Delegate MR93	1.33		1.33	Transfer
Campbell Street Dalgety MR7626	0.25		0.25	Transfer
Cathcart Road MR91	14.75		14.75	Transfer
Cooma Street Numeralla MR7625	0.51		0.51	Transfer
Countegany Road MR7625	11.22		11.22	Transfer
Dalgety Road MR394	16.98		16.98	Transfer
Delegate Road MR93	44.87	0.52	45.39	Transfer
Eden Street MR91	1.15		1.15	Transfer
Jerangle Road	20.45	43.28	63.73	Reclassify
Middlingbank Road MR585	30.86		30.86	Transfer
Mount Darragh Road MR91	9.9		9.9	Transfer
Myack Street MR394	1.04		1.04	Transfer
Numeralla Road MR7625	18.83		18.83	Transfer
Polo Flat Road MR7624	4.03		4.03	Transfer
Tantawangalo Road MR275	1.72	6.88	8.6	Transfer

9.3.5 NSW GOVERNMENT ROAD CLASSIFICATION REVIEW AND ROAD TRANSFER INITIATIVE

The Snowy River Way MR394	52.47		52.47	Transfer
The Snowy River Way MR7626	29.45		29.45	Transfer
Yareen Road MR7625	1.61		1.61	Transfer
Grand Total	298.18	145.35	443.53	

Bridges

Bridges			
Asset	Road	Material	Waterway
Badja Rr Bridge	Badja Road MR7625	Concrete	None
Peppers Creek Bridge	Badja Road MR7625	Concrete	Peppers Creek
Jacobs River Bridge	Barry Way MR4056	Concrete/Steel	Jacobs Creek
Pinch River Bridge	Barry Way MR4056	Concrete	Pinch River
Kerrisons Creek Bridge	Cathcart Road MR91	Timber/Wood	Kerrisons Creek
Dragon Swamp Bridge	Cathcart Road MR91	Concrete/Steel	Dragon Swamp
	Cooma Street Numeralla		
Numeralla Rr Bridge	MR7625	Concrete	Numeralla River
Bates Bridge	Dalgety Road MR394	Concrete	Wullwye Creek
Chapel Creek Bridge	Dalgety Road MR394	Concrete	Chapel Creek
Parsonage Creek Bridge	Delegate Road MR93	Concrete/Steel	Parsonage Creek
Racecourse Bridge	Delegate Road MR93	Concrete/Steel	Parsonage Creek
Saucey Bridge	Delegate Road MR93	Concrete/Steel	Saucey Creek
Ashton Bridge	Delegate Road MR93	Concrete	Ashton Creek
Little Plains Bridge	Delegate Road MR93	Concrete	Little Plains River
Church Creek Bridge	Delegate Road MR93	Timber/Wood	Church Creek
Haydens Bog Bridge	Delegate Road MR93	Concrete	Haydens Bog
Riverview Bridge	Delegate Road MR93	Concrete	None
Delegate River Bridge	Delegate Road MR93	Timber/Wood	Delegate River
Wullwye Creek Bridge	Middlingbank Road MR585	Concrete/Steel	Wullwye Creek
Cootralantra Creek Bridge	Middlingbank Road MR585	Concrete/Steel	Coolantantra Creek
Murlingbung Bridge	Middlingbank Road MR585	Concrete/Steel	Wullwye Creek
Yellow Waterhole Bridge	Mount Darragh Road MR91	Concrete	Yellow Waterhole
Rock Flat Creek Bridge	Numeralla Road MR7625	Concrete	Rock Flat Creek
Horsey Swamp Bridge	Tantawangalo Road MR275	Timber/Wood	None
Cambalong Creek Bridge	The Snowy River Way MR394	Concrete	Cambalong Creek
Peak Creek Bridge	The Snowy River Way MR394	Timber/Wood	None
Allan Caldwell Bridge	The Snowy River Way MR394	Concrete	None
Bobundara Creek Bridge	The Snowy River Way MR394	Concrete/Steel	Bobundara Creek
Beloka Creek Bridge	The Snowy River Way MR7626	Concrete	Beloka Creek
Old Mowamba River Bridge	The Snowy River Way MR7626	Timber/Wood	Mowamba River
New Mowamba River Bridge	The Snowy River Way MR7626	Concrete	Mowamba River
Goorudee Rivulet Bridge	Bobeyan Road	Concrete/Steel	Goorudee Rivulet
Murrumbidgee Rr Bridge	Bobeyan Road	Timber/Wood	Murrmbidge River
Back Creek Bridge	Bobeyan Road	Timber/Wood	Back Creek
Strike a Light River Bridge	Jerangle Road	Concrete	None
Queanbeyan Rr Bridge	Jerangle Road	Concrete	Queanbeyan River
Sherlock Rr Bridge	Jerangle Road	Concrete	None
Ballinafad Creek Bridge	Jerangle Road	Concrete	Ballinafad Creek

2. Environmental

Environmental considerations would evolve through any proposed upgrades to the Regional Road network.

3. Economic

Council benefit annually from Regional Road Block Grant and Regional Road Repair Program (RRRP) funding to offset construction/maintenance activities on Councils Regional Road network. The combined value of those grants in relation to Regional Roads within Snowy Monaro Region is \$2.5M approximately.

Under the NSW Government Road Classification and Transfer Initiative, the financial effect of transferring roads to the State was explained as follows:

What impact will the review and transfer have on State and Federal Government funding sources for councils?

The Independent Panel does not have any authority to make recommendations about Federal Government funding allocations.

Transfer of a council owned regional road to State management may result in a commensurate reduction in Block Grant funding or any other funding attached to that road which correctly sits with the road manager.

Reclassification may also lead to reallocation of funds in cases where a road attracts different funding streams based on its classification, or where the road manager changes through classification, or both.

However, the overall level of funding is outside the Terms of Reference for the Independent Panel and will be a matter for the government.

There is a concern that transfer to State ownership may result in a reduction on funding levels which would cause further deterioration in the quality of the road network. However there is no guarantee of funding if the regional roads remain with Council. Likewise, there is no certainty as to whether Council's workforce would be contracted to maintain regional road if they were transferred to state ownership. These matters can be further discussed with the NSW Government.

4. Civic Leadership

The outcomes and recommendations from Councils Strategic Analysis of the transportation network, undertaken by the Australian Road Research Board, was briefed to Councillors at the Council briefing session on 4 June 2020. This was followed by a Report to Council and considered at the Council meeting of 18 June 2020 where Council resolved:

COUNCIL RESOLUTION 1/20

That Council

- A. Acknowledge receipt of the ARRB Strategic Analysis of the Sealed and Unsealed road networks of Snowy Monaro Regional Council;
- B. Commit to engaging the Snowy Monaro Regional Council community in reviewing Service Level Agreements for Road Condition based on the ARRB recommendations; and
- C. Following consultation with the community, investigate all options for improved funding as per

9.3.5 NSW GOVERNMENT ROAD CLASSIFICATION REVIEW AND ROAD TRANSFER INITIATIVE

the ARRB recommendations.

Moved Deputy Mayor Miners

Seconded Councillor Corbett

CARRIED

As a reminder, the Strategic Network Review observations and recommendations in relation to Regional Roads was as follows:

- Regional Roads (Sealed). Total sealed road length for the Regional Road network is 250.88
- Current annual spend = \$384,000 (Capital Works) \$1,750,000 (Maintenance)
- <u>Regional Roads</u>. The current average condition for Regional Road sub-network is GOOD
 (PCI 2). However based on current funding levels the network will deteriorate into a POOR
 condition over the next 20 years.
- A significant amount of spending in Capital Works will maintain the Regional Road subnetwork in FAIR condition (PCI 2-3) over the next 20 years.
 - Around \$1M \$2M per annum is required for the first 10 years.
 - Around \$3.9M per annum is required in years 11 20.



Independent Panel

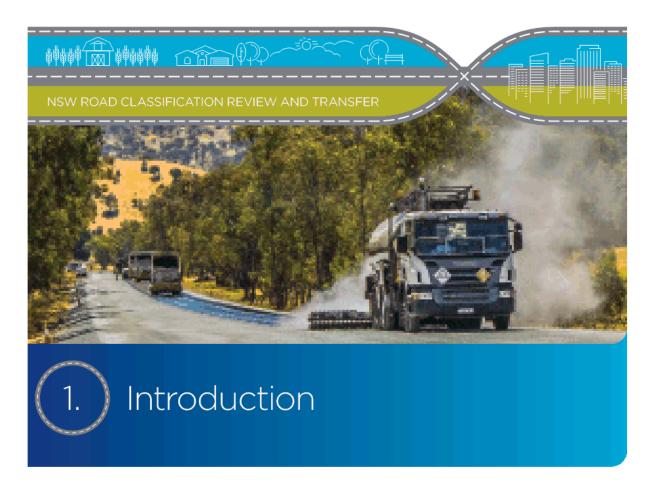
Road Classification Review and Transfer Information Paper

June 2020



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In February 2019, the Deputy Premier and Minister for Roads, Maritime and Freight announced the initiation of a Road Classification Review and the transfer of up to 15,000 kilometres of council owned and managed roads to State management. These commitments are now being carried forward as the Road Classification Review and Transfer project, led by an Independent Panel.

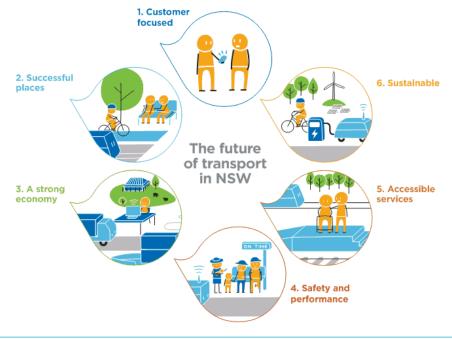
This project combines a comprehensive review of road classifications around NSW with broader considerations around how we think about our road network and its capacity to meet the needs of industry and the community. To make informed and meaningful recommendations to government, the Independent Panel is entering into a conversation with our biggest road managers – local councils – and other stakeholders and road users to find out how we can best manage our roads, sustain healthy communities, promote their economies and work together to support a cohesive, well run road network.

This background paper sets out the division between Local, Regional and State Roads and describes the features of each category. All of this information – how our road network is managed, maintained, funded and categorised – is being opened to consultation. At the same time, a priority round of submissions for reclassification and transfer will run as the first phase of the project.

The scale of this project is significant. All interested parties are asked to critically assess the content of this document and engage with the Independent Panel through the consultation process to inform the review and make the changes that will improve the ongoing management of the road network.



Future Transport 2056 and its supporting plans require a regular review of the policy principles that underpin the road classification framework to ensure that they align with its six core outcomes.



The Road Classification Review has been initiated because:

- a) A review of existing road classifications should occur on a regular basis to maintain the integrity of the road network to support planning, policy making and the equitable distribution of resources.
- b) An issue has been identified in some council areas with the cost of maintaining regional roads, or with the standard of maintenance of some regional roads.
- c) There is an opportunity to make adjustments to individual road classifications and to re-examine the current classification framework to better align with current and developing State and national frameworks.

The Independent Panel has been established to consider a broad range of issues to:

- Lighten the load on councils by identifying which roads are appropriately managed by the State Government, and which are of sufficient significance to receive State funding
- Consider larger-scale changes to the management of the road network such as levels of service, design standards, the collection and validation of data and reporting
- Consider how technologies of the future can be accommodated on the NSW road network.

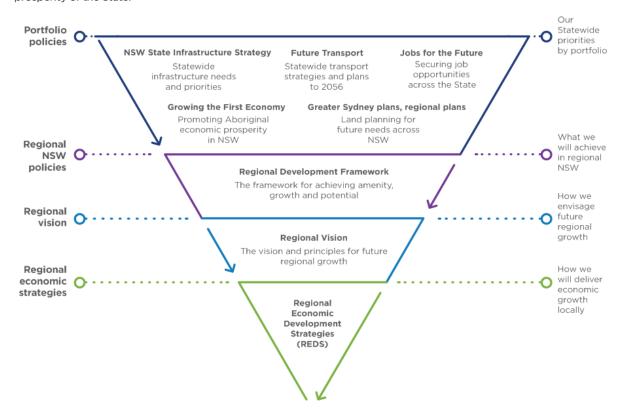
Clear and logical road classification matters. Apart from assigning management responsibility between jurisdictions and directing funding, classifications matter fundamentally to the experience of the road user. Even where the technical aspects of classification may be unknown to an average driver, cyclist or pedestrian, its effects will be communicated through the design and usage of the road. These elements are known to influence road user behaviour. A clear and strategic set of principles, consistently applied, is foundational to improving customer experience and safety on the network.

2. Purpose

2.1 A 20-Year Economic Vision for Regional NSW

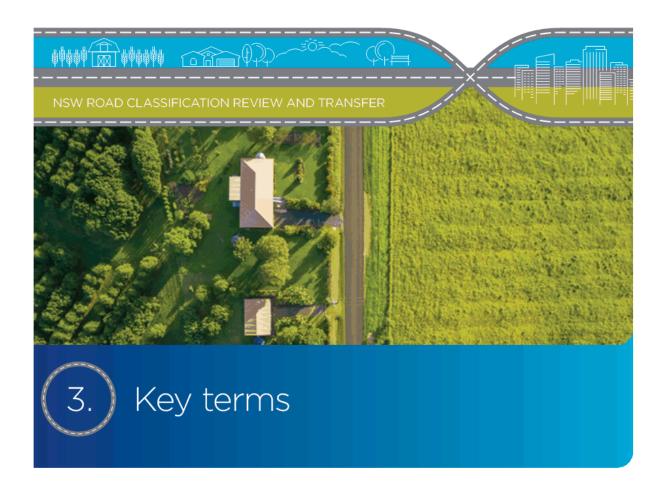
A 20-Year Economic Vision for Regional NSW is a comprehensive vision for the future of regional NSW. It lays out a priority pathway to support the acceleration of regional growth and the long-term health and prosperity of the State.

The 20-year vision sets out the interaction of regional plans and strategies as follows:



The vision recognises several key principles aligned with the economic enablers that support the review of regional roads and networks, including:





3.1 Road classification

The process of classifying roads is a mechanism used by the State government to assist in the effective allocation of State government road funds, and the allocation of road management responsibility between State and Local Government jurisdictions.

The Roads Act 1993 provides for roads to be classified as Freeways, Controlled Access Roads, Tollways, State Highways, Main Roads, Secondary Roads, Tourist Roads, Transitways and State Works. These classified roads include all State Roads and some Regional Roads.

To simplify the administration of the various legal road classes, roads in NSW are also grouped into a three-tier administrative classification of State, Regional and Local Roads. These are not statutory categories but are agreed between levels of government and used to determine who is responsible for the management of a road and what type of funding it can receive.

3.2 Functional classification

This is the most common type of classification system. Road function is an element of any system that considers either how roads behave or how they would desirably behave as part of the network to define a classification framework.

In theory, the purpose of a functional classification is that traffic should flow in a logical way through road networks within the same functional category. This drives customer expectations and behaviour, and influences place-making and road safety.

A potential limitation of functional classification is that it may fail to reflect newer thinking about movement and place. Many roads have a mixed character, and a functional classification may need a degree of flexibility to be able to reflect both a road's form, or structural characteristics (which may indicate a variety of functions), as well as its place in the broader road network.

3. Key terms

3.3 Administrative classification

This classification assigns a category to roads on the basis of who is responsible for its management.

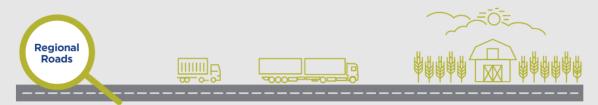
There is a view that the functional and administrative classifications should exactly align, and that functional hierarchy is able to also determine management arrangements for each road type. As classification systems are not an exact science, how far this is true

will vary between policy makers and according to circumstances. However, neither can they be entirely separated. The State, Regional and Local road categories are primarily administrative as they are assigned to indicate who is responsible for the management of a road and reflect the funding arrangements for that road. However, the categories are also broadly applied to describe the role the road plays in the network.



State Roads are major arterial links throughout the State and within major urban areas which are the responsibility of the State government to fund and prioritise, due to their significance in the network.

State Roads include roads classified under the *Roads Act 1993* as Freeways, State Highways and Important Main Roads.



Regional Roads are routes of secondary importance between State Roads and Local Roads. Some Regional-classified roads are located within metropolitan areas. They are designated Regional based on their significance rather than their geographical location.

Regional Roads include roads classified under the Act as Secondary Roads and the less significant Main Roads. They also include some roads not classified under the Act.

It is the responsibility of councils to fund, prioritise and carry out works on Regional Roads. They are eligible for funding assistance from the State government in recognition of their importance to the network.



Local Roads are the remaining council-controlled roads which provide for local circulation and access. It is the responsibility of councils to fund, prioritise and carry out works on Local Roads.

Local Roads are eligible for State government grant funding to support maintenance through the \$500m Fixing Local Roads program as well as Financial Assistance Grant funding through the Federal Government.



3.4 Joint Organisations

In NSW, Joint Organisations (JOs) are a legislated network of council groups designed to strengthen regional collaboration.

JOs are voluntary groupings of non-metropolitan councils. There are currently 13 JOs across the State, which work to:

- Establish strategic priorities for the region and plans for the delivery of priorities
- · Advocate for regional priorities
- · Provide region-wide leadership
- Identify opportunities for inter-government cooperation.

Bodies such as JOs may be engaged in the development of reclassification and transfer submissions. Roads of any class may cross local government boundaries, and roads of the Regional class are likely to cross multiple Local Government Areas.

Councils choosing not to become part of a JO may lodge an individual submission or collaborate with other Local Government Areas to develop their submissions.

3.5 Functional Economic Region

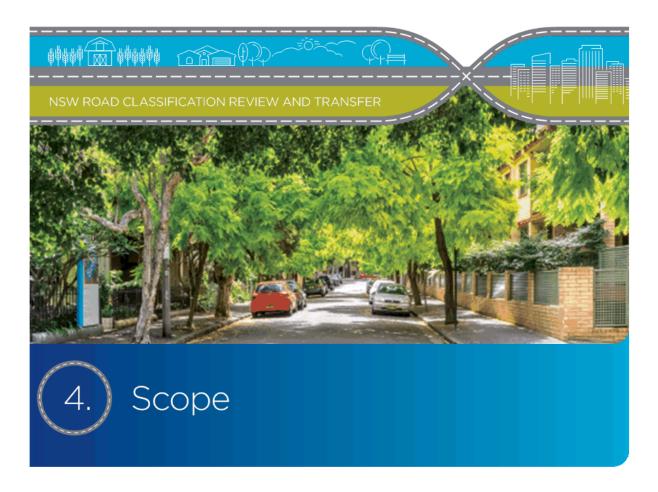
Functional Economic Regions (FERs) are groupings of regional communities with strong economic links, which are thought of as creating smaller economies within the Statewide economy. Regional NSW is divided into 37 FERs, with groupings based on economic data from the Australian Bureau of Statistics.

A map of the NSW FERs can be found at https://www.nsw.gov.au/improving-nsw/regional-nsw/a-20-year-economic-vision-for-regional-nsw/regional-nsw-today/.

3.6 Regional Economic Development Strategies

Regional Economic Development Strategies (REDS) are developed in line with the FERs, in that they are strategies which apply to the groupings of Local Government Areas known as FERs. REDS are strategies that can guide the economic development activity of councils and businesses in a FER. They may help the Local Government Areas in a particular FER to access State funding, comply with State legislation governing infrastructure investment, and support grant applications to State and Federal Government.

A REDS may also apply to a single Local Government Area, where it is based on a FER comprising only one Local Government Area, although this is rare.



4.1 Within scope



 For classification review: All Local Government Areas Statewide may submit any road for reclassification as part of the review. Submissions should align as far as possible with the criteria and principles to be released by the Independent Panel.



 For transfer: Regional Councils, which are consistent with the regional boundaries under Restart NSW, may submit council owned regional roads for transfer.

Where a road that is the subject of a submission crosses Local Government Area boundaries, every attempt should be made to present a joint submission to the Panel. If a submission is made to transfer or reclassify part of a road, the Panel may be unable to conduct a satisfactory assessment.

The Panel may look favourably on joint submissions, including those supported by Joint Organisations or other collaborative groupings or bodies, or with an awareness of the significance, operation and promotion of Functional Economic Regions (FERs) and Regional Economic Development Strategies (REDS).

4.2 Out of scope

The Panel will not consider:

 Proposals to transfer council owned regional roads located in Greater Sydney, Wollongong or Newcastle.
 A list of eligible councils is attached to this document.

If councils are unsure whether their application for reclassification or transfer is eligible for consideration, they are advised to contact the Secretariat in the first instance



5.1 Strategic principles

These strategic principles will inform the high-level decision-making of the Panel.

That the submission:

- Aligns with the Movement and Place, Hub and Spoke and 30-Minute City frameworks underpinning Future Transport 2056
- Aligns with the six outcomes for NSW identified in Future Transport 2056
- Aligns with A 20-Year Economic Vision for Regional NSW and related regional plans and strategies
- · Aligns with freight policy
- Supports and promotes the economic productivity of the region
- · Supports or enhances the resilience of the network
- · Aligns with emergency management planning
- · Enhances road safety outcomes.

5.2 Road Classification Review

5.2.1 Current classification framework

The Roads Act 1993 sets out a seven-tier framework for classified roads in NSW. These categories are:

- · Main roads
- · Highways
- Freeways
- · Controlled access roads
- · Secondary roads
- · Tourist roads
- · Tollways/Transitways.

In NSW, a simplified three-tier administrative classification framework is used to define management and funding categories, as well as to cover types of roads which are not described in the Roads Act (the Act does not apply to unclassified roads, which include Local Roads and some Regional Roads).

5. Principles

The classifications are:

- State Roads: freeways and primary arterials managed by the State
- Regional Roads: secondary or sub-arterials managed by Local Government, for which councils receive financial assistance from the State, reflecting their importance in the road network
- Local Roads: collector and local access roads, managed and funded by Local Government.

These definitions are a guideline only, to which there are exceptions. For example, the State government has responsibility for some roads with a special purpose or function, such as major tourist roads.

These administrative categories have been in place since 1995. They do not exist in the legislation but by agreement between the levels of government.

5.2.2 Classification criteria

State Road

General principles:

- Form a critical network link closure to through traffic is not an option
- Priority to safety and efficiency of through traffic movement
- High flows of general traffic over long distances and high capacity relative to surrounding roads
- Continuous and regularly spaced in relation to traffic generating density
- Access to property and on street parking restricted as far as practicable
- Access available to all general access vehicle types as far as practicable
- · Generally prioritises 'movement' over 'place'
- Provides for mass transit, smart motorways and highvolume freight where applicable
- Likely to form a major 'spoke' between regional centres or between regional and metropolitan centres
- Provides safe and efficient movement of high-volume freight
- Provides access for significant freight vehicles to major rural intermodal interchanges and urban distribution areas
- · Support regional or State-significant economic activity
- · Support 30-minute cities, where applicable

- May form a future autonomous vehicle/truck platooning route
- Perform city-shaping corridor or city-serving corridor functions (metropolitan areas).

Definition

The State Road network (including the National Highways) is formed by the primary network of principal traffic carrying and linking routes for the movement of people and goods within the urban centres of Sydney, Newcastle, Wollongong and Central Coast, and throughout the State.

Criteria

A road may be a State Road if its primary function meets at least one of the following criteria:

- Links major commercial, industrial and residential areas and distribution centres and ports within the Sydney, Newcastle, Wollongong and Central Coast urban centres
 - Urban centres as defined by the Australian Bureau of Statistics, and
 - Primary through traffic route carrying significant volumes of traffic, or
 - · Major public transport corridor, or
 - Major freight corridors, or
 - Connection between major rural arterials and major ports, freight terminals and distribution centres, or
 - Significant and essential supplementary route for through traffic parallel to a primary route as defined by the above, in critical strategic locations only.
- 2(a) Links major NSW towns with the Sydney, Newcastle, Central Coast and Wollongong urban centres
- 2(b) Links these major NSW towns with each other where there is significant interaction
 - Major towns population generally in the range 10,000 to 100,000 but may include slightly smaller centres which provide a wide range of commercial, community and administrative functions to an extensive hinterland, and
 - Primary route exhibiting best operational features and an intention to manage as the major route, and
 - Significant economic and social interaction exhibited, and



- Generally carry a minimum Annual Average Daily Traffic (AADT) greater than 1,000, or at least greater than 500 and growing at a faster rate than on surrounding roads, and
- May include cross border links to interState major centres.
- Links major regions throughout the State with each other
 - Provides a long distance connection between regions not already provided for in the network defined by the above criteria or 'missing links' that complete long distance connections between the network already defined by the above, and
 - Sustains a high flow of general traffic (generally AADT greater than 500) over long distances (100km), or
 - · Significant long distance freight or coach route.

Regional Road

General principles

- · Likely to prioritise 'movement' over 'place'
- May form a 'spoke' road depending on road's location and function.

Definition

Regional Roads comprise the secondary network which, together with State Roads, provide for travel between smaller towns and districts and perform a sub-arterial function within major urban centres.

Criteria

A road may be a regional road if its primary function meets at least one of the following criteria:

- 1. Links smaller towns within the State Road network
- 2. Connects smaller towns with each other
- Performs a sub-arterial function in major urban centres by:
 - Supplementing the State Road network for significant intra-urban flows
 - Providing access for significant flows to other commercial and industrial centres
- Provides access from the State Road network to major recreation and tourist areas of State significance
- Provides a town or suburban centre relief route for significant flows through traffic, especially freight vehicles

 Provides access for significant flows of freight vehicles to major rural intermodal interchanges and urban distribution areas.

Additional tests for regional roads

A road is potentially a Regional Road if it meets one or more of the following criteria:

- Forms the main regional link between population centres either directly or as part of the main route joining such centres
- Forms the main regional link between secondary suburban centres either directly or as part of the main route joining such centres
- Provides necessary connectivity between State Roads in urban areas
- Joins smaller service towns to their higher order economic and social regional centre
- Has significance for more than one Local Government Area
- If not otherwise connecting centres, functions as a collector road to a service town serving an extensive catchment area
- Carries a steady to increasing traffic volume with some potential for future growth
- Is an important route for significant flows of freight vehicles especially relative short haul farm to market/ transport intermodal interchanges
- Provides access for secondary flows of urban public transport to major transport interchanges
- Carries a minimum AADT that is similar to surrounding main roads
- Is a main route performing the functions of closed railway line
- Provides a relief route for significant flows of through traffic, especially for heavy vehicles wishing to bypass a busy town or suburban centre.

A road is potentially NOT a Regional Road if it meets one or more of the following criteria:

- Closely parallels a State Road or another Regional Road which performs a similar function. Thus in rural areas where capacity is not a problem, arguments that a road relieves an existing declared road normally are not valid
- Carries a non-substantial, steady to declining traffic volume with little prospect for future growth
- · Is a short spur road wholly within one LGA
- Is a short spur road to a local tourist feature (as distinct from a tourist area of regional significance)

5. Principles

 Is a short spur road to a low throughput wharf, railway or other facility which is of local rather than regional significance

- Functions more as a local access road and acts as a minor collector serving a small catchment area with volumes steadily decreasing along the length of the road
- Overservices an area where land use has become less intensive and products have reduced time sensitivity (e.g. dairying) and rural populations have fallen
- Has no significant development requirements in the foreseeable future.

Local Roads

Local Roads support local access and circulation. Local Roads do not meet the criteria for either Regional or State classification. Local Roads:

- Have the primary function of supporting local access and circulation
- Are likely to prioritise 'place' and 'local streets' over 'movement'
- · Provide access to and from properties
- Provide key first and last mile connections to key freight sites as part of a road freight network involving Regional and State roads.

5.2.3 Other conditions

The Panel will evaluate all submissions independently against the published criteria. Councils will have the opportunity to review the outcome of their reclassification submission with the Panel.

5.3 Regional Road Transfer

5.3.1 Transfer criteria

The Regional Road Transfer initiative will consider the transfer of responsibility for the management of council owned regional roads from Local to State government.

All submissions will be weighed to determine the issues, risks and benefits of any recommendation for transfer, and whether transfer is the most appropriate response likely to achieve the best outcome for the network.

Roads submitted for consideration under the Regional Road Transfer initiative must meet the following criterion for eligibility:

 The road is a council owned regional road located outside Greater Sydney, Newcastle and Wollongong.

5.3.2 Other conditions

Councils should note that the selection of priority submissions is at the discretion of the Panel and that alignment with conditions and principles will not automatically lead to the transfer of any Regional-classified road, priority or otherwise. This will be an assessment exercise whereby the rationale, benefits, risks, cost and timing of the submission will be evaluated by the Panel.

If a council is unsuccessful in the priority round of submissions, they are encouraged to submit an application in future rounds.

5.4 Priority consideration

Some roads may be selected by the Panel for priority consideration and recommended for reclassification or transfer in an early tranche of recommendations to government.

Criteria for priority consideration include, but are not limited to, a road which is:

- · Subject to a government commitment; or
- council is able to demonstrate past or current difficulty in meeting the demands associated with maintaining the road in the short, medium and/or long term to the standard which allows the road to perform as intended as part of the broader network.

It is also desirable that priority submissions be uncontested by other councils, road users or any government department.

The assignment of priority status does not guarantee that any or all rehabilitation works will be undertaken within a specified time frame or that the standard of the road, where relevant, will be increased within a specified time frame.

Where the Panel's recommendations are accepted by government, the reclassification and transfer of roads will be staged according to a timeline to be developed by government.



1. What is the purpose of the Road Classification Review and Transfer?

The Road Classification Review and Transfer is made up of two initiatives being delivered as one project:

- · Road Classification Review
- · Regional Road Transfer.

As part of business as usual activities, road classifications across the State need to be evaluated on a regular basis. Road managers periodically need the opportunity to seek reclassification where the function or usage pattern of a road has changed, perhaps due to the construction of new transport infrastructure or changes in population density. This process will ensure that roads are being appropriately managed and funded, in line with the role they play in the network.

The transfer of up to 15,000 kilometres of regional roads to State management aims to lighten the load on regional and rural councils who are finding the maintenance of their council owned regional roads difficult or even unmanageable. This class of road has broader significance for the State, which is reflected in the financial assistance provided by government to councils for their maintenance. However, councils have made representations to government over a number of years to ask for further relief with some of these roads. The return of certain Regional Roads to State management will ensure they are able to be maintained in line with their significance to the broader network, and in a way that supports the social and economic health of communities across the State.

The overall purpose of the project is to contribute to a better managed, contemporary road network for NSW, with benefits that include supporting regional growth, ensuring the funding available to maintain our roads is appropriately distributed, and promoting healthy communities through place-making and engaging with other forms of transport.

6. Frequently asked questions

The current breakdown of Regional and Local roads in metropolitan and country NSW is as follows:



2. Which councils are eligible to make submissions for road reclassification?

All councils across NSW are invited to participate in the Road Classification Review. This means providing feedback on the policy principles that decide how roads are classified as State, Regional or Local. It also means that every council in NSW will have the opportunity to submit individual roads to be reclassified between any of these categories.

Submissions may also be made by Transport for NSW. These submissions will be evaluated against the published criteria by the Independent Panel.

3. Which councils are eligible to make submissions for Regional Road transfer?

Eligibility has been determined based on Restart NSW boundaries. A list of councils eligible to submit their council owned regional roads for transfer is Appendix 1 to this paper. It includes all councils outside Greater Sydney, Newcastle and Wollongong.

The majority of NSW's regional roads are located outside metropolitan areas, although a small number are located within metropolitan areas. Where metropolitan councils believe their council owned regional roads are no longer performing as Regional Roads, and are therefore receiving inadequate funding, they will be able to submit to have them reclassified, but cannot be considered for transfer.

Submissions may also be made by Transport for NSW. These submissions will be evaluated by the Independent Panel against the published criteria and taking into consideration the views of stakeholders affected by the proposal, as with all other submissions.

4. How will the project be impacted by COVID-19?

All parties – including the Independent Panel and the Minister – are acutely aware of the unprecedented circumstances now faced Australia-wide due to the impacts of the coronavirus pandemic. This will impact the planned consultation activities of the Panel.

With that said, there is determination to continue to drive this important project forward and obtain results for road managers and road users across NSW.

The Independent Panel, supported by an interdepartmental advisory group, is now considering options to adjust the consultation schedule/plan to reflect these new circumstances, while still giving all councils an opportunity to put their views in full. This may include video conferencing and webinars, plus the existing channels of phone and email. Measures will be based on the best advice from our communications specialists.

Information will be distributed directly to councils wherever possible, as well as through bodies such as Office of Local Government and Local Government NSW, and will be made available on the website.



5. What assistance is available for bushfire, drought or flood-affected councils?

The Independent Panel and NSW government acknowledge that many council areas have experienced and may currently be experiencing hardship associated with drought or bushfires.

The goal of the project is to improve conditions for councils and road users around the State. For this reason, care will be taken not to unduly increase workloads in affected areas.

Councils who expect to have difficulty meeting submission timelines or drafting submissions are encouraged to contact the Panel Secretariat at their earliest convenience.

6. Will existing arrangements under Road Maintenance Council Contracts (RMCCs) be maintained?

The Panel is not currently tasked with reviewing contractual maintenance arrangements on the road network. Its focus will be road classifications, management responsibilities and funding allocations.

The recommendations of the Independent Panel will be based on sound research and consultation. They will aim to promote the values and priorities of the *Future Transport 2056 Strategy*, including a commitment to a strong economy and successful places.

The Panel acknowledges that the RMCCs are important to local councils, to ensure strong economies, local employment and capable local road maintenance crews. The Panel will ensure consideration is given to maintaining local employment in roads maintenance works, such as through RMCC and direct employment by councils, and supporting economic growth in the regions.

7. What are the economic and planning principles of the *Future Transport 2056 Strategy*?

The Future Transport 2056 Strategy is a 40-year vision for NSW's transport system. The six outcomes underpinning the strategy are:

- Customer focused
- 2. Successful places
- 3. A strong economy
- 4. Safety and performance
- 5. Accessible services
- 6. Sustainability.

Future Transport 2056 Strategy can be downloaded here.

The work of the Independent Panel will also align with other government policies and plans, including the Heavy Freight Vehicle Access Policy Framework, the Road Safety Plan and other State and national frameworks either existing or in development.

8. What impact will the review and transfer have on State and Federal Government funding sources for councils?

The Independent Panel does not have any authority to make recommendations about Federal Government funding allocations.

Transfer of a council owned regional road to State management may result in a commensurate reduction in Block Grant funding or any other funding attached to that road which correctly sits with the road manager.

Reclassification may also lead to reallocation of funds in cases where a road attracts different funding streams based on its classification, or where the road manager changes through classification, or both.

However, the overall level of funding is outside the Terms of Reference for the Independent Panel and will be a matter for the government. ______

6. Frequently asked questions

9. Will roads being reclassified or transferred be brought up to standard before they are reclassified or in a specified timeframe after transfer?

The implementation process is a matter for government. The Independent Panel will identify individual roads to recommend for reclassification or transfer; make recommendations for a suitable timeline to implement changes; and estimate the financial impact to councils of its recommendations.

The condition of roads returning to State management will be assessed in terms of the standard required for the road to play its role in the network.

Where the cost to the State government of rehabilitation is significant, a prioritisation process will take place to ensure works are carried out where they are most needed as a first order.

Where repairs or increases in the standard of a road by the State government are deemed necessary, it may not be possible to carry out repairs immediately.

It is expected that councils will continue current maintenance standards on all roads for which they are currently the road manager, including roads that are submitted for reclassification or transfer, and until a subject road is formally transferred to the responsibility of another party. This includes the continuation of current funding arrangements, such as the Block Grant. There is no requirement for councils to increase their standard of maintenance on any road prior to or subsequent to its reclassification or transfer.

10. What opportunity will councils and other stakeholders have to provide input into the project?

The Independent Panel values input from all customers and stakeholders, including all types of road users, councils and industry.

As has been outlined above, the mode of consultation for the Independent Panel must now be revised to accommodate changed circumstances due to the COVID-19 pandemic. Technology will be utilised as far as possible to facilitate live meetings with the Panel.

Further, the Panel is committed to providing a variety of mechanisms through which feedback can be provided, including via the website, by email, and by phone or video, and will make every effort to accommodate the individual needs of any interested stakeholder. If you would like to discuss any other mode for the submission of feedback, please contact the Secretariat in the first instance.

A consultation schedule is outlined in this paper. Any issues or concerns with this plan or schedule should be raised with the Secretariat.

11. Will the full project be completed by the milestone date of July 2021?

The Independent Panel plans to deliver its final recommendations to the Government by July 2021. The milestone dates are marked indicative and may be subject to change, particularly given the impacts of the COVID-19 pandemic.

Part of the Panel's task is to determine an appropriate timeline for recommended reclassifications and transfers to take place. It is expected that these processes will be undertaken over a period of time, taking into account both administrative processes and economic impacts.

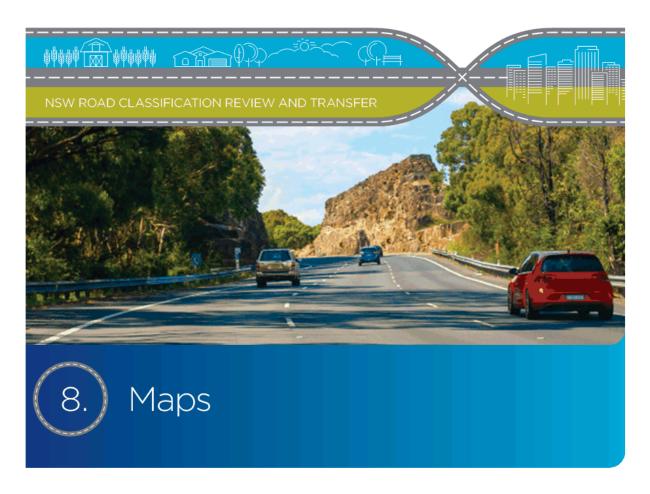


The schedule for consultation sessions with local councils is below. This does not include briefing sessions with other stakeholders.

These dates may be amended or added to as the scheduling process continues.

Session name	Date and time
Hunter JO	2pm-4pm, 23 June 2020 2pm-4pm, 2 July 2020
Far North West, Brewarrina	2.30pm-4.30pm, 29 June 2020
New England JO	2pm-4pm, 1 July 2020 1.30pm-3.30pm, 3 July 2020
Orana JO, Dubbo, Coonamble	9.30am-11.30am, 3 July 2020 9.30am-11.30am, 9 July 2020
Northern Rivers JO	10am-12pm, 7 July 2020
Canberra Region JO	9.30am-11.30am, 10 July 2020 2pm-4pm, 14 July 2020
Illawarra Shoalhaven JO	9.30am-11.30am, 14 July 2020
Riverina JO, Wagga Wagga	9.30am-11.30am, 15 July 2020 1.30pm-3.30pm, 20 July 2020
Riverina-Murray JO	9.30am-11.30am, 20 July 2020 2pm-4pm, 24 July 2020

Session name	Date and time
Central NSW JO	9.30am-11.30am, 24 July 2020 3pm-5pm, 3 August 2020
Namoi JO	9.30am-11.30am, 31 July 2020
Far South West JO	2.30pm-4.30pm, 27 July 2020
Mid North Coast JO, Clarence Valley, Coffs Harbour, Nambucca	10am-12pm, 5 August 2020
Metro sessions: Inner West, Lower North, Upper North and Central Coast	10am-12pm, 11 August 2020 1.30pm-3.30pm, 14 August 2020
Metro sessions: Greater Western, Southern and Blue Mountains	10am-12pm, 17 August 2020 1.30pm-3.30pm, 20 August 2020



Maps of the NSW road network showing State, Regional and Local classifications are available at the program webpage: nswroads.work/roadreview

These maps will be enhanced on a rolling basis to show more data about the State's roads as it becomes available.

Contact us - For more information



roadreview@transport.nsw.gov.au



nswroads.work/roadreview



Independent Panel, Road Classification **Review and Transfer** Locked Bag 928 North Sydney NSW 2059



This document contains important information about road projects in your area. If you require the services of an interpreter, please contact the Translating and Interpreting Service on 131 450 and ask them to call the project team

on 1800 413 640. The interpreter will then assist you with translation.



June 2020

Privacy Transport for NSW ("TfNSW") is subject to the Privacy and Personal Information Protection Act 1998 ("PPIP Act") which requires that we comply with the Information Privacy Principles set out in the PPIP Act. All information in correspondence is collected for the sole purpose of assisting in the delivery this project. The information received, including names and addresses of respondence that all or part of that information is not to be published. Otherwise RMS will only disclose your personal information, without your consent, if authorised by the law. Your personal information will be held by RMS at 27 Argyle Street, Parramatta. You have the right to access and correct the information if you believe that it is incorrect.

9.4.1 SUBMISSION - DRAFT STATE STRATEGIC PLAN – A VISION FOR CROWN LAND

Record No:

Responsible Officer: Chief Operating Officer

Author: Coordinator Land & Property

Key Theme: 4. Leadership Outcomes

CSP Community Strategy: 10.3 Advocate and work with other levels of government,

community and industry to improve outcomes

Delivery Program Objectives: 10.3.1 Council connects, recognises, advocates and works in

collaboration with all leaders across the community and beyond

our boundaries

Attachments: 1. Draft State Strategic Plan for Crown Land

2. SSP Crown Land - SMRC Submission - 3 September 2020

Further Operational Plan Actions: 8.2.1 Council maximises its asset utilisation to deliver services

today and into the future.

EXECUTIVE SUMMARY

The NSW government is currently developing the first ever State Strategic Plan for Crown Land. It is inviting stakeholders to provide feedback on how Crown land can be used over the next ten years to best meet the evolving needs of our community. Opportunity to comment is open to the general public and all interested stakeholders. The initial consultation period closed midnight 20 August 2020, with an extension for submission granted to Snowy Monaro Regional Council.

Under the *Crown Land Management Act 2016* (the Act) the NSW Government is required to create a State Strategic Plan for Crown land with the Plan "setting the vision, priorities and overarching strategy for the management of Crown land and outline timeframes and outcomes."

The attached document was provided as a draft for Councillor comment and then presented to a briefing of Councillors on 3 September 2020 for discussion.

OFFICER'S RECOMMENDATION

That Council endorse the submission document on the Draft State Strategic Plan – A Vision for Crown Land.

BACKGROUND

The draft State Strategic Plan – A Vision for Crown Land (the plan) outlines a proposed vision and strategy for management of Crown land in NSW. The document also provides an introduction to the 'what, where and how' of NSW Crown land.

The proposed draft State Strategic Plan comprises four key priorities.



Crown land comprises 42% of all land in NSW and is held in trust by the government to support communities, businesses and the environment. It is used for a very wide range of activities, including farming, recreation, sport, conservation, infrastructure, industry and community activities.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Crown land assets act as significant social connection sites in particular within rural and regional village settings, and thus contribute to community wellbeing.

2. Environmental

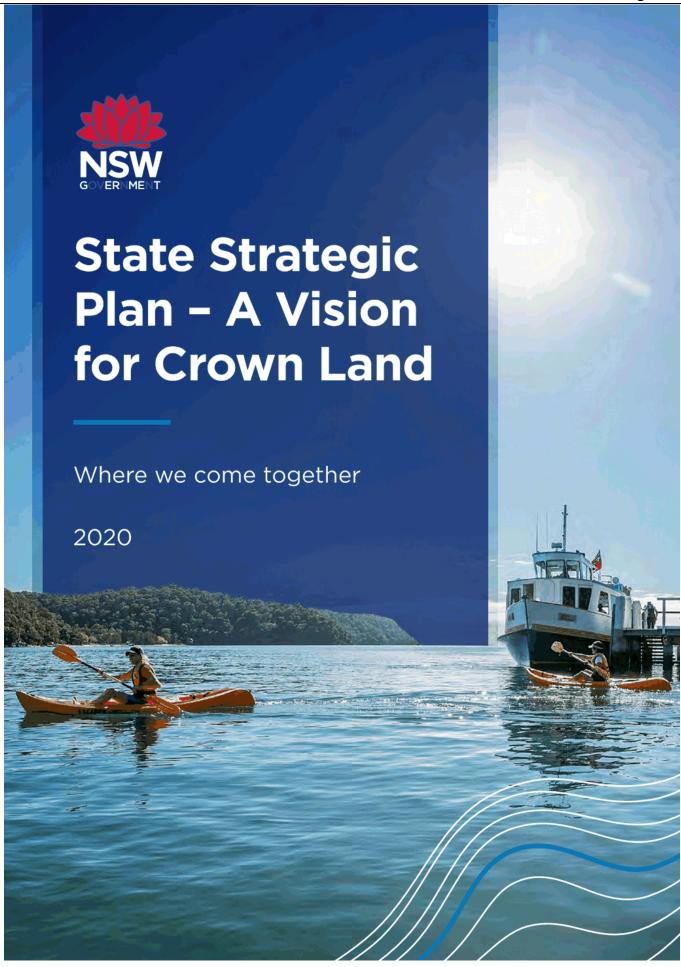
Crown land requires ongoing maintenance programs to be established across these spaces and facilities to support compliance with current standards, particularly biodiversity values and vegetation management aims.

3. Economic

There is significant investment required to ensure that the vast array of Crown land assets sited in our LGA are both fully known and appropriately resourced financially into the future. The State should consider allocative funding arrangements, with this being referenced in the feedback document. Financial implications and administrative burdens of Crown roads being arbitrarily shifted to councils does not reflect an equitable or sustainable approach.

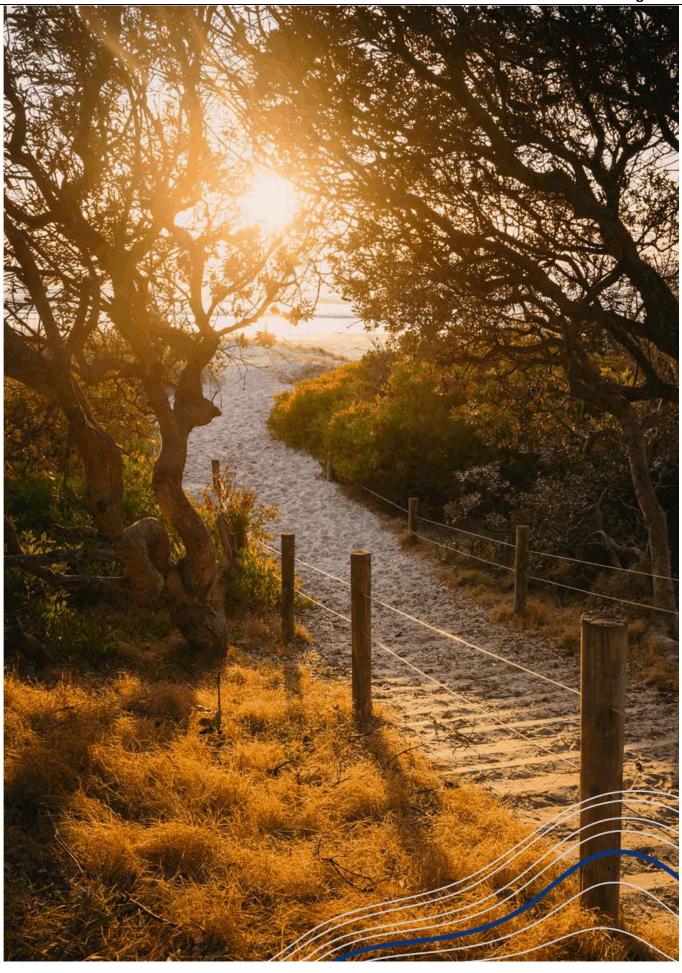
4. Civic Leadership

To date the Crown Lands have been managed in a very clunky fashion, as can be attested to by anyone trying to discover full details related to specific Crown land parcels. Council's advocacy for efficiency improvement, and increased funding for this sector, demonstrates positive cross tier government collaboration. Council's submission contains advocacy for the State to better manage community expectations in terms of maintenance and general responsibility for Crown road condition obligations.



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Introduction from the ministers and commissioner



Introduction by the Honourable Rob Stokes, Minister for Planning and Public Spaces

A key priority for our Government, particularly for me as the State's first Public Spaces Minister, is to provide better access to quality, green, open public space for people right across NSW. Crown land – the public's land, which makes up almost 50% of the State – will play a significant role in achieving that goal.

Some of the state's most iconic and beautiful public land is Crown land.

In Sydney, Crown land contributes significantly to open space provision. From pocket parks to regional open spaces and bushland, urban Crown lands can support quality of life for residents, attract visitors and provide habitats for local wildlife. Our goal is to link these parks and other green spaces to form a 'green grid' that will stretch right across Greater Sydney and make our city an even better place to live.

This Crown lands State Strategic Plan is important because it seeks to ensure we not only deliver the greatest public benefit of our Crown land, but that in doing so we also support its custodians, such as local Surf Life Saving Clubs and PCYCs.

A strategic approach to managing Crown land also gives us the opportunity to do things better than we have in the past, and that is especially pertinent when it comes to the resolution of Aboriginal Land Claims and ensuring recognition of Native Title rights.

We want to make sure the people of NSW get the greatest value from the Crown land reserves we have at our fingertips. That's why we want you to have your say and let us know how we can best work together to manage Crown land now and into the future.

Rob Stokes

Minister for Planning and Public Spaces



Introduction by the Honourable Melinda Jane Pavey, Minister for Water, Property and Housing

Crown land is the public's land. In creating this draft of the State Strategic Plan - A Vision for Crown Land, we have sought every opportunity to manage Crown land to achieve the best possible benefits in the public interest.

One of our key priorities has been identifying opportunities to create jobs and economic opportunities for our regional communities.

We can use Crown land to provide housing and employment, support growing populations in regional towns, and take some of the pressure off our populated urban areas. The land can also be used to attract investment and create jobs in export-oriented manufacturing, energy generation, and new and emerging industries.

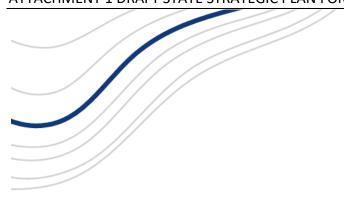
Community and volunteer organisations are the beating heart of our regional towns. This plan contains ideas for how we can better support our showgrounds, racecourses, boating and marine assets, youth groups and clubs. These include improving security and duration of tenure over Crown land, so that

the organisations who add so much to our communities have a stable base from which to grow and thrive.

As we enter a new decade we will take a more proactive and engaged approach to management of Crown land. Consulting with the community on this plan is the first step in that process, and there will be many more opportunities to get involved.

Please take the time to read the plan, discuss it with your friends and families, and give us your feedback to help shape how Crown land is managed now and in the future.

Melinda Jane Pavey Minister for Water, Property and Housing





Introduction by Professor Richard Bush, Crown Land Commissioner

As commissioner, I have the privilege to talk with a wide range of people across the community, in industry and those involved in the management of Crown land. People are passionate about Crown land, they recognise its significant potential, and are enthusiastic about the future of the estate. These same people have been at the forefront of major challenges during the time of formulating this strategy.

Our community has been faced with a multitude of challenges at the time of the development of this strategic plan – drought, fire, floods and the COVID-19 pandemic. Responding to these impacts and contributing to the rebuilding of our communities and local economies will be a feature of this strategic plan. It will outline pathways that ensure the Crown estate can contribute in the best possible way to recovery and building of resilience.

Our Crown land estate is remarkable in terms of scale, diversity and utility. The governing legislation enables it to be used for an array of purposes to deliver economic, social, cultural and environmental benefits. As we experience changes in our economy and lifestyles and in our climate, the uses of Crown land will continue to evolve.

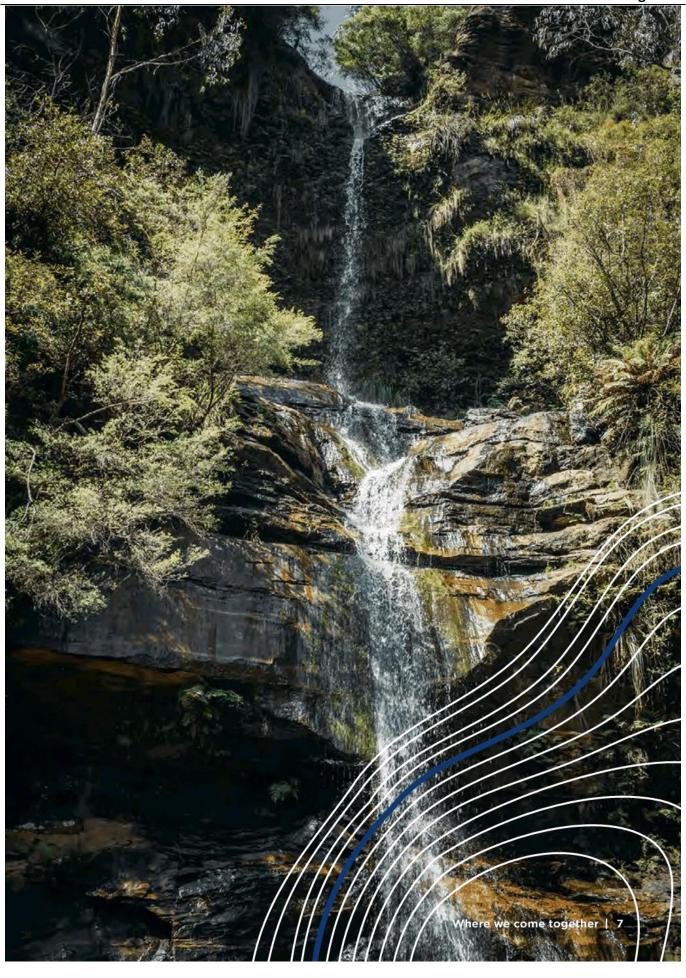
This is the first strategic plan for Crown land that has been developed in NSW. It presents a generational opportunity to position Crown land as a major contributor to the prosperity, sustainability and wellbeing of our community.

The plan will align Crown land management and priorities with the aspirations of the community.

Now is the time for all stakeholders to have their say on how Crown land is managed. I encourage you to think creatively about how Crown land can support NSW. Please take advantage of the opportunity to contribute your ideas and recommendations.

Professor Richard Bush Crown Land Commissioner

6 | State Strategic Plan - A Vision for Crown Land



SECTION 1

This is your opportunity to shape the future of Crown land in NSW



This draft State Strategic Plan - A Vision for Crown Land (the plan) outlines a proposed vision and strategy for management of Crown land in NSW. The document also provides an introduction to the 'what, where and how' of NSW Crown land. This is the first such plan for Crown land, and it represents an opportunity to change the way Crown land is managed for the benefit of the communities of NSW.

We will soon be calling for submissions so that we can hear from you, the public, and from our valued stakeholder organisations. Your feedback will be used to ensure we have a plan which creates the greatest benefit for the communities of NSW.



Who manages Crown land

Crown Lands, a part of the Department of Planning, Industry and Environment NSW (the department, or 'us/we') is responsible for the management of Crown land in NSW, as specified in the Crown Land Management Act 2016 (the Act). We perform our work under the direction of the ministers who administer the Act.

The Act also requires the government of NSW to create a State Strategic Plan to set the vision, priorities and overarching strategy for the management of Crown land in NSW, including the outcomes that are expected to be achieved by implementation of the plan, and the timeframes for achieving those outcomes. The document you are now reading is the initial draft of that Plan.

The Act seeks to ensure that Crown land is managed and used in ways that provide consistency, efficiency, fairness and transparency. It requires us to take environmental, social, cultural heritage and economic considerations into account. and to manage and administer Crown land for the benefit of the whole community. The Act also seeks to facilitate the use of Crown land by Aboriginal people, including through co-management.

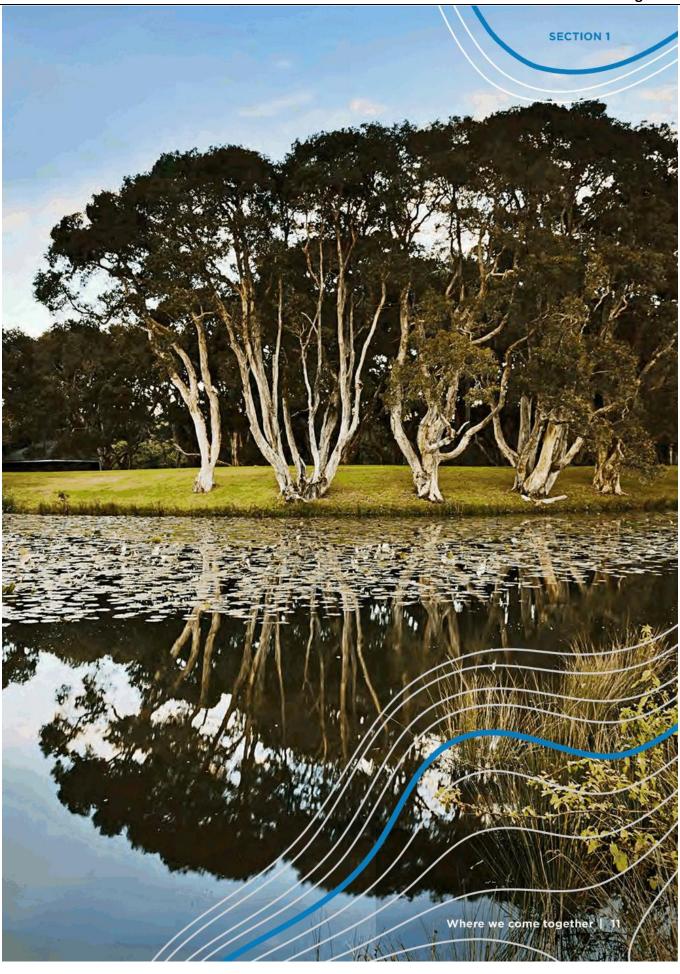
1.1 Developing the State Strategic PlanA Vision for Crown Land

This draft plan has been prepared through research and consultation, including engaging with stakeholders who operate on or who are involved with Crown land. We are now presenting the draft plan to the public. The consultation process will last for several months.

Figure 1 outlines the process we have followed to develop this draft plan, and the timeline for public consultation.

Figure 1. Development of the State Strategic Plan - A Vision for Crown Land

Stage	Who we are talking to
esearch	
AnalysisMeetingsWorkshops	Key stakeholders, councils, peak bodies, government agencies, peak Aboriginal bodies, Crown land managers.
	our research phase, own Land State Strategic Plan.
wo stage consultation period:	
Stage 1: Release draft plan for public information.	Everyone is NSW has the chance to provide feedback. We will also loop back with key stakeholders.
Stage 2: Submission period (min. of 42 days).	
eport back	
Summary report	We will report back on the key themes we heard from your feedback.
	g phases, we will update the plan based on you to the Ministers for their consideration.
dvise	
• Final plan adopted • Implementation commences	We will let you know when the plan is endorsed by the ministers.





Crown land is vast, varied and valued - but not well understood

There are over 34 million hectares of Crown land in NSW (approximately 42 per cent of the state), an area larger than Italy, the United Kingdom or South Korea. It is a unique and complex estate containing arid rangelands in the west, the mountainous terrain of the Great Dividing Range, forests, grasslands and towns, through to vast stretches of beaches and waterways in the east, that extends out into the marine estate beyond our shores.

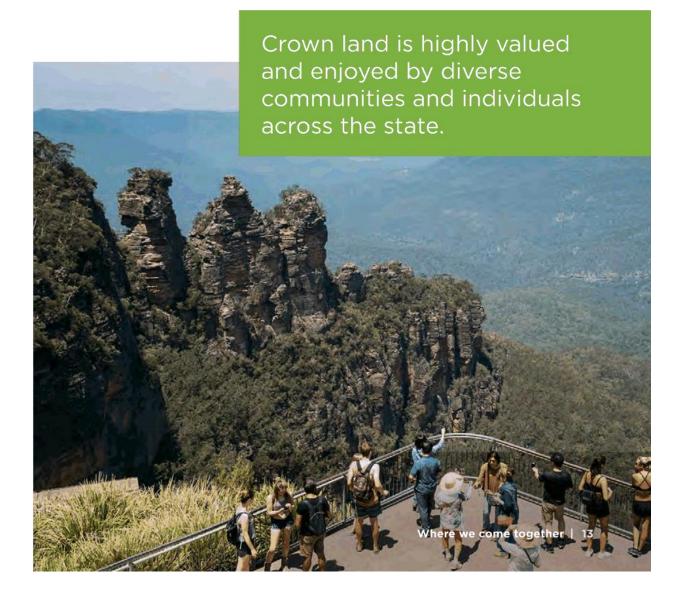
SECTION 2

Crown land is held in trust by the NSW government on behalf of the community, and there are special processes to determine how the land is used and managed. Unlike freehold property, it cannot be bought or sold except under special provisions. Aboriginal communities have legal rights over some Crown land, and these are explained in more detail in Section 2.3.

Crown land is highly valued and enjoyed by diverse communities and individuals across the state.

It is used for a wide variety of purposes, from farms, parks, reserves, roads and cemeteries, to showgrounds, campgrounds and industrial sites. Crown land provides essential space for business, tourism, recreation, well-being and biodiversity.

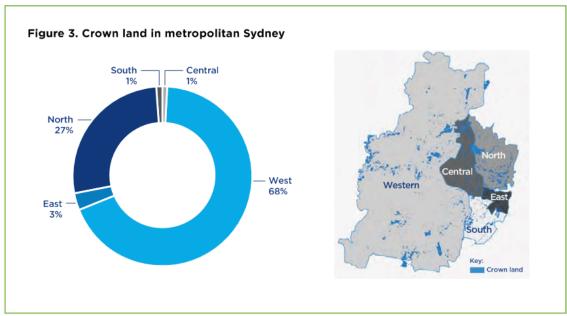
The range of potential uses mean that there are often competing interests or aspirations for the use of Crown land. Where there are competing claims we aim to resolve them in a way that is fair, equitable and aligned with government priorities. This supports our commitment to manage the land to the greatest benefit to the community of NSW.



Most Crown land (approximately 85 per cent) is in the Western Division and is used for grazing, cropping, mining and renewable energy generation. Much of this land has been leased on a perpetual basis. These perpetual leases confer rights that are similar to those of freehold title, and these leaseholders manage the land.

Figure 2 shows the split of the Crown land portfolio across the regions of NSW, and Figure 3 shows the distribution of Crown land in the metropolitan Sydney area.





14 | State Strategic Plan - A Vision for Crown Land





Prior to European settlement, all of what is now NSW was Aboriginal land. As part of establishing a new colony the government of Great Britain asserted legal ownership of all land. From this base the colonial, and then the state government proceeded to allocate or sell land, and to record and guarantee its ownership. Most of these allocations and sales created what are now freehold property rights for the new owners.

In 1983 the Parliament of NSW created a system of Aboriginal land rights to compensate Aboriginal communities for the loss of their land. This provided for the return of some Crown land to Aboriginal ownership.

This system continues to the present today and is explained in section 2.4.

In 1992 the High Court of Australia found that traditional Aboriginal rights to land (known as native title rights) continue to exist across Australia in cases where they have not been extinguished by subsequent government legislation or actions.

Figure 4 provides more details on the status of various categories of land in NSW, and section 2.3 explains what happens when native title is found to continue.



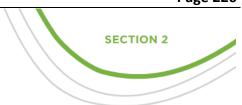


Figure 4. Status of land in NSW

Aboriginal land

Native title rights prevail unless extinguished wholly or in part.

- Native title rights include customary rights such as the right to hunt, fish and hold ceremonies, and may include rights to occupy land.
- Rights are confirmed by a successful claim in the Federal Court from a recognised claimant group.
- Actions that infringe native title rights may generate compensation (even if the rights are not yet confirmed by the Court).

Crown land

NSW has legislated to compensate Aboriginal communities for taking their land by returning available Crown land to Aboriginal Land Councils. Transfers are in response to claims from Land Councils.

Freehold land

- Native Title extinguished.
- Cannot be claimed by Aboriginal Land Councils.
- Can be freely bought and sold and leased.

Land not subject to claim

- Crown land that is lawfully used or occupied, or that is required for an essential public purpose, or for housing.
- Can be sold, leased, or licensed if permitted under native title legislation.

Land subject to claim

- Cannot be sold, leased or licensed without consent of claimant Aboriginal Land Council.
- Land validly claimed is to be transferred to the Aboriginal land Council in freehold.

2.1.1 Not all NSW Government land is **Crown land**

The NSW Government manages large areas of land in the state, and not all of it is Crown land. For example, national parks and state forests occupy large areas.

Other NSW Government departments own or control land for specialised purposes such as roads, schools, hospitals and prisons. These other lands will not be governed under this plan.

2.2 Crown land can be managed in different ways

Crown land can be reserved or dedicated for specific purposes. It can also be leased or licensed to individuals or organisations, and it can be managed by NSW Government departments, local government councils or by others.

These arrangements are outlined in the Act. They are intended to ensure that the land is used and managed in the ways that best serve the communities of NSW.

2.2.1 Some Crown land is dedicated or reserved, and this affects how the land is used

There are over 34,000 Crown land reserves allocated on behalf of the community for a wide range of public purposes including environment and heritage protection, recreation and sport, open space, community halls, special events and government services.

Once land is dedicated or reserved by the government it may generally only be used for the nominated purposes or compatible activities. There is a process for changing the nominated purpose of a reserved or dedicated area of Crown land, however it is not a common occurrence and requires a decision by the ministers.1

^{&#}x27;Dedication' may only be revoked by the ministers with responsibility for Crown lands tabling their intention to do so in the NSW Parliament. 'Reservation' status may be changed more simply, by ministerial decision, following the carrying out of any community engagement required by the Act.





2.2.2 Crown land may be leased or licensed for multiple purposes

Often Crown land is leased to others to use. Examples of activities conducted under lease include marinas, cafés, surf lifesaving clubs, Police Citizens Youth Clubs (PCYC), Scouts and Girl Guides' halls, Men's Sheds, caravan parks, and industrial facilities. There are currently 10,800 leases held over Crown land. When measured by area, most of the leases (85 per cent) are in the Western Division and are used for grazing and other purposes.

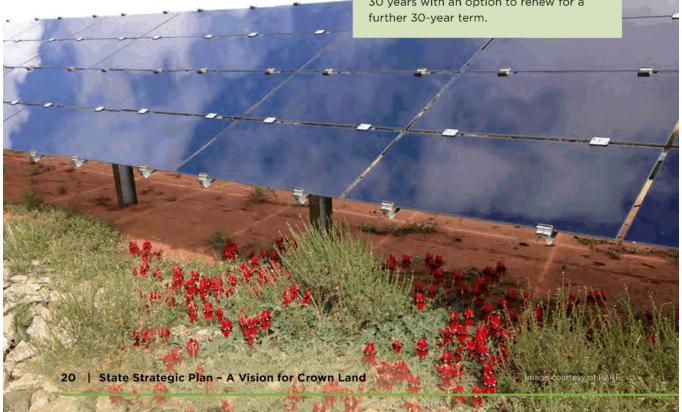
Access to Crown land may also be authorised through licensing. A license on Crown land authorises the holder to conduct specified activities. A wide range of activities may be licensed, and these activities can usually coexist with other uses.

Examples include domestic waterfront jetties, mobile phone towers, water and sewerage infrastructure, grazing and quarries. There are currently 18,300 licences held on Crown land across NSW. Licenses may also be granted for short-term uses such as festivals or events.



Broken Hill Solar Farm

The Broken Hill Solar Farm is located on Crown land. In order to create this facility AGL, an energy company, approached the leaseholder of the land and negotiated a purchase of the grazing lease. By agreement with the department, AGL then surrendered the grazing lease and was issued a commercial lease that would authorise the development and occupation of the land as a solar farm. The term of the current lease is for 30 years with an option to renew for a



2.2.3 Some Crown land is managed by others

In some cases, Crown land is managed by individuals or entities who have the capability, interest and resources to care for the land. For example, many local government councils manage Crown land within their council areas. Community-based groups, corporations, incorporated associations or Aboriginal Land Councils may be designated as Crown land managers.

Crown land managers are responsible for the control and management of land under their care. They can grant leases and licences2 to others who wish to use the land, and can collect revenue to assist with the care, upkeep and development of the land they manage (if that use is consistent with any reservation or dedication that has been placed on the land).

Many community-based groups are staffed by volunteers who provide their time and skills free of charge in order to benefit their community. The contribution volunteers make to social, cultural, economic and environmental outcomes across NSW has been, and continues to be, substantial. Generations of people have benefitted from the generous work of these volunteers.



Norah Head Lighthouse

The Norah Head Lighthouse is a non-profit organisation comprising community representatives appointed to manage the reserve and its associated activities including maintenance, marketing and operations. The reserve is supported by over 50 passionate volunteers, who conduct tours of the lighthouse, the site and its historic buildings and maintain the surrounding bushland through bush care and coast care groups. Two reserve managers live on site and manage the accommodation and bookings. The heritage Lighthouse Keeper's Cottage and Assistant Lighthouse Keeper's Cottage are let for accommodation and the venue is available for hire for functions including weddings and receptions.

These can be granted with approval by the ministers with responsibility for Crown lands. The exception is for Council land managers, who do not need permission from the minister to grant licences and leases.

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2.3 Aboriginal people have legal rights regarding land

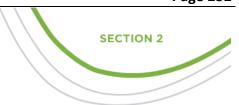
Some Aboriginal people in NSW have native title rights to Crown land because they can establish an ongoing customary law connection to land. Native title rights typically include the right to access land, hunt, gather, take resources for bush medicine and other traditional uses. Where native title is recognised, native title holders' rights will continue to exist over Crown land for all future generations and any activities affecting these rights needs to be carried out by Crown Lands in accordance with the *Native Title Act* 1993.

There are also some cases where native title rights have been extinguished by specific government actions, such as conversion of land to freehold, or by the granting of perpetual leases (for example in the Western Division). In many cases the status of native title rights on the land has not yet been determined.

If the Federal Court has determined that native title persists, the holders of these rights may be entitled to use or access the land for a range of traditional purposes. In some cases, they may be entitled to exclusive possession. Each claim is assessed by the Federal Court, to determine the rights in each case, and the identities of the rights holders.

We recognise that Australia's First Peoples need access to Crown land in order to exercise their native title rights and also more broadly to care for Country and undertake cultural practices. Removing barriers to access is of great importance to them and the wider community.





2.4 NSW has unique additional **Aboriginal land rights**

While native title may exist anywhere in Australia, there is also a system of Aboriginal land rights that applies only in NSW. In 1983, the NSW Parliament passed the Aboriginal Land Rights Act (the ALRA). The ALRA was established to return some Crown land in NSW to Aboriginal people through the processing of Aboriginal land claims.

The ALRA established a network of elected Aboriginal Land Councils, which are empowered to claim, acquire and utilise land as an economic base for Aboriginal communities in NSW. Under the ALRA, Aboriginal Land Councils may claim and be granted freehold title to Crown land that is not being used or required for residential or essential public purposes.

To date, 13,356 Aboriginal Land Claims have been reviewed and resolved in accordance with the provisions of the ALRA. Each assessment involves reviewing a range of records across multiple government agencies and determining the facts applying to the land over time. It is possible to have multiple claims over the same or overlapping parcels of land.

The claims assessment process is complex and requires special expertise. Processing of Aboriginal Land Claims has not progressed as quickly as hoped, and there are a significant number of claims currently awaiting assessment.



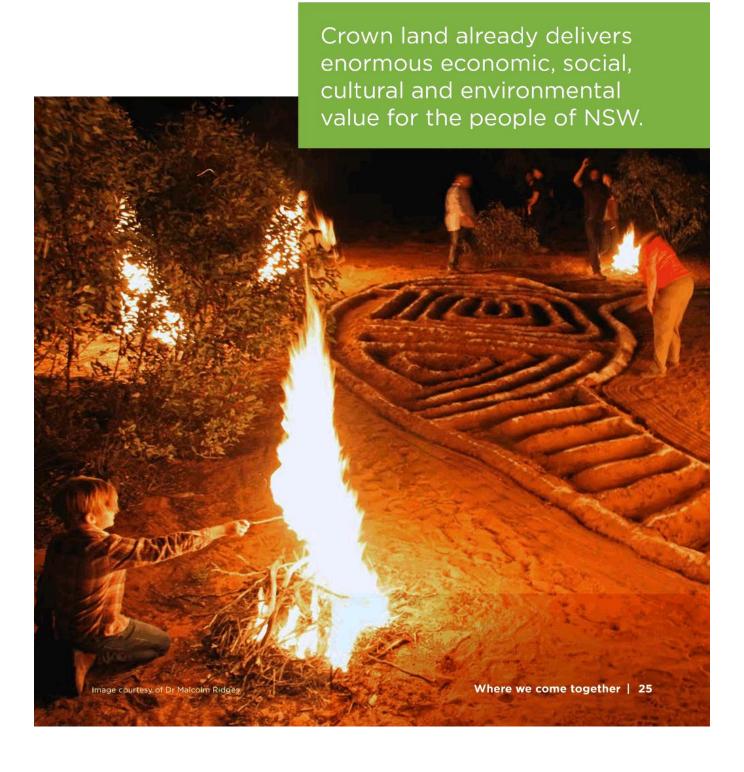
2.5 New approaches are needed to secure Aboriginal rights to Crown land

Crown land already delivers enormous economic, social, cultural and environmental value for the people of NSW. However, the complicated and unresolved intersection of the legal rights of the state, Aboriginal Land Councils and native title claimants and rights holders are delaying benefits for all. This can mean that some Crown land cannot be developed or used by Aboriginal or non-Aboriginal communities for many years.

This draft plan includes as one of its key priorities the development of new approaches between the Aboriginal and non-Aboriginal bodies who may have legal rights to Crown land. This will help resolve uncertainties and enable land to be used for maximum benefit.



SECTION 2



SECTION 3

What we seek to achieve with this plan

This section presents the proposed vision, overarching strategy and priorities of the draft plan, as well as the outcomes we expect to achieve over the coming decade.



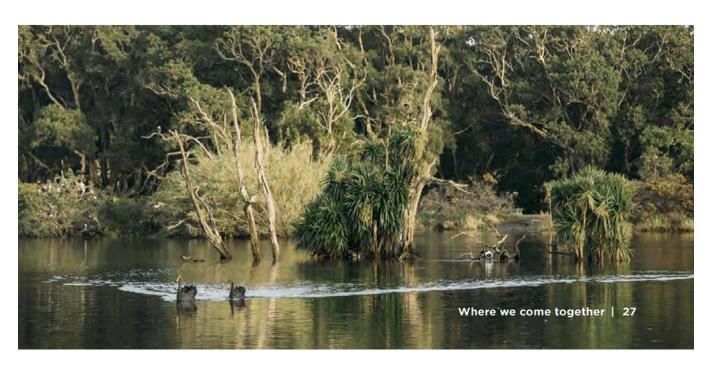
3.1 The world is changing, and so are the needs of communities

Much has changed over the years since Crown land was first established in NSW. One of the strengths of the Crown land legislation is that it sustains land in public ownership, able to be used to meet the needs of each generation. As we set our course for the coming decade it is timely to reflect on the current and future needs and priorities of the government and our communities.

- The NSW government and the Crown land ministers have expressed ambitious priorities for how Crown land can contribute environmental, economic, cultural and social benefits for NSW
- The needs of our communities are changing, as population grows, our economy evolves, and climate change impacts our land

 Legislation and court decisions intended to empower Aboriginal communities and establish their rights to land in NSW have not been as successful as hoped in their aims. This has created delays and obstacles to the recognition of Aboriginal rights to Crown land in NSW, as well as to other uses of Crown land.

The world is changing at a rapid pace, it brings into focus the need for optimising public land for multiple benefits that deliver tangible outcomes for the economy, the environment and our social wellbeing. There is a huge need and the public assets have the capacity to make a major contribution against these criteria.



3.2 Crown land supports resilient, sustainable and prosperous communities

The vision embodied in this plan is for Crown land to support resilient, sustainable and prosperous communities across NSW.

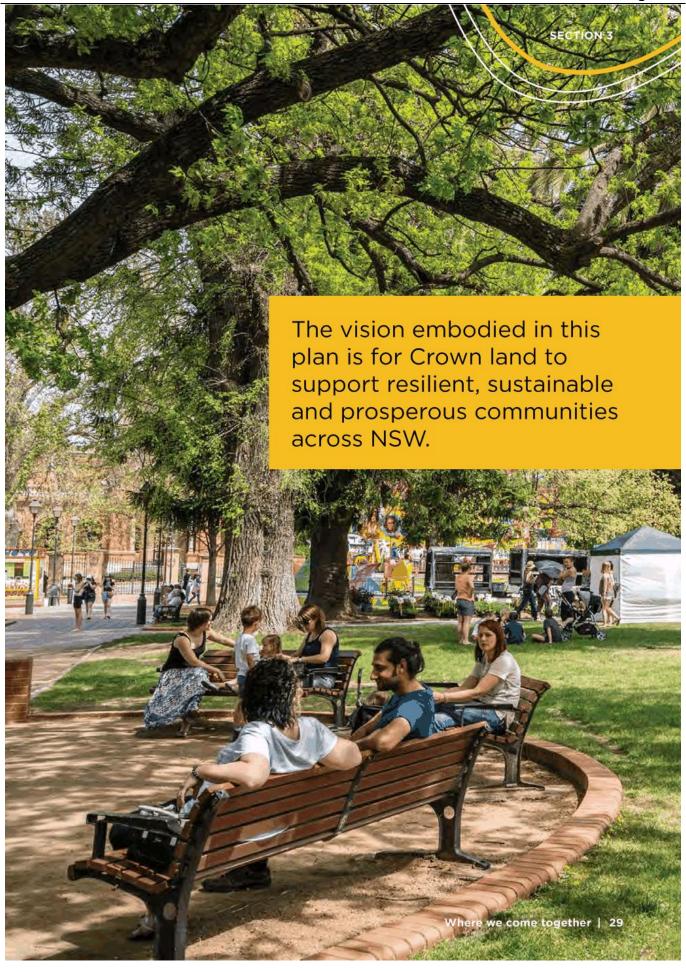
This means using Crown land to enable a wide and evolving range of activities that generate economic, social, cultural and environment benefits for all communities across the state. We will seek to adopt a proactive and dynamic approach, so that Crown land is utilised in a way that facilitates growth, productivity and sustainability.

To realise this vision, we will:

1. Adopt a quadruple bottom line approach to the management of Crown land. To ensure that we generate the best outcomes for the entire NSW community we will seek to optimise the economic, social, cultural and environmental opportunities generated by activities on Crown land, for current and future generations. We will develop an assessment framework based on a quadruple bottom line approach to guide our decisions. Where possible we will seek opportunities that deliver multiple benefits simultaneously.

- 2. Support the network of Crown land managers across NSW. Crown land managers will be appointed based on their capability, skills and commitment to utilise and care for the land. We will work with Crown land managers to help them succeed and will devote resources to attracting and informing the next generation of land managers. We will support and enable innovation and adaptation.
- 3. Empower Aboriginal people to play a central role in delivering this vision.

 Aboriginal land rights are key to the achievement of the social, cultural, economic and environmental objectives of the Act. We will adopt land transfers to, and partnerships with, Aboriginal people as a core method of securing the benefits that are the plan's objectives. The department will seek new ways of working with Aboriginal people that recognise their legal rights, wisdom and contribution.
- 4. Collaborate with government and stakeholders to steward the land in our care. We will work proactively across government and with non-government stakeholders to share information, create opportunities and overcome barriers so that we can meet the community's evolving needs and aspirations.



3.3 Priorities for Crown land

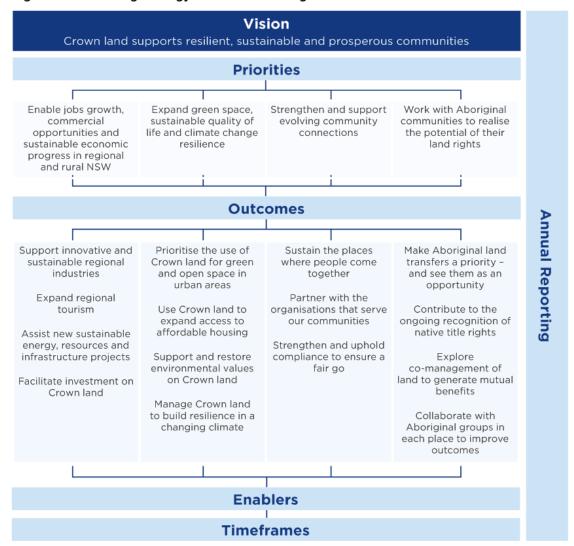
Over the next 10 years our priorities will be to:

- Enable jobs growth, commercial opportunities and sustainable economic progress in regional and rural NSW
- Expand green space, sustainable quality of life and climate change resilience
- Strengthen and support evolving community connections

 Work with Aboriginal communities to realise the potential of their land rights.

These priorities are supported by a set of outcomes to be achieved over the early, middle and full decade of the plan. Figure 5 depicts the overarching strategy contained within the plan, including priorities and outcomes.

Figure 5. Overarching Strategy of the State Strategic Plan - A Vision for Crown Land



30 | State Strategic Plan - A Vision for Crown Land



In addition to these priorities, much of our existing work will continue. This includes programs to mitigate the risk of bushfires on fire trails and asset protection zones, conservation of natural resources, remediation of contaminated land, coastal dredging, infrastructure, and compliance. At times major infrastructure programs take place on Crown land, and we will seek to enable these. We will continue to focus attention and resources on our asset maintenance programs.

COVID-19 has contributed to one of the most significant economic and social impacts that Australia has experienced in the past 100 years. How the Crown Land Estate can contribute to building our community prosperity and provide public value to address these short to medium term impacts of COVID-19 will be carefully considered in the design and implementation stages of the plan. There will be particular focus on supporting local industries and regional economies.

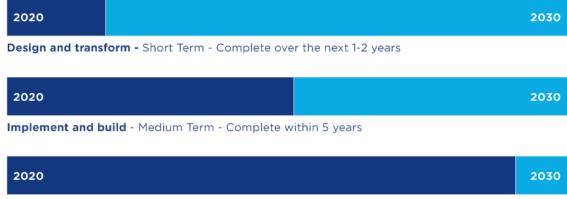
The priorities and desired outcomes of this plan call for an ambitious transformation of the administration of Crown lands in NSW.

To support this transformation, a detailed implementation plan will be developed, with inputs from stakeholders and the community. Given the size of the estate, this plan will take time to implement. This plan will also require significant development of the department's systems and skills base. Hence, a staged approach is proposed.

- In the first year of the plan, there will be a focus on planning, consultation and preparation, coupled with delivery of some key enablers and 'quick wins'.
- Years 2 5 will be a period of applied implementation. It will no doubt involve teething issues, optimisation in the face of constraints and adaptation. Delivery of tangible 'wins' will continue through this period.
- Years 6 10 is envisaged to see the realisation of substantial, systematic and enduring benefits for the whole community.

Individual outcomes will be delivered within short-term, medium-term or long-term timeframes, as shown in Figure 6. Section 5 of this plan contains detailed descriptions of the individual outcomes and proposed timeframes.

Figure 6. The plan's outcomes will be achieved in short-term (1-2 year), medium-term (5 year) or long-term (10 year) timeframes



Optimise and lead - Long Term - Transformative results by year 10

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Jobs generate prosperity for individuals, families and communities, and most job creating industries require land. Making Crown land available can play a crucial role in attracting and activating new investment in industries that will create jobs. Investment can also generate commercial returns for the state that can be recycled to support improved management and services across the portfolio. Through this plan, Crown lands can contribute to new and changing industries that will contribute to economic, social and environmental sustainability.

Support innovative and expanding regional industries

Crown land already provides land for a range of industries across NSW, and we will continue to support regional economies in this way. The Crown land estate includes much of the coastline of NSW, including the beds of coastal waters. There may be opportunities to support marine aquaculture, for example by providing locations for oyster farming and innovative new industries such as seaweed cultivation.

Support the marine and boating industries

Most of the beds of coastal waters and the available waterfront land on the NSW coastline is Crown land. As our population grows, so too will the demand for boats, moorings and marine services. Crown land can be used to host businesses that manufacture and repair marine craft, and which service a range of aquaculture industries.

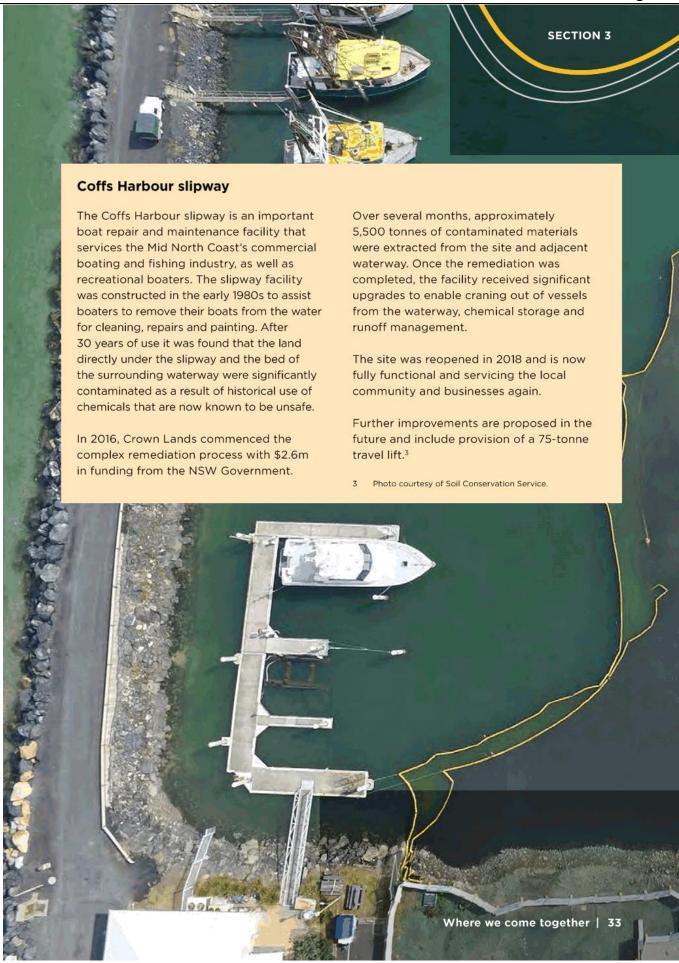
Crown land can also be used to provide access to launching and mooring facilities, helping to preserve the way of life that is so much a part of our coastal Australian culture.

These activities also generate significant health benefits. Spending time on the water has been shown to make a positive contribution to people's quality of life by reducing stress and improving mental health.

Explore 'closed-loop' bio-mass and clean technology precincts

There is potential to utilise the by-products from agriculture and industry to generate gas and heat, which can in turn provide electricity and inputs for other industries. This can create what is known as a 'closed loop' precinct. As an example, in Germany there are now over 9,000 local-scale plants employing 48,000 people that use outputs from agricultural and other industries to produce electricity, gas and heat for further industrial use. In Australia, these other uses could include intensive agricultural activities that produce stock feed or that sequester carbon.

Aligned to the NSW Primary Industries Climate Change Research Strategy, which is investigating innovative approaches to electricity generation using organic matter (biomass), Crown land could provide suitable locations for some of these types of operations.



Expand regional tourism

Tourism has strong jobs growth potential in regional NSW and the diversity of uses supported under the Act means it can play a valuable role in capitalising on this potential.

Leverage the economic benefits of national parks

There are likely to be areas of Crown land adjacent to national parks that could be used for accommodation and recreation. These would make it easier for tourists to visit and enjoy the parks, creating jobs, economic and commercial opportunities in regional areas.

Eden Port

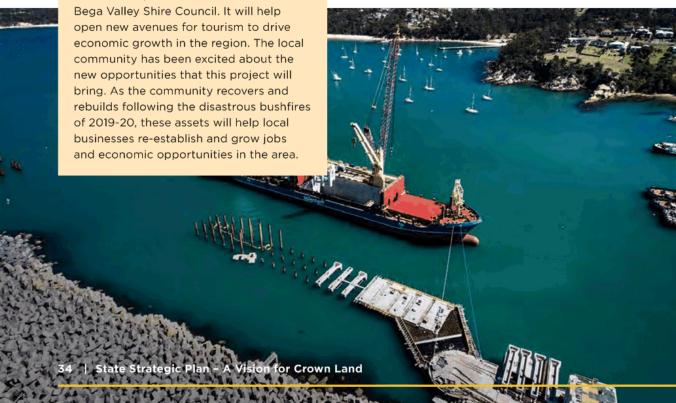
In August 2017 we began works on the extension of the Eden Breakwater Wharf to deepen the harbour and extend the wharf by 100 metres to enable it to berth large cruise ships. This \$44 million project is a multi-government initiative jointly funded by the Australian Government, NSW Government and the Bega Valley Shire Council. It will help open new avenues for tourism to drive economic growth in the region. The local community has been excited about the

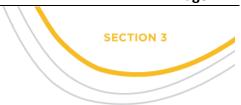
Support tourism activities for showgrounds

Some showgrounds on Crown land already include caravan parks and facilities for recreational vehicles. These are enjoyed by tourists and the growing numbers of retirees who travel across Australia. With help to overcome some regulatory barriers, these facilities could be expanded, attracting more visitors to regional centres and generating the funds to maintain and enhance community assets on showgrounds. We will work with suitable showgrounds to inform them of opportunities, resources and funding which may help them expand into these types of ventures.

Conduct a portfolio review in collaboration with the tourism industry

We will conduct a portfolio review of Crown land that may be suitable for tourism sites and industries, working with partners in the tourism industry and other State land managing bodies, to identify the most prospective sites.





Assist new sustainable energy, resources and infrastructure projects

As technology changes, so does the way we generate and transmit energy. New energy ventures and infrastructure projects can support strong local economies and create employment.

Make land available for wind and solar generation

The NSW Primary Industries Climate Change Research Strategy is funding innovative energy projects to support clean energy and local energy solutions for regional communities. Some regional Crown land is suitable for wind and solar power generation and could be used for these innovative projects. These projects can generate new jobs in numbers that are significant in smaller communities. They also generate electricity at relatively low cost, and most have minimal environmental impacts.

Seek opportunities to support the Hydrogen strategy

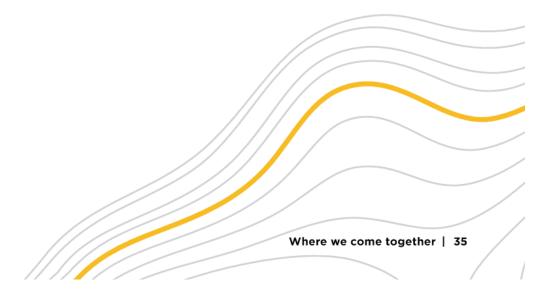
Some Crown land in rural and regional areas of the state could support the development of hydrogen assets associated with this prospective new energy source. The Commonwealth Government is implementing a *Hydrogen Strategy* that identifies opportunities for significant new energy sources and exports and may create opportunities to use Crown land that will support regional jobs and growth.

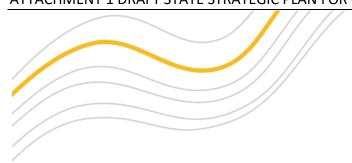
Promote investment by making data available

The department will seek to accelerate economic and commercial opportunities by working proactively with economic development agencies and local councils. We will publish maps and data detailing tenure status, land reservations and other information to help identify where economic and commercial opportunities might exist for stakeholders. This approach will make it easier for potential investors to locate prospective sites for new or expanded job-creating activities.

Assist with infrastructure project approvals

Some infrastructure and resources projects may require access to Crown land, for example for utilities and access roads or where portions of Crown land are contained within larger sites. We acknowledge that the process for approval can in some cases be complex and lengthy. We will find new ways to work with public and nongovernment proponents to deal expeditiously with these requests, so that the benefits of these projects can be realised sooner. The new approach to accelerating the resolution of Aboriginal Land Claims that is explained below will make a significant contribution.





Facilitate investment on Crown Land

Promoting investment in improved facilities and new opportunities is one of the best ways to stimulate jobs and growth in communities. Under this plan, Crown land will be managed in a way that encourages appropriate and sustainable investment and generates an appropriate return from commercial activities.

Increase security of tenure for leaseholders to promote investment

When organisations which lease Crown land are considering further investment, a key consideration is the length of their tenure. When tenures are too short to enable a full lifecycle of investment and return, it can deter investors from making upgrades to infrastructure and equipment that would be helpful in sustaining the Crown land estate, providing services and generating commercial returns.

The department and Crown land managers can improve certainty of tenure while continuing to support the public interest objective under the Act by offering longer-term leases that enable investors to recover their initial investment with a reasonable economic return.

We can also promote investment by talking to leaseholders about renewal earlier in the lease period. Leaseholders are unlikely to invest in a new facility or venture during the later stage of a lease, if they can't be sure of their tenure.

Under the plan, we will develop a set of tools to help the department and Crown land managers improve certainty of tenure on the land they manage. The tools will be developed through consultation with industry and other interested stakeholders

Create a framework to assess and prioritise proposals

We will create a process and framework that enables us to assess and prioritise proposals that are made for the use of Crown land by potential investors. The framework will provide clarity of the process and timelines, so that proponents know what to expect. It will also ensure that risks are mitigated and that important legal issues (such as Aboriginal Land Claims and native title) are properly considered.

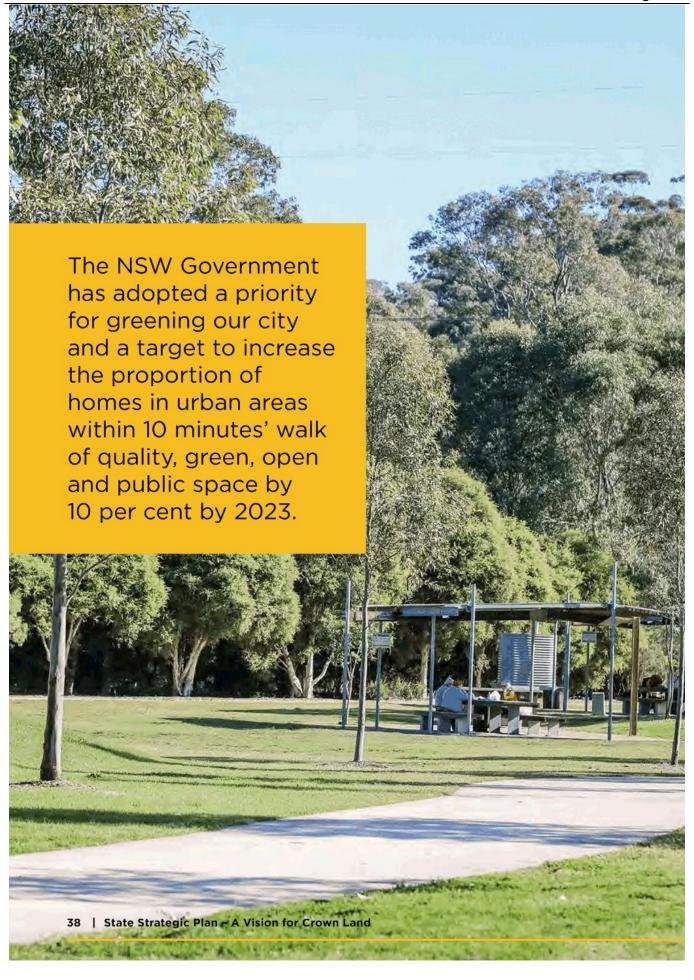
Ensure we realise and reinvest a fair return for commercial activities upon Crown land

When commercial activities take place on Crown land it is appropriate that the community receives a fair exchange. We will continue to refine our processes to determine the fair value to be charged for commercial activities on Crown land and will reinvest the proceeds to maintain and improve the land and assets of the estate.

Our policy of providing affordable access to Crown land for non-profit organisations and activities that provide community benefits will remain a key component of ensuring maximum benefit to the community from the use of Crown land.



have extended the term of the RSPCA's lease to 50 years, to provide certainty of tenure and allow for an \$18 million redevelopment including a new veterinary hospital, upgraded administrative and stores buildings, and new legacy dog kennels. The lease extension will save the RSPCA in excess of \$7.4 million, compared to what they would pay on a commercial site. The money saved can be redirected towards animal welfare and expanding the services the RSPCA offer, including educating the community about animal welfare and the services the RSPCA provide.







3.3.2 Expand green space, sustainable quality of life and climate change resilience

NSW's population is growing rapidly, especially in urban areas. Recognising the importance of green and open space to quality of life, the NSW Government has adopted a priority for greening our city and a target to increase the proportion of homes in urban areas within 10 minutes' walk of quality green, open and public space by 10 per cent by 2023. This government has also released a Greener Places policy.

NSW's climate is also changing, with risks of fire, storms, coastal erosion and rainfall deficits expected to increase. While some Crown land has long been managed to protect environmental values (and will continue to do so), there will also be a range of ways that Crown land can be managed to mitigate climate change risks.

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Prioritise the use of Crown land for green and open space in urban areas

The government's new Greener Places policy establishes principles to integrate green and grey infrastructure within urban development, create networks of open space, deliver multiple ecosystem services and to involve stakeholders in development and implementation. The policy is underpinned by the Sydney Green Grid, which identifies a network of high-quality green space that connects town centres, public transport hubs, and major residential areas.

Crown land will be a key resource for delivering these principles and under this plan we will contribute proactively.

The Greater Sydney Commission has prepared district plans containing details of how the Green Grid will be achieved across the 5 districts of greater Sydney. These plans also include more sustainable patterns of urban growth, including localised approaches for electricity (micro-grids and distributed generation) and for waste management and recycling.

Crown land located in growing urban areas of Sydney and beyond can be used in a variety of ways to realise these plans.

Work with partners to realise green and open space outcomes

Government land within urban areas is often a complex tapestry of land types, users and owners. There may be Crown land managed by partners that could be used to support green and open space. By activating and making accessible these lands, we can contribute to quality of life for our urban communities.

Much of the Crown lands estate is already used for green or open space. However, there may be opportunities to do more with other reservation types, or unreserved land.

Local government councils manage considerable areas of Crown land in urban areas. By working with councils, we will seek to address any regulatory or policy obstacles to using Crown land within their area as green or open space. The objective will be to remove any red tape that prevent councils from making improvements to Crown land that benefit the local community. We will also work with the government's Metropolitan Greenspace Program to advance green space outcomes.

We will proactively engage with other government landowners to advance green and open space initiatives. This will likely also require refinement of existing, or new models for future management of linear and other greenspace areas, to be implemented collaboratively.



Repurpose Crown land to expand green and urban space

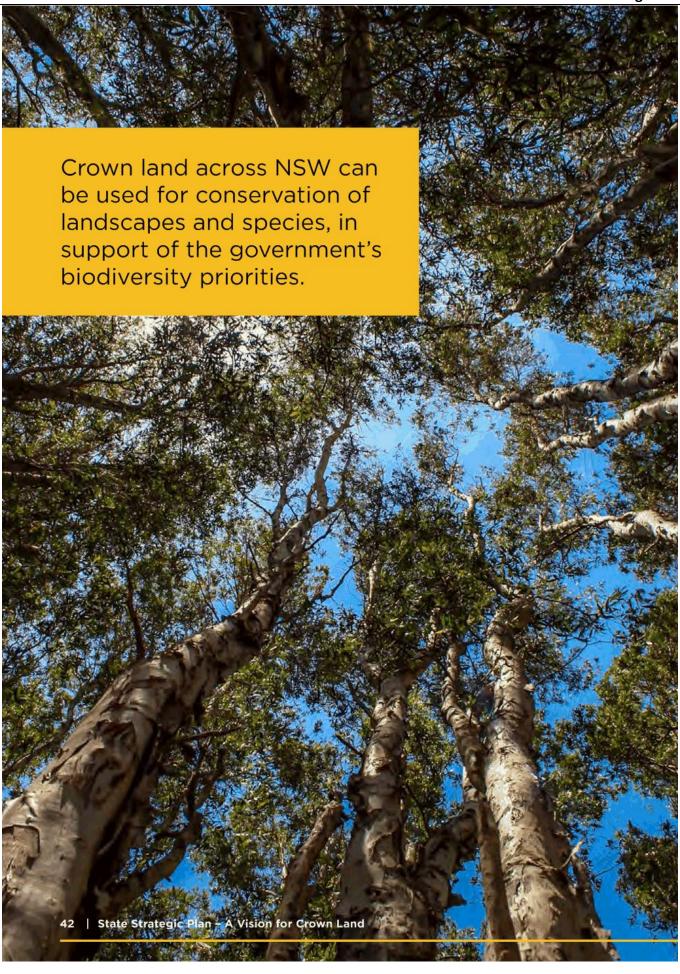
The extent of land currently available for green space will vary between regions. In some areas it may make sense to repurpose existing land so it can be activated and used differently than it is now. Improvements may include removing weeds, landscaping, creating spaces for games and sports, and for walking and cycling paths.

We will publish maps of Crown land and encourage Crown land managers and the public to help identify land that could be used in a different way to expand green and urban space. We will also engage strongly with local stakeholders when considering repurposing or embellishment of Crown land for green or open space.

Seek opportunities to integrate green and open space into existing leases and licenses

We will conduct a review of land which is not currently being used for green and open space, and which is under license or lease. In some cases, there may be a potential to encourage multi-use of the land. For example, clauses encouraging multi-use of a portion of the land for recreational or green and open space could be included within the terms of new or renewed leases or licenses.







Use Crown land to expand access to affordable housing

The high cost of housing is a significant issue in many communities. Accommodation costs can present a barrier to relocation and community growth, as well as creating personal hardship.

Crown land can potentially be used to mitigate some of the housing affordability problems communities experience. For example, land lease programs are arrangements where residents purchase a manufactured home and place it on land under a long-term lease, enabling them to enjoy the benefits of home ownership without the cost of buying land. The savings obtained from not having to purchase land can make it possible for families and individuals to afford a home. There are currently almost 500 land lease communities in NSW, accommodating around 34,000 people.4

Under this plan, the department will seek industry proposals to consider how Crown land could be used to support the development of additional land lease communities in regional NSW.

Realising the potential of land leases on Crown land will require a proactive partnership with industry, other NSW government departments and local government councils. We will need to consider local preferences, regulatory frameworks, and the potential for regulatory reform. It will also be important to understand the status of any native title and Aboriginal Land Claims. We will work with partners and stakeholders to navigate these considerations as we explore the potential opportunities.

Support and restore environmental values on Crown land

Crown land across NSW can be used for conservation of landscapes and species, in support of the government's biodiversity priorities.

State and federal environmental laws require that certain types of development that impact on the environment must procure 'environmental offset credits' to achieve overall balance. Some Crown land with high environmental values can be used to generate offset credits. There are also state programs that encourage land being used to maximise biodiversity and conservation. Opportunities include creating new dedications for conservation purposes, changing the way the land is managed to make it eligible for offset credits, and entering conservation agreements.

Offset credits and conservation agreements have the potential to become a source of ongoing funding to care for and conserve the land and its biodiversity in perpetuity.

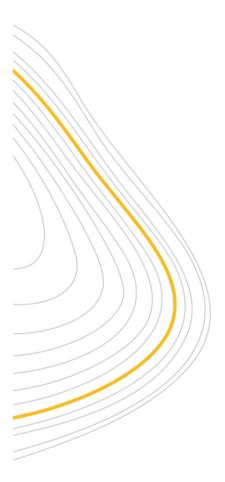
Manage Crown land to build resilience in a changing climate

Communities across NSW are preparing to meet the impacts of climate change. including rising sea levels, longer and more intense drought and fire seasons, and more intense storms, flooding and coastal erosion. In many cases, proactive land management is a critical component of mitigating these risks for communities, habitats and species. Crown land is often positioned at the interface between natural hazards and sensitive land uses (eg coasts. waterways, riverbeds and peri-urban bushland). It has also long played a refuge role, including through travelling stock reserves and showgrounds.

The NSW Government has commissioned a review following the recent devasting bushfires and continues to develop its approaches to mitigation of flood, coastal erosion and drought risks. We will look for opportunities to work with the responsible government agencies, which have the required specialist expertise. as well as with communities to manage Crown land using the new approaches that are developed.

3.3.3 Strengthen and support evolving community connections

Crown land includes many places enjoyed by local communities for diverse activities, often supported by local volunteers, businesses and local government councils. In many cases these valuable facilities and assets, and the volunteers who maintain them, would benefit from more support and tools that will help them to evolve to meet emerging needs. The plan proposes a range of initiatives to support community connections on Crown land.



Sustain the places where people come together

In many places across NSW, Crown land provides the space for community hubs where people come together. We will explore ideas for how to further support iconic organisations and activities on Crown land.

Support showgrounds to expand and sustain their operations

In many regional communities, the showground is a central meeting point for families, businesses, farmers, tourists, community organisations and volunteers. Showgrounds can also provide a place of refuge during natural disasters.

We will work with showground managers to help them expand their commercial and community operations. We can also help advance a role for suitable showgrounds as places of emergency refuge for their communities. This could assist to unlock the funds required to upgrade amenities and maintain critical emergency-use facilities.

Figure 7 illustrates a vision for how the department can support showgrounds as they continue to evolve.

SECTION 3

Figure 7. The showground of the future



There are over 230 showgrounds on Crown land in NSW. Most are managed by volunteer committees. Showgrounds are well known for the agriculture display events that they host, and some also function as a community hub, providing space for markets, camping and caravans and other group events (car clubs, music festivals and so on).

Showgrounds have been used as safe refuges for people and livestock during natural disasters, for example during the disastrous bushfires of 2019/2020.

Some showgrounds on Crown land include caravan parks and/or facilities for recreational vehicles. These attract visitors to the region, and provide space for the expanding numbers of retired 'grey nomads' travelling across Australia.

The plan proposes designating suitable showgrounds as emergency refuges for the communities they serve.

This would recognise the central role showgrounds play in the community in challenging times, and will help showground managers access funding to upgrade their facilities, as illustrated above.

The same assets that would be valuable in an emergency situation (such as large undercover areas, space for recreational vehicles and caravans, accessible toilets and washing amenities, and commercial kitchens) are useful year-round for caravanning and a range of other activities and events that would attract visitors, generate jobs and strengthen community connections in regional areas.

Co-locating emergency refuge and community facilities on showgrounds, and enabling multiple use of the facilities as needed, would support the showgrounds and allow them to continue in their traditional role, while generating the funds needed to maintain and enhance their amenities.

Sustain the thriving community life of our beaches

For communities located on the coast, the beach is often the place where people go to connect with nature, meet friends, and enjoy recreation. Most beaches in NSW are on Crown land. The plan envisages ensuring we are doing our part to support the role beaches play in our coastal communities. This could include longer or standardised leases for beach-oriented community organisations that would help them improve and maintain public access facilities.

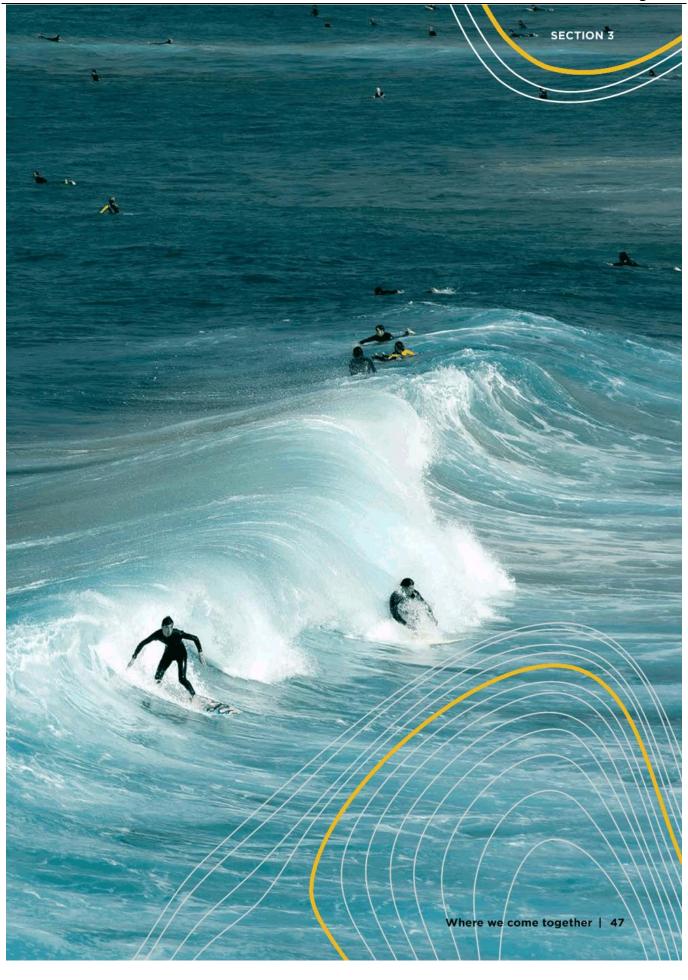
Promote multi-use within community hubs

One of the best ways to unlock the benefits of land used by communities is to promote co-location of a number of organisations in a single place. For example, co-locating a community garden, farmers' market, Men's Shed, makerspace and an artist's studio at a single site can create opportunities for new and diverse interactions between people who would not normally meet. These new connections between people with shared and complementary interests help to strengthen the fabric of communities.

We will work with Crown land managers to develop policies and materials that enable multi-use and shared development of community hubs located on Crown land.



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Partner with the organisations that serve our communities

Many organisations who use or manage Crown land do so solely for community benefit. The plan proposes ways to better support these organisations and recognise their contribution.

Support peak body community organisations

Many community groups are represented by peak bodies at the state or national level. There are opportunities for us to work directly with the peak bodies, simplifying the process of engaging with Crown land and saving time for the volunteers who often run these organisations at the local level. For example, the terms of leases and licences with Crown land managers may vary across the state. This can lead to unnecessary duplication of effort, and misaligned tenure terms across different sites on which the organisations operate.

The plan envisages engaging with these peak community bodies to provide security of tenure, minimise red tape, and facilitate their engagement with the department and Crown land managers. This will enable the organisations to focus their time on providing benefits to the community. Ensuring security of tenure will unlock potential investment into assets managed by community organisations and support longer-term planning.

Where it makes sense to do so, peak community organisations could themselves be nominated as Crown land managers for the sites they operate. In these cases, we will provide induction and ongoing support and tools to help them make the best use of the lands and assets in their care. We will ensure that the terms of appointment are structured to preserve the public's interests, and equitable access to the sites and facilities.

Provide tools and resources for common categories of operation hosted on Crown land

Certain types of operations on Crown land require a high level of knowledge and experience to be effective. For example, running a showground is a complex operation, as is managing a multi-use community centre. Many of these operations are managed by volunteers. To support their work, we will create a set of tools and resources for some of the more common categories of operation hosted on Crown land. The department will create forums where the people who manage these operations can share knowledge, experiences and best practice with each other. They will also enable problem- solving and sharing of solutions.

Promote reduced utility costs on Crown land

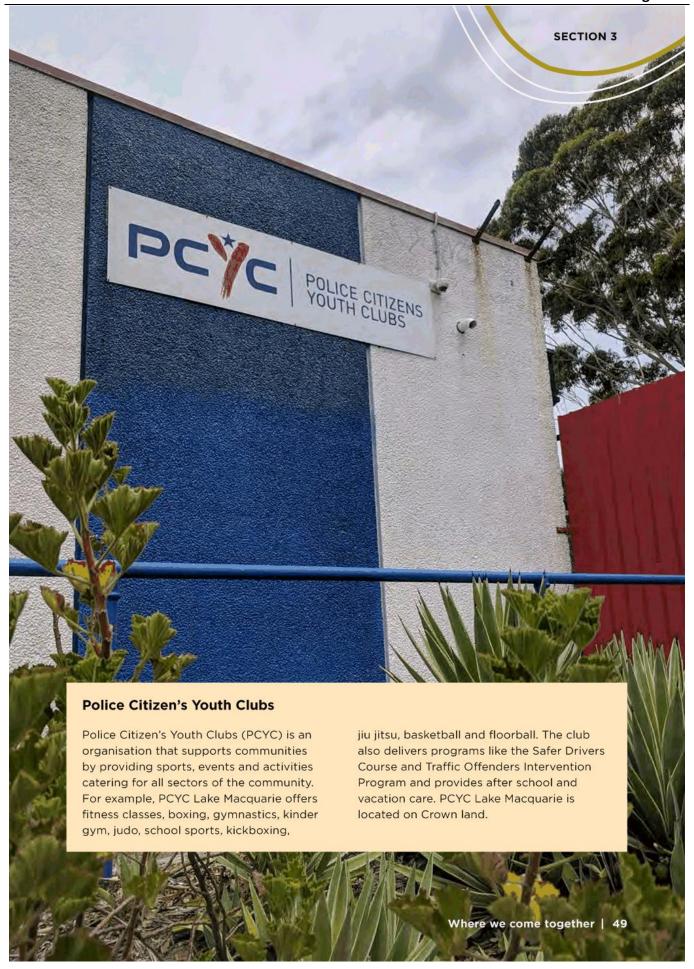
One of the largest costs for community-based facilities on Crown land is often electricity. The department will explore opportunities to help managers of these facilities access funding to install roof-top solar panels to lower their electricity bills. In areas at risk of drought, we will help managers investigate options for rainwater harvesting and re-use.

Strengthen and uphold compliance to ensure a fair go

Fairness and equity are important components of our vision for thriving communities on Crown land. We will continue to focus on ensuring that Crown land is used lawfully, and that appropriate revenue is collected.

A strong approach to regulatory compliance will ensure that land managers, tenants and licensees fulfil their responsibilities and that unauthorised use or damage is addressed. This will ensure that the plan's priorities can be achieved, and the public's interest is maintained.

Revenue collected from compliance activities helps to maintain Crown land and ensure we pass it on to the next generation in the best possible condition.





Aboriginal people and communities hold legal rights regarding Crown land under the ALRA and native title.

This plan makes a strong commitment to support Aboriginal people's access to Crown land, to generate benefits for both Aboriginal and non-Aboriginal communities.

During the public consultation period, we will engage with Aboriginal people to hear their views on the outcomes we propose in this plan and agree the best ways forward together. After public consultation is complete, we will refine the plan with the benefit of their advice.

Darling River

We are in the process of negotiating an Indigenous land use agreement with the Barkandji people. The Barkandji people are from Country that is located around the lower Darling River, Barkandji meaning "belonging to the river". Covering more than 128,000 square kilometres in the far west of NSW, the Barkandji native title claim is the largest in the state. It starts at the NSW and South Australian border just above Broken Hill. The claim stretches down to Wentworth, across to Ivanhoe and up to Tilpa and Wanaaring and includes a 400 kilometre stretch of the Darling River.

An agreement is being negotiated to allow the department to undertake land management activities on Crown land where native title has been recognised. Through the discussions with the Barkandji people it has become clear that there are several barriers preventing the Barkandji from fully accessing and utilising the wider Crown land estate. The department is working hard with the Barkandji people to better understand their needs and to 'think outside the box' for solutions that match the Barkandji's aspirations for the land.





skill building.5

grade sand annually for the next 25 years.



Make Aboriginal land transfers a priority - and see them as an opportunity

Prompt, equitable and efficient resolution of Aboriginal Land Claims on Crown land will be a key outcome of the plan.

At present, there are many parcels of Crown land that are unable to be used because there is uncertainty about ownership and control. Resolving this uncertainty will enable the land to generate economic, cultural, environmental and social benefits for Aboriginal and non-Aboriginal owners and occupiers.

Under this plan, we will embrace transfers of Crown land to Aboriginal Land Councils as an opportunity to genuinely partner with Aboriginal communities to deliver economic, social, cultural heritage and environmental benefits for themselves and for non-Aboriginal members of the community. This means that we will invest the resources and leadership focus necessary to resolve Aboriginal Land Claims in an effective and timely manner.

Some Aboriginal Land Councils are already significant land holders and are using their land to create a range of economic, social, cultural and environmental opportunities for their communities. As Aboriginal Land Councils continue to develop their assets and their capabilities as landowners, they will be able to facilitate a wide range of activities that will generate income, jobs, accommodation, services and recognition in the wider community.

In 2019, the NSW Government put new planning policies in place to assist Aboriginal Land Councils accelerate approvals of strategic plans and development proposals for their land – the *State Environmental Planning Policy* (Aboriginal Land) 2019. We will work with state land-use and planning agencies and local government councils to realise the opportunities created by these new provisions.

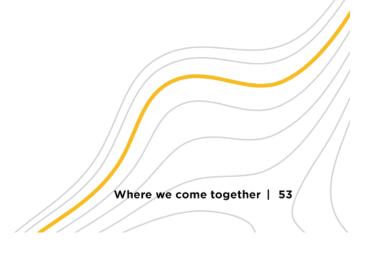
Empowering Aboriginal ownership and management of land creates benefits for the entire community of NSW.

At present, there are over 38,000 Aboriginal Land Claims that have not been resolved. Prioritising and accelerating the resolution of claims will reduce uncertainty and enable new uses and improvements of land to be considered.

For example, many valuable projects require access to Crown land. These include public projects like new roads, hospitals, playing fields or boat ramps. They also include private industry projects such as windfarms, mines and powerlines. Where projects would impact on Crown land with an unresolved land claim, they are frequently delayed by a year or more. These delays impose significant costs across the economy.

Once claims are resolved, the project proponent can then negotiate access arrangements with either the local Aboriginal land council or with the department.

5 Details of Maroota Sands enterprise provided to Nous in consultation with Deerubbin Local Aboriginal Land Council.



Contribute to the ongoing recognition of native title rights

We are actively involved in building positive relationships with native title holders through negotiating Indigenous Land Use Agreements (ILUAs) that relate to Crown land.

We will continue to recognise and support native title rights to ensure that rights holders can fully enjoy and exercise their rights on Crown land. We will seek to be creative and proactive as we negotiate ILUAs, exploring innovative ways to improve specific access to land. This may include voluntary ILUA arrangements to support native title rights being exercised on Crown land at the same time as Crown land is used for other purposes.

We will continue to develop our expertise and leadership in the complex area of law that concerns native title. We will ensure that native title is considered as part of all Crown land management activities; consider native title in our advice to other Crown land managers and agencies; seek to ensure that native title co-exists with the interests of others.

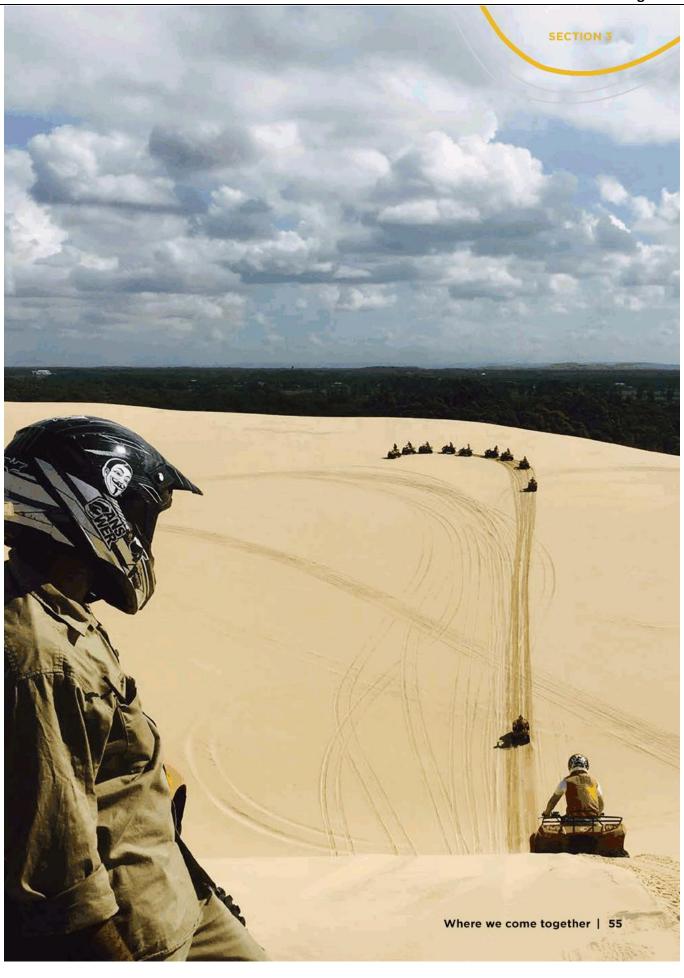
Sand Dune Adventures

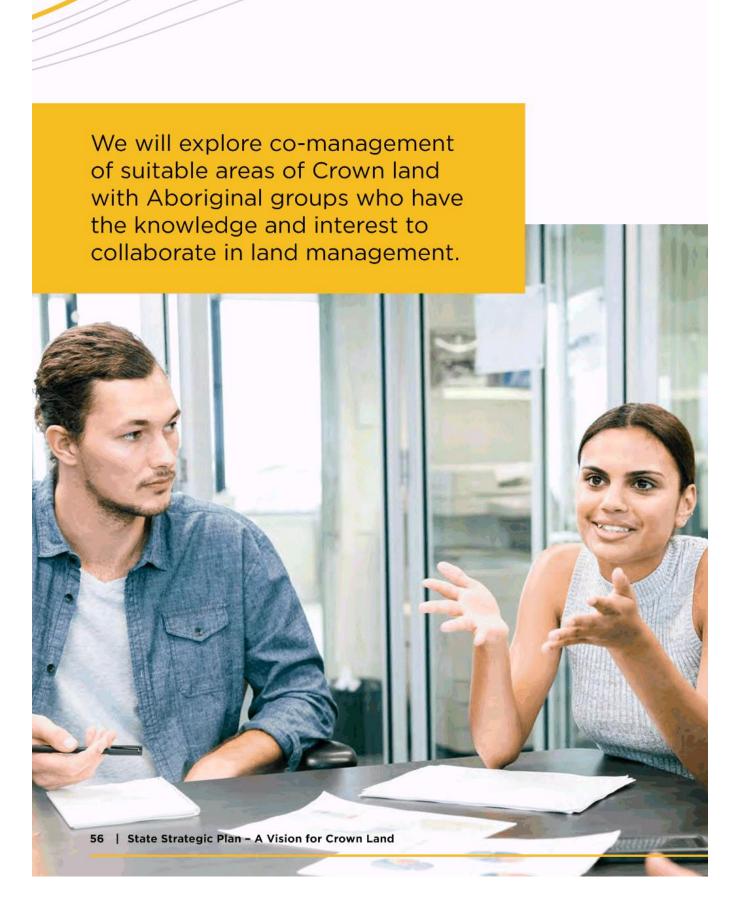
In 2007, Worimi Local Aboriginal Land Council was successful in having its claim for lands at Stockton Bight granted under the NSW Aboriginal Land Rights Act 1983.

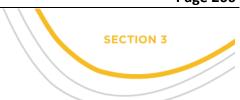
A feasibility study was conducted in late 2008 to identify enterprise opportunities that could be linked with the community's desire to promote Aboriginal culture and heritage while providing an exciting, hands-on tourism experience.

Following that process, Sand Dune Adventures was created. This is a not-forprofit tourism enterprise showcasing the area's uniqueness by offering quad bike and Hummer tours. Sand Dune Adventures is wholly operated by local Aboriginal people and has been recognised as one of Australia's leading Indigenous tourism experiences. It has been recognised with both regional and state awards and has received the Qantas gold award for Aboriginal and Torres Strait Islander Tourism at the 2017 Australian Tourism Awards.

Worimi Local Aboriginal Land Council and Sand Dune Adventures have collectively created employment for 23 Aboriginal people as administrators, tour guides, maintenance workers, site officers, culture and education experts, and on the Sand Dune Adventures "Green Team".







Explore co-management of land to generate mutual benefits

Aboriginal people possess cultural and environmental traditions that inform them how best to care for the land. We will explore co-management of suitable areas of Crown land with Aboriginal groups who have the knowledge and interest to collaborate in land management. This may include appointing Aboriginal groups as Crown land managers, or co-management of specific sites or uses on Crown land, as appropriate for the place and group.

Collaborating with Aboriginal people on the management of Crown land will expand the opportunities for Aboriginal people to make management decisions about the land, including publicly used lands; provide opportunities to participate in decisions regarding conservation of Aboriginal cultural heritage values; and secure the benefits of cultural land management practices.

Options for co-management will be explored in addition to, and not as a replacement for, support for Aboriginal Land Claims and native title rights.

Collaborate with Aboriginal groups in each place to improve outcomes

Each place and landscape in NSW has its own special character and opportunities. Local Aboriginal communities also have their own priorities and interests. We propose a place-based-approach to working with each community to develop our new approach to resolution of Aboriginal Land Claims and working with native title parties.

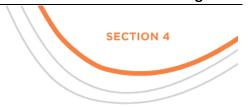
By engaging with the local representatives of each place, we can work collaboratively to assess the land available and agree a way forward, recognising that an approach that works well for one place may not be suitable for another. This approach will be based on genuine partnerships with local Aboriginal communities and a commitment to a transparent and proactive approach.

In addition to these engagements, we will proactively develop and provide information resources to Aboriginal communities across NSW about access to Crown land.

SECTION 4

Enabling initiatives will support delivery of the plan

We have identified a range of enabling initiatives that we believe would be of significant value to the communities of NSW, and support delivery against the plan's strategic priorities and objectives.



4.1 Make more of our information available and transparent

The department will review the available data regarding Crown land and present it to the public accessible and transparent ways. This may include a digital map of Crown land, searchable text information about tenure status, a database of Crown land managers, and other information useful to the public and potential licensees or leaseholders.

Making this information available to the public will empower our stakeholders and customers to better understand the opportunities available through the use of Crown land. Increasing our data capabilities will also support us as we assess strategic initiatives and proposals.

Given the vast scale and complexity of the Crown land estate, preparing this information will be a significant undertaking. We will prioritise areas and regions with the greatest opportunity for new uses of Crown land and engage with stakeholders to inform our decisions about where to focus our attention.

The Crown land commissioner plays a key role in maintaining transparency and open communication about the management of Crown land.



4.2 Improve service for our customers

There are a variety of different leases and licences available to users of Crown land, and a variety of different entities entitled to grant them. The terms, lengths, costs and processes for granting of these leases and licences can vary significantly depending on the Crown land type, status or manager.

We will work to establish a standardised approach to the categories of leases and licenses that will allow a more streamlined approach. This will reduce processing time and increase transparency and certainty for users.

4.2.1 Standardise leases and licensing for common activities

We will produce standard templates for leases and licences for common activities across the state. The department will consult with interested organisations and Crown land managers as it develops this reform. Once adopted, standardised approaches should reduce the time and cost required for processing.

4.2.2 Simplify licensing for domestic waterfront structures

There are many private jetties and wharves built on Crown land. Changes to these structures require licensing by the department as well as development consent from the local government council.

Obtaining approval involves three stages:

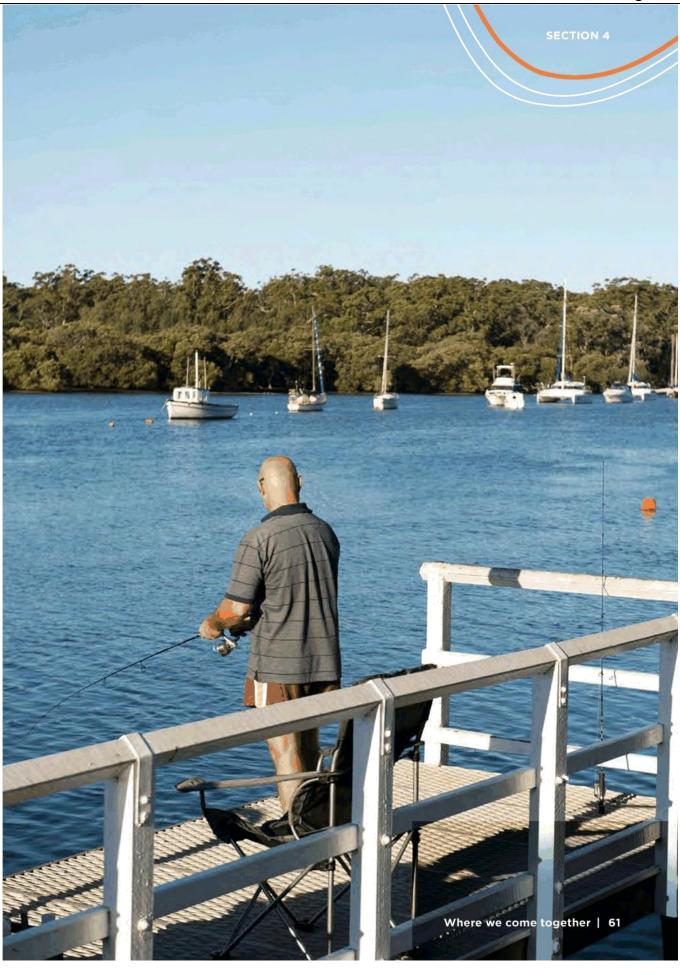
- **1.** obtaining land-owner's consent from the department
- **2.** obtaining development consent from the local government council
- **3.** applying to the department to obtain a licence.

We will work with local government councils to explore options to simplify this process, so that licensing private jetties and wharves is easier and quicker. The new process will retain the technical and environmental assessments that are key to ensuring the safety and operability of the proposed structures and contain measures to ensure that native title rights are respected.

4.2.3 Reduce red tape for government entities managing Crown land

Many government entities in NSW are also managers of Crown land. For example, most local government councils have areas of Crown land under their management. At present, these entities need to obtain the approval of the department for common activities such as creating access easements, constructing and maintaining water and sewer systems, amenities blocks and boat ramps, and establishing cycle and pedestrian pathways.

Under the plan we will investigate updating licensing requirements so that government entities managing Crown land are able to conduct this type of common and low-risk activity in a more efficient manner.



4.3 Expand support to Crown land managers

We propose several measures to expand our support to Crown land managers, including the volunteers who provide such valued support to communities.

4.3.1 Provide tools and resources to volunteer Crown land managers

Many Crown land managers are volunteers who provide service to their communities without much guidance on how to meet their obligations. The plan proposes that we will develop and provide tools and support to help volunteer land management boards.

- We will inform volunteer managers about government support and funds for which they may be eligible. For example, managers eligible for the NSW Treasury Managed Fund (TMF) self-insurance scheme can substantially reduce the annual cost of insuring the buildings and other assets they manage
- We will develop tools and support that will be helpful to volunteer managers, such as online accounting and planning templates and record-keeping tools appropriate to Crown land
- Wherever possible, we will seek to simplify the reporting obligations that volunteer land managers need to fulfil.

We will also explore the option to create an online collaboration and sharing platform, so that volunteer land managers can share questions and expertise with each other.

4.3.2 Build understanding of native title

The practical operation of native title laws is complex. Local government councils and other Crown land managers are sometimes unclear about their obligations. Uncertainty about what to do and who to consult can delay or prevent opportunities to use Crown land to create benefits for communities.

Under the plan, we will work with other government departments to develop a base of information resources regarding native title, and where possible will inform Crown land managers on how to access this information.

While every Crown land manager is responsible for making their own decisions and fulfilling their obligations regarding native title, we will seek to assist by connecting them to sources of information available to us.



4.3.3 Engage and support a new generation of Crown land managers

Many Crown land managers, and particularly those who support community organisations, are approaching the age of retirement. We will conduct a proactive recruiting effort to engage and support a new generation of Crown land managers who will ensure that these organisations continue to provide benefits to their communities for decades to come.

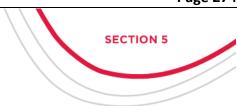


SECTION 5

Timelines to deliver the plan's priorities and outcomes

Figure 8 presents each of the proposed individual outcomes described in the preceding pages and proposes timelines for their achievement.

- Short-term outcomes will be delivered within one to two years
- Medium-term outcomes will be delivered within five years
- Long-term outcomes will continue throughout the 10 years of the plan's duration.



More detailed timelines and implementation plans will be developed following the consultation period and subsequent refinement and implementation of the plan.

Figure 8 is intended as a reference tool and as an indicator of intended sequencing. Each outcome is described in detail in sections 3 and 4.

Figure 8. Outcomes and timelines

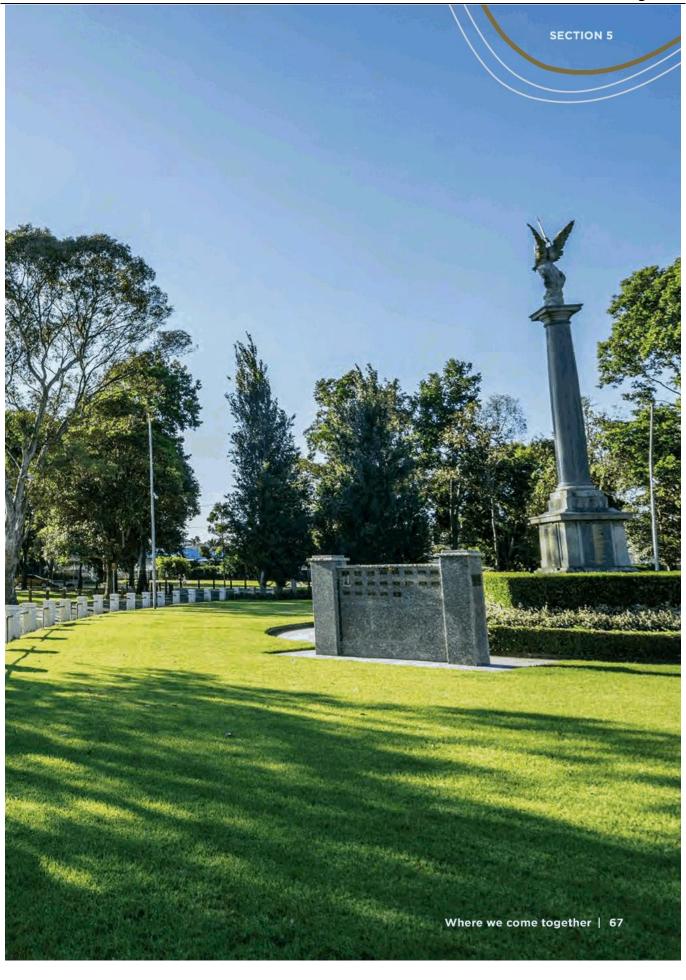
Enable jobs growth, commercial opportunities and sustainable economic progress in regional and rural NSW		
Support the marine and boating industries	Medium-term	
Explore 'closed-loop' bio-mass and clean technology precincts	Medium-term	
Leverage the economic benefits of national parks	Short-term	
Support tourism activities for showgrounds	Medium-term	
Conduct a portfolio review in collaboration with the tourism industry	Medium-term	
Make land available for wind and solar generation	Short-term	
Seek opportunities to support the Hydrogen strategy	Medium-term	
Promote investment by making data available	Medium-term	
Assist with infrastructure project approvals	Short-term	
Increase security of tenure for leaseholders to promote investment	Short-term	
Create a framework to assess and prioritise proposals	Short-term	
Ensure we realise and reinvest a fair return for commercial activities upon Crown land	Short-term	

Expand green space, sustainable quality of life and climate change resilience		
Work with partners to realise green and open space outcomes	Short-term	
Repurpose Crown land to expand green and urban spaces	Medium-term	
Seek opportunities to integrate green and open space into existing leases and licenses	Medium-term	
Use Crown land to support affordable housing in regional communities	Short-term	
Support and restore environmental values on Crown land	Long-term	
Manage Crown land to build resilience in a changing climate	Short-term	



Work with Aboriginal communities to realise the potential of their land rights	
Make Aboriginal land transfers a priority – and see them as an opportunity	Medium-term
Contribute to the ongoing recognition of native title rights	Short-term
Explore co-management of land to generate mutual benefits	Medium-term
Collaborate with Aboriginal groups in each place to improve outcomes	Short-term

Enabling initiatives will support delivery of the plan		
Make more of our information available and transparent	Long-term	
Standardise leases and licensing for common activities	Short-term	
Simplify licencing for domestic waterfront structures	Short-term	
Reduce red tape for government entities managing Crown land	Medium-term	
Provide tools and resources to volunteer Crown land managers	Short-term	
Build understanding of native title	Short-term	
Engage and support a new generation of Crown land managers	Short-term	



SECTION 6

We will report regularly on the plan's outcomes

Once the final plan is approved, we will provide updates on our progress and report on the outcomes and initiatives on an annual basis.

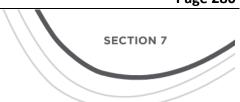
Each report will describe what has been achieved in the reporting year and track our overall progress against the stated outcomes. This reporting will be contained within the department's annual report, which will be made available on our website.





What's next

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Your feedback is important to us and we want to make sure you have the opportunity to share your thoughts on the draft plan.

Consultation period

Our consultation period will be conducted in two stages to ensure that your voice is heard. This is due to the COVID-19 pandemic.

The first stage commences with the release of the draft plan for public information and will provide time for you to consider it.

The second stage will invite submissions. It will be advertised in newspapers and updated on the department's website and other channels, to enable stakeholders to provide feedback on the draft plan.

Make a submission

Following the announcement of the second stage, you will be able to make a submission on the draft plan directly from our website using our online submission form. This form guides you through the plan and once you hit 'submit' you will receive a confirmation email as well as a copy of your submission.

You can also send us written feedback by post. Please indicate your preference if you wish your feedback to remain confidential. Our website provides details on how you can make a postal submission or you can call the department.

Attend an information session

We will be holding information sessions during the submission period. These may need to be online information sessions, depending on the assessment of the COVID-19 pandemic. To join an on-line information session you will need to have access to a computer, laptop or smart phone. Details about how to register for a session will be available on the department's website.

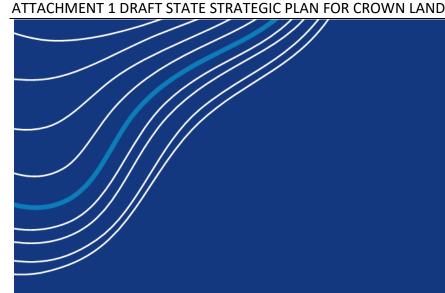
More information

Find out more information about the draft State Strategic Plan by contacting the department on:

Visit: dpie.nsw.gov.au/ssp

Phone: 1300 886 235

Email: cl.enquiries@crownland.nsw.gov.au





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dpie.nsw.gov.au

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Enquiries Teena Paterson - Co-ordinator Land and Property

Our Ref SSP Crown Land - Consultation Feedback

Your Ref SSP Crown Land - Snowy Monaro Regional Council

3rd September 2020

Submission on the Draft State Strategic Plan for Crown Land - Draft

By email: cl.enquiries@crownland.nsw.gov.au

State Strategic Plan for Crown Land - SSP Crown Land

Snowy Monaro Regional Council (SMRC) is grateful for the opportunity to make a submission under the consultation process. Council is respectful that instigation of a State Strategic Plan for Crown Land Management presents a unique opportunity, and it is hoped that strong adherence to practical application principles will guide its development and subsequent implementation.

The feedback commentary enclosed originates from an operational Crown Land Manager (CLM) perspective. As a local government entity, and as a community, we prize the collective and important uses of Crown Land within NSW: open or green space; community use; biodiversity; jobs and economic growth; renewable energy; and Aboriginal land rights.

Our Snowy Monaro community has been faced by a multitude of challenges in recent months – drought, bushfire, flood and the COVID-19 pandemic. Given our local government area's regional and rural positioning, we are heartened that one of the declared priorities is "Enable jobs growth, commercial opportunities and sustainable economic progress in regional and rural NSW."

As an entity, SMRC strongly agrees with the outcome aims:

- Support innovative and sustainable regional industries
- Expand regional tourism
- Assist new sustainable energy, resources and infrastructure projects
- · Facilitate investment on Crown land
- Use of Crown land to expand access to affordable housing

Improved integration pertaining to the resolution of Aboriginal land claims and clarity of Native Title Rights is welcomed as this would deliver both cultural and community stability benefits. Contributing to the ongoing recognition of native title rights in the broader public domain will assist all councils, acting as a CLM, in ongoing efforts to align with recent legislation in this area.

A focus on strengthening evolving community connections, along with enabling efforts to expand sustainable quality of life and climate change resilience outcomes is a valued and legitimate use of Crown Land assets.

PO Box 714 COOMA NSW 2630 | 1300 345 345 | council@snowymonaro.nsw.gov.au | www.snowymonaro.nsw.gov.au

SNOWY MONARO REGIONAL COUNCIL

Enabling jobs growth, commercial opportunities and sustainable economic progress supports Council's recent Employment Lands study which has prioritised a need for an additional 140ha of Industrial land over the next 20 years. Land availability for such development will need to be identified if Council is going to meet this demand. Crown land availability for such use and, in particular, the encouragement of clean technological precincts is a welcome priority that supports Council's Local Strategic Planning Statement's priorities and actions.

A shortage of affordable housing for regional communities is a priority across the state. Significant pressure has been placed on our region with the commencement of Snowy 2.0, resulting in little to no rental stock and inflated rental costs across our towns and villages. Our regional not-for-profit affordable housing provider, Southern Cross Housing, has recently confirmed the desperate need for affordable housing in our region.

Affordable private rental homes for people on low to moderate incomes ensures basic living costs such as food, clothing, medical care and education can still be met. A number of our towns and villages contain a significant number of Crown Land parcels within our residential zones that are vacant allotments amongst built areas. Additionally, there is one village that is ring locked by Crown Land, with very little to no opportunity for growth. A short-term timeframe to explore the availability of Crown land for affordable housing is welcomed. It complements the current NSW Proposed Housing Diversity State Environmental Planning Policy (SEPP), now on public exhibition. Land availability for affordable housing is a priority.

For a State Strategic Plan to truly reflect a commitment to elevating future use options and overall sustainability within the Crown Land sector, increased funding is required to enable CLMs to undertake maintenance and infrastructure improvement of these assets. Dedicated funding to support biodiversity and vegetation management aims in key Crown located ecological areas is necessary to ensure positive environmental outcomes into the future. Additional funding is required to appropriately control African Lovegrass (Eragrostis curvula) and Serrated Tussock (Nassella trichotoma) on our vast array of Crown land parcels.

We recognise the annual Crown Reserve Improvement Fund as a valued, though greatly oversubscribed, grant pathway; however given the sheer volume of Crown segments within our 15,162 square kilometre region, consideration of a corresponding annual funding allocation by the State (with an agreed use and monitoring structure) would be beneficial.

Anecdotally there has been indication that the State may consider extending the timeframe for when all Crown Land Plans of Management are to be ready for submission to the Minister. We await further advice on this. Council would also appreciate clarity as to the State's position on cases whereby CLMs may seek to relinquish select Crown Land parcels back to the State in circumstances where these sites are hard to access and thus not widely used.

The issue of cost shift cannot be left unaddressed by Council. Considerable progress is still to be demonstrated in terms of minimising needless administrative burden and consequently the resultant cost shift to local government. Crown roads, and the transfer of a Crown road to other authorities, is a complex and fiscally muddled issue. Crown roads, along with their associated financial implications, being arbitrarily shifted to

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SNOWY MONARO REGIONAL COUNCIL

councils does not reflect an equitable or sustainable approach. We advocate that the State seek to better manage community expectations in terms of the maintenance and general responsibility for Crown road condition obligations.

Key practical elements that would be positively embraced include:

- Prioritising the collation and full disclosure of all parcels of Crown Land sited in each local government area, both declared reserves and 'vacant' sites.
- Simplified process and concise information tools related to Leases and Licences over Crown Land; aimed at increasing security of tenure for leaseholders and providing clarity for all parties as to the contractual implications.
- Deployment of signage resources by the State to CLMs to facilitate public notification of a Crown Reserve's existence and site specific allowed use parameters.
- Continued upgrades to the CLM Reserves Portal in both functionality and the
 reliability of the embedded information available. The State should aim to have
 Gazette notices attached (and viewable) to the relevant reserve as basic
 information within the portal.
- The CLM Reserve Portal to provide contact details for relevant Aboriginal Land Councils and a clearly defined procedure for reserve dealings, especially pertinent in relation to land claim and nature title sequencing aspects.
- Enabling the ability to discern relevant CLM details (via the Reserve Portal) of all
 reserves, which, whilst perhaps in a council's geographic footprint, may be
 managed by other entities, as a logical step towards holistic efficiency.
- Designation of a specific liaison officer within the State for each LGA to facilitate direct contact point continuity for CLM assistance and queries.
- Increased transparency of information on the State website for reserve managers and user groups.
- Expansion of green space, sustainable quality of life and climate change resilience with the use of Crown Land to support affordable housing in regional communities as a short-term outcome and timeline for realisation.
- Support for innovative and sustainable regional industries and infrastructure projects.

We encourage the State to ensure that community engagement on the strategy is widespread, and takes into account places and stakeholder cohorts with impaired communications access, be it phone or internet.

Council teams have greatly appreciated the opportunity to participate in the recent August information sessions. Should you have any queries regarding this application please contact Council's Land and Property team on 1300 345 345.

Yours faithfully

Peter Bascomb

Chief Executive Officer

9.4.2 COUNCIL MEETING DATES, TIMES AND LOCATIONS FOR NOVEMBER 2020 TO SEPTEMBER 2021

Record No:

Responsible Officer: Chief Strategy Officer

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: Nil

EXECUTIVE SUMMARY

As per the Local Government Act Council must meet at least 10 times in a year, in different months. Currently Council holds one ordinary Council meeting on the third Thursday of each month commencing at 5pm. These meetings are rotated between Cooma, Bombala and Jindabyne. Council is required to determine the meeting schedule for November 2020 to October 2021.

OFFICER'S RECOMMENDATION

That Council:

- A. Maintain the Council meeting schedule to third Thursday of the month commencing at 5pm;
- B. Alternate Council meetings to regional locations as listed in the proposed schedule in this report; and
- C. Agree to conduct council meetings at regional locations starting from November 2020.

BACKGROUND

Recommended Council Meeting Schedule November 2020 to October 2021.

The following is a proposed schedule for SMRC Council Meetings from November 2021 to October 2021.

Considerations for the proposed schedule include:

Date	Location
19 November 2020	Cooma
17 December 2020	Jindabyne – Location TBC*
21 January 2021	Cooma
18 February 2021	Bombala
18 March 2021	Cooma
15 April 2021	Jindabyne – Location TBC*

20 May 2021	Cooma
17 June 2021	Bombala
15 July 2021	Cooma
19 August 2021	Bombala
16 September 2021	Cooma
21 October 2021	Jindabyne – Location TBC*

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Snowy Monaro Regional Council is committed to engaging with its communities across the region using various communication platforms, including Council's website and Facebook page. This gives the community an opportunity to speak and express their concerns for Councils consideration and decision.

2. Environmental

Nil.

3. Economic

Council meeting expenses have been considered in financial year budget 2020/2021.

4. Civic Leadership

Council should consider meeting times that best promote and encourage public participation. The introduction of webcasting of Council meetings allows the community to become better informed about the issues that Council deals with.

9.4.3 ANSWERS TO QUESTIONS WITH NOTICE

Record No:

Responsible Officer: Chief Strategy Officer

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 the period ending August

2020

Cost Centre 3120 Governance

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

As per clause 3.13 of Code of Meeting Practice a councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the Chief Executive Officer about the performance or operations of the council. In order to provide answers to questions asked by Councillors, a report has been generated with response for the period ending August 2020. Refer the answers in the attachment of the report.

OFFICER'S RECOMMENDATION

That Council receive and note the answers to questions with notice.

SMRC Councillors' Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
163		12.1	Upkeep on Bligh Street - Pig Farm Road Councillor Rogan Corbett Question: Can Council grade and advance plans to acquire the whole of Pig Farm Road, and grade Bligh Street as it is in a very dangerous condition and needs urgent repairs. Can Council talk to Crown Lands about how to move farmland with maintaining this road?	Manager Infrastructure, Transport Infrastructure (Operations)	O2/09/2020 – GS: Bligh Street/Pig Farm Road are Crown Roads, that have a combination of Travelling Stock Route, a minimum of three (3) Aboriginal Land Claims and Native Title attached to the road. In places, the road deviates from the road reserve which requires the acquisition of private land and movement of the road reserve onto the road as constructed. The expected costs for removing Native Title, Aboriginal Land Claims, Land Acquisition and road construction is expected to exceed \$1M. Council were briefed on the issue of Crown Roads at the meeting of Thursday 16 July 2020; attached to that brief was a copy of the Crown Land Road Maintenance Policy (IND-O-250). Under Section 3.2 of this policy pertaining to Works directed by the department – repairs and maintenance; provision is made for the following: When the department considers the condition of a road presents a hazard, it may direct relevant landholder/s who benefit from use of the road, to repair or maintain the road – specifying the type of works and the time for completion. The costs for undertaking the works are to be paid by the person/s or party that the direction was issued to.	Y
164	20 August 2020	12.2	SMRC Featured on Morning Show Programs Councillor John Last Question: The Today Show and Sunrise features a country town on their programs each day. Have we ever decided to make an application to be	Chief Communications Officer	27/08/2020 - GW. SMRC Region featured on Sunrise in 2019. This is a very costly exercise (CCO has run these in the past - live weather crosses cost around \$30K whilst a full breakfast show (as was done with Sunrise) is around \$70K. With the	Y

9.4.3 ANSWERS TO QUESTIONS WITH NOTICE

ATTACHMENT 1 IN PROGRESS COUNCILLOR QUESTIONS FOR THE PERIOD ENDING AUGUST 2020

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
			featured?		decrease in ratings of breakfast shows, Communications would not recommend this as part of the promotional/marketing spend for tourism at this point. No further action required. Potential to review and consider in future as part of tourism marketing strategy in line with DMP.	
165	20 August 2020	12.3	Volunteer Acknowledgement Councillor Anne Maslin Question: Could SMRC please ensure that the volunteers in the Bombala and Delegate community representative committees, and the committees in other towns in SMRC, who donated their time and skills over three years, are invited and acknowledged at the openings of the Stronger Communities Fund projects.	Chief Communications Officer	27/8/2020 – GW. Yes – confirming that volunteers across all SMRC community representative committees, and other volunteers as relevant to projects, will be invited (currently limited to COVID-19 restrictions under PHO) to relevant events and acknowledged in public communications as appropriate to the medium (e.g. social media, print). Invitations will be sent from the Communications Team or by EA to CEO dependent on event/project/invitees.	Y
166	20 August 2020	12.4	Councillor Attendance for Granite Hills Wind Farm Proposal Councillor Anne Maslin Question: Can SMRC ensure a Councillor is appointed to attend the community meetings of the Granite Hills wind proposal	Economic Development Officer	03/09/2020 – SB: A report is being taken to the September 2020 Council Meeting, seeking Councillor nomination.	Y
167	20 August 2020	12.5	Railway Feasibility Study Update Councillor Sue Haslingden Question: Have we received a response in regards to the Railway Feasibility Study?	Coordinator Economic Development, Economic Development and Tourism	02/09/2020 – MA: No formal response received but understood from community sources that the Feasibility Study has been evaluated by TfNSW and is now with the Minister for Regional Transport and Roads Mr Paul Toole's office to be released at the Minister's discretion.	Y

9.4.3 ANSWERS TO QUESTIONS WITH NOTICE

ATTACHMENT 1 IN PROGRESS COUNCILLOR QUESTIONS FOR THE PERIOD ENDING AUGUST 2020

No.	Date	Item	Question/Request	Responsible	Response	Compl
	rec'd	No.		Officer		Y/N
168	20 August	12.6	Unanswered Questions Without Notice	Chief Operating	01/09/2020 – JM:	Υ
	2020		Councillor Brian Old	Officer	Questions without notice are only removed when	
			Question: Why do we have so many unanswered		answered. Should Councillors have questions in relation to	
			questions without notice?		operational matters, they are able to approach the Chief	
					Operating Officer. It is understood that a number of the	
					concerns of Councillor Old have been discussed with the	
					Chief Operating Officer which has resulted in action being	
					undertaken and responses provided to the unanswered	
					questions.	

9.4.4 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer: Chief Strategy Officer

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. Progress on Resolution Action Sheet for period ending August

2020

Cost Centre 3120

EXECUTIVE SUMMARY

In order to provide Councillors with updates on the progress of Council resolutions, a report is generated with a summary of action that is current and is completed, for the period ending August 2020.

The In Progress Resolution Action Sheet for period ending August 2020 is attached to this report.

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

OFFICER'S RECOMMENDATION

That Council receive and note the progress on Resolution Action Sheet for the period ending August 2020.

No. Meeting Date Res. No Item Action R/Officer Progress	Completion	Compl Y/N
	Date	1/1
closure on the corner of High Street and Stephen Street Bombala so that the fence line becomes the boundary of lot 9 DP 995614; B. Engage the services of a land surveyor to provide a plan for the boundary adjustment; C. Authorise the General Manager to execute any documents necessary to complete the boundary adjustment and sale of the property; D. Readvertise the property on the open market for auction with an appropriate reserve; and E. Make the Report public once the matter is settled. closurous follow D. Once of the property market D. Once of the property on the open market for auction with an appropriate reserve; and C. Finalis C. D and E plans fron complete requests the plans fron complete from complete from complete from complete from complete fron complete fron complete from complete fron complete from com	alised. solidation Plans lodged, Surveyor is owing up on progress of same. se notified of completed registration property can be placed on the open rket. ake place at completion of D 2020 – JH: solidation Plans received from veyor and signed by CEO, returned to veyor for lodging for registration of ne. se notified of completed registration property can be placed on the open rket. ake place at completion of D. 2020 – JH: alised.	N N

ATTACHMENT T ROUNDS ON RESIDENCE ON SHEET TON TEMOS ENDING AGGST 2020					1 480 233			
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						and would not be cost effective to engage another surveyor to finalise the plan.		
						27/04/2020 - JH: Email sent to Surveyor requesting a definite date for plan to be registered. Surveyor advised he will review the current draft of this consolidation plan this week and submit for Registration.		
						26/03/2020 - JH: Followed up with Surveyor and was advised this item is going to be delayed due to the large scale workload he has in place.		
						27/02/2020 - JH: Followed up with Surveyor and was advised this item is going to be delayed due to the large scale workload he has in place.		
						15/01/2020 - JH: The Surveyor has advised that he is hoping to have the consolidation plan ready for the end of January 2020.		
20	07 May 2018	162/18	11.1	Proposal to Realign the Barry Way Jindabyne and to Address Issues with the Intersections of Barry Way with Eagle View Lane and Bungarra Lane That Council: A. Approve the proposal to realign The	Land & Property Officer	 26/08/2020 – LB: A, B, D. Provision of the survey plan is continuing but has been delayed. C. Landowner has been notified that there is a delay involved in obtaining the information that they have requested. 	31/08/2021	N

	Mosting Bos No Itom Action						Page 234	
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Comp Y/N
				Barry Way over the constructed road		E-G. Ongoing.		
				from the intersection with MR286 to				
				the boundary of the national park.		29/07/2020 – LB:		
				B. Approve the proposal to apply to the		A & B Surveyor has been requested to provide		
				Crown to transfer those sections of		the plan for the second section which		
				The Barry Way which are Crown		will involve Eagle View Lane.		
				reserve road to Council.		C. Landowners have been notified that		
				C. Authorise staff to negotiate with		Council is waiting on plan.		
				landowners for acquisition of the		E-G. Ongoing.		
				constructed Barry Way and, where				
				possible, to offer to close		26/06/2020 – LB:		
				corresponding sections of paper road		The draft plan may be expected. The		
				and to dedicate the land to the		landowner is waiting on this information		
				landowner in compensation.		before proceeding.		
				D. To engage the services of a surveyor		A. Survey is being done in sections		
				to identify those sections of the Barry		B. Request for sections of Crown road to be		
				Way which are not on line with the		transferred to Council will be carried out		
				constructed road.		at the end of the project.		
				E. To acquire any Crown land upon		C. Negotiations with landowners are		
				which the Barry Way has been		ongoing.		
				constructed through the process of		D. See A. above.		
				the Land Acquisition (Just Terms		E. Acquisition will be carried out as		
				Compensation) Act 1991 through the		necessary when the plan for individual		
				authority of the Roads Act 1993.		sections is finalised.		
				F. Authorise the General Manager to		F-G Ongoing.		
				execute any documents necessary to				
				complete the project.		28/05/2020 – LB:		
				G. Authorise the expenditure and		The surveyor has promised to have the draft		
				allocate an amount of \$135,000 in		plan with the area of road to be closed and		
				the 2018/19 year Budget with		the area of the area to be acquired marked on		
				funding to be provided from Stronger		the plan sent to Council within the next week.		
				Communities Project PP-219		This plan will then be sent to the landowner.		

No.	Meeting	Res. No	Item	Action	R/Officer	Progress	Estimated	Compl
	Date		No.				Completion Date	Y/N
				(Undertake project to align the road with road reserves).		24/04/2020 – LB: Contacted the landowner on Eagle View Lane who has requested information. He wants to know how much land Council will require for the road and how much land he will receive in compensation. Will there be sufficient space for him to construct an eco-hut. The surveyor has been requested to calculate the area of both areas so that an accurate answer can be provided. 26/03/2020 – LB: In view of the fact that the landowner has not contacted the Land and Property Officer to date a letter has been sent asking him to contact the Land and Property Officer to discuss his consent to the creation of the road reserve over the road in its current location through his property. 02/03/2020 – LB: The Land and Property Officer met with the landowner and he said he will respond after consultation with his wife. 20/01/2020 – LB: Waiting on response from landowner on Eagle View Road. He resides in Tasmania.		

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
29	21 June 2018	253/18	22.3	Council Property - Town View, Waterworks Hill, Bombala That Council A. Approve the proposal to demolish the residence located on lot 1 DP 1216130 B. Serve notice on the tenant to vacate the premises in accordance with the Residential Tenancy Act. C. Engage the services of a suitably qualified contractor to demolish the residence, clear the site and dispose of any asbestos in accordance with the EPA Act; and D. Authorise the expenditure and allocate an amount in the 2018 Financial Year Budget with funding to be provided from the Former Bombala LGA Reserve.	Manager Water & Wastewater Operations	 27/08/2020 – BC: A-D Option Study Report for Bombala sent to DPI water for comment. Email sent to DPI on 11 August 2020 attaching Delegate Option Study Report. 28/07/2020 – MR: A. Under the provision of the State Environmental Planning Policy (Infrastructure) 2007, development for the purpose of water treatment facilities may be carried out by or on behalf of a public authority without consent on land in a prescribed zone. No DA would be required to rebuild the water treatment works in Bombala, however it will need an REF. The demolition of the existing building will be included as part of the REF for the rebuild. B. The tenant has vacated the dwelling and all utility services have been disconnected. C. Demolition will be a component of the WTP rebuild in accordance with the Options Study and REF. D. Expenditure is expected to be incorporated in the \$10M options funding grant. 25/06/2020 – GS: Options study is complete covering Security of 	30/10/2020	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						supply, alternate water sources and quality issues driving a new water treatment plant with presentation by designer to Councillors scheduled for 2 July 2020.		
						01/06/2020 – MR: No further update until adoption of final options study.		
						22/04/2020 – GS: Demolition of BWTP Cottage on hold pending Bombala/Delegate Water Supply Options Study recommendations.		
						23/03/2020 – MR: Demolition of BWTP Cottage to coincide with Bombala WTP refurb or rebuild in accordance with Bombala/Delegate Water Supply Options Study recommendations.		
						02/03/2020 – MR: Demolishment of the residence will depend on the outcome of the Options Study and recommendations. Options Study will be provided to Council when received.		
						14/01/2020 – AS: Still waiting on the Bombala/Delegate Water Options Study Report – expected finalisation April 2020.		

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	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
:	6 September 2018	314/18		Proposed Acquisition of Land in Cooma That Council A. Acquire Lots 400 and 434 DP 750535 and lot 461 DP 41999 by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Local Government Act 1993 for the purpose of saleyards. B. That the land be dedicated as Operational land in accordance with the Local Government Act 1993 C. That minerals be included in this acquisition D. That this acquisition is not for the purpose of resale E. That the necessary applications be made to the Minister for Local Government and the Governor. F. That the Common Seal be affixed to all documentation required to be sealed to give effect to this resolution. G. That following the acquisition of the three Crown allotments, the eleven lots comprising the Cooma saleyards be consolidated into a single allotment. H. That this project be funded from the former Cooma Monaro Shire Council	Property Officer	26/08/2020 - JH: A to F: Notice from OLG to lodge PAN (proposed acquisition notice) and PAN lodgement was completed and lodged with Crown, NTSCORP and NSWALC. There is a 90 day period that OLG has now to complete the notice and gazette the acquisition, subject to no submissions being received from NTSCORP and NSWALC. Submissions from NTSCORP and NSWALC are not expected as this was reviewed prior to the PAN being sent, but is a requirement of the PAN. G: This will take place once the acquisition has been approved and finalised by OLG and Crown. H: All costs will be funded from the former Cooma Monaro Shire Council reserve fund. 22/07/2020 – JH: A to f: Updated Valuation report submitted to Crown to enable a faster completion of this acquisition once approval received from OLG. Latest email received from OLG is that they are following up on our application and have not forgotten about it. No further response from Crown as to permission to begin project whilst waiting for OLG to send documentation of approval. None of these items can be finalised until a	08/10/2020	N

	TIACITIVILIVI	Tritoditi	-33 011 11	L30L0 HON ACTION SHELT TO	PR PERIOD ENDING AUGUST 2	2020	гағ	e 299
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Comp Y/N
				reserve fund.		response from OLG is received. G: This will take place once the acquisition has been approved and finalised by OLG and Crown. H: All costs will be funded from the former Cooma Monaro Shire Council reserve fund. 24/06/2020 – JH: A to H: Latest email received from OLG is that they are following up on our application and have not forgotten about it. No response from Crown as to permission to begin project whilst waiting for OLG to send documentation of approval. None of these items can be finalised until a response from OLG is received. 28/05/2020 – JH: Email received from OLG on 20/5/2020 advising they can confirm that it has been processed, unfortunately they are unable to advise as to when/if it will be approved. Following up with Crown as to the option to gain approval for works to begin prior to acquisition taking place. Unfortunately with most staff working remotely responses are slower than usual. 27/04/2020 - JH: Numerous requests have been sent to Office of Local Government asking for this matter to be finalised.		

	ATTACHMENT I TROCKESS ON RESOLUTION ACTION SHEET FOR TERIOD ENDING ACCOST 2020							
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Council does not have the option to gain approval for acquisitions from anyone other than OLG. 26/03/2020 - JH: Waiting on response from OLG. 27/02/2020 - JH: All information is with OLG and waiting for approval to come through. 15/01/2020 - JH: Waiting on response from Crown to advise that the Special Lease will be extinguished after acquisition has been completed to finalise documents required by OLG.		
74	4 October 2018	353/18	15.1	Clr Castellari Notice of Motion - Rooftop Solar That Council A. Support the Albury City Council motion regarding legislative changes to enable the implementation of a program similar to that implemented by Darebin City Council in Victoria; B. Advocate for the legislative changes to local members and relevant Ministers; C. Carry out due diligence with a business case which includes funding options, power under current	Executive Assistant to Chief Executive Officer, Mayor and Councillors	28/08/2020 – JT: No further update. 03/08/2020 – JT: No further update 29/06/2020 – SC: A. Motion supported at LGNSW Annual Conference. B. Raised in conversation with Local Member and LGNSW. C & D – No action. 29/05/2020 – SC:	Ongoing	N

	No Meeting Res No Item Action ResoluTION SHEET FOR PERIOD ENDING AUGUST 2020 No Meeting Res No Item Action R/Officer Progress					1 45	e 301	
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				legislation that would provide solar subsidy schemes for residence and businesses within the SMRC council area; and D. Provide for public consultation process once the above has been carried out.		No further update. 29/04/2020 – SC: No further update. 04/03/2020 – SC: No further update. 06/02/2020 – SC: No further update. 03/12/2019 – SC: B – The CEO requested an update from LGNSW in regarding to their advocacy of behalf of the local government sector (as per resolution 100 – Solar Buy Back - from the 2018 LGNSW Conference). LGNSW has made representations to the previous Minister for the Environment and Minister for Local Government prior to the latest cabinet reshuffle. The matter was also raised in LGNSW's submission to the Senate Standing Committee on Environment and Communications Inquiry into Treasury Laws Amendment (Improving the Energy Efficiency of Rental Properties) Bill 2108. Further to this, LGNSW also raised this matter at their liaison meeting with the Office of Environment and Heritage and will continue to advocate on the issue as opportunities		

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						arise.		
88	1 November 2018	394/18	12.1	Planning Proposal 461 Barry Way, Moonbah to Amend Snowy River Local Environmental Plan 2013 That: A. The report from the Senior Strategic Land Use Planner on the Planning Proposal 461 Barry Way (Lot 101 DP 817374) be received. B. The Planning Proposal be submitted to the Minister of NSW Planning & Environment for a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979. C. The Department of Planning and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the Planning Proposal. D. In the event NSW Department of Planning & Environment issues a Gateway Determination to proceed with the Planning Proposal, consultation be undertaken with the	Senior Strategic Land Use Planner	28/08/2020 – AA: No further update. Proposal is waiting for proponent to respond to agency concerns and is on hold until the conclusion of the SAP Masterplan. The following sections of the Council resolution have been completed. A. No action required B. Completed C. Completed D. Referred to relevant government agencies. An objection was received from OEH. Further information was requested from proponent. Awaiting response. 30/07/2020 – AA: No further update. 22/06/2020 – AA: No further update and not expected to be any significant progress until the SAP masterplan is more fully developed.	Ongoing	N
				community and government agencies in accordance with Schedule 1,		05/05/2020 – AA: An altered gateway determination was issued		

	Meeting Pas No Item Action Festimate				. 48	e 303		
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				Division 1, Clause 4 of the Environmental Planning and Assessment Act 1979 and any directions of the Gateway Determination.		by the Department of Planning Industry and Environment extending the timeframe for completion by 24 months to 7 June 2022. This allows the proposal adequate time to be considered and finalised after the Snowy Mountains Special Activation Precinct Masterplan is completed. 19/03/2020 – MA: No response received from DPIE regarding request for extension of time due to SAP Masterplan. In process of following up with DPIE. 31/03/2020 – AS: No further update. 02/03/2020 – BD: No further update. 20/01/2020 – AA: A letter has been forwarded to State Government requesting the gateway getermination date be extended to coincide with the conclusion of the Go Jindabyne masterplan. 06/12/2018 – MA: B. Planning proposal has been submitted to the Minister of NSW Planning and Environment for a gateway determination. C. Council has advised Department of Planning		

<u>·</u>							i ug	- 30 -
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
90	1	205/19	12.2	DA Bost Practice Guideline and	Manager Built	and Environment that Council wishes to be issued with an authorisation to use delegation for the planning proposal. Cannot be actioned until a determination is given.	17/09/2020	N
89	1 November 2018	395/18	12.2	DA Best Practice Guideline and Processing Times That Council endorse the following recommendations; 1. Council staff develop a Snowy Monaro Region Development Guide that also includes a rural and regional context; 2. Increased promotion of pre-lodgement meetings with applicants and a media campaign be undertaken; 3. Creation of a user friendly information portal on Council's website; 4. Development assessment staff actively participate in the review of the consolidated LEP and DCP with the Strategic Planning Group to achieve practical workable provisions; 5. A review and report be presented to the General Manager on resourcing requirements for Building Surveying and Development Engineering staff in order to reduce development application referral times, assist with approvals relating to the issuance with Complying Development Certificates	Manager Built and Natural Environment	28/08/2020 - JG The Draft DA Best Practice Guideline was presented to the August 2020 Council meeting. The item was deferred to the September 2020 meeting so that amendments could be made as requested by Councillors. 24/07/2020 – JG: The Draft DA Best Practice Guideline will be presented to the August 2020 Council meeting. 03/06/2019 – JG: 1 – Being developed. 3 – Portal being created as part of IT platform development. Completed. 5 – Review being undertaken as part of organisational redesign review. Completed. 9 – Completed. 03/05/2019 – JG: 1 - Being developed 3 - Being developed 5 - Waiting for structure 6 - Report going to June meeting	17/09/2020	N

No.	Meeting	Res. No	Item	Action	R/Officer	Drogross	Estimated	Compl
NO.	_	Res. No		Action	R/Officer	Progress		•
	Date		No.				Completion	Y/N
							Date	
				and provide efficient and timely advice				
				to applicants;		6. Lists have been and will be continued to be		
				6. Councillors continue to be provided		provided		
				with a list of applications lodged with		7. Ongoing		
				Council on a monthly basis and a list of		8. Completed		
				determined development applications		9. To be undertaken		
				on a monthly basis;		10. Ongoing		
				7. Ensure that when the corporate IT		11. Ongoing		
				platform is implemented it includes		20/10/2018- JG:		
				online tracking of applications and use		No further update at this time		
				of mobile IT platforms, to improve				
				efficiencies in administration of		06/12/2018 – DA:		
				development assessment and building		Best Practice Guideline and Processing Times		
				certification processes;		is to be developed.		
				8. That checklists and guidelines are				
				updated and expanded to ensure				
				applicants have detailed information to				
				ensure applications are submitted with				
				all relevant information as required by				
				Part 1 of Schedule 1 of the EP&A				
				Regulation (in accordance with Clause				
				51 of the EP&A Regulation);				
				9. A review be undertaken and report be				
				put forward to Council proposing				
				amendments to the Bombala, Snowy				
				and Cooma DCP's to align notification				
				requirements as being commensurate				
				with impacts and to reduce the number				
				of development applications being				
				notified;				
				10.That development applications be				
				determined based on the information				

							0	- 300
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
117	20 December 2018	575/18	10.3	held at the time where an applicant has been requested to provide additional information (under Clause 54 of the EP&A Regulation) but has failed to respond within 21 days; and 11. Additional information requests be provided to applicants in a timely manner. The response time on these requests be increased from 14 days to 21 days. Proposed Acquisition of Shannons Flat Community Hall That Council A. Agree to accept the gift of Shannon's Flat Community Hall and approximately 800m2 of land surrounding the hall. B. Classify the property as "community land" upon transfer to Council. C. Engage the services of a surveyor to survey lot 78 DP 750527 and create a plan of subdivision of the land to excise the hall and surrounding land within the immediate fence line. D. Agree to bear all costs associated with the subdivision and registration of the plan including any legal costs.	Land & Property Officer	26/08/2020 – LB: A-D The lot containing the hall (approx. 800m²) has been subdivided and the plan has been registered. The landowner has changed his mind and is now requesting that Council lease the hall. A report will go to the September meeting of Council. 29/07/2020 – LB: No further update from previous month. 26/06/2020 – LB: This matter has been placed on hold until December 2020 at the request of the landowner at which time there will be a further report to Council. C. Survey has been completed and	30/12/2020	N
				E. Fund the costs of approximately \$8,000 from former Cooma Reserves.		registered. D. Costs have been borne by Council. 28/05/2020 – LB:		

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						This matter has been placed on hold until December 2020 at which time there will be a further report to Council.		
						24/04/2020 – LB: Discussion with property owner's family revealed that no decision had been made with respect to the transfer of the Hall to Council. Insurance of the Shannon's Flat Hall is prohibitively expensive and out of the ability for either the family or the Management Committee to pay. Property owners have requested that Council delay any action on this matter until December 2020 when the current restrictions have eased and the Management Committee can meet. This was agreed and will be followed up in December 2020.		
						26/03/2020 – LB: A letter has been sent to the landowner requesting confirmation of their intentions. 02/03/2020 – LB: Currently waiting on a response from the landowner to confirm their intentions. 20/01/2020 – LB: A report will be submitted to Council updating Councillors on the status of this matter. At present Council is paying the power bills.		

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion	Compl Y/N
165	21 February 2019	68/19	13.9	Parking in the laneway at the rear of the Jindabyne Town Centre That Council A. Approve the proposal to enter into public consultation with the shopkeepers and owners in Jindabyne Town Centre regarding changes to the laneway at the rear of the shops. B. Receive a further report regarding the results of the public consultation and the proposed way forward together with detailed costings.	Land & Property Officer	26/08/2020 – LB: A. Council has requested a minor adjustment to the concept plan. When the concept plan is amended it is proposed to form a Steering Committee to guide the project to completion. B. A further report will be submitted for Council's consideration when the public consultation has taken place. 29/07/2020 – LB: A. Council is in receipt of the draft survey plan and is currently waiting on the design plan. When both plans are to hand Council will undertake public consultation. B. Following public consultation a further report will be prepared for Council with detailed costings. 26/06/2020 – LB: The Road Safety Officer advised that the surveyor has been selected and the project is progressing. A. Public consultation will take place when the survey and design is completed. 28/05/2020 – LB: RFQ sent out to four surveyors for quotation for survey and design. This is to be funded by RMS.	Date 31/12/2020	N

ATTACHIVIENT TENOGRESS ON RESOLUTION ACTION SHEET FOR TENIOD ENDING ACCOST 2020						- 303		
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						RFQ sent out to four surveyors for quotation for survey and design. This is to be funded by RMS. 24/04/2020 – LB: Specification for the tender is currently underway. Collaboration between the Special Projects Officer and the Road Safety Officer is being undertaken in view of the issues encountered with the proposed construction of the public toilets in Jindabyne. 26/03/2020 – LB: Tenders will need to be called for the survey and design work. When the survey and design is completed, staff will arrange for public consultation. 02/03/2020 – LB: Waiting on survey and design so that public consultation can be arranged.	Date	
						03/02/2020 – LB: Shopkeepers and shop owners in the Jindabyne Town Centre have been notified by letter that Council has been successful in securing grant funding for survey and design of the back lane.		
211	21 March 2019	127/19	13.2	Delegate Disadvantaged Housing That Council continue with the current arrangement of Facilities staff managing	No further update	27/08/2020 – TP: No further action.	30/10/2020	N

	ATTACHMENT IT ROURESS ON RESOLUTION ACTION SHEET FOR TERIOD ENDING ACCOST 2020					1 480 310		
No.	Meeting	Res. No	Item	Action	R/Officer	Progress	Estimated	Compl
	Date		No.				Completion	Y/N
							Date	
				the tenants and maintenance on the		24/07/2020 – KH:		
				properties pending community		This area is now under the Land & Property		
				consultation, and bring a report back to		Portfolio. An initial handover has been		
				Council.		conducted with a more detailed one to follow		
						explaining what steps have been taken so far		
						and why, and to work together moving		
						forward on this.		
						26/06/2020 – KH:		
						There is no further update as there has been		
						too much occurring with bushfires and COVID.		
						01/06/2020 – KH:		
						No further update.		
						28/04/2020 – KH:		
						No further update.		
						27/03/2020 – KH:		
						No further update.		
						No further aparte.		
						02/03/2020 – KH:		
						Mail out to the community at Delegate		
						seeking their feedback to be arranged asap to		
						gauge thoughts.		
227	17 April	151/19	9.2.2	Consolidation of Reserve no. 530002	Land & Property	26/08/2020 – LB:	01/11/2020	N
,	2019	131,13	3.2.2	Centennial Park and Lot 6 DP 758280	Officer	A. Crown Lands has advised that the	01,11,2020	'
	2313			Cooma Visitors Centre as one Crown	3661	documentation recommending the		
				Reserve for General Community Use		amendment to both reserves has gone		
				That Council		before the Minister.		
				A. Request that the Crown add lot 6 DP		B. The licence will be relinquished when		
				758280 to Reserve 530002		Crown Lands has completed their		
	1		I .	, 30200 to Neser Ve 330002		STOWN Edited has completed their	<u> </u>	

•	ATTACHIVIENT 1 PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020						6 211	
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				comprising Centennial Park and add an additional purpose of "General Community Use" to the Reserve. B. Relinquish Licence LI 453017 for the use of the Cooma Visitors Centre when Lot 6 DP 758280 is added to Reserve 530002.		29/07/2020 – LB: This matter needs to be signed off by the Minister and then must be advertised in the Government Gazette as a part of the process. It is anticipated that it may take some months to finalise. 26/06/2020 – LB: Communication with NSW ALC confirmed that the claim over the Visitors Centre has been rescinded. This information will be relayed to Crown Lands with a request to expedite the matter. A. Crown Lands is presently preparing the documentation for transfer to Council as Crown Land Manager B. The licence will be relinquished in conjunction with transfer to Council Management. 28/05/2020 – LB: Reminder was sent to Crown Lands last week. This matter will take some time to resolve at the Crown Lands level. 24/04/2020 – LB: Crown Lands has advised that due to the COVID-19 Pandemic this process may suffer some delays. 26/03/2020 – LB:		

ATTACHMENT T ROCKESS ON RESOLUTION ACTION SHEET TOKY ENIOD ENDING ACCOST 2020								
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Crown was sent a second reminder today. It is an involved process, and will take a while to review, given the current COVID-19 pandemic and the recent bushfires. 02/03/2020 – LB: Negotiations with the Crown are ongoing. It is likely that the Crown would prefer lot 6 to be placed under Council management and that the lease be rescinded. We are currently waiting on a reply. 20/01/2020 – LB: This matter has been escalated at Crown Lands to achieve a decision on the way forward.		
251	16 May 2019	185/19	9.2.1	CMCA RV Park – Cooma That Council support in principle the development of a CMCA RV park at the Hawkins St site and provide in-kind assistance through internal plant rates.	Manager Corporate Projects	28/08/2020 – GH: Pending DA outcome. 31/07/2020 – GH: DA Processing is continuing. 30/06/2020 – GH: CMCA are in the process of submitting the DA for Hawkins Street RV park site and are working with consultant on the bushfire and flood elements of the DA. 01/06/2020 – GH: CMCA has now commenced on a	30/09/2020	N

	ATTACHMENT IT ROCKESS ON RESOLUTION ACTION SHEET TOKY ENIOD ENDING ACGUST 2020								
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N	
						Development Application. 23/04/2020 – GH: Report with Draft MOU being prepared for May Council meeting. 27/03/2020 – GH: Report to Council planned for April meeting. 02/03/2020 – GH: Final plans and estimates received by CMCA. CMCA has provided a draft MOU and a sample lease documents which will be included in a report to Council. Pending support from Council to proceed a DA will be lodged. 31/01/2020 – GH: Local surveyor is finalising plan for CMCA and is expected by end of January.			
260	16 May 2019	194/19	9.4.1	Classification and Categorisation of Crown Land in Council's Care and Control That Council approve the proposed categorisation of Crown land as per attachment 1 to report Classification and Categorisation of Crown Land in Council's Care and Control	Property Officer	26/08/2020 - JH: Crown Lands (Crown) have not returned the approval of the application after updates were provided to Crown as per their request. This has been brought up by many other councils as most have not received any notifications. This has been raised with Crown and the consultants preparing the Plan of Management are also following up with Crown on Council's behalf.	30/10/2020	N	

9.4.4 RESOLUTION ACTION SHEET UPDATE

ATTACHMENT 1 PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020

	VI IACIIIVILIVI	TINOGNI	JO ON INL	RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020		i ag	e 314	
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						22/07/2020 – JH: Still waiting for approval of Council application from Crown. Draft Plans of Management in preparation stage. 24/06/2020 - JH: Updated changes completed and lodged with Crown, awaiting their approval of the application. 28/05/2020 – JH: Crown advised they would like some changes made to the application for some of the categories. Changes made as per request and submitted Friday 29 May following review by consultant. Community consultation process is being put in place by Consultant and hope to have a final plan for process. 27/04/2020 - JH: This application is with DPIE Crown Lands. There is a large backlog of applications and the implications of COVID-19 have added more time constraints on these applications. The contractors are also in contact with Crown to try and get this process expedited. 26/03/2020 – LB: The consultants engaged by Council to do the Plan of Management for Crown Land have	Date	
						checked with Crown Lands about approval of the categorisation for Crown Land in SMRC		

	Masting Dec No. How Action Different Different Discourses Decreased Committee Committe										
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N			
						and have advised that the Crown is still working through the many submissions it has received. 02/03/2020 – LB: Council is waiting on confirmation of approval of categorisations. The Plans of Management are currently underway. 20/1/2020 – LB: Requests for classification and categorisation have been submitted for approval by CL. A copy of the submission has been sent to Council's Contractors to enable them to commence work on the Plan of Management for Crown Land to be managed as community land under the Local Government Act.					
290	20 June 2019	227/19	9.4.1	Application to Crown Land to be appointed as Land Manager to Various Waste Management Sites That Council requests to be appointed as Land Manager of the following Reserves: A. Dalgety Landfill Lot 2 DP 837128, Reserve 88070 for Rubbish Depot under Crown control; B. Bombala Landfill Lot 123 DP 756819, Reserve 15472 for Night Soil Depot under Crown control; C. Bombala Landfill Lot 300 DP 756819, Reserve 49491 for Night Soil Depot	Property Officer	26/08/2020 -JH: A, B, C & D – Complete. E. NSW ALC are following up on this item, which they referred to the Local Aboriginal Land Council (LALC) with the recommendation that the CEO of the LALC refer it to the LALC Board for consideration of claim withdrawal. NSWALC will advise of the outcome when received, they have advised that the LALC are not meeting regularly during this COVID pandemic. 24/06/2020 – JH:	Ongoing	N			

	ATTACHIVIENT 1 PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020					1 48	5 210	
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				under Crown control; D. Berridale Transfer Station Lot 178 DP 756837, Reserve 73609 for Sanitary Purpose under Crown control; E. Berridale Landfill Lot 153 DP 756694, Reserve 47391 for Rubbish Depot under Crown control; and Request the purpose of land be changed to Urban Services for Reserves 15472 & 49491		A, B, C & D – Complete. E. This item has been referred by NSWLALC to the Local Aboriginal Land Council (LALC) with the recommendation that the CEO of the LALC refer it to the LALC Board for consideration of claim withdrawal. NSWALC will advise of the outcome when received. 28/05/2020 – JH: Item E: Email received from NSWALC requesting further information on this Reserve. Gazette notices were researched and supplied to NSWALC. They still require any information that Council may have on the lawful use and occupation of this land and/or need for this land for an essential public purpose, as at 8 June 2010. Following up on this request with Waste Team. Spoke again to NSWALC 27/5/2020 advice they are also now discussing with LALC with regard to their interest in the land due to it not being used for many years, as such they may wish to keep the land claim active. 30/03/2020 – JH: No further update. 22/01/2020 – JH: E. Property officer has written to the NSW Aboriginal Land Council to see if they wish to revoke their interest as ALC 25795 is current		

ATTACHMENT I TROCKESS ON RESCENTION ACTION SHEET TON'T ENIOD ENDING ACCOST 2020								
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						 on this reserve. 09/01/2020 – MD: A. Confirmation has been received Council is the Land Manager of Dalgety Landfill Lot 2 DP 837128, Reserve 88070 for Rubbish Depot; B. Confirmation has been received Council is the Land Manager of Bombala Landfill Lot 123 DP 756819, Reserve 15472 for Night Soil Depot; C. Confirmation has been received Council is the Land Manager of Bombala Landfill Lot 300 DP 756819, Reserve 49491 for Night Soil Depot; D. Confirmation has been received Council is the Land Manager of Lot 178 DP 756837, Reserve 73609 for Sanitary Purpose under Crown control; E. Awaiting confirmation. 		
333	18 July 2019	277/19	13.1	Australian Tourist Park Management - NRMA - Caravan Park Jindabyne That Council consider the approval for the Lessee to execute the 2 x 5 terms on the Lease Agreement when the first option to renew is due in October 2019, which will take the Lease Agreement through until October 2029.	Commercial Land Officer	25/08/2020- KH: Documents with BMR for action. 24/07/2020 – KH: CEO has signed, awaiting a cheque to be drawn to go with signed lease back to BMR for action 26/06/2020 – KH: Signed lease has been received and forwarded onto the CEO Office for signing.	30/09/2020	N

	ATTACHIVILINE T PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020							6 210
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						28/05/2020 – JH: Solicitors have advised the signed lease agreement should be returned to Council next week. 27/04/2020 - JH: Correspondence has been received by Council's Solicitor advising the Lease Agreement has had a few minor amendments and is with NRMA for exaction of same. 26/03/2020 - JH: Council is liaising with NRMA in regard to this item. 27/02/2020 - JH: Council Solicitor and NRMA Solicitor are reviewing Agreement and making some minor amendments. 15/01/2020 - JH: Solicitor has sent through an updated Agreement with some changes that were required to be made for further review. This is now back with the Solicitor.		
345	15 August 2019	294/19	9.1.6	Minutes of the Arts and Culture S355 Committee Meeting held 12 June 2019 That Council note the minutes of the Arts	Community Development Planner	03/09/2020 – KH: A. No further action B. Completed.		Y

	ATTACHMENT IT ROCKESS ON RESOLUTION SHEET FOR TERIOD ENDING ROCKST 2020			- 313				
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				and Culture 355 Committee meeting held 12 June 2019 and adopt its recommendations, being: A. That Council accepts the donation of the Taking Flight sculpture from Lake Light Sculpture and funds the cost of lighting associated with the installation (up to an amount of \$1000), and accepts responsibility for ongoing maintenance as required; B. That the Rix Wright Shearing Sculpture is installed in the preferred location in Centennial Park after consultation with Council engineers regarding the installation requirements e.g. plinth construction, lighting; and That the amendments to the Charter are noted and approved		 30/06/2020 – KH: A. The Taking Flight sculpture will be assessed by Council's new insurer for asset and PLI purposes. B. Completed 03/06/2020 – MA: Continuing to sort through funding and risk assessment issues to complete. 06/05/2020 – KH: The Taking Flight sculpture installation is held up by financial and insurance issues. The cost of installation borne by Council is likely to be much higher than originally anticipated. However, the installation design has been completed and we continue to work through the issues which are preventing installation at this point in time. 19/03/2020 – MA: The project team met on site in late February. Discussions are underway with Council's insurer. The project is temporarily on hold while the relevant staff member is on leave. 25/02/2020 – KH: A. Installation is ready to proceed with, however staff are engaging in negotiations with Council's insurance company who believe someone could be injured if they 		

	ATTACHMENT I TROUBLESS ON RESOLUTION ACTION SHEET TON'T ENIOD ENDING ACCOST 2020							
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						were to climb on it and fall. 04/02/2020 – KH: No further updates. 30/09/2019 – KH & DS: A. The installation plan for Taking Flight is underway, with the artist and the Design Engineer working together on concept designs. Once an installation design is confirmed, the installation will move to the next stage in partnership with Lake Light Sculpture and NPWS. B. The Shearer sculpture project is now finalised with the sculpture permanently erected in Cooma Centennial Park. An unveiling ceremony was held on 17 September 2019 with all contributors and those involved in the projected invited to attend. About 50 people attended.		
						 29/08/2019 – KH: A. Council's Design Engineer has agreed to draw up design options and costings for installation of the plinth. Once this has been completed, we will be able to move forward with installation. B. Design of the display plinth and plaques was conducted in consultation across Council teams and with relevant 		

		·		C 321				
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						community members. Construction of the plinth is almost complete, with a grand opening expected to take place in mid-September. Mayor and Councillors, the artist's family, former Arts 355 Committee members and other relevant stakeholders will receive an invite.		
347	15 August 2019	296/19	9.2.1	Road Closure and Creation of Road Reserve - Badja Road That Council A. Approve to formally close the Council public road that traverses lot 1 DP 124507, Lot 2 DP 1195991 and Lots 15,16 &81 of DP 752146; B. Engage the services of a Surveyor to prepare a plan of subdivision for the creation of a road reserve over Badja Road; C. Agree to exchange the former closed road through the affected properties in compensation of the area required of the privately owned properties for the road reserve to be created over Badja Road; and D. Authorise the General Manager to execute the documents to give effect to the above	Land and Property Officer	 26/08/2020 – LB: B. The survey has not been provided within the agreed timeframe and staff are following this issue up with the surveyor. C. Exchange of land will be the last step in the process. D. This step will take place at the appropriate time. 27/07/2020 – LB: A – B Cuncil is in receipt of a draft plan which has been checked and the surveyor has been requested to provide the final plan with Administration Sheet. When the final plan is received an application will be submitted for Subdivision Certificate. 26/06/2020 – LB: A. Surveyor has given assurance that the plan will be sent to Council in the next two weeks. B. This will be done in consultation with landowners after plan of subdivision is 	30/10/2020	N

	A THE STATE OF THE								
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N	
						received. 28/05/2020 – LB: Contractor has been asked to forward plan and it is anticipated that it will be available very shortly. 24/04/2020 – LB: Discussion with the contractor revealed that due to COVID-19 there would be some delay but the plan is now expected any day. 26/03/2020 – LB: Council is waiting on survey plan before proceeding. 02/03/2020 – LB: Survey work is currently being carried out. 20/01/2020 – LB: Landmark Surveys have been engaged to carry out the survey and produce a plan.			
352	15 August 2019	301/19	9.3.4	Proposed Closure and Sale of Public Pathway in Kalkite That Council A. Agree to close the pathway and sell the land 50% to each adjoining landowner for \$10,000 including GST each with each party to pay their own legal fees; B. Notify the owners of lots 38 and 39	Land & Property Officer	26/08/2020 – LB: A-B Letters to landholders and notifiable authorities have been sent. At this time all responses have been positive. Waiting on response from Crown Lands for consent to proceed and for public pathway to vest in Council following closure. C. This is no longer a requirement under the Act.	30/10/2020	N	

								- 323
No.	Meeting	Res. No	Item	Action	R/Officer	Progress	Estimated	Compl
	Date		No.				Completion	Y/N
							Date	,
				that Council approves the payment		D. The plan of subdivision will be available in		
				for 50% of the pathway as a		approximately 6 weeks. In the meantime,		
				"repayment schedule" to be paid in		the road closure is progressing.		
				conjunction with the land rates to be		E-F This will take place at the appropriate		
				fully paid prior to 30 June 2020;		time.		
				C. Apply to the Crown to close the				
				public pathway;		27/07/2020 – LB:		
				D. Engage the services of a surveyor to		Follow-up with Council's surveyor determined		
				create a plan of subdivision with the		that the plan to close the pathway will be		
				pathway to be divided along its		received at Council by the end of July.		
				length (front to back);		Letters have been prepared to notify the local		
				E. Engage the services of a solicitor to		community of the proposal to close the		
				draw up contracts for the sale of the		pathway. The letters will be posted.		
				land; and				
				F. Authorise the General Manager to		26/06/2020 – LB:		
				execute the documents for the sale of the		E. Landowners have been notified of Council		
				property		resolution. Resolution /19 reviews the		
						payment period until 30/6/2023.		
						F. Application cannot be made until plan of		
						subdivision is to hand.		
						G. Plan of subdivision to divide the pathway		
						lengthwise cannot be done until the		
						pathway is closed.		
						H. Contracts will be drawn up as soon as		
						closure of the pathway is registered and		
						the plan of subdivision is ready.		
						28/05/2020 – LB:		
						Council's Finance Dept. are unable to set up a		
						Special Rate in the rating system and they		
						have suggested that Sundry Debtor accounts		
						be set up with regular quarterly payments to		

	ATTACHMENT 1 FROGRESS ON RESOLUTION ACTION SHELL FOR FERIOD ENDING AUGUST 2020						Fage 324	
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						be fully paid prior to March 2023. This will enable the sale of the land to proceed prior to 30/06/2020.		
						24/04/2020 – LB: Arrangements are currently underway to set up a payment plan and a surveyor has been engaged.		
						26/03/2020 – LB: All parties have been notified of the Council resolution and quotes for the survey of the pathway have been sought. This resolution is now superseded by resolution 57/20.		
						02/03/2020 – LB: Purchasers were not happy with the timeline for completion set by the Council resolution and a further report has been submitted to the March Council meeting. 20/01/2020 – LB: Landowners were notified of Council resolution via mail but are intending to write to Council requesting more time to pay.		
363	15 August 2019	310/19	10.2	NSW Government Funding That Snowy Monaro Regional Council lobby the NSW Government for a grant of \$6.5 million to cover the outstanding costs of amalgamating the Cooma Monaro, Snowy River and Bombala Shire	Executive Assistant to Chief Executive Officer, Mayor and Councillors	28/08/2020 – JT: Finalised and complete. 03/08/2020 – JT: Response received with nil additional funding available.		Y

9.4.4 RESOLUTION ACTION SHEET UPDATE

ATTACHMENT 1 PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020

					NDING AUGUST			e 325
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				Councils and reduce the current deficit.		24/06/2020 – SC: Awaiting response from NSW Premier. 29/05/2020 – SC: Awaiting response from NSW Premier. 01/05/2020 – SC: Letter sent to NSW Premier 15 April seeking additional funding. 31/03/2020 – DR: Further conversations have been had with local members and correspondence has been drafted to progress the request. 04/03/2020 – DR: Council is following up on the resolution with a letter having been sent to the Premier seeking the requested funding. 04/02/2020 – DR: Issues around the bushfires have led to this item being deferred until there is time to revisit the issue. 03/12/2019 – DR: No additional information. 01/10/2019 -DR: NSW Government funding of \$6.5 million for merger costs – the issue has been raised with		

								<u> </u>
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						the Member for Monaro and Deputy Premier John Barilaro MP by the Mayor and General Manager. This was a positive discussion on the issue and a formal request is being developed for submission with the NSW Government for consideration of funding. 09/09/2019 – DR: Background information has been gathered to support the lobbying efforts. Draft correspondence under development.		
367	15 August 2019	315/19	13.3	Replacement of Council's road maintenance truck. Plant number 3028 That Council approve the following A. Purchase the Fuso FK61FK/Flocon Engineering combination from Hartwigs Trucks Pty Ltd for \$248,284 excluding GST; B. Additional funding of \$11,075 from plant reserves to be included in the QBRS for September 2019; and C. The disposal of Plant 3028 via public auction with a reserve set at \$36,000	Manager - Fleet & Plant	31/08/2020 – SS: A. Completed 11/08/2020. B. Completed. C. Truck being prepared for disposal. Expected completion on delivery to auction house 11/09/2020. 24/07/2020 – SS: Action A. Expected delivery 11/8/20 Action C. Expected delivery to auction house for disposal 28/8/20 23/06/2020 – SS: Hartwigs Trucks advised there is a delay getting the truck from Flocon Engineering due to COVID19. Waiting on firm advice. 29/05/2020 – SS: Advice from the supplier is that the vehicle	30/09/2020	N

							- 0	C 327
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
379	19 September 2019	333/19	8.2	Finalisation of Draft Bush Fire Prone Lands Map 2019 That Council A. Receive and note the report of the Senior Strategic Land Use Planner on the finalisation of the draft Bushfire Prone Land Map; B. Submit the draft Bush Fire Prone Land Map and associated supporting documentation to the NSW Rural Fire Service for certification and provide a letter (attachment 3) to the NSW RFS Commissioner;	Senior Strategic Land Use Planner	will be available for delivery in June 2020. 22/04/2020 – SS: Due for May 2020 delivery. 26/03/2020 – SS: Flocon now advise mid-May delivery. 27/02/2020 – DC Flocon sending layout plans for our review to ensure suitability. Delivery April 2020. 14/01/2020 – SS: Delivery is still expected in April 2020. 30/07/20250 – AA: Council staff have sought update from NSW RFS on this topic, awaiting response. 22/06/2020 – AA: Letter sent to RFS in October 2019 requesting the Commissioner of the RFS to certify the draft map. Council Staff awaiting update from RFS on this certification process. 03/06/2020 – MA: No further update. Waiting for RFS to finalise.	•	N
				C. Consent to a public notice (attachment 4) being attached to Section 10.7 (formerly Section 149) Planning Certificates advising of the		 30/09/2019 – AA: A. Noted. B. Letter will be forwarded the Rural Fire Service on 1 October 2019. 		

		<u> </u>	.00 011 112	SOLUTION ACTION SHELL FOR PERIOD EN	<u> </u>		0	E 328
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
382	19 September 2019	336/19	9.1.3	bushfire prone lands changes until such time as the draft map is certified; and D. Advise the community and stakeholders via its website and the local newspaper once the Bush Fire Prone Land Map has come into effect. Adoption of Road Name Black Sallee Lane and Candlebark Circuit That Council endorse A. The name of Black Sallee Lane for crown road accessed from Alpine Way, Crackenback Gazettal; and B. The spelling of Candlebark Circuit and proceed with measures needed to ensure this spelling of the road name is consistent on the road signage and in council and state government databases.	GIS Administrator	C. Information has been circulated to all relevant planning administration officers to be distributed with all 10.7 certificates Will be actioned once the Rural Fire Service have advised that the map will be certified by the commissioner. 28/08/2020 – JC: Property addresses will be updated at the end of the ski season. 30/07/2020 – JC: A. Black Sallee Lane – road sign is on order but not yet in place. 30/06/2020 – JC: A. Black Sallee Lane – Ongoing. B. Candlebark Circuit – Completed. 29/05/2020 – SG: Black Sallee Lane gazetted, sign not yet in	·	Y
						place. Gazettal Notice Candlebark Circuit submitted. 02/12/2019 – JC: A. Black Sallee Lane Gazetted 4 October 2019 B. Candlebark Circuit name is concurred. Erratum Notice for road name Candlebark Circuit to be published.		

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						 02/10/2019- JC: Gazettal Notice for Black Salle Lane has been submitted and approved for publication The following actions are in progress for Candlebark Circuit. Writing to all affected property owners to inform them of the Council decision and confirm their address Preparation of Erratum Notice for Gazettal of name Candlebark Circuit Once gazettal is complete the roads signs will be replaced, Valuer General and Spatial Services notified and advised to update relevant NSW databases. 		
388	19 September 2019	343/19	9.3.1	Proposed Compulsory Acquisition of Part Lot 7002 DP 1028529 Crown Land Travelling Stock Reserve That Council A. Approves the acquisition of the constructed section of Dalgety Road 20m wide which traverses lot 7002 DP 1028529 for the purpose of public road through the process of Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of s.178 of the Roads Act 1993; B. Seek approval from the Minister for Local Government and/or the Governor in accordance with section	Land & Property Officer	 26/08/2020 – LB: A-G This acquisition has been placed on hold while further investigations through Local Land Services and Aboriginal Land Council are carried out. 29/07/2020 – LB: A. Council is waiting on the survey to be completed. B. When the survey plan is received the application to the Minister and the Governor will be made. C. PANs will be served after the Minister and Governor's consent is received D. Gazettal will take place after consent of the Minister and the Governor is received 	28/12/2020	N

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No.	Meeting	Res. No	Item	Action	R/Officer	Progress	Estimated	Compl
	Date		No.				Completion	Y/N
							Date	
				187 of the Local Government Act		E. Valuation has been requested from the		
				1993 to give all necessary Proposed		Dept. of the Valuer General for land to be		
				Acquisition Notices in accordance		acquired without consent.		
				with the Land Acquisition (Just Terms		F. Documents will be sent to the CEO for		
				Compensation) Act 1991;		execution when appropriate.		
				C. Upon receipt of the		G. Upon acquisition the acquired property		
				Minister's/Governor's approval,		will be dedicated as road.		
				Council serve each PAN and take each				
				other action necessary to carry out		26/06/2020 – LB:		
				the acquisition;		Surveyor is presently carrying out the work.		
				D. Upon receipt of the				
				Minister's/Governor's approval		28/05/2020 – LB:		
				Council give effect to the acquisition		Surveyor advised that he will commence the		
				by publication of an Acquisition		survey in the next week.		
				Notice in the NSW Government				
				Gazette and such other publication as		24/04/2020 – LB:		
				may be required by law;		Surveyor has been engaged and expects to		
				E. Pay compensation to all interest		commence the survey in the immediate		
				holders entitled to compensation by		future.		
				virtue of the compulsory acquisition				
				on the terms set out in the Land		26/03/2020 - LB:		
				Acquisition (Just Terms		The NSW ALC has requested a survey plan be		
				Compensation) Act 1991;		provided prior to proceeding. Quotations are		
				F. That Council authorise the General		currently being sought for the survey.		
				Manager and the Administrator to				
				complete and execute all		02/03/2020 – LB:		
				documentation necessary to finalise		The NSW Aboriginal Land Council has given		
				and bring into force Council's		consent in principal and is waiting on a survey		
				acquisition of the land and if		plan.		
				necessary to affix the Council seal to				
				any documents related to the		20/01/2020 – LB:		
				acquisition; and		Currently waiting on survey plan.		

				SOLUTION ACTION STILLT TOR PERIOD EN				6 221
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				G. That upon acquisition the acquired Property is dedicated as road following gazettal of the acquisition;				
390	19 September 2019	345/19	9.3.3	Proposed Men's Shed Relocation to the Ti Tree Racecourse, Cooma That Council A. Approve a payment of no more than \$8,970 for those costs for services that cannot be reused for any development application for construction of the Men's Shed at the Ti Tree Racecourse, Cooma, with such payment to be deferred until Council receives written confirmation of an agreement between the Ti Tree Trust and Cooma Men's Shed Inc. to use the Ti Tree Racecourse site; and B. Request the General Manager prepare a report on potential future use of the Mulach St property.	Executive Assistant to Chief Executive Officer, Mayor and Councillors	28/08/2020- JT: B. Report in the future use of Mulach Street scheduled for Councillor Briefing Session on 3 September 2020 03/08/2020 – JT: No further update. Briefing scheduled for 3 September 2020. 24/06/2020 – SC: No further update. Briefing scheduled for 3 September 2020. 29/05/2020 – SC: A. Men's Shed DA approved 8/4/2020. Refund of \$8,970 completed 20/03/2020. B. To be addressed at Councillor briefing 3 Sep 20. 27/04/2020 – SC: A. Men's Shed DA approved 8/4/2020. Refund of \$8,970 completed 20/03/2020. B. Report in progress. 30/03/2020 – SC: No further update.	Ongoing	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						 04/03/2020 – SC: Ongoing. 04/02/2020 – SC: A. Men's Shed DA lodgement in Dec 19 was incomplete. Men's shed still waiting for approval from Crown Land. B. No action pending completion of racecourse DA. 03/12/2019 – SC: A. Men's Shed DA lodged 2 Dec currently being reviewed. B. No action pending completion of racecourse DA. 		
408	17 October 2019	369/19	9.1.6	Arts and Culture Advisory Committee Meeting held 11 September 2019 That Council A. Receive and note the minutes of the Arts and Culture Advisory Committee meeting held 11 September 2019; B. Support the Committee recommendations relating to Item 5.3 – Community Arts and Culture facility in Cooma; C. Support the Committee recommendation relating to Item 5.5 – Communication / Promotion of Committee; and D. Supports the Committee	Coordinator Economic Development	 02/09/2020 – MA: A. No action required. B. No further update. C. No further update. D. The Bombala Arts and Innovation Hub working group has been formed and had its first meeting. 02/07/2020 – MA: Nothing further to update over June. 03/06/2020 – MA: Bombala Arts and Innovation Hub committee has been advertising for members and is in progress of beginning. 	30/10/2020	N

9.4.4 RESOLUTION ACTION SHEET UPDATE

ATTACHMENT 1 PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020

ATTACHIVILITI						Fage 33	
No. Meeting F	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
			recommendation relating to Item 5.6 – Bombala Arts and Innovation Hub.		Continuing to investigate opportunities and options for the Arts and Culture Facility in Cooma that are compatible with the funding available in grant. 29/04/2020 – MA: The Arts and Culture Committee minutes 25/03/2020 will recommend a request for extension of time for the funding programme. 03/03/2020 – KH: B. Relevant stakeholder meetings will soon recommence. C. No update. D. Committee positions have been advertised and recruitment will commence shortly. 04/02/2020 – KH: No further updates. 02/12/2019 – KH: B. A small working group continues to meet to work towards the goal of establishing a community arts and culture facility in Cooma. C. A media release will be released early January 2020. Updates to the website have been drafted and are expected to go live in the next 2 weeks. D. To be actioned after December Arts and Culture 355 meeting.		

				SOLUTION ACTION SHELL TOR PERIOD EN				- 334
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
429	17 October 2019	389/19	13.2	Proposed Acquisition of Part Lot 6 DP 218752 for the Purpose of Road That Council, consistent with the guidelines contained within with the body of report, A. Authorise the General Manager to negotiate the purchase of 0.2542ha of lot 6 DP 218752; B. That Council be responsible for any additional costs including survey, legal fees, fencing; C. Authorise the General Manager to execute all necessary documents and affix Council's Seal if required; and D. Approach the plantation owners for a contribution towards the works prior to commencing the project.	Land & Property Officer	 4/11/2019 – KH: A. Noted. B. The GM is to negotiate with Land and Property NSW to transmit the property at 5 Dawson St Cooma to SMRC for the nominal fee of \$1, inclusive of related fees and charges such as stamp duty. C. The communications team are to prepare a media release and additional website to be included on the website. D. Community Development Planner & Support to form working group. 26/08/2020 – LB: A-C Waiting on landowner to sign the application for the subdivision certificate or send an email giving consent for the application to be lodged. The subdivision certificate has been done but cannot be released until consent is received from the landowner. B. Council has paid for survey and legal fees will be paid upon receipt of invoice C. Documents will be signed by the CEO when appropriate. 27/07/2020 – LB: Council is currently waiting on the subdivision certificate so that the plan can be registered prior to settlement. 	30/10/2020	N

9.4.4 RESOLUTION ACTION SHEET UPDATE

ATTACHMENT 1 PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020

	TI IT TO THE TITLE TO	11 110 OIL	OIV ILL	ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020			Page 335		
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N	
						26/06/2020 – LB: Council's solicitor has been asked to produce the contracts. Application for subdivision certificate has been submitted. A. Purchase price has been negotiated and agreed by both parties. C. This acquisition does not affect the plantation owners. 28/05/2020 – LB: An email has been sent to the surveyor each week asking for the plan of subdivision so that contracts for the purchase of the land can be exchanged. The plan has not been registered so the plan will need to be attached to the contract. 24/04/2020 – LB: Council's solicitor is organising the contract and it is anticipated that exchange will take effect within the next month. 27/03/2020 – LB: MOU has been returned to Council and Council's solicitor has been asked to arrange a contract. 27/02/2020- JH: MOU with property owner, waiting return of same. 15/01/2020 - JH: Staff have spoken to land owner and are			

	ATTACHMENT I TROUBLESS ON RESOLUTION ACTION SHEET TON TEMOD ENDING AGGGST 2020						- 330	
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						waiting for a written response.		
439	21 November 2019	408/19	9.1.1	Closure of Part of the Road Reserve in Barrack Street Cooma 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.	Land & Property Officer	26/08/2020 – LB: Crown Lands have been reminded via email that Council is still waiting on the results of the search to fulfil the requirements of the requisition. This action cannot proceed until plan is Registered. 29/07/2020 – LB: Application has been sent to Crown Lands for an Old Title Search in accordance with the requisition from the LRS. 26/06/2020 – LB: When the plan of subdivision was lodged, Council received requisitions on Title. A request has been sent to Crown Lands for evidence of gazettal of Barrack Street as a Council public road. Despite extensive research by Council staff and Council's solicitor definitive evidence was not found. B. Plan of consolidation will be sought after the road closing is complete through lodgement of the plan. 28/05/2020 – LB: Council's solicitor is currently carrying out	30/12/2020	N

	ATTACHWENT IT ROUNCES ON RESOLUTION SHEET FOR TEMOD ENDING ACCOST 2020							
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						investigations to provide information to the LRS. 24/04/2020 – LB: The plan was lodged at the LRS and the surveyor is presently addressing a requisition from the LRS regarding the date of gazettal of Barrack Street Cooma as a Council public road. 26/03/2020 – LB: The subdivision certificate has been released and the documents executed by Council. The documents have been delivered to the surveyor for lodgement at the LRS. 02/03/2020 – LB: The plan will be lodged as soon as the subdivision certificate is to hand. 20/01/2020 – LB: Registration of the plan should be gazetted soon.		
449	November 2019	418/19	9.3.2	Minutes of the Water and Sewer Committee held on 29 October 2019 and adoption of recommendations That the recommendations of the meeting of the Water and Sewer Committee held on 29 October 2019 be adopted.	Engineer Capital Projects	03/09/2020 – JD: Proposed charges presented to Councillors. There were concerns that Bombala and Delegate would get an increase in charges while all other areas were decreasing. Options are being considered.	30/09/2020	N

9.4.4 RESOLUTION ACTION SHEET UPDATE

ATTACHMENT 1 PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020

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No.	Meeting	Res. No	Item	Action	R/Officer	Progress	Estimated	Compl
	Date		No.				Completion	Y/N
							Date	
						24/06/2020 – JD:		
						Proposed charges presented at ELT meeting		
						on 3 June 2020. DSP values accepted by ELT		
						and will be presented at the next council		
						meeting on 2 July 2020 for acceptance by the		
						Councillors.		
						Counciliors.		
						28/05/2020 – JD:		
						Proposed charges agreed on with Chief		
						Strategy Officer. A report is being prepared to		
						ELT recommending these charges and the way		
						forward.		
						20/04/2020 DD		
						30/04/2020 – DR:		
						Matter deferred due to impacts of COVID-19.		
						24/03/2020 – JD:		
						Awaiting further Advice on charges from		
						Acting Director Corporate and Community		
						Services following meetings and discussions. A		
						meeting will then be scheduled with		
						Councillors.		
1						Councillois.		
						02/03/2020 – JD:		
						A. Discussions were held with DPIE Water		
						and they indicated that all towns/villages		
						must have charges.		
						B. DPIE Water indicated we can look at only		
						future assets when determining the		
						_		
						charges which could bring the charge		
						amount down. They also indicated we can		
						set the charges ourselves for the smaller		

9.4.4 RESOLUTION ACTION SHEET UPDATE

ATTACHMENT 1 PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						villages and present these to Council for approval. C. Charges have been proposed and a meeting will be set up with the councillors to discuss these proposed charges. 24/01/2020 – GA: A. S64 Workshop was held with ELT and the Consultant on 16 January 2020. As the charges were very high for the villages, advice is being sought from DPIE Water if the villages can be exempt from charges and any other changes that will meet the guidelines. B. Awaiting advice from DPIE Water prior to Councillor Workshop and date for workshop to be determined after receipt of advice. 27/11/2019 – GA: Noted and the following actions will be taken: A. The draft minutes will be adopted at the next water and sewer committee meeting. B. Adopted Terms of Reference will be sent to document control for finalising. C. Amendments to sewer pricing and billing was reported to Council on 21 Nov 2019. S64 DSP Councillor workshop has been proposed to be held on 19 Dec 2019.		

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No.	Meeting	Res. No	Item	Action	R/Officer	Progress	Estimated	Compl
	Date		No.				Completion	Y/N
							Date	
553	21	422/19	9.3.6	Managing Heavy Vehicles in Bombala	Water & Sewer	03/09/2020 – GH:	30/10/2020	N
	November			Town Centre - Community Consultation	Engineer	No further update.		
	2019			That the matter be deferred for further	Liigiileei			
				consultation with the public including		01/07/2020 – AS:		
				correspondence from the Bombala		No further update. Consultation occurred		
				Chamber of Commerce.		from September 2019 to October 2019.		
						01/06/2020 – GH:		
						Communication distribution proposed re		
						Bombala Town Centre Community		
						Consultation:		
						Noticeboards – IGA and Newsagency		
						Bombala Times and Monaro Post		
						Facebook – Bombala Noticeboard		
						Facebook – SMRC page		
						Facebook – SMRC Business Forum Group		
						Radio – capital network and 2MNO		
						Notice at SMRC office		
						Info sent to SMRC customer service for		
						any enquiries		
						SMRC website		
						Siving website		
						27/04/2020 – LN:		
						Working with Chief Communications Officer		
						to establish a strategy for community		
						consultation during the COVID-19 restrictions.		
						24/03/2020 – LN:		
						No further update.		
						20/02/2020 IN		
						28/02/2020 – LN:		

	ATTACHMENT I ROUNCES ON RESOLUTION ACTION SHEET TON'T ENIOD ENDING AGGIST 2020							
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
573	21 November	443/19	13.7	Werralong Road - Proposed Acquisition With and Without Consent	Land & Property	Ongoing. 03/02/2020 – LN: Ongoing. 26/08/2020 – LB: A&B. Council is unable to proceed until	30/10/2020	N
	2019			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	Officer	consent for acquisition without consent is received from OLG C&D. Documents will be executed at the appropriate time. Costs are being paid on invoice. 27/07/2020 – LB: A. Application was sent to OLG for consent to the acquisition. Email reply from OLG received 27/7/2020 consenting to the acquisition with consent. B. Application for acquisition of lots 4, 8 and 10 without consent is currently being assessed separately. C. The necessary documents will be sent to the CEO when necessary for execution. D. All costs are being paid by Council. 26/06/2020 – LB: Council received a letter from the OLG to say that the process for requesting a shorter timeframe would result in the process taking longer due to their process. Therefore Council has withdrawn its application to reduce the		

9.4.4 RESOLUTION ACTION SHEET UPDATE

ATTACHMENT 1 PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020

			.55 011 112	ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020			Page 342		
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N	
				Council. D. Agrees to bear all costs for the acquisition of the proposed lots.		notification time. The legislated timeframe for notification is 90 days and Council should not anticipate a decision from the OLG for at least 3 months. Recent experience has demonstrated that the OLG is not providing decisions on applications for 6 months or more. 28/05/2020 – LB: There has been no response from the OLG with respect to the application to reduce the notification time. The application is with the OLG. 24/04/2020 – LB: The application for acquisition of Werralong Road has been lodged with the OLG. At the same time an application to reduce the notification time to 30 days has been lodged with the OLG. 26/03/2020 – LB: The OLG returned the application. A new application is currently being prepared by Council's solicitors for submission to the OLG. 02/03/2020 – LB: When consent is received from the OLG Werralong Road will be gazetted to Council. 28/01/2020 – LB: Council's solicitor is presently preparing			

		TACHIVEN 1 FROGRESS ON RESOLUTION ACTION SHELL FOR FERIOD ENDING AUGUST 2020		rage 343				
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Section 30 Agreements for execution by landowners who are gifting their land to Council. The solicitors are also preparing the application to the OLG for consent to acquire a portion of the land for road through the process of acquisition without consent. 02/12/2019 – LB: Resolution of Council has been sent to Council's solicitor to lodge with OLG for consent of the Minister and the Governor.		
600	19 December 2019	483/19	13.3	Sale of Council Land - Percy Harris Street Leesville by Auction off the Plan That Council A. Approve for Lots 14, 15 and 16 at Leesville Industrial Estate to be sold off the plan via Public Auction; B. Authorise the Chief Executive Officer to establish the reserve price for Lots 14, 15 and 16 at Leesville Industrial Estate ahead of the auction, and to negotiate with the highest bidder should the property fail to meet the Reserve; C. Authorise for the Chief Executive Officer to select the Agent to carry the sale; D. Authorise the Chief Executive Officer	Property Officer	 26/08/2020 - JH: A: Completed B: Part Completed – Negotiations to take place if required should property fail to meet Reserve price. C: Completed. D & E: Due to easement restrictions requiring changes to enable sale, plans have been updated, and the new the DA modification lodged. CT sent to Solicitor for updating to SMRC name for sale contract. Waiting on auction date to be set. 22/07/2020 – JH: A: Completed B: Part Completed – Negotiations to take place if required should property fail to 	31/12/2020	N
				to undertake all negotiations for the sale of Lots 14, 15 and 16 at Leesville		meet Reserve price. C: Completed.		

				SOLUTION ACTION STILLT FOR PERIOD EN				<u>E 344</u>
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				Industrial Estate; and E. Authorise the Chief Executive Officer to execute all legal documents and contracts for the Sale of Lots 14, 15 and 16 at Leesville Industrial Estate.		D & E: Due to easement requiring change the requested, the updated plans have now been received and the Mod for DA lodged. CT sent to Solicitor for updating to SMRC name for sale contract. 24/06/2020 – JH: A & C. Reviewing sunset clause in contract to ensure the works can be completed in time once sale takes place. Reviewing the requirements of the development to ensure all conditions of the CC are met for the sale to be finalised. Agent has been selected. B.CEO to establish the reserve price. D & E. To be undertaken as the process progresses.		
						28/05/2020 – JH: Reviewing sunset clause in contract to ensure the works can be completed in time once sale takes place. Reviewing the requirements of the development to ensure all conditions of the CC are met for the sale to be finalised. 27/04/2020 - JH: Design plan received today from Surveyor, CC application will be completed and lodged. Preparation will commence for the Auction to take place. 26/03/2020 - JH:		
						Still no response from surveyor with design		

No.	Meeting	Res. No	Item	Action	R/Officer	Progress	Estimated	Compl
	Date		No.				Completion Date	Y/N
						plan. Multiple emails sent requesting update on expected completion of design plan. 27/02/2020 - JH: Met with Surveyor 27/2/2020 and was advised he will be visiting the site the week of 2 March 2020 to begin the design plan. 15/11/2020 - JH: A Real Estate Agent has been approved to carry out the sale by auction. The design plan should be received by end of January from Surveyor. The draft contract has been prepared by Solicitor and the process for sale is taking place.		
607	19 December 2019	490/19	13.10	Chief Executive Officer's Annual Review That Council: Approve the variation of the Chief Executive Officer's contract by: a) Extending the term from three years to five years; b) Increasing the total remuneration package from \$300,000 pa to \$320,000; c) Permitting the CEO to participate in Council's leaseback vehicle arrangements in a manner consistent with other senior	Executive Assistant to Chief Executive Officer, Mayor and Councillors	28/08/2020 – JT: A. Complete. B. Complete. C. Drafted performance agreement still in progress. 03/08/2020 – JT: C. Updated performance agreement is being drafted by the panel. 24/06/2020 – SC: D. Complete. E. Complete. F. Panel scheduled to meet 7 July 2020	Ongoing	N

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				staff. B. Authorise the Mayor to develop an appropriate Deed of Variation to give effect to the above; C. Authorise the Performance Review Panel to determine a new performance agreement with the Chief Executive Officer's.		29/05/2020 – SC: G. Complete. H. Complete. I. Not yet finalised. 29/4/2020 – SC: J. Complete. K. Deed under review. L. Not yet finalised. 30/03/2020 – SC: No further update. 04/03/2020 – SC: M. In progress N. Deed under review. O. Completed. P. Not yet Finalised 04/02/2020 – SC: A. In progress. B. Not yet finalised.		
615	20 February 2020	9.3.1	12/20	Request to Acquire and Repair/Replace Bairds Crossing Bridge over Snowy River That Council: A. Receive and note the report on the request to acquire, repair/replace Bairds Crossing Bridge over the Snowy River; B. Reject the proposal for Bairds Crossing Bridge to become a Council	Manager Infrastructure	26/08/2020 – GS: Mr Makhoul and other residents of Bairds Crossing Road and Punt Hill Road have been informed of the intention to have this matter discussed at the LEMC in September 2020. 24/07/2020 – GS: C. As per previous update, the issue of Bairds Crossing Bridge is to be discussed at the next	30/09/2020	N

	ATTACTIVENT 1 FROMESS ON RESOLUTION ACTION STILLT TOR FERIOD ENDING AUGUST 2020					Fage 347		
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				Asset and be subject to Council's asset maintenance/replacement program; and C. After the Proponent receives the advice from the minister with that advice, he consults with the council staff with a view of preparing a report to the council.		26/06/2020 – GS There is no action for A and B. A. The latest update from Mr Makhoul dated 15 June was as follows: "We have received a recommendation letter from our local fire brigade for the need of an access bridge at Bairds Crossing, this has been sent to the RFS and meet with open arms. Please see attached for your perusal, the bridge will be a topic at the next Local Emergency Management Committee meeting for recommendation to be replaced with an adequate structure" Councils response to that update was as follows: Thank you for your email and update on discussions relating to Bairds Crossing Bridge. I think a discussion at the Local Emergency Management Committee is excellent progress. Without being a pain, could I please ask for an update on the part of Council's resolution that stated: C. After the Proponent receives the advice from the minister with that advice, he consults with the council staff with a view of preparing a report to the council		

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Has anything from the Ministers Office been received? This would allow a further report to be prepared for Council consideration. 29/05/2020 – GS: The latest update was an email from Mr Makhoul to John Barilaro MP on 30 April 2020 that stated: In reply to your below email, we would like to advise that • We are expecting documentation in support of our request for retention and upgrade of the Bairds Crossing Bridge from local Fire Brigade at Numbla Vale and in turn the RFS NSW. • We are expecting that funding can come from the recently advised increase in Safety/Fire expenditure budget • Our understanding is that ownership of the land upon which the bridge stands is passed onto Council • After ownership of the land is finalised, the State funding is allocated to Council, for the bridge works. As soon as these documents are to hand we will forward them to you. Note:- No documentation has yet been received from any agency supporting the proposal for a retention and upgrade of Bairds		

	TTACHMENT 1 PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020				Page 349			
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Comp Y/N
						Crossing Bridge. 29/04/2020 – GS: On 6 April 2020 A letter was drafted for CEO approval in response to questions raised by John Barilaro MP on behalf of Mr Joseph Makhoul and in relation to Council's decision on Bairds Crossing Bridge. On 23 April 2020, Council staff wrote to Mr Makhoul and other residents seeking any information "the proponent" may have received from the relevant minister in relation to safety concerns should Bairds Crossing Bridge not be repaired or replaced. This correspondence reiterated the decision of Council from the February 2020 meeting, suggesting this information would assist in preparing a further report on Bairds Crossing Bridge for Council consideration. Unfortunately no reply has been forthcoming. 27/03/2020 – GS: There has been no confirmation of any advice from the Minister to the proponent and	Date	
						therefore this action has not been progressed. 28/02/2020 – GS Residents near Bairds Crossing Bridge were informed of Councils decision and amendment to the report recommendations; especially the inclusion of recommendation.		

	TITACITIVILIT			SOLOTION ACTION SHEET FOR TERROD EI				,
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						A. Staff now await the advice from the minister, through the proponent in order to provide a further report for Council consideration.		
628	20 February 2020	10.3	25/20	Bombala Library Sign That Council put up a sign at the street frontage entrance to the Bombala Library, indicating the opening hours for the Library and CTC before the end of May 2020.	Commercial Land Officer	25/08/2020 – KH: Proof has been received from a supplier. Reviewing before finalising. 24/07/2020 – KH: Quotes have been received this week. They will be assessed and forwarded onto the appropriate stakeholders for comment. 26/06/2020 – KH: Providers have been contacted still trying to put together quotes. 01/06/2020 – KH: We are still waiting on quotes from sign providers. 28/04/2020 – KH: Suggestions from Bombala based Councillors – Manager Community Services to provide feedback. 27/03/2020 – KH: Still waiting on Bombala based Councillors for design and placement. 02/03/2020 – GH:	30/09/2020	N

	ATTACHMENT IT ROUNCESS ON RESOLUTION SHEET FOR TEMOD ENDING ACCUST 2020					1 46	C 331	
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Acting Land and Property Manager consulting with Bombala based Councillors and library staff for sign design and placement location		
636	19 March 2020	9.1.1	COV3/2 0	No Stopping Zones along the Lake Jindabyne foreshore - review of the 2019 winter traffic / camping management campaign. That Council: A. Note the successful outcomes of the 2019 "No Stopping Zone" campaign; B. Note that the demand for budget camping / parking, both in summer and winter, is increasing as tourist and visitor numbers coming to Jindabyne and the Snowy Monaro Region continue to grow; C. Allocates an annual budget to maintain this campaign during the 2020 winter ski season and subsequent seasons; D. Notes a feasibility study will be undertaken during the 2020 winter ski season to investigate the strengths, weakness, opportunities and threats associated with the introduction of a paid parking permit for the Claypits carpark; E. Approves the installation of "No Stopping Zone" signs in the following designated areas restricting parking	Coordinator Public Health & Environment	 28/08/2020 – MR: A. No further action required. B. No further action required. C. No further action required. D. Evidence is presently being gather to prepare a feasibility study. E. No Stopping zone signage installed. No further action required Evidence is being gathered looking at long term solutions. 22/07/2020 – MR: F. No further action required on this one. It is for Council to note. G. No further action required on this one. It is for Council to note the additional operational costs of enforcement. H. Budget was allocated for the program. No further action required. I. Evidence is presently being gather to prepare a feasibility study. J. No Stopping Signage zone signage installed. No further action required Evidence is being gathered looking at long term solutions. 24/06/2020 – MR: 	31/12/2020	N

		1110011		OCCUPION ACTION SHEET FOR TERIOD EN				
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				from 6pm until midnight and from		The winter Lake Jindabyne Foreshore Parking		
				midnight until 7am between 01 June		program has commenced. Council Rangers are		
				and 31 October annually:		undertaking morning and evening patrols of		
				i. Wollondibby Inlet (6 sites)		the area. The number of campers are		
				ii. Claypits (8 sites)		presently low. This is due to the Covid-19		
				iii. Town Centre (2 sites)		restrictions and associated ski field access		
				iv. Townsend Street / Cobbon		limitations. The patrols will continue		
				Crescent (5 sites)		throughout the ski season, with the initial		
ĺ				v. Other areas identified		focus on education moving to enforcement in		
				throughout the course of the campaign; and		early July 2020.		
				F. Embark on a campaign for a permanent		28/05/2020 – MR:		
				solution to control and regulate		Everything is ready to go for the 2020 ski		
				camping around Lake Jindabyne.		season winter parking and camping campaign.		
				and the small state state small small state small stat		This includes the collection of intelligence to		
						undertake a feasibility study for the		
						introduction of paid parking.		
						05/05/2020 – MR:		
						The no stopping signage has been installed at		
						the areas noted. I have confirmed that		
						Council's Ranger working in collaboration with		
						the Ranger for the area are ready for the		
						winter ski season. Meeting held last week at		
						the Clay Pits to discuss future works on the		
						foreshore. These works will include the		
						potential of charging a parking fee for long		
						term parkers at the Clay Pits. This concepts		
						discussed are going to be included in the		
						community consultation for the proposed		
						works and will form part of the feasibility		
						study and long term strategies mentioned in		

	ATTACHMENT 1 ROCKESS ON RESOLUTION ACTION STILL FOR ELEMENT ACCOST 2020				1 age 333			
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						the resolution. 23/03/2020 – BJ: "No stopping zone" signs have been ordered. Feasibility study to be undertaken throughout Winter 2020 season. Snowy Hydro, NSW Police and other key stakeholders to be consulted in identifying a permanent solution to camping arrangements around Lake Jindabyne. 03/08/2020 – MR: K. No action required. L. No action required. M. Budget was allocated for the program. No further action required. N. Evidence is presently being gather to prepare a feasibility study. O. No Stopping Signage zone signage installed. No further action required P. Evidence is being gathered looking at long term solutions.		
643	19 March 2020	9.3.2	44/20	Acquisition by Possessory Title - Lot 16 Section 1 DP 1242 - Berridale Memorial Park That Council A. Apply for possessory title over lot 16 Section 1 DP 1242 (Berridale Memorial Park) B. Classify lot 16 Section 1 DP 1242 as	Land & Property Officer	 26/08/2020 – LB: No further action. 26/8/2020 – LB A. Requisition on Title has requested an Old Title search which is currently being carried out by Crown Lands. B. Lot 16 will be classified upon acquisition 	30/10/2020	N

No. Martine Dec No. House Article Discrete Discrete							334	
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				community land upon acquisition.		through the resolution of Council. 29/07/2020 – LB: The CEO has executed the documents. 26/06/2020 – LB: Application is proceeding. 28/05/2020 – LB: Documentation is being prepared to lodge an application for Possessory Title. 24/04/2020 – LB: Council's solicitor is presently gathering all the evidence to lodge with the application for possessory title. A surveyor has been engaged to do a survey plan for identification purposes. 26/03/2020 – LB: Council's solicitor has been requested to prepare the documentation.		
660	19 March 2020	13.3	55/20	Proposed Acquisition of Easement for Access to Middlingbank Quarry That Council A. Enter into negotiations with the owner of lot 1 DP 1022898 for a right of way for access across his land. B. Engage the services of a surveyor to create a plan for registration of a	Land & Property Officer	 26/08/2020 – LB: A. Council is currently negotiating an agreement with the landowner that will create a temporary access agreement for a 6 month period between November 2020 and April 2021. B. The surveyor has completed the survey for the easement for access. 	30/12/2020	N

	ATTACHMENT IT ROCKESS ON RESOLUTION ACTION SHEET FOR TERIOD ENDING ACCOST 2020							
No.	Meeting	Res. No	Item	Action	R/Officer	Progress	Estimated	Compl
	Date		No.				Completion	Y/N
							Date	
				right of way across lot 1 DP 1022898.		C. Council has engaged the surveyor and will		
				C. Council to be responsible for all costs		be responsible for all costs.		
				for creation and registration of the		D. Further negotiations are required to		
				plan for the right of way.		understand if a permanent agreement for		
				D. Authorise the Chief Executive Officer		access to Middlingbank Quarry, through		
				to negotiate the compensation for		Mr Thomas's property is possible.		
				the easement.		Wil Thomas's property is possible.		
				E. Authorise the Chief Executive Officer		28/07/2020 LD		
				to sign all necessary documents to		28/07/2020 – LB:		
				give effect to the above.		A. No update.		
				great and an analysis		B. Quotations for the survey were received.		
						Despite numerous emails being sent to the		
						surveyors only one surveyor responded		
						and he has been requested to proceed as		
						soon as possible.		
						26/06/2020 – LB:		
						A. Negotiations with landowners are ongoing.		
						B. Requests for quotations for survey have		
						been advertised.		
						28/05/2020 – LB:		
						A meeting took place with the landowner, his		
						father, Manager of Infrastructure, Land and		
						Property Officer and Council's solicitor, Mark		
						Herbert. Negotiations are ongoing.		
						24/4/2020 – LB:		
						An email was sent to the landowner but there		
						has been no response. A second email will be		
						sent this week to be followed up with a phone		
						call.		

ATTACHIVIENT 1 PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020							~ ₅	e 350
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						26/03/2020 – LB Negotiations have commenced with the landowner.		
662	19 March 2020	13.5	57/20	Proposed closure and sale of public pathway in Kalkite Council A. Extend the maximum term for repayment of the purchase of the land, being the closed public pathway, to 30 June 2023 for both purchasers. B. Place a caveat on the subject land requiring payment for the outstanding amount before sale.	Land & Property Officer	 26/08/2020 – LB: A. Letters to landholders and notifiable authorities have been sent. At this time all responses have been positive. Waiting on response from Crown Lands for consent to proceed and for public pathway to vest in Council following closure. B. Caveat will be placed on the land after the road closure is completed and before any subdivision takes place. 28/07/2020 – LB: Request for quotations were sent to three surveyors but only one responded. Surveyors were sent a follow up email inviting quotations but only the one response remained. The surveyor has been asked to proceed with the survey 26/06/2020 – LB: Application forms for Sundry Debtor accounts have been sent to both landowners. Solicitor has been requested to arrange for caveat on title of both properties. 28/5/2020 – LB: 	31/12/2020	N

	ATTACHWENT 1 ROUNDS ON RESOLUTION ACTION STILLET FOR TEMOD ENDING ACGUST 2020				1 agc 337			
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Sundry Debtor accounts are being arranged with a repayment schedule to be agreed with the landowners.		
						As the public pathway does not have a registered title it is not possible to place a caveat on the land until the pathway is closed. It is intended to address the issue that payment for the land must be finalised by both parties prior to June 2023. 24/04/2020 – LB: Arrangements are currently underway to set up a payment plan and a surveyor has been engaged. 26/03/2020 – LB: The landowners have been notified of Council's resolution and quotations are currently being sought for the survey work.		
668	16 April 2020	68/20	9.2.1	Monaro Rail Trail Draft Feasibility Report That Council A. Receive and note the report B. Provide in-principle support for the Monaro Rail Trail noting that the rail line easement is not Council's asset, and subject to parts C and D of this recommendation. C. Prior to forming a final position on the use of the rail corridor, Council	Recreation Planner	3/09/2020 - AD: Council has been advised that the release of the NSW Government's rail feasibility study is imminent. 01/07/2020 - AD: No further update. 03/06/2020 - AD: No further update.	Ongoing	N

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No.	Meeting	Res. No	Item	Action	R/Officer	Progress	Estimated	Compl
	Date		No.				Completion	Y/N
							Date	
				consider at a future date the		05/05/2020 – AD:		
				recommendations of the state		The State Government have not released any		
				government feasibility study into		information on the study for reinstatement of		
				the reinstatement of the		the Queanbeyan to Bombala rail (train) line		
				Queanbeyan to Bombala rail		and extension to Eden. The timeframe on this		
				(train) line and extension to Eden,		is unknown.		
				once these recommendations are		The Rail Trail Feasibility Study is complete and		
				known.		there will be no further reporting to Council		
				D. Prior to forming a final position on		until the trail study is released to the public by		
				the use of the rail corridor, Council		state Government.		
				consider at a future date a report				
				examining the specific conditions				
				highlighted in the final rail trail				
				feasibility report in detail,				
				including the likely implications of				
				these conditions for Council				
				including the capital and ongoing				
				costs likely to be involved, and the				
				potential funding source(s) for				
				these costs.				
669	16 April	69/20	9.2.2	Bombala Commercial Precinct Painting	Coordinator	02/09/2020 – MA:	30/10/2020	N
	2020			That Council	Economic	Still in process of being implemented by		
				A. Note the previous resolution	Development	Bombala Chamber.		
				ADA96/16 adopted by the	Bevelopment			
				Administrator;		02/07/2020 – MA:		
				B. Note the previous resolution		Project in progress and resting with Bombala		
				297/17 adopted by Council;		Chamber – no further update from below.		
				C. Rescind Part C of resolution				
				297/17 and replace it with:		03/06/2020 – MA:		
				Authorise expenditure of \$10,000		Arrangements for payment finalised. Awaiting		
				directly to the Bombala and		reports from the chamber on execution of the		

							0	<u> </u>
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
690	21 May 2020	96/20	9.1.9	District Chamber of Commerce to assist with the current street upgrade project. The Chamber must agree to use the money on paint and provide supporting documentation to Council once the project is completed. Proposed East Jindabyne water tank mural project That Council A. Receive and note the information in the report on Ben Eyles' proposal to install a mural on the East Jindabyne water tank as identified; B. Approve this particular artwork and endorse Mr Eyles to commence work on mural installation; C. Support Mr Eyles to secure additional grant funding if required to expand the project; and D. Request Arts and Culture committee to investigate opportunities to create arts for SMRC region.	Community Development Planner	project in due course. 05/05/2020 – SB: A purchase order will be issued to the Chamber of Commerce this week so that they can send us an invoice and be paid. 03/09/2020 – KH: A. Completed B. The mural was installed and unfortunately was vandalised within a few days of completion. A Go Fund Me page was created by the community and raised enough money for the artist to reinstall the mural. This is likely to take place in the September school holidays (weather permitting). C. Ongoing 01/07/2020 – KH: A. Completed B. Artist is working through risk assessment processes and hopes to complete the installation during July School Holidays (weather permitting). C. Ongoing	30/09/2020	N
						D. The Arts and Culture Committee continues to work towards a strategic position which would support further arts initiatives in the region.		

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						30/06/2020 – KH: Artist is working through risk assessment processes and hopes to complete the installation during July School Holidays (weather permitting). 03/06/2020 – MA: Mr Eyles has been connected with the Water and Wastewater team at Council to discuss installation. Mr Eyles will wait for the grant funding to come through to him before proceeding with the mural.		
696	21 May 2020	102/20	9.3.1	Design for truck Parking Area at Adaminaby That Council A. Agrees to proceed with further investigative works and to seek endorsement from Transport for New South Wales for the proposed design; B. Allocates \$50,000 for investigation and assessment from internal reserves for the 2020/2021 financial year; C. That the project be included in the listing of projects for consideration for grant applications; and D. Approach Snowy hydro or Future Gen for funding towards the project	Manager Corporate Projects	28/08/2020 – GH: TfNSW have provided feedback on the concept design. Staff are reviewing this feedback to look at how to factor the requirements into the design. 31/07/2020 – GH: Infrastructure Engineer seeking feedback from RMS on proposal assessment prior to proceeding to scoping and subsequent full design. 30/06/2020 – GH: Project preliminary investigations underway. 04/06/2020 – DR: The project has been included within the work schedule to be actioned.	31/10/2020	N

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
715	21 May 2020	119/20	13.4	Judgment of Court of Criminal Appeal on Tropic Asphalts case That Council A. Get report on the costing; B. Report from staff on the progress of the case; C. Proceed with the case; and D. Receive and note the information in the report on the Court of Criminal Appeal's judgment in the Tropic case.	Coordinator Economic Development	 O2/09/2020 - MA: A. Complete – report provided to August Council meeting B. Complete – report provided to August Council meeting C. In progress – preparing for trial in November. D. Complete. O2/07/2020 – MA: Expecting the outcome of a hearing into a subpoena issued by Council in the early days of the original investigation within the next fortnight or so. A further report will be provided to Council once the outcomes of the hearing are known. O3/06/2020 – MA: Proceeding with the case and further report(s) with requested details will be provided to future Council meeting(s). 	Ongoing	N
718	18 June 2020	80/20	9.1.3	Acquisition of Land - RFS Shed Michelago That Council A. Proceed with the compulsory acquisition of the Land described as part Lot 5405 DP 1244970 Land fronting Ryrie Street, Michelago between 369.945 Km and 370.000 Km and having an area of approximately 1,162.6m² for the	Property Officer	26/08/2020 - JH: A to C: Acquisition process underway. Research has to take place to find gazette notices, survey plans to be prepared etc. D & E: Will be adhered to throughout this process. 22/07/2020 – JH:	30/01/2021	N

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				purpose of Rural Fire Shed in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991; B. Make an application to the Minister and the Governor for approval to acquire part Lot 5405 DP 1244970 Land fronting Ryrie Street, Michelago between 369.945 Km and 370.000 Km and having an area of approximately 1,162.6m² by compulsory process under section 186(1) of the Local Government Act 1993; C. Classify the land as operational land in accordance with the Local Government Act 1993; D. Note that this acquisition is not for the purpose of resale; and E. Authorise CEO to sign any documentation required for this Acquisition process.		A to C: Acquisition process underway. D & E: Will be adhered to throughout this process. 24/06/2020 – JH: A to C: The Acquisition process will begin, this is a lengthy process as all items take place under strict timelines. De & E Complete.		
723	18 June 2020	85/20	9.1.8	Cooma Regional Sports Hub Funding Agreement That Council receive and note this update on the Cooma Sports Hub project and agree to: A. Proceed with signing the funding agreement of \$15M to design and construct a 3 court indoor sports	Recreation Planner	03/09/2020-AD: The draft concept design has progressed and consultation with the project and community working groups has been ongoing throughout the design process. Council will be updated following the completion of the draft concept plan. 23/06/2020 - AD:	January 2023	N

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No.	Meeting	Res. No	Item	Action	R/Officer	Progress	Estimated	Compl
	Date		No.				Completion	Y/N
							Date	
				facility and synthetic athletics track at the Snowy Oval and Monaro High School Precinct; B. Continue negotiations with Department of Education and Monaro High School for a Joint Use arrangement of the indoor sports facility while maintaining Council's right to withdraw if the long term business case places too much stress on Council's financial viability; and C. Undertake consultation with the community sporting clubs on the concept design phase.		 A. Completed. The Funding Agreement was signed by the CEO 22/06/2020. No Further action is required. B. Negotiation with the Project Working Group will be ongoing throughout the design and construction phase. Council will be updated on the Joint Use Planning arrangements at the September Council meeting Consultation with the Community Sporting Groups has commenced and will be ongoing throughout the design process. Council will be updated on the Sports Hub design at the September Council meeting. 	Date	
728	18 June 2020	90/20	9.4.1	Local Government NSW Annual Conference 2020 That Council A. Authorise the Mayor and the Chief Executive Officer to attend the Local Government NSW Annual Conference in November 2020; B. Authorise Councillor Ewart and Councillor Rooney to attend as the remaining voting members; C. Authorise the expenditure and allocate an approximate amount of \$7,000.00 in the 2020/21 Financial Year Budget with funding to be	Executive Assistant to Chief Executive Officer, Mayor and Councillors	28/08/2020 – JT: Conference is now online. Registration and further preparations underway. 03/08/2020 – JT: Registration now open and preparations being made. 24/06/2020 – SC: C. Registration is not yet open.	Ongoing	N

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
744	18 June	96/20	9.4.7	provided from Mayor and Councillor Conferences; and D. Determine whether Council wishes to submit any strategic motions that impact the broader local government sector. Adoption Of The Draft 2021 Operational	Coordinator	28/08/2020 – GM:		Y
	2020			Plan And 2021 Schedule Of Fees And Charges That Council A. Adopt the 2021 Operational Plan and budget as amended, in accordance with sections 402-406 of the Local Government Act 1993; B. Adopt the Draft 2021 Schedule of Fees and Charges, in accordance with section 608 of the Local Government Act 1993; C. Place the revised fees for: (a) Section 10.7(2) certificate, 24 hour fast track fee; (b) Hire of commercial skip bins on public exhibition; D. That the fees for the Sale yards remain at the same level as the 2019/2020 fees and charges, and E. That the budget for Biosecurity be increased by \$240,000	Coordinator Strategy Development	 C. Completed 27/07/2020 – GM: A. Completed. B. Completed. C. Revised fees are currently on Public Exhibition. A report will be prepared for final adoption of fees post exhibition for the August council meeting, subject to considering any submissions received. D. Completed. E. Completed. E. Completed. A. The 2021 Operational Plan has been updated to reflect Council resolution. The 2021 Operational Plan has been published and placed on Council web page, and hard copies are available at each office. A formal response with feedback has been provided to each person/group who made a submission. B. 2021 Schedule of fees and charges have been updated to reflect Council 		

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
746	16 July 2020	107/20	9.1.2	Health One Facility, Jindabyne That Council A. Authorise the Chief Executive Officer to execute the Building Management Statement and take steps to finalise and sign the land sale agreement; and B. Approve the establishment of a Building Management Committee to oversee obligations of the Building Management Statement.	Facilities Officer Snowy River Health Centre	resolution. The fees and charges have been published and placed on Council web page. C. Revised fees will be placed on Public exhibition for 28 days. Post exhibition, a Council report to be prepared for the adoption of revised fees. D. 2021 Schedule of fees and charges has been updated to reflect 2019/2020 charge. E. The 2021 Operational Plan has been updated to reflect the Biosecurity budget increase of \$240 000. 26/08/2020 – NW: A. Building Management Statement signed by Chief Executive officer. Information has been returned to surveyor for creation of subdivision. Waiting on lawyers for other party regarding the land sale agreement. B. Building management committee to be formed with HealthOne. 22/7/2020 – NW A. Building Management Statement sent to Chief Executive Office for signing. B. Will work on creation of Building Management Committee once BMS signed.	31/10/2020	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
748	16 July 2020	109/20	9.1.4	Lake Jindabyne Shared Trail Project Funding That Council agree to proceed with the Lake Jindabyne Shared Trail project.	Recreation Planner	03/09/2020-AD: The funding deed has been finalised and signed by the CEO and sent to NSW Treasury. NSW Infrastructure are uncertain on the timeframe for approval by Treasury. 31/07/2020 - AD The funding deed is currently being finalised. The document is scheduled to be submitted to NSW Treasury for approval by 16 August.	Ongoing	N
749	16 July 2020	110/20	9.1.5	Minutes of the Youth Council Meeting held on 22 June 2020 That Council A. Receive and note the minutes from the Youth Council meeting held 22 June 2020; and B. Endorse the motion as listed in the Youth Council Minutes under 9.2 to 'develop a shovel ready project plan for minor upgrades at the Bombala, Cooma, Jindabyne and Berridale Skate Parks'.	Manager Corporate Projects	03/09/2020 – GH: No further update. 04/08/2020 – BP: A. No action required Assigned to corporate projects to prepare shovel ready project plan and pursue funding opportunities.	30/10/2020	N
750	16 July 2020	111/20	9.1.6	Arts and Culture Design Discussion Paper That Council approve the Arts and Culture Discussion Paper being put out for consultation.	Community Development Planner	03/09/2020 – KH: The Arts and Culture Discussion Paper is currently out for consultation on Your Say Snowy Monaro. Media coverage has been completed.	30/09/2020	N
						04/08/2020 – KH:		

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No.	Meeting	Res. No	Item	Action	R/Officer	Progress	Estimated	Compl
	Date		No.				Completion	Y/N
							Date	
						The Discussion Paper survey is now live on		
						Your Say Snowy Monaro. Feedback closes 30		
						September 2020. Print and social media		
						coverage is expected this week.		
755	16 July	114/20	9.3.3	Proposed Memorandum of	Land & Property	26/08/2020 – LB:	30/09/2020	N
	2020			Understanding to Maintain Crown Roads		A-B Letter is awaiting approval before		
				That Council	Officer	sending.		
				A. Receive and note this report; and				
				B. Write to the Minister for Primary		27/07/2020 – LB		
				Industries expressing Council's		A letter is currently being prepared expressing		
				concern that amendments to the		Council's concern in accordance with the		
				Policy for Minor Maintenance of		resolution.		
				Crown Roads were adopted without				
				providing this Council an				
				opportunity to comment.				
756	16 July	115/20	9.3.4	Floodplain Risk Management Study and	E. Mariana	25/08/2020-PV:	31/10/2020	N
	2020			Plan	Environmental	A. Document ready for updating onto		
				That Council	Technical	Council's website.		
				A. Adopt the SMRC Flood and	Officer	C. Floodplain Risk Management Studies and		
				Floodplain Risk Management Studies		Plans (DRAFT) report on public display –		
				– Flood Studies (April 2019);		closes 23 rd September.		
				B. Notify the property owners identified		D. PV to liaise with SES – discussions have		
				at significant flood risk, prior to the		taken place. SES keen to support		
				March 2020 Floodplain Risk		SMRC. Decided to hold off actioning EP		
				Management Studies and Plans being		until end of consultation process – see		
				placed on Public Exhibition;		what comes back from the		
				C. Agrees to the public exhibition of		community. SES happy to support liaison		
				SMRC Flood and Floodplain Risk		with relevant landholders.		
				Management Studies – Floodplain		E. Variation request approved by relevant		
				Risk Management Studies and Plans		DPIE staff. Expect 'official' approval to		
			1	mak ivianagement atuules anu Plans	l	Drie stail. Expect Ullicial application		

							- 3	
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
757	16 July	116/20	9.4.1	(DRAFT) report (March 2020); D. Liaise with the NSW SES and landowners at risk to develop an Evacuation Plan for a significant rain event; and E. Submit a Variation Request to the Department of Planning, Industry and Environment (DPIE) Floodplain grant program seeking funding and an amended scope of works to investigate mitigation options for Cooma Back Creek.	Sonior Stratogic	 come through in the next few days. 31/07/2020-PV: A. Adopted. Environmental Technical Officer organising to have documents uploaded onto the Council website. B. Discussions have taken place. Agreed managers will send a letter to high risk landowners and invite them in to inform them of their level or risk, plans to develop an Evacuation Plan and undertake further studies to try to mediate risks. C. Hard copies printed, need to be bound and Appendices with maps printed and bound ready for display once Action B addressed. D. Relevant managers aware and need to decide who will liaise with SES to commence this process. Variation documentation 75% complete, should be submitted to DPIE by the end of this week (31st July) 	20/00/2020	N
757	16 July 2020	116/20	9.4.1	Answers to Questions With Notice That Council receive and note the Councillor Questions In Progress report for the period ended June 2020, and that a report be brought back to Council on	Senior Strategic Land Use Planner	25/08/2020 – AA: Report drafted for October 2020 Council meeting. 10/08/2020 – AA:	30/09/2020	N

								<u>C 303</u>
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				the Heavy Vehicle Bypass for Cooma forward as a short term project.		A Council report is being prepared and will be brought to the September 2020 Council Meeting. 24/07/2020 – GS: This action is now being looked into.		
758	16 July 2020	117/20	9.4.2	Resolution Action Sheet Update That Council A. Receive and note the In Progress Resolution Action Sheet Update for the period ending June 2020; and	Executive Assistant to Chief Executive Officer, Mayor and Councillors	 28/08/2020 – JT: A. Action sheet updated. B. The Deputy Premier has confirmed they will release of the study. Awaiting the information. 	30/09/2020	N
				B. Write to the Deputy Premier requesting that the feasibility study for the reestablishment of the Queanbeyan to Eden rail line be released to the public immediately.		 03/08/2020 – JT: A. Action sheet updated. B. Letter sent to Deputy Premier requesting release of information on 24/07/2020. 		
759	20 August 2020	130/20	9.1.1	Recreation Facilities Committee Meeting Minutes - February 2020 That Council receive and note the attached minutes of the Recreation Facilities Committee meeting held 17 February 2020	Manager Corporate Projects	25/08/2020 – AS: Receive & note. No further action required.		Y
760	20 August 2020	131/20	9.1.2	Minutes - Community Services Advisory Committee 3 June 2020 and 6 July 2020 That Council receive and note the Minutes of the Community Services	Executive Assistant (Strategy)	25/08/2020 – AS: Receive & note. No further action required.		Y

				SOLUTION ACTION SHELL TOR PERIOD EN				<u>e 370</u>
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				Advisory Committee meetings held on 3 June 2020 and 6 July 2020.				
761	20 August 2020	132/20	9.1.3	Monthly Funds Management Report - July 2020 That Council: A. Receive and note the report indicating Council's cash and investments position as at 31 July 2020; and B. Receive and note the Certificate of the Responsible Accounting Officer.	Finance Officer	25/08/2020 – AS: Receive & note. No further action required.		Y
762	20 August 2020	133/20	9.1.4	July Youth Council Minutes That Council receive and note the minutes of the Youth Council meeting held 27 July 2020.	Youth Development Officer	25/08/2020 – AS: Receive & note. No further action required.		Y
763	20 August 2020	134/20	9.1.5	Development of a Reconciliation Action Plan That Council A. Receive and note the information in the report; B. Nominate Councillor Castellari to the Reconciliation Action Plan Working Party, and nominate Councillor Haslingden as the alternate representative.	Community Development Planner	03/09/2020 – KH: Working party to be formed and draft terms of reference developed during September.		Y
764	20 August 2020	135/20	9.1.6	Drought Communities Program That Council apply for Funding under the extended Drought Communities Programme for; A. \$350,000 towards the Cooma	Manager Corporate Projects	28/08/2020 – GH: Portal access established. Applications for the three nominated projects to be submitted by mid-September 2020.	Ongoing	N

,	ATTACHIVIENT 1 PROGRESS ON RESOLUTION ACTION SHEET FOR PERIOD ENDING AUGUST 2020							e 2/1
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				truck wash project, B. \$540,000 towards the Ginger Leigh playground and accessible facilities project, and C. \$110,000 towards the Bombala caravan park upgrades and public RV dump point				
765	20 August 2020	136/20	9.2.1	SMRC Tourism Committee meeting minutes and recommendations That Council A. Receive and note the minutes of the Tourism Advisory Committee meeting held 1 June 2020; B. Adopt the amended Charter for the Committee.	Tourism Officer	02/09/2020 – MA: Both actions complete.		Y
766	20 August 2020	137/20	9.3.1	DA Best Practice Guide and Processing Times That the item be deferred to the 17 September 2020 Council Meeting.	Manager Built and Natural Environment,	28/08/2020 – JG: Item deferred to 17 September 2020 Council Meeting.	17/09/2020	N
767	20 August 2020	138/20	9.4.1	Mayoral Chains That Council not proceed with the acquisition of a new set of mayoral chains and mayoral robe for the amalgamated Snowy Monaro Regional Council.	Administration Officer Executive Office	25/08/2020 – BD: No further action.		Y
768	20 August 2020	139/20	9.4.2	Road Naming Proposals That Council approve the road name Silver Brumby Boulevard for the public road that will provide access to Silver Brumby Estate, Bredbo, and that subject	GIS Administrator	28/08/2020 – JC: Advertising period will commence 2 September 2020.	Ongoing	N

								<u>- </u>
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				to required advertising the name proceed to gazettal.				
769	20 August 2020	140/20	9.4.3	Delivery Program Operational Report S404 For the Period January - June 2020 That Council receive and note the Progress Report on the Operational Plan for the period January 2020 to June 2020.	Acting Corporate Reporting Officer	25/08/2020 – AS: Receive & note. No further action required.		Y
770	20 August 2020	141/20	9.4.4	Amendments to 2021 Schedule of Fees and Charges That Council adopt revised fees for the Hire of Garbage Skips – Commercial Collections	Coordinator Strategy Development	28/08/2020 – GM: Fees and Charges updated and revised document uploaded to Council's web page. Completed.		Y
771	20 August 2020	142/20	9.4.5	Harmonisation of Commercial Waste - Method of Charging That Council; A. Harmonise commercial waste charging methods from 1 January 2021, and B. Inform the commercial/business community regarding the proposed harmonisation of commercial waste charging methods.	Manager Resource and Waste Services	25/8/2020 – MT: Commercial/business consultation will take place prior to the introduction to the changes in charging methods from 1 January 2021 First commercial/business consultation letter has been drafted and sent to finance for final input and comment. Once comments have been received the letter will be amended and then posted to the commercial property owners.	01/01/2021	N
772	20 August 2020	143/20	9.4.6	Answers to Questions With Notice That Council receive and note the Councillor Questions In Progress report for the period ended July 2020.	Secretary Council & Committees	25/08/2020 – AS: Receive & note. No further action required.		Y

	,			SOLUTION ACTION SHELL TOR PERIOD EN	211107100001 20		<u> </u>	<u>E 3/3</u>
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
773	20 August 2020	144/20	9.4.7	Resolution Action Sheet Update That Council receive and note the In Progress Resolution Action Sheet Update for the period ending July 2020.	Secretary Council & Committees	25/08/2020 – AS: Receive & note. No further action required.		Y
774	20 August 2020	145/20	9.4.8	Local Government NSW Annual Conference 2020 That Council nominate Councillor Castellari to attend the conference as a voting member.	Administration Officer Executive Office	25/08/2020 – BD: Councillor Castellari to be registered for the event. Nil Further Action. Event since changed to online.		Y
775	20 August 2020	146/20	9.4.9	Endorsement of SMRC Section 355 Manual That Council send out a draft s355 manual to Committees for review and defer item until a Council workshop can be held.	Governance Officer	31/08/2020 – JM: Manual will be circulated to all committees to review for a month. A webinar will be organised to discuss the manual, following which a Councillor workshop will be conducted.	19/11/2020	N
776	20 August 2020	147/20	9.4.10	 A. Programs with an allocation per area may benefit from a minimum funding plus discretional pool for strong applications against the criteria. B. That any miscellaneous grant 	Chief Strategy Officer	28/08/2020 – DR: The submission is being prepared and will be submitted when finalised.	Ongoing	N
				programs need to have full public disclosure of the guidelines and controls as well as full details of the provision of grants and the reasons for those being provided.				
				C. That where the grants are determined by government agency staff that the rating against the				

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				criteria for all applicants be mad publicly available.	е			
				D. That where grants are determine by a board or panel these meeting be open to the public, livestreame and available on a website an archived to ensure public access consistent with current State Government policies on recormanagement, access and retention.	s d d s e d			
				E. That the role of ministers should be to confirm that proper process has been followed in assessing the gran applications, including ensuring that the applications are being assessed against the criteria of the grant program.	t			
				F. That where recommendations are changed by the minister:				
				(a) That reasons for this b publicly given to justify th intervention against th criteria	е			
				(b) That the projects whic subsequently are not funde be publicly identified.				
				G. Grants that provide favourable consideration for increased contribution or a large contribution				

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				can redirect funding away from those who are most in need of support, particularly for larger grants applications. H. That the process of allocating base funding to local government areas is				
				seen as a good mechanism for: (a) Ensuring equity in access to programs.				
				(b) Reducing the incentive to divert grant funding across geographical areas.				
				 I. Grant programs that operate over a number of years, with rounds of funding are supported as they increase the ability of councils to plan for projects the community needs against the grant funding programs. J. That grants be developed to further assist local rural and regional local governments to enable them to develop robust community recovery 				
777	20 August 2020	148/20	10.1	programmes. Land in Vale Street Cooma That Council receive a report on options for the use of its properties in Vale Street.	Chief Strategy Officer	28/08/2020 – DR: Work on assessment of options has not yet been scheduled within the existing programmed work.	Ongoing	N

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
778	20 August 2020	149/20	10.2	Development of Jindabyne Town Centre That Council A. Ensure a "precinct-wide" approach is taken to the delivery of the remaining Jindabyne Town Centre SCFMPP projects, B. Prioritise the renovation of the existing public toilets on site, to provide modern amenities to the community and visitors, and a standard of hygiene and appearance suitable for a premier tourist destination.	Manager Corporate Projects	28/08/2020 – GH: Project staff are in discussion directly with SAP planners regarding the Town Centre with a site meeting scheduled mid-September 2020. Renovation designs have been requested from the design consultant and are expected prior to site meeting.	Ongoing	N
779	20 August 2020	150/20	10.3	Circulation of Minutes That the Minutes of SMRC Council Meetings be circulated to all councillors as soon as possible after each meeting, i.e. within 5-10 business days.	Coordinator Governance	31/08/2020 – JM: Procedures in place.		Y
780	20 August 2020	151/20	11.1	Consideration of Sponsorship of 2020 Bush Summit That Council sponsor the 2020 Bush Summit by: A. The use of the Cooma Multi- Function Centre and associated costs such as cleaning and staffing support (Communications, Projects, Facilities) as in-kind support valued at \$5000	Coordinator Economic Development	 02/09/2020 – MA: A. Staff assisted with the facilitation of the bush summit last week including a significant commitment of time outside normal work hours. B. Cash payment being arranged with event organisers. 		N
				B. A cash contribution of \$10,000 to				

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				be funded from the economic development budget.				
781	781 20 August 2020	152/20	11.2	Support for the Accreditation of the Bombala GP Surgery That Council A. Agree to support the accreditation of the Bombala Medical Centre by a one-off donation of \$19,000	Executive Assistant to Chief Executive Officer, Mayor and councillors	 28/08/2020 – JT: A. Carried by Council. B. Information for public exhibition completed and on display until 22 September. C. To be completed after exhibition period closes. 	30/09/2020	N
				B. Place the donation on public exhibition for a period of twenty-eight days in accordance with s.356(2) of the Local Government Act (1993);				
				C. Authorise the Mayor and Chief Executive Officer to finalise the donation if there are three or less objections to the donation.				
782	20 August 2020	154/20	13.1	Legal Actions and Potential Claims Against SMRC as at 31 July 2020 That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 31 July 2020 report.	Executive Assistant (Strategy)	25/08/2020 – AS: Receive & note. No further action required.		Y
783	20 August 2020	155/20	13.2	Request - Lease on Vacant Land Victoria St Cooma That Council agree to lower the annual rent fee to \$260.00 for the long term lease held by Mr and Mrs Shingles for 14	Property Officer	26/08/2020 - JH: Lessee and the real estate agent have been notified of the decision and the real estate agent will make the changes.		Y

No. Meeting Res. No Item No.	Action Victoria Street Cooma. 2020-21 Weed Control Services That Council A. Award 2020-21 Weed Control	R/Officer Manager Built	Progress 02/09/2020 – JG:	Estimated Completion Date	Compl Y/N
	2020-21 Weed Control Services That Council	Manager Built	02/09/2020 – IG:		
	That Council	Manager Built	02/09/2020 – IG·		
784 20 August 2020 13.3	Services contracts as per the following recommendations and attached tender evaluation reports: Eastern region Rural – Riparian Weed Control North West region Byrne Rural Contracting Services Northern region Buckley's Weedspraying & Contract Fencing South east region Rippers Rural Services South West region Buckley's Rural Services Readvertise the 2020-21 Weed Control Services – Southern region; C. Authorise Chief Executive Officer	and Natural Environment	Contracts to be awarded as per recommendation and re-advertisement of southern region tender to be undertaken.	18/09/2020	N

				30LOTION ACTION STILLT TON PENIOD EN	211107100001 20			E 3/3
No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				to determine the contract for the Southern region based on Council's Purchasing and Tendering Policy				
785	20 August 2020	N/A	13.4	Tropic Asphalts Proceedings - Summary and update That SMRC cease further legal proceedings in the SMRC vs Tropic Asphalt case. Lost Motion	Coordinator Economic Development	02/09/2020 – MA: No further action required.		Y
786	20 August 2020	157/20	13.5	Sale of part of Land in Polo Flat That Council: A. Authorise the sale of part Lot 1 DP 077 – Polo Flat Road, and B. Authorise the Chief Executive Officer, in consultation with the Mayor, to determine the method of sale and sale price.	Chief Strategy Officer	28/08/2020 – DR: The process of changing the lot boundaries to suit Council's needs has commenced.	Ongoing	N
787	20 August 2020	158/20	13.6	Acquisition of Property That Council: A. Purchase Lot 2 DP 860886 Parish of Clyde as outlined in the report as a long-term investment for the Water and Wastewater Fund; B. Authorise the Chief Executive Officer to finalise the purchase according to the terms and conditions outlined in the report, including signing all relevant documentation.	Coordinator Land & Property	03/09/2020 – TP: NSW Housing and Property advised of decision, with Council's solicitors details also provided. Land & Property team coordinating arrangements to progress acquisition.	30/09/2020	N

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				C. Authorise the use of the Council Seal if required to execute any relevant documentation.				
788	20 August 2020	159/20	13.7	Award of Bombala Sewerage Infrastructure Upgrade Project That Council A. Approve bringing forward the existing budget of \$1.6 million from the 2022 to 2024 financial years to be funded from wastewater reserves to supplement the existing \$2.29 million 2021 budget available to enable this critical project to progress. B. Award tender VP193117 to Fewster Bros. Contracting Pty Ltd, for the lump sum price of \$3,609, 883.78 (Incl. GST) for the Bombala Sewerage Infrastructure Upgrade project.	Manager Finance	 31/08/2020 – MP: A. Budget adjustment actioned in the system and will be included in the September quarterly budget review report. B. Tender awarded and works to commence in September 2020. 	31/08/2020	Y

9.4.5 MEMBERSHIP OF GRANITE HILLS WINDFARM COMMUNITY CONSULTATIVE COMMITTEE

Record No:

Responsible Officer: Chief Communications Officer

Author: Economic Development Officer

Key Theme: 4. Leadership Outcomes

CSP Community Strategy: 10.3 Advocate and work with other levels of government,

community and industry to improve outcomes

Delivery Program Objectives: 10.3.1 Council connects, recognises, advocates and works in

collaboration with all leaders across the community and beyond

our boundaries

Attachments: 1. Community Consultative Committee Guidelines

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Councillor Maslin has requested a Councillor be appointed to attend the proposed Granite Hills Wind Farm Community Consultative Committee (CCC) meetings. This report advises of the current circumstances of the CCC and the process required should Council wish to nominate a Councillor for the Committee.

OFFICER'S RECOMMENDATION

That Council:

- A. Nominate a Councillor (insert name of Councillor) to attend the proposed Granite Hills Wind Farm Community Consultative Committee meetings in addition to the existing staff member that attends; and
- B. Write to the Chairperson of the Committee, Mr Peter Gordon, requesting acceptance of the nominated Councillor on the Committee.

BACKGROUND

The proposed Granite Hills Wind farm is located at Steeple Flat, South East of Nimmitabel. The Environmental Impact Statement (EIS) is still being prepared by the proponent, Akuo Energy.

The Granite Hills Windfarm Community Consultative Committee (CCC) was formed in 2017 during the period of administration following the Council merger in 2016. To date either the Coordinator Economic Development or the Economic Development Officer have attended CCC meetings as Council's representative. A staff member from Bega Valley Shire Council also attends as their representative because the proposed windfarm straddles the LGA boundary between Snowy Monaro and Bega Valley.

The purpose of a CCC is outlined in the 'CCC Guideline for State Significant Projects' (attached to this report) and includes:

'to provide a forum for discussion between a proponent and representatives of the community, stakeholder groups and the local council on issues directly relating to a specific state significant project. A Community Consultative Committee is not a decision-making or regulatory body: it performs an advisory and consultative role.'

The independent Chairperson of the Granite Hills CCC is Mr Peter Gordon from Charterpoint Pty Ltd. He has advised that Council can nominate who it wishes to be on the Committee, whether that be a Councillor alone, staff member alone or Councillor and a staff member. Whatever it decides, the Council must then write to him requesting their nominated representative(s) be accepted. If accepting of the nomination, the Chairperson then needs to seek and receive endorsement from the Department of Planning, Industry and Environment (DPIE) before the nominated representative can participate in the Committee. Mr Gordon advises he is open to whichever nominee(s) the Council put forward, and that different CCCs elsewhere in the state have either a staff member or Councillor or both.

Given the length of time the Committee has been running to date and the implications of the proposed development in both the political and technical realms, in this instance it is recommended that if a Councillor is nominated, it be in addition to rather than instead of the staff member that currently attends.

As a discussion forum the Granite Hills CCC has had mixed success to date, with tensions between the community members and the proponent often high during meetings and the mood of the meeting often quite confrontational.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

One of the purposes of a CCC is to ensure that the legitimate interests of the residents of the Snowy Monaro region are heard in discussions about the Granite Hills Wind Farm and related matters.

2. Environmental

Consideration of the environmental issues associated with the windfarm takes place during the preparation of the Environmental Impact Statement (EIS) and subsequent assessment by the consent authority, in this instance being the state government. However the CCC can inform and provide feedback on environmental issues which can then be considered in the technical studies and assessment of the development.

3. Economic

The cost of travel to meetings would be borne by Council.

4. Civic Leadership

The Council is formally consulted during the assessment process and in preparation of the EIS. However representation in the CCC provides a platform for information sharing and discussion with the proponent. In this process the Council can also raise the concerns of the broader Snowy Monaro region community.



Community Consultative Committee Guideline

State Significant Projects

January 2019

January 2019

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The Department of Planning and Environment (the Department) is committed to community engagement in the NSW planning system. It recognises that people should have a say in matters that affect their lives, and that community engagement results in better planning outcomes.

State significant projects are large, complex, and can have major economic, social and environmental impacts over a long time.

The Department encourages proponents to consult widely with the community and stakeholder groups at all stages of these projects.

This is to ensure that the community and stakeholder groups are:

- o kept informed of the status of projects, any new initiatives, and the performance of proponents
- consulted on the development of projects, management plans and proposed changes to approved projects
- o able to provide feedback to proponents on key issues that may arise during the development or implementation of projects.

Effective community engagement can occur in many ways, and proponents should be innovative when they engage with the community and use a range of tools and techniques. They should also tailor their engagement to reflect the scale and nature of the project and its potential impacts.

For many years, Community Consultative Committees have played an important role in ensuring proponents engage with the community and stakeholder groups on State significant projects.

The Department has developed this guideline to clarify the roles and responsibilities of Community Consultative Committees, and to help these committees operate effectively.

This guideline will apply to the establishment and operation of all new Community Consultative Committees, and to the ongoing operation of existing committees (to the extent they are relevant).

If there is any doubt about the application of this guideline, the matter should be referred to the Department for resolution.

This guideline will be reviewed every 5 years to keep it up to date.

1 Purpose of the committee

The purpose of a Community Consultative Committee is to provide a forum for discussion between a proponent and representatives of the community, stakeholder groups and the local council on issues directly relating to a specific State significant project.

A Community Consultative Committee is not a decision-making or regulatory body: it performs an advisory and consultative role.

Government agencies will remain responsible for ensuring proponents comply with any statutory obligations.

More specifically, the purpose of the committee is to:

 establish good working relationships and promote information sharing between the proponent, local community, stakeholder groups and councils on individual State significant projects

/

- 3. allow community members and local councils to seek information from the proponent and give the proponent feedback on the development and implementation of projects to assist with the delivery of balanced social, environmental and economic outcomes for the community, including:
 - · the development of new projects or proposed changes to approved projects
 - the implementation of any conditions of approval and management plans
 - · the results of any monitoring, annual reviews or independent audits
 - · community concerns about the project
 - the resolution of community complaints
 - · any community initiatives.

2 Establishment of the committee

The Department will decide whether a Community Consultative Committee should be established for a State significant project, considering factors such as:

- · the scale and nature of the project and its potential impacts
- · the level of public interest in the project
- · the proponent's community engagement strategy
- whether a Community Consultative Committee would complement any other consultation initiatives being undertaken.

If a proponent's community engagement strategy accords with best practice and is appropriately tailored to the particular characteristics of a project, there should be no need for a Community Consultative Committee in the early stages of a project.

For some long linear infrastructure projects, such as major road or rail projects, the Department may require several committees to be established, covering different areas of the project.

If the Department decides a Community Consultative Committee is warranted, it will require proponents to establish these committees either:

- early in the assessment process through the Planning Secretary's environmental assessment requirements (SEARs) for the project
- · following approval through the conditions of approval for the project.

It may also specify other matters in these requirements or conditions, such as the composition of the committee and frequency of committee meetings.

In cases where proponents are required to establish Community Consultative Committees in the SEARs, the Department will not exhibit the project application before the proponent has complied with the relevant SEARs.

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3 Members of the committee

3.1 Membership of the committee

The committee will comprise:

- 1. an independent chairperson
- 2. up to seven community and stakeholder representatives
- 3. a council representative from each of the local government areas concerned
- up to three representatives from the proponent including the person with direct responsibility for environmental management of the project.

The Department will not be a member of any committee but may attend certain committee meetings.

3.2 Independent chairperson

The independent chairperson must be:

- · a convener, facilitator, mediator and advisor for the committee
- independent and impartial
- the key contact between the committee and the Department.

The Department will recruit, appoint and review the performance of all independent chairpersons.

The Department has established a pool of suitable independent chairpersons for Community Consultative Committees and will update this pool regularly.

Members of this pool have:

- · experience in community relations, facilitation, mediation or public advocacy
- an understanding of the regulatory requirements for State significant projects, and the issues associated with these projects
- a proven track record in convening and managing stakeholder committees with independence.

 $A \ list of the members of this pool and a summary of their credentials is published on the \ Department's \ website.$

The Planning Secretary of the Department (or a nominated representative) will appoint the independent chairperson for individual projects from the pool, after confirming the person has no conflicts of interest.

Proponents must pay the chairperson's standard fees, as well as the fees of any note-taker the chairperson may use to take the minutes of any meeting.

The independent chairperson must oversee the preparation and publication of the minutes of committee meetings, and report annually to the Department on the operation of the committee.

A copy of the committee's annual report will be published on the Department's website.

The Department may review the performance of the independent chairperson at any time.

If the proponent or more than half the community representatives have concerns about the conduct or performance of the independent chairperson (e.g. there is an ongoing perception of bias, inappropriate control,

Proponent | Community Consultative Committee Guideline for State Significant Projects

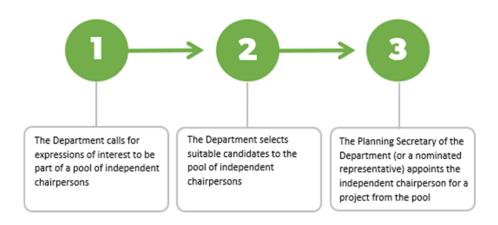


refusal to share information or to adhere to the wishes of the committee), they may refer the matter to the Department. The Department will examine the concerns and determine what, if any, action should be taken.

If the Planning Secretary of the Department (or a nominated representative) decides to replace the independent chairperson or the independent chairperson resigns from the committee, the Planning Secretary of the Department (or a nominated representative) will appoint a new chairperson from the pool.

This appointment will be made within two weeks of the Planning Secretary's decision or the Department being notified of the resignation.

3.3 Selection process for the independent chairperson



3.4 Community representatives

Community representatives will be selected from the local community or stakeholder groups.

Employees or contractors of the proponent are not eligible to be appointed as community representatives.

Local community representatives must:

- be current residents or landowners within the affected local government area/s
- demonstrate involvement in local community groups and/or activities
- have knowledge and awareness of the project and related issues of concern to the local community
- be able to represent and communicate the interests of the affected local community
- be willing to adhere to the committee's code of conduct.

Representatives of stakeholder groups must:

- be a member of a stakeholder group with an interest in the project, including an industry, community, environmental or Aboriginal group
- have knowledge and awareness of the project and related issues of concern
- be able to represent and communicate the interests of the group or community
- be willing to adhere to the committee's code of conduct.

Proponent | Community Consultative Committee Guideline for State Significant Projects



3.5 Appointing community representatives

The independent chairperson is to oversee the selection process for the community representatives of the Community Consultative Committee.

After consulting with the independent chairperson, the proponent is to seek expressions of interest for the committee by placing at least two advertisements in local or regional media publications (i.e. newspapers) (refer to the Toolkit of Resources) and advertising through one or more of the following avenues:

- local businesses
- community or sporting centres
- local council websites.

The advertising period must give community members sufficient time to apply and should be no less than 28 days.

Applications can be emailed or mailed directly to the independent chairperson.

Within two weeks of the end of the advertising period, the independent chairperson must:

- · review the applications against the relevant selection criteria
- send a copy of all the applications to the Department
- make a recommendation to the Department on who should be appointed to the committee, including
 any alternate representatives for local community members, and provide reasons why they should be
 appointed.

Within two weeks of receiving these recommendations, the Planning Secretary of the Department (or a nominated representative) will appoint the community representatives to the committee and any alternate representatives, and formally notify the successful and unsuccessful applicants, the independent chairperson and the proponent of the decision.

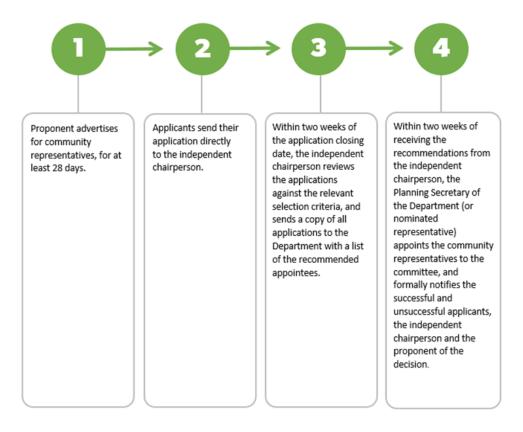
The Department may review the performance of community representatives at any time.

If the independent chairperson has concerns about the conduct of a member of the committee, they may refer the matter to the Department. The Department will examine these concerns and determine what, if any, action should be taken.

If the Department decides to replace a community representative on the committee or a community representative resigns from the committee, the Planning Secretary of the Department (or a nominated representative) will appoint a new representative to the committee in consultation with the independent chairperson.

This appointment will be made within two weeks if a suitable replacement is available or following the standard selection process.

3.6 Selection process for community representatives



3.7 Proponent and council representatives

The proponent and local council will appoint their representatives directly to the committee.

3.8 Alternate representatives

If the independent chairperson is unable to attend a committee meeting, the Department will appoint another person from the pool to chair the meeting.

If a representative from a stakeholder group, local council, or the proponent is unable to attend a meeting they must notify the independent chairperson as soon as possible and nominate an alternative representative from their organisation or group to attend the meeting.

If a local community representative is unable to attend a meeting they must notify the independent chairperson as soon as possible so the chairperson can select an alternate representative to attend the meeting.

The use of alternate representatives should be kept to a minimum.

The independent chairperson may request the replacement of any member who fails to attend three consecutive committee meetings.

4 Committee meetings

4.1 Frequency, timing and location of meetings

The committee should determine the frequency of committee meetings, after considering factors such as the:

- size and complexity of the project
- stage of the project
- level of public interest
- sensitivity of the site and surrounds.

In some cases, however, the Department will determine the frequency of the meetings in consultation with the independent chairperson.

The frequency of meetings may vary over time as a project moves through different stages. For instance, a committee may meet at least four times a year during construction, but only once or twice a year during operations.

If there are important and urgent matters requiring consideration, any member of the committee may ask the independent chairperson to convene an extraordinary meeting of the committee.

The independent chairperson must decide whether the extraordinary meeting is warranted, or whether the matters can be addressed in other ways.

Members should be given at least four weeks notice before a regular committee meeting, and two weeks notice before an extraordinary meeting.

The proponent must provide suitable facilities for committee meetings, and the meetings should be held at a time and place generally convenient to all committee members.



Proponent | Community Consultative Committee Guideline for State Significant Projects

In areas with a high concentration of State significant projects, consideration should be given to holding joint Community Consultative Committee meetings from time to time.

These meetings should focus on matters that are of common interest to these committees, such as the cumulative impacts of the projects.

4.2 Meeting proceedings

Committees should follow good meeting practice and adopt standard procedures for their meetings.

The independent chairperson must:

- formulate the agenda for all meetings in consultation with the members of the committee
- · convene and run meetings in a fair and independent manner
- facilitate discussion to ensure all members have an opportunity to speak and share their views
- identify any items of a confidential nature and assist committee members to understand how this information may, or may not, be used
- support constructive dialogue
- resolve disagreements or differences of opinion in a fair, transparent and supportive manner.

Any member may propose a matter for inclusion on the agenda, either before or during a meeting, providing the matter is within the purpose of the committee. This may include inviting a technical expert to present to the committee.

The independent chairperson must ensure that issues raised by community representatives on behalf of the community are properly considered.

If agenda items are supported by detailed reports, then these reports must be distributed to members at least one week before the meeting.

Late items may be deferred to a following meeting.

The committee may decide to undertake regular site visits of the project in conjunction with its meetings, or at other convenient times.

Committee meeting agenda items would normally be expected to include:

- 1. Apologies.
- 2. Declaration of pecuniary or other interests.
- Business arising from previous minutes response to issues raised or provision of additional information requested.
- 4. Correspondence.
- 5. Proponent reports and overview of activities, including:
 - progress of the project
 - issues arising from site visits
 - · monitoring and environmental performance

- community complaints and response to these complaints
- information provided to the community and any feedback.
- 6. Other agenda items.
- 7. General business.
- 8. Next meeting.

4.3 Minutes of meetings

The independent chairperson must prepare minutes for each committee meeting.

These minutes must:

- provide an accurate summary of the matters that were discussed at the meeting, including any community concerns expressed and inquiries made
- · record the dissenting views of members on a matter
- clearly identify the actions to be taken before the next meeting, who is responsible for these actions, and by when.

The independent chairperson may employ a note taker to assist with this task and recover any associated costs from the proponent.

Within one week of a meeting, the independent chairperson must distribute the draft minutes to all committee members.

Committee members have one week to provide their feedback to the independent chairperson.

Within two weeks of receiving this feedback, the independent chairperson must finalise the minutes in consultation with the members, and ensure the proponent publishes them on its website (in a web accessible format).

If there are any disagreements between members on the minutes, the independent chairperson will have the final say on the matter.

Recording of meetings - by recording device, telephone or any other electronic device is not permitted without the prior agreement of the independent chairperson and the committee.

4.4 Conduct of committee members

All members, including the independent chairperson and alternative representatives, must sign a code of conduct agreement before they join a Community Consultative Committee (refer to the Toolkit of Resources), and comply with this code while they are members of the committee.

The independent chairperson must bring any breach of the code to the attention of the persons concerned.

This may take the form of a verbal warning during a meeting, which is formally recorded in the meeting's minutes, or a written warning following the meeting.

Following three warnings, the independent chairperson may ask the Department to replace the member if it is a community representative, or the proponent or local council to replace their member.

/

Similarly, the independent chairperson may request the replacement of any member who fails to attend three consecutive committee meetings.

4.5 Attendance by non-committee members

Members may ask the independent chairperson to invite non-committee members to attend meetings, either as observers or to provide advice to the committee.

This may include:

- representatives of the Department or other State government agencies
- technical experts or consultants
- members of the general public.

The independent chairperson is to consult with the other members of the committee before issuing the invitation. If there is any disagreement between the members about the invitation, the independent chairperson will have the final say on the matter.

Non-committee members cannot participate in the business of a meeting unless they are invited to do so by the independent chairperson.

4.6 Pecuniary and other interests

All members must sign a declaration of pecuniary and non-pecuniary interest before they join the Community Consultative Committee (refer to the Toolkit of Resources) and keep this declaration up to date while they are members of the committee.

These declarations should include any pecuniary or other interest (including any payment, gift or benefit) intended or likely to influence - or that could be reasonably perceived by an impartial observer as intended or likely to influence - the member to:

- act in a particular way (including making a particular decision)
- fail to act in a particular circumstance
- otherwise deviate from the proper exercise of their duty as a member.

Examples of pecuniary or other interests include holding shares in an entity carrying out the project, holding a private contract with the proponent, holding voluntary acquisition or mitigation rights under the proponent's consent, or receiving sitting fees or payments of personal expenses from the proponent; and if the member represents a stakeholder group, if the stakeholder group has received funding or a grant from the proponent.

This guideline establishes no requirement in respect of personal interests other than declaration. However, the committee may determine that a personal interest is sufficient that a member should withdraw from discussion on a particular issue.

4.7 Committee training

The independent chairperson should ensure new members are given suitable induction training to equip them for their role on the committee.

The committee may seek funding or other assistance from the proponent for training members or developing the skills of the committee.



This may include training in:

- communications and conflict resolution
- · best practice environmental management and community relations.

The proponent should support any reasonable requests from the committee for such training.

4.8 Committee funding and remuneration

The committee may seek annual or one-off funding from the proponent to help it perform its functions effectively. It is up to the proponent whether or not it agrees to such requests.

Community representatives are not eligible to receive sitting fees from the proponent, but may seek reimbursement of personal out of pocket expenses associated with attending meetings. It is up to the proponent whether or not it agrees to these expenses being paid.

If fees or expenses are paid to members for meetings, then the fact that a payment is being made (and not the actual amount) should be declared as a pecuniary interest and recorded in the minutes of the meeting.

4.9 Review of a committee's effectiveness

If the independent chairperson has concerns about the effectiveness of the committee they may refer the matter to the Department.

The Department will examine these concerns and determine what, if any, action should be taken.

If the committee is found to be ineffective, the Department may decide to dissolve or reconstitute the committee.

4.10 Dispute resolution

Although the committee is not a decision-making or regulatory body, and consensus is not required on all matters, it should discuss and try to resolve any disagreements between members.

The independent chairperson is responsible for trying to resolve any disputes that arise, either between members of the committee or between the members of the committee and the proponent.

If the independent chairperson is unable to resolve the dispute, then they may refer the matter the Department for resolution or advice.

The Department's decision on the matter will be final.

5 Responsibilities of the proponent

The proponent must provide the committee with timely, accurate and comprehensive reports on the project, including the status of the project, existing operations, environmental performance and community relations. This does not include matters of a financial or commercial nature.

The proponent must also provide the committee with copies of:

- the project's consent and other relevant documents, including management plans
- results of environmental monitoring



- annual review or compliance reports
- audit reports
- reports on community concerns or complaints and the proponent's response to these matters
- · any other information specified by the Department.

These documents may be provided electronically, but hard copies of the documents should be provided to individual committee members upon request.

The proponent should consult with the committee before it lodges any applications with the Department and notify committee members when these applications are lodged.

The proponent must respond to any questions asked or advice given by the committee about the proponent's environmental performance or community relations. These responses must be given to members within 28 days of a committee meeting, unless the meeting's minutes specify otherwise.

Finally, the proponent must organise site visits for the committee if requested by the independent chairperson.

6 Communication with the broader community

Committee members are encouraged to discuss concerns and disseminate information about the project with the wider community, including stakeholder groups.

Where appropriate, the independent chairperson may also give briefings to stakeholder groups. In these cases, the independent chairperson must report back to the committee on the outcomes of these briefings.

With the agreement of the whole committee, the committee may agree to release statements or other information to the media or to adopt other approaches to public dissemination of information. However, only the independent chairperson may speak publicly on behalf of the committee.

Individual committee members may make comments to the media or in public forums on behalf of themselves or their stakeholder groups, but not on behalf of the committee.

There is a presumption that documents and other information provided to the committee can generally be made available to the community.

However, committee members may ask for certain information (e.g. a declaration of interest, site visit photos, or information which the proponent considers to be commercial-in-confidence) to be kept confidential by the committee

If there is any disagreement between members of the committee on whether such information should be kept confidential, the independent chairperson will have the final say on the matter.

If the committee or independent chairperson decides that a matter discussed at a meeting is to be kept confidential, members must respect this confidentiality and refrain from discussing the matter with other parties outside the meeting.

The name, credentials and (if the member agrees) contact details of all members of the Community Consultative Committee must be published in a prominent position on the proponent's website.

Requests from the public for items to be included on the committee's agenda may be directed to individual members or the independent chairperson.



Glossary of Terms

Community – A group of people living in a specific geographical area or with mutual interests that could be affected by a State significant project

Environment – includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings

Proponent – The person or entity seeking approval for a State significant project, or acting on an approval for a State significant project

Stakeholder group – a group or organisation — including an industry, community, environmental or Aboriginal group — that represents several people with an interest in a State significant project

State significant project – a project that is defined as State significant development or State significant infrastructure under the Environmental Planning & Assessment Act 1979

Toolkit of Resources for Community Consultative Committees

Sample Advertisement for Community Members

Proponents must advertise for the community representatives of Community Consultative Committees. This advertising should be placed in local or regional media publications, on websites, and at local councils, businesses, or prominent community or sporting centres. Members of the local community or stakeholder groups with a particular interest in the project should also be notified.

Community members should be given at least 28 days to apply. All applications must be sent to the independent chairperson of the committee.

The independent chairperson is to review the applications against the relevant selection criteria (see page 5 of the guideline) and recommend the community representatives for the committee to the Department. The Planning Secretary of the Department (or nominated representative) will consider the recommendation and appoint the community representatives to the committee. A sample advertisement for community representatives is provided below.

This advertisement should be tailored to the specific circumstances of the project, and include information on the:

- State significant project
- current stage of the project (approval is being sought or the project is approved, and construction is scheduled to start shortly).

It should also clearly identify the selection criteria for local community representatives and representatives of stakeholder groups.

NOMINATIONS ARE OPEN FOR APPOINTMENT OF COMMUNITY MEMBERS TO THE [INSERT DEVELOPMENT NAME] COMMUNITY CONSULTATIVE COMMITTEE

Want to contribute to your community?

Many State significant projects in NSW have Community Consultative Committees.

These committees provide a forum for open dialogue between the proponent and representatives of the local community, stakeholder groups and local councils on issues directly relating to the project.

We are looking for a mix of people who live locally or are members of a stakeholder group (community, environment, Aboriginal or industry) to join our new [INSERT DEVELOPMENT NAME] Community Consultative Committee.

Your role as a committee member is voluntary.

Selection criteria: You will be expected to contribute constructively to committee discussions, attend around (four) meetings a year, and communicate information about [INSERT DEVELOPMENT NAME] between the committee and the broader community.

If you would like to apply, download a copy of the relevant nomination form at [INSERT DPE WEBSITE DETAILS]. Contact [INSERT INDEPENDENT CHAIRPERSON DETAILS] at [INSERT INDEPENDENT CHAIRPERSON CONTACT DETAILS] for more information.

Applications must be lodged by [INSERT DATE] and sent to the independent chairperson of the Community Consultative Committee at [INSERT NAME AND CONTACT DETAILS OF INDEPENDENT CHAIRPERSON]



Nomination Form

Local Community Representatives

January 2019

Nomination details				
I hereby nominate to be a local community representative on the [DEVELOPMENT NAME]				
I accept that selection and appointment to the committee will be subject to my:				
 being a current resident or landowner in the affected local government area/s 				
 being able to demonstrate my involvement in local community groups or activities 				
 having knowledge and awareness of the project and related issues of concern to the local community 				
being able to represent and communicate the interests of the affected local community				
 being willing to adhere to the committee's code of conduct. 				
I have attached a supporting letter demonstrating how I meet the above criteria for membership.				
Signed declaration				
If appointed to the committee, I:				
confirm that I am aware of my responsibilities as a local community representative on the [DEVELOPMENT NAME]				
 accept that the position is voluntary with no entitlement to remuneration 				
 agree to sign and comply with the committee's code of conduct agreement 				
agree to sign a declaration of pecuniary and non-pecuniary interests and keep this declaration up to date.				
Name				



Department of Planning and Environment

Nomination Form

Local Community Representatives

January 2019

Address		 	
Stakeholder group (if relev	ant)		
Signature and date		 	

This signed nomination form and supporting letter must be sent directly to the independent chairperson of the Community Consultative Committee and not to the Department of Planning and Environment. The independent chairperson's details can be found on the advertisement calling for nominations.



Nomination form

Representatives of Stakeholder Groups

January 2019

Nomination details				
I hereby nominate to be a community representative on the [DEVELOPMENT NAME]				
I accept that selection and appointment to the committee will be subject to my:				
 being a member of a stakeholder group with an interest in the project, including an industry, community, environmental or Aboriginal group 				
 having knowledge and awareness of the project and related issues of concern 				
being able to represent and communicate the interests of the group or community				
 being willing to adhere to the committee's code of conduct. 				
I have attached a supporting letter demonstrating how I meet the above criteria for membership. Signed declaration				
If appointed to the Committee, I:				
confirm that I am aware of my responsibilities as a community representative on the [DEVELOPMENT NAME]				
 accept that the position is voluntary with no entitlement to remuneration; 				
agree to sign and comply with the committee's code of conduct agreement; and				
agree to sign a declaration of pecuniary and non-pecuniary interests and keep this declaration up to date.				
Name				



Department of Planning and Environment

Nomination form

Representatives of Stakeholder Groups

	January 2019
Address	
Stakeholder group	
Signature and date	

This signed nomination form and supporting letter must be sent directly to the Community Consultative Committee Independent Chairperson and not to the Department of Planning and Environment. The Independent Chairperson's details can be found on the advertisement calling for nominations.



Code of Conduct Agreement – Independent Chairperson

As a condition of engagement, the independent chairperson of a Community Consultative Committee must agree to adhere to the following code of conduct.

Accepted behaviour

As the independent chairperson of the [INSERT DEVELOPMENT NAME] Community Consultative Committee, I understand I am expected to:

- personally chair all committee meetings, or if I can't be present get the Planning Secretary of the Department to appoint an alternate chairperson for the meeting from its pool of independent chairpersons
- · oversee the appointment of community representatives to the committee
- ensure that all matters dealt with by the committee fit within the purpose of the committee
- act as a convener, facilitator, mediator and advisor for the committee to ensure that members can put forward views and that they are not interrupted
- be independent and impartial with respect to all members of the committee
- create an atmosphere of open and constructive participation by the members of the committee where they can communicate relevant concerns, interests and ideas and express their reasons for any disagreement
- actively work with the members of the committee to try and resolve any disputes that may arise during the committee's activities
- · ensure confidential matters handled by the committee are kept confidential
- be the key contact between the committee and the Department and other external parties
- advise the Department as soon as possible of any potential or actual conflict of interest that may affect my ability to fulfil my role on the committee
- ensure members of the committee comply with the code of conduct, and issue warnings to members who do not comply with this code
- review the performance of the committee from time to time and refer any matters of concern to the Department.

Signed declaration

As the independent chairperson of the committee, I agree to abide by this code of conduct.
I further declare that I have no conflicts of interest in relation to appointment to this committee.
Name
Contact details
Address
Signature and date



Code of Conduct Agreement – Members

As a condition of engagement, all members of the Community Consultative Committee must agree to adhere to the following code of conduct.

Accepted behaviour

As a member of the [INSERT DEVELOPMENT NAME] Community Consultative Committee, I understand I am expected to:

- attend committee meetings, at dates and times set by the committee's independent chairperson
- advise the independent chairperson in advance if I am unable to attend meetings
- respectfully engage with other members of the Committee
- contribute to an atmosphere of open and constructive participation
- openly communicate relevant concerns, interests and ideas and make reasons for any disagreement clear in a constructive and thoughtful manner
- put forward views but also remain committed to open and shared dialogue
- actively work with the members of the committee to try and resolve any disputes that may arise during the committee's activities
- ensure confidential matters handled by the committee are kept confidential, and refrain from discussing these matters with other parties outside meetings
- not interrupt when another member is speaking
- · not speak publicly on behalf of the committee
- · not misrepresent the views of other members of the committtee outside meetings
- immediately advise the independent chairperson during meetings of any potential or actual conflict of interest relating to matters under discussion
- abide by the directions of the independent chairperson.

I understand that if I miss three consecutive meetings I may be replaced on the Committee.

Signed declaration

As a member of the committee, I agree to abide by this code of conduct.
Name
Contact details
Address
Stakeholder group (if you relevant)
Signature and date



Declaration of Pecuniary and Non-Pecuniary Interests

All members of Community Consultative Committees must sign a declaration of pecuniary and non-pecuniary interests before they join the committee and keep this declaration up to date while they are members on the committee.

This declaration is designed to protect the integrity of the committee and the reputation of its members.

Examples of pecuniary interest may include but are not limited to:

- holding shares in an entity proposing or carrying out all or part of a State significant project
- holding a private contract with the proponent
- · holding voluntary acquisition or mitigation rights under the proponent's consent
- · receiving sitting fees or payments of personal expenses from the proponent
- a member representing a stakeholder group and the stakeholder group has received funding or grants from the proponent.

A pecuniary interest is an interest a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. Money does not have to change hands for there to be a pecuniary interest.

A non-pecuniary interest is a private or personal interest a person has that does not amount to a pecuniary interest but that may arise from family or personal relationships, involvement in community, social or other cultural groups that may include an interest of a financial nature.

A No pecuniary or non-pecuniary interest to declare

As a member of the [INSERT DEVELOPMENT NAME] Community Consultative Committee I declare that I have no pecuniary or non-pecuniary interest to prevent me from carrying out my role on the [INSERT DEVELOPMENT NAME] Community Consultative Committee impartially and in the best interests of the local and broader community.

Should this change, I agree to update this declaration and advise the committee accordingly.
Name
Signature
Date
B Pecuniary or non-pecuniary interest to declare
As a member of the [INSERT DEVELOPMENT NAME] Community Consultative Committee, I declare that I have the following interests (tick as appropriate) that are relevant to the operation of the committee:
☐ Pecuniary interest. Please provide details:
Proponent Community Consultative Committee Guideline for State Significant Projects

9.4.5 MEMBERSHIP OF GRANITE HILLS WINDFARM COMMUNITY CONSULTATIVE COMMITTEE ATTACHMENT 1 COMMUNITY CONSULTATIVE COMMITTEE GUIDELINES Page 409

	Non-pecuniary interest. Please provide details:
Should t	his change, I agree to update this declaration and advise the committee accordingly.
committ	tand this declaration, and any subsequent actions that flow from this declaration, will be noted the ee's meeting notes, and that the independent chairperson of the committee may ask me to withdraw cussion on particular issues.
Name	
Signatur	e
Date	

Record No:

Responsible Officer: Chief Strategy Officer

Author: Governance Officer

Key Direction: 4. Leadership Outcomes

Delivery Plan Strategy: 10.2 Sound governance practices direct Council business and

decision making

Operational Plan Action: 10.2.2 Councillors are supported to make informed decisions in

the best interest of the community and to advocate on behalf of

the community

Attachments: Nil

EXECUTIVE SUMMARY

Council previously extended the appointed of membership of committees established under section 355 of the Local Government Act until September 2020. Due to COVID-19 pandemic, the elections have been postponed until 4 September 2021. If Council wishes the current membership to stay in place until after the elections their term needs to be extended. An extension of 3 months after the election, until December 2021, would allow time for the Council to determine its committee structure and advertise for nominations.

Council is represented on a number of external committees. The current representatives on these committees can be extended or new representatives can be elected until September 2021. In certain circumstances the Mayor is the designated representative (unless the responsibility is delegated by the Mayor).

OFFICER'S RECOMMENDATION

That Council

- A. Extend the term of the representatives on external committees to the end of the Council term and notify the external committees of the extension of appointments;
- B. Dissolve the Cooma Sale Yards Committee; and
- C. Extend the term of the remaining internal advisory and management committees until December 2021 and notify the members of the extension of appointments.

BACKGROUND

In September 2019 the Council resolved (resolution no. 326/19) to extend the membership of s355 committees to September 2020, the end of the (then) current Council term.

The representatives appointed to the committees on 2 September 2019 are listed below.

Note: Where there is no name after Mayor, it is a requirement that the Mayor sit on this committee.

Active Advisory Committees			
Committee	Councillor Representative	Alternate Councillor nominated	
Arts and Culture	Clr Haslingden	No alternate nominated	
Audit, Risk and Improvement	Clr Maslin	N/A	
Community Services	Mayor Beer	No alternate nominated	
Cooma Sale Yards	Clr Miners	No alternate nominated	
Flood Management Plan	Mayor Beer	No alternate	
Green Team	Clr Castellari	No alternate	
Inclusion Action	Clr Castellari	No alternate nominated	
Koala Management	Clr Castellari	Clr Rooney	
Reconciliation Action Plan Working Party	Clr Castellari	Clr Haslingden	
Recreational Facilities	Clr Castellari,	Clr Haslingden,	
Recreational Facilities	Clr Corbett	Clr Ewart	
Snowy Monaro Cemeteries	Clr Haslingden	No alternate nominated	
Snowy Monaro Tourism	Clr Beer	Clr Corbett, Clr Maslin Clr Haslingden	
Snowy Monaro Weeds	Clr Stewart	Clr Haslingden	
Waste Management	Clr Corbett, Clr Ewart, Clr Miners	N/A	
Water	Mayor Clr Maslin Clr Rooney Clr Miners	N/A	
Yamaga Sister City	Clr Rooney	Clr Old	

Representatives of External Committees			
Body	Councillor Representative	Alternate Councillor nominated	
Aboriginal Liaison Committee	Clr Castellari	No alternate nominated	
ANU Medical School - Community Advisory Committee Board	Clr Corbett	No alternate nominated	
Bundian Way Advisory Committee	Clr Castellari	Clr Maslin, Clr Stewart	
Canberra Region Joint Organisation of Councils (CBRJO)	Mayor & Chief Executive Officer	N/A	
Community Safety Precinct Committee	Mayor Beer	Clr Corbett	
Cooma Correctional Centre Community	Mayor	N/A	

Representatives of External Committees			
Consultative Committee			
Cooma Universities Centre	Clr Maslin	Clr Rooney	
Delegate Progress Association	Clr Haslingden	Clr Stewart	
District Bush Fire Management Committee	Clr Ewart	No alternate nominated	
Jindabyne Liquor Accord	Clr Beer	Clr Old	
Local Traffic Committee	Clr Miners	Clr Haslingden	
Monaro Housing Taskforce	Clr Haslingden	No alternate nominated	
Monaro Regional Interagency – meets regularly	Clr Castellari	No alternate nominated	
South East Arts	Clr Haslingden	No alternate nominated	
Southern Joint Regional Planning Panel	Mayor and Chief Executive Officer	N/A	
Southern Monaro Local Emergency Management Committee (LEMC)	Clr Corbett	No alternate nominated	
Southern Monaro Local Emergency Rescue Committee	Chief Executive Officer	N/A	
Snowy Mountains Neighbourhood Centre	Clr Old	No alternate nominated	
Upper Murrumbidgee Catchment Co- ordinating Committee	Planning staff	N/A	

Management Committees				
Committee	Councillor Representative			
Adaminaby School of Arts Hall				
Bibbenluke Hall and Sportsground				
Boco Rock Enhancement Community Fund	Mayor, Councillor Corbett & Councillor Stewart			
Bombala Exhibition Ground				
Bombala Racecourse and Recreation Ground				
Bombala Tennis Club				
Bredbo Hall				
Bungarby Memorial Hall				
Cathcart School of Arts				
Craigie Hall				

Management Committees								
Committee	Councillor Representative							
Dalgety Hall								
Dalgety Showground								
Delegate & District Pre-School								
Delegate Early Settlers Hut								
Delegate School of Arts Hall								
Delegate Sportsground								
Jindabyne Memorial Hall								
Jindabyne Shared Trails								
Jindabyne Sportsground and Recreation Areas								
Kybeyan Hall								
Michelago Hall								
Mila Country Club								
Nimmitabel Hall								
Nimmitabel Showground								
Numeralla Hall								
Peakview Hall								
Smiths Road Hall								
Youth Council	Clr Ewart							

The Cooma Sale Yards committee has not met since 2016. Clear communication lines are in place to provide updates and information to relevant stakeholders. These include the Cooma Associated Agents, Rural Crime Squad, and Local Lands Services. Having these mechanisms in place mean that there is not the need for a committee to formally meet. For this reason the committee is recommended to be disbanded. The stakeholders can meet when any particular reason requires them to come together.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Appointment of Council delegates to these Community based Committees recognises and promotes people's rights and improve the accountability of decision makers as well as giving people better opportunities for genuine participation and consultation about decisions affecting their lives.

2. Environmental

Nil.

3. Economic

Provision has been made in the 2021 budget for the Mayor and Council to undertake civic duties as required. This budget includes representing Council on a number of external and internal advisory committees.

4. Civic Leadership

By representing these committees elected members get the opportunity to interact with committees directly and understand the need of the community to take sound decisions in benefit of the community. Representatives generally have voting rights on committees, although the extent may vary between committees.

9.4.7 REGIONAL COMMUNITY STRATEGIC PLAN

Record No:

Responsible Officer: Chief Strategy Officer

Author: Coordinator Strategy Development

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: Nil

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Canberra Region is a unique and diverse geographic region which stretches from the South-West Slopes, through the Sydney-Canberra Corridor across the Eurobodalla down to the Sapphire Coast and then up to the Snowy Mountains.

The Canberra Region Joint Organisation (CRJO) provides a forum for councils, state agencies and other stakeholders to work together at a regional level to identify shared priorities. This approach helps to deliver critical regional projects, delivering better outcomes for communities. The core objectives of joint organisations include regional strategic planning and priority setting; intergovernmental collaboration; and regional leadership and advocacy. The CRJO often explores opportunities to collaborate and jointly procure services or deliver a program or project on behalf of member councils. Below are the CRJO member Councils.

Following the next local government elections there is the requirement to review the Community Strategic Plan (CSP). The CSP is the peak corporate plan within the integrated planning & reporting suite and sets the strategic direction for the communities within the local government area. The Canberra Region Joint Organisation (CRJO) have recognised the synergies and efficiencies can be gained through developing a region-wide Community Strategic Plan and survey.

Working regionally allows for a much higher level of technical expertise to be employed, as there are many common issues. Researching the issue once across the region will allow more resources to be allocated towards understanding and providing information and strategies in response to the issues facing our communities. This will mean that the Council will have better information to drive responses from other levels of government as well as to develop its own delivery plan, to guide the role it wants to take in meeting the community's needs.

Having a regional plan will improve the opportunity for political lobbying about issues affecting the region and having a regional approach will improve the credibility of the council's in the region, which should improve our lobbying effort.

The vision for the CRJO Regional CSP is that it would provide a section on regional priorities along with various communities' long-term aspirations based around the sub-regions of Tablelands,

9.4.7 REGIONAL COMMUNITY STRATEGIC PLAN

Alpine and Coastal. Each Council will have a chapter of information specific to their local government area.

Currently within our region the Goulburn Mulwaree, Upper Lachlan and Yass Valley council have previously developed a regional CSP. These council's representatives in the working group have indicating they found this a very beneficial process. An example of the region working within this model is the development of a regional State of the Environment Report 2004 (http://reports.envcomm.act.gov.au/SoE2004/). While the ACT government has not been involved in the discussions so far, there is always the potential opportunity for the ACT Government to want to be involved in a regional approach to strategy, which would also boost the available resource to undertake strategic planning and improve our ability to engage with the ACT Government on regional issues.

OFFICER'S RECOMMENDATION

That Council;

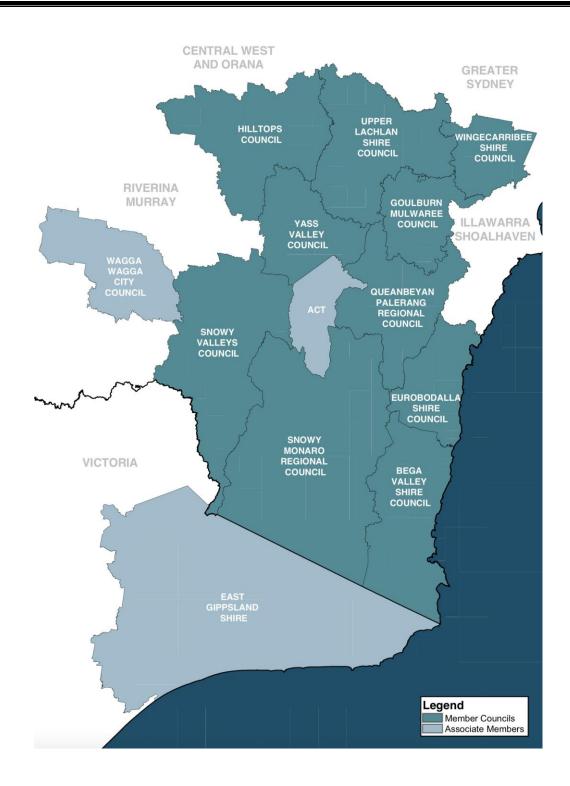
- A. Participate in a CRJO coordinated project to develop a Regional Community Strategic Plan in collaboration with the member Councils of the CRJO; and
- B. Support the development of a joint Regional Wellbeing Survey that includes data collection on community satisfaction with the member Councils of the CRJO.

BACKGROUND

The CRJO are proposing to take a different approach to the development of the new CSP post the September 2021 election. Council staff are currently participating in a CRJO Working Group looking at the development of a Regional CSP covering a number of the CRJO councils.

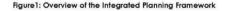
The working Group is also seeking to develop a Regional Wellbeing Survey that will provide an optin opportunity to capture community satisfaction data to assist in the development of the Regional CSP.

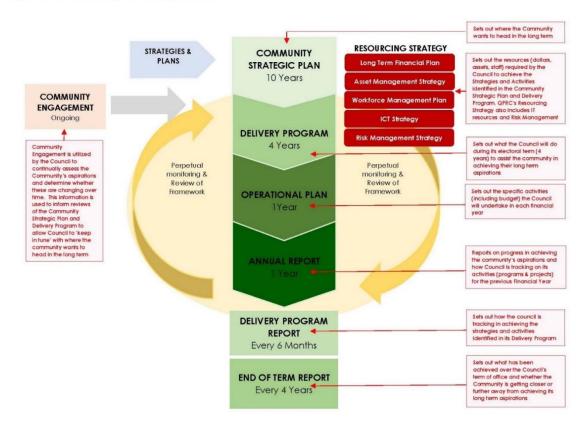
Each Council that has expressed an interest in these projects and joined the Working Group are now formally seeking their Council's support.



Community Strategic Plan

The Community Strategic Plan (CSP) is the cornerstone document in the NSW Integrated Planning and Reporting (IPR) Framework. Under the provisions of Act, councils are required to facilitate the development of a CSP which encapsulates the community's vision and their long-term aspirations for the region. The CSP constitutes the peak corporate plan within the Integrated Planning & Reporting Framework (see figure below) which now forms a central part of all councils' corporate planning requirements as required by the Local Government Act.





CSPs tend to be high level; aspirational documents outlining what the community value and prioritise. Many of the areas articulated are reflective of the responsibilities, activities and programs of the State and in some cases Federal Government, and other organisations. A review of the CRJO member councils CSPs have been undertaken with many of the CSP high-level aspirations being very similar if not the same.

The IPR framework recognises that most communities share similar aspirations: a safe, healthy and pleasant place to live; a sustainable environment; opportunities for social interaction; opportunities for education and employment; and reliable infrastructure, but recognises each community has over time developed unique characteristics and strong senses of identity.

Building a CSP takes time and must involve a whole-of-community engagement process. It is important to note that whilst Council is the custodian of the CSP; it may not be responsible for the delivery of all of the activities the Plan identifies.

In the last round of Integrated Planning and Reporting (IPR) Goulburn Mulwaree, Upper Lachlan and Yass Valley Councils undertook a combined CSP process. The Tablelands 2016-2036 Regional Community Strategic Plan was a progressive approach, that whilst meeting the requirements of the Office of Local Government's IPR Framework, presented a range of positive, cooperative opportunities. Those Councils felt that the development of a combined CSP had worked well for them.

CRJO Regional CSP

It has been proposed by the CRJO and supported by the CRJO Board that following the 2021 local government election, that a region-wide approach is taken for the development of a Regional CSP. With the Local Government election now postponed until September 2021, NSW Councils are not required to adopt their Community Strategic Plan until 30 June 2022.

The NSW State Government has actively encouraged regional and rural councils to take a coordinated approach and to consider the option of developing region-wide CSPs.

It is envisaged that the Regional CSP will provide information on various communities' long-term aspirations based around the sub-regions of Tablelands, Alpine and Coastal. Each Council will have a chapter of information specific to their local government area within these sub-regions. This approach will ensure that if there are 'unique circumstances/aspirations' which arise from the community engagement process that they are not lost within the 'big picture' analysis of the wider CRJO region.

The Goulburn-Yass-Upper Lachlan CSP took a similar approach where they set out the community aspirations within their respective areas as a result of the community engagement process.

Following the development of a Regional CSP, each individual Council will then develop and adopt their own Delivery Program for 2022-2026.

The benefits of this approach provide a high level but strategic document to present to State and Federal Governments and others supported by the various regional plans and also provides a Council specific chapter to allow for local advocacy and to provide the framework for each Council's resourcing strategy, delivery program operational plan etc.

As of 12 August 2020, Queanbeyan-Palerang Regional Council, Bega Valley Shire Council, Snowy Valleys Council and Goulburn Mulwaree Council have committed to a Regional Community Strategic Plan. Snowy Monaro Regional Council and Yass Valley Council are yet to decide their commitment. Eurobodalla will not participate in the Regional CSP, but may participate in some components of the community engagement strategy. Hilltops and Upper-Lachlan councils have not advised whether they are participating or not. Wingecarribee Council have indicated that they do not wish to participate as they are already a long way into implementing a wellbeing measurement project of their own.

Community Satisfaction Survey

As part of the development of a CSP, there must be involvement of a whole-of-community engagement process. As part of this engagement process most Councils typically undertake community satisfaction surveys to inform the review of their strategic priorities in their IPR documents. Several CRJO Councils have already commenced this process for the next cycle (Eurobodalla and Wingecarribee for example). There would be potential in terms of a consistent approach and costs if Councils participating in this initiative considered undertaking this survey work together.

Community Wellbeing Survey

The measurement of community wellbeing and the factors that drive it are becoming more prominent with a large number of countries now recognising the importance of measuring such, along with traditional economic markers, to provide accurate data to assist with policy development and implementation. Over the past decade detailed work has been produced on

measuring wellbeing at the national level. A great deal of work is now being undertaken both within Australia and overseas to measure community wellbeing at the local level.

The CRJO Working Group, supported by the CRJO Board, are interested in undertaking a regionally coordinated approach to measure wellbeing within our communities. Such a project lines up with Priority Action 15 of the CRJO's Statement of Strategic Regional Priorities. Outcome 15.1 states: Identification of issues, stakeholders and priority actions measured by recognition and support by individual councils and an improvement in well-being measures over time.

The Working Group and GMAG have viewed two differing international methods of measuring wellbeing. These consist of the Thriving Place Index and Happiness Pulse developed by Happy City in the UK and the Quality of Life Survey undertaken by a consortium of nine Councils within New Zealand on a biennial basis. Both take different approaches to measuring wellbeing but draw heavily from existing national and local databases. The Working Group will seek to develop a joint Regional Wellbeing Survey, taking guidance from existing models, that will also include optional data collection on community satisfaction for those Councils who have not yet undertaken community satisfaction research.

CRJO Position

In support of this direction to collaborate to deliver a CRJO CSP and a Regional Wellbeing Survey the GMAG established the Community Wellbeing and IPR Working Group in September 2019. The Working Group met in Canberra on 25 October 2019 with the general consensus being supportive of the region-wide approach, particularly with the precedent and experience of members of the Working Group who assisted with the development of the Tablelands CSP.

At the CRJO Board meeting of 6 December 2019 the following was resolved:

That the CRJO Board note the proposal by the Community Wellbeing and IPR Working Group to develop the following projects;

- (1) Development of a Regional Community Strategic Plan,
- (2) A joint Regional Wellbeing Survey and
- (3) A joint community satisfaction aspect be incorporated into the Regional Wellbeing Survey and that each Council make a decision if they participate.

The CRJO Board has endorsed the development of a Regional CSP and Regional Wellbeing Survey amongst its member Councils. Work has commenced on drafting a brief and timeline for the development of the Regional CSP. At the CRJO Regional Wellbeing and IPR Working Group Meeting held on 12 August 2020 it was resolved;

- a) That the Councils of the CRJO Regional Wellbeing and IPR Working Group confirm and commit to participating in the Regional Community Strategic Plan (RCSP) and provide the CRJO with necessary timelines and steps required for their Councils to commit and endorse this initiative.
- b) That the CRJO Regional Wellbeing and IPR Working Group determine a budget for the RCSP project implementation and delivery.
- c) That the CRJO Regional Wellbeing and IPR Working Group develop a timeline for deliverables, including the development of a RCSP brief, procurement timeframes, nomination of an evaluation panel and future meeting dates for the group.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

As part of the development of Community Strategic Plans, there must be involvement of a whole of community engagement process. With the development of the Plan from a regional perspective, a consistent approach and costs for Councils participating in this initiative, has great potential for positive outcomes.

The measurement of community wellbeing and the factors that drive it is becoming more prominent in the development of strategic community plans. While it is extremely important to understand what our community values, it is equally important to have an understanding and be able to measure the wellbeing of our community.

2. Environmental

The opportunity to apply a regional lens to environmental and economic issues presents a framework for more collaborative and innovative policies, programs and initiatives to surface across the CRJO geographical area. By working together there is economies of scale and a louder voice for advocacy with both the State and Federal Government.

3. Economic

The budget model for the development of the RCSP will be a financial contribution from each participating Council, calculated on population of the Local Government Area. Based on a population of 20 000, it is anticipated that SMRC Council contribution will be approximately \$20 000.

Estimated Expenditure	Amount	Financial year	Led	ger	Ac	Account string											
Council RCSP Contribution	\$20 000	2020/2021	W	0	1	7	6	4	•	2	0	4	0	0			
	\$																
	\$																
Funding (Income/reserves)	Amount		Led	ger	Account string												
	\$																
	\$																
	\$																

4. Civic Leadership

If supported, the CRJO Regional CSP will lead the Integrated Planning and Reporting of the newly elected Council in 2021. The intention is that the Regional CSP will include a generic section on the CRJO region and regional priorities, a snapshot of the sub-regions of Tablelands, Alpine and Coastal followed by more detailed Council specific chapters.

Following the development of a Regional CSP, each individual Council will then develop and adopt their own Delivery Program for 2022-2026. This focuses clearly on the Council's priorities, actions and outcomes for the period.

9.4.8 AMENDMENTS TO THE MODEL CODE OF CONDUCT

Record No:

Responsible Officer: Chief Strategy Officer

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: 10.1.1 Council has a transparent and bold growth objective which

provides a framework for decision making

Attachments: 1. Draft - SMRC 1 Code of Conduct

Draft SMRC 83 Gifts and Benefits Policy
 Draft Councillor and Staff Interaction Policy

EXECUTIVE SUMMARY

On 14 August Council received circular from the Office of Local Government (OLG) advising amendments have been made to the Model Code of Conduct and the Procedures for the Administration of the Model Code of Conduct for Local Councils (the Procedures) and take effect immediately. This is because the amendments to the Procedures largely reflect existing practice following the Supreme Court's decision and the amendments to the Model Code of Conduct are minor in nature. Council's should adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures as soon as possible. These amendments are in response to the decision by the Supreme Court in the Matter of Cornish v Secretary, Department of Planning, Industry and Environment [2019] NSWSC 1134.

OFFICER'S RECOMMENDATION

That Council:

- A. Adopt the amended Model Code of Conduct and the Procedures from Administering the Model Code of Conduct;
- B. Adopt the amendments to SMRC Councillor and Staff Interaction Policy, including list of position that can interact with Councillors; and
- C. Increase the token value of gifts from \$50 to \$100 and amend the value in SMRC Gifts and Benefits Policy.

BACKGROUND

The amendments to the Procedures largely reflect existing practice following the Supreme Court's decision and the amendments to the Model Code of Conduct are minor in nature.

Amendments to the Model Code of Conduct

- The Model Code of Conduct has been amended to:
 - o remove as a breach, failure to comply with a council resolution requiring action in relation to a code of conduct breach (because it is now redundant)

- update the language used to describe the various heads of discrimination in clause
 3.6 to reflect more contemporary standards
- include in the definition of council committee and council committee members, members of audit, risk and improvement committees (ARICs) in anticipation of the commencement of the requirement for all councils to appoint an ARIC following the next local government elections.
- Amendments have also been made to the gifts and benefits provisions of the Model Code of Conduct in response to feedback from some councils. The amendments:
 - lift the \$50 cap on the value of gifts that may be accepted to \$100
 - clarify that items with a value of \$10 or less are not "gifts or benefits" for the purposes of the Model Code of Conduct and do not need to be disclosed
 - clarify that benefits and facilities provided by councils (as opposed to third parties) to staff and councillors are not "gifts or benefits" for the purposes of the Model Code of Conduct, and
 - remove the cap on the value of meals and refreshments that may be accepted by council officials in conjunction with the performance of their official duties.

Councils are not obliged to amend their codes of conduct to lift the cap on the value of gifts that may be accepted if they do not wish to. It is open to councils to retain the existing \$50 cap or to impose another cap that is lower than \$100.

Amendments to the Procedure

- Consistent with the Supreme Court's decision, councils have the following options when taking disciplinary action against councillors for breaches of their codes of conduct under the new Procedures:
 - that a councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (the Act), or
 - that a councillor be formally censured for a breach under section 440G and the matter referred to OLG for further disciplinary action under the misconduct provisions of the Act.
- The process for censuring councillors for breaches of the code of conduct has been significantly strengthened to ensure councillors are made publicly accountable to their electors for their conduct. When censuring councillors, councils are required to specify in their resolution the grounds on which the councillor is being censured by disclosing the investigator's findings and determination and any other grounds that the council considers may be relevant or appropriate.
- Councillors may seek to avoid public censure for breaches of the code of conduct by
 voluntarily agreeing to undergo training or counselling, to apologise for their conduct or to
 give undertakings not to repeat their conduct before the investigator finalises their report
 to the council. Investigators can finalise their investigations without a report to the council
 where they consider these to be an appropriate outcome to the matter they are
 investigating. However, it will remain open to investigators to finalise their report and to
 recommend censure where they consider this is appropriate and warranted.

- The process for referral by councils of code of conduct breaches by councillors to OLG for further disciplinary action under the misconduct provisions of the Act has been streamlined. Investigators are required to consult with OLG before recommending the referral of matters to ensure the conduct in question is sufficiently serious to warrant disciplinary action for misconduct and that there is sufficient evidence of the breach to allow OLG to take further disciplinary action.
- Other amendments have been made to the Procedures to:
 - allow panels of conduct reviewers to be appointed without a resolution of the council, and
 - allow the referral of investigators' reports to OLG for action under the misconduct provisions of the Act where the council will not have a quorum to deal with the matter.

Council adopted its Code of Conduct, endorsing the Model Code of Conduct, on 16 May 2019, with the inclusion of a supplementary clause for Social Media (clause 8.21). It is recommended that Council maintain this clause when adopting the amended Model Code of Conduct.

Councillor and Staff Interaction policy, is amended to delete items 6 Obligation of Councillors and item 7 Obligation of Staff as they are covered in the Code of Conduct policy.

Further, CEO has nominated the Senior Management Team (SMT) who are authorised to provide advise/ interact with Councillors. Refer appendix A of Councillor and Staff Interaction policy to view SMT list.

Staff that are responsible to provide administration support for Council meetings, Briefing session etc. will continue to provide support.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The standards of the Code of Conduct apply to all Council Officials and Staff, as well as representatives on Council Committees. In addition there are standards prescribed in the Code regarding community member behaviour in Council forums.

2. Environmental

Nil.

3. Economic

Nil.

4. Civic Leadership

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree
 of care and diligence (section 439) act in a way that enhances public confidence in local
 government.

Policy

Title of Policy	SMRC Code of Conduct							
Responsible Department	Corporate Governance	Document Register ID	250.2016.1.3					
Policy Owner	Governance	Review Date	17 September 2022					
Date of Council Meeting	17 September 2020	Resolution Number						
Legislation, Australian Standards, Code of Practice	Local Government (General) Regulation 2005 Children and Young Persons (Care and Protection) Act 1998 Crimes Act 1900 Election Funding Act 2018 Environmental Planning and Assessment Act 1979 Government Information (Public Access) Act 2009 Health Records and Information Privacy Act 2002 Independent Commission Against Corruption Act 1988 NSW Anti-Discrimination Act 1977 Ombudsman Act 1976 Privacy and Personal Information Protection Act 1998 Public Interest Disclosures Act 1994 The Ombudsman Amendment (Child Protection and Community Services) Act 1998 Work Health and Safety Act 2011 Disability Discrimination Act 1992							
Aim	Racial Discrimination Act 1975 Sex Discrimination Act 1984 State Records Act 1998 Health Privacy Principles Information Protection Principles Snowy Monaro Regional Council e Councils in NSW and the Procedur of Conduct for Local Councils in NS Local Government, December 201	ndorses the Mode es for the Adminis SW Issued by Prem	l Code of Conduct for Local tration of the Model Code					

1 Policy Details

1.1 Introduction

Snowy Monaro Regional Council has a commitment to providing all staff with a common understanding of the professional standards of behaviour required in our work within Council for the Community and as such has also produced guidelines which must be read in conjunction with the Model Code of Conduct.

1.2 The Model Code of Conduct

The *Model Code of Conduct* sets the minimum requirements of conduct for council officials in carrying out their functions. The Model Code is prescribed by regulation.

The Model Code of Conduct has been developed to assist council officials to:

- understand the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in the integrity of local government.

1.3 SMRC Code of Conduct

The Snowy Monaro Regional Council Code of Conduct includes all clauses from the Model Code of Conduct with the addition of a supplementary clause on Social Media Clause 8.21.

1.4 Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW

Sections 440 and 440AA of the Act require every council to adopt a code of conduct and procedures for the administration of the code of conduct that incorporate the provisions of the Model Code and *Model Code Procedures* respectively.

In adopting procedures for the administration of their adopted codes conduct, councils may supplement the Model Code Procedures. However provisions of a council's adopted procedures that are not consistent those prescribed under the Model Code Procedures will have no effect.

1.5 Conduct Reviewer and Conduct Review Panel

The New Model Code of Conduct allow councils to centralise the management of code of conduct complaints through a joint organisation, a regional organisation of councils or another shared arrangement should they choose to do so.

SMRC will seek to use the Canberra Region Joint Organisation (CRJO) reviewer panel in the management of Code of Conduct Complaints.

1.6 Complaints Coordinator

In accordance with the Model Code of Conduct for Local Councils in NSW and the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW, the Complaints Coordinator shall be Council's Public Officer.

Documentation

Model Documents

The Model Code of Conduct for Local Councils in NSW 2018

Procedures for the Administration of The Model Code of Conduct for Local Councils in NSW 2018

Supporting Documents

Model Privacy Management Plan for Local Government

Policies and Procedures

250.2016.2.1 - Policy - Payment of Expenses and Provision of Facilities for Mayor and Councillors

250.2016.55.2 - Policy - Purchasing and Tendering

250.2016.4.1 - Policy - Communications

250.2016.81.2 - Procedure - Credit/Purchase Card

250.2016.67.1 - Policy - Grievance

250.2017.338.1 - Policy - Public Interest Disclosures (PID) - Internal Reporting

250.2016.174.1 - Policy - Motor Vehicle Leaseback and Private Use

Forms

250.2016.85.1 - Form – Councillor and Employees Register of Gifts and Benefits

Variation

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

Snowy Monaro Regional Council Code of Conduct

2020

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PART 1 INTRODUCTION

This Model Code of Conduct for Local Councils in NSW ("the Model Code of Conduct") is made under section 440 of the Local Government Act 1993 ("LGA") and the Local Government (General) Regulation 2005 ("the Regulation").

The Model Code of Conduct sets the minimum standards of conduct for council offcials. It is prescribed by regulation to assist council offcials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council's or joint organisation's adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not "council offcials" for the purposes of the Model Code of Conduct (eg volunteers, contractors and members of wholly advisory committees).

A council's or joint organisation's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council's or joint organisation's adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Note: References in the Model Code of Conduct to councils are also to be taken as references to county councils and joint organisations.

Note: In adopting the Model Code of Conduct, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting the Model Code of Conduct, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

PART 2 DEFINITIONS

In this code the following terms have the following meanings:

LGA the Local Government Act 1993

administrator an administrator of a council appointed under the LGA other than an

administrator appointed under section 66

committee see the definition of "council committee"

complaint a code of conduct complaint made for the purposes of clauses 4.1 and

4.2 of the Procedures.

council includes county councils and joint organisations

council committee a committee established by a council comprising of councillors, staff or

other persons that the council has delegated functions to and the

council's audit, risk and improvement committee

council committee

member a person other than a councillor or member of staff of a council who is a

member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council's

audit, risk and improvement committee

council official includes councillors, members of staff of a council, administrators,

council committee members, delegates of council and, for the purposes

of clause 4.16, council advisers

councillor any person elected or appointed to civic office, including the mayor and

includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of

joint organisations

conduct includes acts and omissions

delegate of council a person (other than a councillor or member of staff of a council) or

body, and the individual members of that body, to whom a function of

the council is delegated

designated person a person referred to in clause 4.8

election campaign includes council, state and federal election campaigns

environmental planning

instrument has the same meaning as it has in the Environmental Planning and

Assessment Act 1979

general manager includes the executive officer of a joint organisation

	<u> </u>
joint organisation	a joint organisation established under section 4000 of the LGA
local planning panel	a local planning panel constituted under the <i>Environmental Planning</i> and Assessment Act 1979
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW prescribed under the Regulation
the Regulation	the Local Government (General) Regulation 2005
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a council committee that the council has not delegated any functions to

GENERAL CONDUCT OBLIGATIONS

General conduct

- 3.1 You must not conduct yourself in a manner that:
 - a) is likely to bring the council or other council officials into disrepute
 - b) is contrary to statutory requirements or the council's administrative requirements or policies
 - c) is improper or unethical
 - d) is an abuse of power
 - e) causes, comprises or involves intimidation or verbal abuse
 - f) involves the misuse of your position to obtain a private benefit
 - g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.
- 3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (section 439).

Fairness and equity

- 3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

Harassment and discrimination

- 3.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.
- 3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:
 - a) is not wanted by the person
 - b) offends, humiliates or intimidates the person, and
 - c) creates a hostile environment.

Bullying

- 3.8 You must not engage in bullying behaviour towards others.
- 3.9 For the purposes of this code, "bullying behaviour" is any behaviour in which:
 - a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons and
 - b) the behaviour creates a risk to health and safety.

- 3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
 - a) aggressive, threatening or intimidating conduct
 - b) belittling or humiliating comments
 - c) spreading malicious rumours
 - d) teasing, practical jokes or 'initiation ceremonies'
 - e) exclusion from work-related events
 - f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
 - g) displaying offensive material
 - h) pressure to behave in an inappropriate manner.
- 3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:
 - a) performance management processes
 - b) disciplinary action for misconduct
 - c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
 - d) directing a worker to perform duties in keeping with their job
 - e) maintaining reasonable workplace goals and standards
 - f) legitimately exercising a regulatory function
 - g) legitimately implementing a council policy or administrative processes.

Work health and safety

- 3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WH&S Act). You must comply with your duties under the WH&S Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:
 - a) take reasonable care for your own health and safety
 - b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
 - c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WH&S Act and any policies or procedures adopted by the council to ensure workplace health and safety
 - d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
 - e) report accidents, incidents, near misses, to the chief executive officer (CEO) or such other staff member nominated by the CEO, and take part in any incident investigations
 - f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WH&S Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any

occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.

3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Binding caucus votes

- 3.15 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.16 For the purposes of clause 3.15, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.17 Clause 3.15 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter.
- 3.18 Clause 3.15 does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

Obligations in relation to meetings

- 3.19 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.20 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.21 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- 3.22 If you are a councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council. Without limiting this clause, you must not:
 - a) leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or
 - b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
 - c) deliberately seek to impede the consideration of business at a meeting.

PECUNIARY INTERESTS

What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
 - (a) your interest, or
 - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
 - (a) Your "relative" is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
 - (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
 - (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
 - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
 - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
 - (a) your interest as an elector
 - (b) your interest as a ratepayer or person liable to pay a charge
 - (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
 - (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the

- council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
- (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
- (f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
- (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
- (h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
- (i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
 - ii) security for damage to footpaths or roads
 - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
- (j) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor)
- (k) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252 of the LGA,
- (I) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor
- (m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
- (n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or a council committee member
- (o) an interest arising from the appointment of a councillor to a body as a representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.
- 4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

4.8 Designated persons include:

- (a) the CEO
- (b) other senior staff of the council for the purposes of section 332 of the LGA
- (c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
- (d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

4.9 A designated person:

- (a) must prepare and submit written returns of interests in accordance with clauses 4.21, and
- (b) must disclose pecuniary interests in accordance with clause 4.10.
- 4.10 A designated person must disclose in writing to the CEO (or if the person is the CEO, to the council) the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest.
- 4.11 Clause 4.10 does not require a designated person who is a member of staff of the council to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.
- 4.12 The CEO must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.
- 4.13 A disclosure by the CEO must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and the council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council staff other than designated persons?

- 4.14 A member of staff of council, other than a designated person, must disclose in writing to their manager or the CEO the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.
- 4.15 The staff member's manager or the CEO must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council advisers?

- 4.16 A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.
- 4.17 A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a council committee member?

- 4.18 A council committee member must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29.
- 4.19 For the purposes of clause 4.18, a "council committee member" includes a member of staff of council who is a member of the committee.

What disclosures must be made by a councillor?

4.20 A councillor:

- (a) must prepare and submit written returns of interests in accordance with clause 4.21, and
- (b) must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29 where it is applicable.

Disclosure of interests in written returns

- 4.21 A councillor or designated person must make and lodge with the CEO a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:
 - (a) becoming a councillor or designated person, and
 - (b) 30 June of each year, and
 - (c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

- 4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:
 - (a) they made and lodged a return under that clause in the preceding 3 months, or
 - (b) they have ceased to be a councillor or designated person in the preceding 3 months.
- 4.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.24 The CEO must keep a register of returns required to be made and lodged with the CEO.
- 4.25 Returns required to be lodged with the CEO under clause 4.21(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.
- 4.26 Returns required to be lodged with the CEO under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.
- 4.27 Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access)*Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

- 4.28 A councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.29 The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:
 - (a) at any time during which the matter is being considered or discussed by the council or committee, or
 - (b) at any time during which the council or committee is voting on any question in relation to the matter.
- 4.30 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.
- 4.31 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.
- 4.32 A general notice may be given to the CEO in writing by a councillor or a council committee member to the effect that the councillor or council committee member, or the councillor's or council committee member's spouse, de facto partner or relative, is:
 - (a) a member of, or in the employment of, a specified company or other body, or
 - (b) a partner of, or in the employment of, a specified person.

Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the councillor's or council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.

- 4.33 A councillor or a council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or council committee member has an interest in the matter of a kind referred to in clause 4.6.
- 4.34 A person does not breach clauses 4.28 or 4.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.35 Despite clause 4.29, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.36 Clause 4.29 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
 - (a) the matter is a proposal relating to:
 - (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
 - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
 - (b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
 - (c) the councillor made a special disclosure under clause 4.37 in relation to the interest before the commencement of the meeting.
- 4.37 A special disclosure of a pecuniary interest made for the purposes of clause 4.36(c) must:
 - (a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
 - (b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.
- 4.38 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
 - (a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
 - (b) that it is in the interests of the electors for the area to do so.

4.39 A councillor or a council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.38, must still disclose the interest they have in the matter in accordance with clause 4.28.

NON-PECUNIARY CONFLICTS OF INTEREST

What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the CEO, such a disclosure is to be made to the staff member's manager. In the case of the CEO, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
 - a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
 - b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships.

Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.

- c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
- d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
- e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
- f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
 - a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
 - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.
- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of council other than the CEO, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the CEO, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

Political donations

- 5.15 Councillors should be aware that matters before council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.16 Where you are a councillor and have received or knowingly benefitted from a reportable political donation:
 - a) made by a major political donor in the previous four years, and
 - b) the major political donor has a matter before council,

you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29. A disclosure made under this clause must be recorded in the minutes of the meeting.

- 5.17 For the purposes of this Part:
 - a) a "reportable political donation" has the same meaning as it has in section 6 of the Electoral Funding Act 2018
 - b) "major political donor" has the same meaning as it has in the *Electoral Funding Act* 2018.
- 5.18 Councillors should note that political donations that are not a "reportable political donation", or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.
- 5.19 Despite clause 5.16, a councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of quorum as a result of compliance with this Part

- 5.20 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:
 - a) the matter is a proposal relating to:
 - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
 - b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
 - c) the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.
- 5.21 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who is precluded under this Part from participating in the

consideration of a matter to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.
- 5.22 Where the Minister exempts a councillor or committee member from complying with a requirement under this Part under clause 5.21, the councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Other business or employment

- 5.23 The CEO must not engage, for remuneration, in private employment, contract work or other business outside the service of the council without the approval of the council.
- 5.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council or that might conflict with the staff member's council duties unless they have notified the CEO in writing of the employment, work or business and the CEO has given their written approval for the staff member to engage in the employment, work or business.
- 5.25 The CEO may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council, or that might conflict with the staff member's council duties.
- 5.26 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council if prohibited from doing so.
- 5.27 Members of staff must ensure that any outside employment, work or business they engage in will not:
 - a) conflict with their official duties
 - b) involve using confidential information or council resources obtained through their work with the council including where private use is permitted
 - c) require them to work while on council duty
 - d) discredit or disadvantage the council
 - e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

Personal dealings with council

- 5.28 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.29 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also

ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

PERSONAL BENEFIT

- 6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.
- 6.2 A reference to a gift or benefit in this Part does not include:
 - a) items with a value of \$10 or less
 - b) a political donation for the purposes of the Electoral Funding Act 2018
 - c) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
 - d) a benefit or facility provided by the council to an employee or councillor
 - e) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
 - f) free or subsidised meals, beverages or refreshments provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business
 - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
 - iii) conferences
 - iv) council functions or events
 - v) social functions organised by groups, such as council committees and community organisations.

Gifts and benefits

- 6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.
- 6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are offers of gifts and benefits to be dealt with?

- 6.5 You must not:
 - a) seek or accept a bribe or other improper inducement
 - b) seek gifts or benefits of any kind
 - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
 - d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
 - e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
 - f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer—supplier relationship with the competition organiser
 - g) personally benefit from reward points programs when purchasing on behalf of the council.

- 6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the CEO in writing. The recipient, manager, or CEO must ensure that, at a minimum, the following details are recorded in the council's gift register:
 - a) the nature of the gift or benefit
 - b) the estimated monetary value of the gift or benefit
 - c) the name of the person who provided the gift or benefit, and
 - d) the date on which the gift or benefit was received.
- 6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

- 6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:
 - a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
 - b) gifts of alcohol that do not exceed a value of \$100
 - c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
 - d) prizes or awards that do not exceed \$100 in value.

Gifts and benefits of more than token value

- 6.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.
- 6.10 Gifts and benefits of more than token value include, but are not limited to; tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.
- 6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.
- 6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

"Cash-like gifts"

6.13 For the purposes of clause 6.5(e), "cash-like gifts" include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

- 6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the proper exercise of their role as prescribed under the LGA.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

RELATIONSHIPS BETWEEN COUNCIL OFFICIALS

Obligations of councillors and administrators

- 7.4 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.
- 7.5 Councillors or administrators must not:
 - a) direct council staff other than by giving appropriate direction to the CEO by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
 - b) in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the staff member or delegate
 - c) contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the CEO
 - d) contact or issue instructions to any of the council's contractors, including the council's legal advisers, unless by the mayor or administrator exercising their functions under section 226 of the LGA.
- 7.6 Despite clause 7.2, councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

Obligations of staff

- 7.7 Under section 335 of the LGA, the role of the CEO includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.
- 7.8 Members of staff of council must:
 - a) give their attention to the business of the council while on duty
 - b) ensure that their work is carried out ethically, efficiently, economically and effectively
 - c) carry out reasonable and lawful directions given by any person having authority to give such directions
 - d) give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them
 - e) ensure that any participation in political activities outside the service of the council does not interfere with the performance of their official duties.

Inappropriate interactions

- 7.9 You must not engage in any of the following inappropriate interactions:
 - a) councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
 - council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
 - c) subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
 - d) councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
 - e) councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the councillor has a right to be heard by the panel at the meeting
 - f) councillors and administrators being overbearing or threatening to council staff
 - g) council staff being overbearing or threatening to councillors or administrators
 - h) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
 - i) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
 - j) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
 - k) council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals
 - councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's CEO or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.

ACCESS TO INFORMATION AND COUNCIL RESOURCES

Councillor and administrator access to information

- 8.4 The CEO is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The CEO and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.5 The CEO must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.6 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.7 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.8 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 8.9 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act.

Councillors and administrators to properly examine and consider information

8.10 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

Refusal of access to information

8.11 Where the CEO or public officer determine to refuse access to information requested by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The CEO or public officer must state the reasons for the decision if access is refused.

Use of certain council information

- 8.12 In regard to information obtained in your capacity as a council official, you must:
 - a) subject to clause 8.14, only access council information needed for council business

- b) not use that council information for private purposes
- c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with council
- d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

- 8.13 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 8.14 In addition to your general obligations relating to the use of council information, you must:
 - a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
 - b) protect confidential information
 - c) only release confidential information if you have authority to do so
 - d) only use confidential information for the purpose for which it is intended to be used
 - e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
 - f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
 - g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

- 8.15 When dealing with personal information you must comply with:
 - a) the Privacy and Personal Information Protection Act 1998
 - b) the Health Records and Information Privacy Act 2002
 - c) the Information Protection Principles and Health Privacy Principles
 - d) the council's privacy management plan
 - e) the Privacy Code of Practice for Local Government

Use of council resources

- 8.16 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.
- 8.17 Union delegates and consultative committee members may have reasonable access to council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:
 - a) the representation of members with respect to disciplinary matters
 - b) the representation of employees with respect to grievances and disputes
 - c) functions associated with the role of the local consultative committee.

- 8.18 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 8.19 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 8.20 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.21 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
 - a) for the purpose of assisting your election campaign or the election campaign of others, or
 - b) for other non-official purposes.
- 8.22 You must not convert any property of the council to your own use unless properly authorised.

Internet access

- 8.23 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.
- 8.21 You must not use social media to post comments, photos, sound recordings or other information that:
 - a) compromises your capacity to perform your official duties in an unbiased manner
 - b) has the potential to have a negative impact on your working relationships within the council or with external parties
 - c) is offensive, humiliating, threatening or intimidating to other council officials or those that deal with the council
 - d) has the capacity to damage the council's reputation or contains content about the council that may be misleading or deceptive
 - e) divulges confidential council information
 - f) breaches the privacy of other council officials or those that deal with council
 - g) contains allegations of suspected breaches of this code or information about the consideration of a matter under this code, or
 - h) could be perceived to be an official comment on behalf of the council where you have not been authorised to make such comment.

Council record keeping

- 3.22 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.
- 8.24 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.
- 8.25 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.
- 8.26 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to council buildings

- 8.27 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the CEO.
- 8.28 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the CEO (or their delegate) or as provided for in the procedures governing the interaction of councillors and council staff.
- 8.29 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.

MAINTAINING THE INTEGRITY OF THIS CODE

Complaints made for an improper purpose

- 9.4 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 9.5 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
 - a) to bully, intimidate or harass another council official
 - b) to damage another council official's reputation
 - c) to obtain a political advantage
 - d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
 - e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
 - f) to avoid disciplinary action under the Procedures
 - g) to take reprisal action against a person for making a complaint alleging a breach of this code
 - h) to take reprisal action against a person for exercising a function prescribed under the Procedures
 - i) to prevent or disrupt the effective administration of this code under the Procedures.

Detrimental action

- 9.6 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 9.7 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.8 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
 - a) injury, damage or loss
 - b) intimidation or harassment
 - c) discrimination, disadvantage or adverse treatment in relation to employment
 - d) dismissal from, or prejudice in, employment
 - e) disciplinary proceedings.

Compliance with requirements under the Procedures

- 9.9 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.10 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 9.11 You must comply with a practice ruling made by the Office under the Procedures.

9.12 Where you are a councillor or the CEO, you must comply with any council resolution requiring you to take action as a result of a breach of this code.

<u>Disclosure of information about the consideration of a matter under the Procedures</u>

- 9.13 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.14 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 9.15 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.16 You must not disclose information about a complaint you have made alleging a breach of this code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 9.17 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act* 1994.

Complaints alleging a breach of this Part

- 9.18 Complaints alleging a breach of this Part by a councillor, the CEO or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the council for consideration in accordance with the Procedures.
- 9.19 Complaints alleging a breach of this Part by other council officials are to be managed by the CEO in accordance with the Procedures.

SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.21

Part 1: Preliminary

Definitions

1. For the purposes of the schedules to this code, the following definitions apply:

address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the Interpretation Act 1987.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

listed company means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

occupation includes trade, profession and vocation.

professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the councillor or designated person became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de factor partner of a person referred to in paragraphs (b) and (c).

travel includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

2. Interests etc. outside New South Wales: A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.

- 3. References to interests in real property: A reference in this schedule or in schedule 2 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the councillor or designated person has an interest.
- 4. Gifts, loans etc. from related corporations: For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the Corporations Act 2001 of the Commonwealth are all given, made or supplied by a single corporation.

Part 2: Pecuniary interests to be disclosed in returns

Real property

- 5. A person making a return under clause 4.21 of this code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date, and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
 - c) the nature of the interest.
- 6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
 - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
- 7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor or designated person.
- 8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

Gifts

- 9. A person making a return under clause 4.21 of this code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year, and
 - b) the name and address of the donor of each of the gifts.
- 10. A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
 - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - c) the donor was a relative of the donee, or
 - d) subject to paragraph (a), it was received prior to the person becoming a councillor or designated person.
- 11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

- 12. A person making a return under clause 4.21 of this code must disclose:
 - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
 - b) the dates on which the travel was undertaken, and
 - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
- 13. A financial or other contribution to any travel need not be disclosed under this clause if it:
 - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
 - b) was made by a relative of the traveller, or
 - was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
 - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
 - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
 - g) subject to paragraph (d) it was received prior to the person becoming a councillor or designated person.
- 14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

- 15. A person making a return under clause 4.21 of this code must disclose:
 - a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
 - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
 - c) the nature of the interest, or the position held, in each of the corporations, and
 - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.

- 16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
 - a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
 - b) required to apply its profits or other income in promoting its objects, and
 - c) prohibited from paying any dividend to its members.
- 17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- 18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor or designated person.

Interests as a property developer or a close associate of a property developer

- 19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
- 20. For the purposes of clause 19 of this schedule:

close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018.

property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

Positions in trade unions and professional or business associations

- 21. A person making a return under clause 4.21 of the code must disclose:
 - a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
 - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
 - c) a description of the position held in each of the unions and associations.
- 22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a councillor or designated person.

Dispositions of real property

- 23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
- 24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
- 25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor or designated person.

Sources of income

- 26. A person making a return under clause 4.21 of this code must disclose:
 - each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
 - b) each source of income received by the person in the period since 30 June of the previous financial year.
- 27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
 - a) in relation to income from an occupation of the person:
 - (i) a description of the occupation, and
 - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
 - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
 - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
 - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
- 28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.

- 29. The source of any income received by the person that they ceased to receive prior to becoming a councillor or designated person need not be disclosed.
- 30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

Debts

- 31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
 - a) on the return date, and
 - b) at any time in the period since 30 June of the previous financial year.
- 32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
- 33. A liability to pay a debt need not be disclosed by a person in a return if:
 - a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
 - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
 - (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
 - b) the person was liable to pay the debt to a relative, or
 - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
 - d) in the case of a debt arising from the supply of goods or services:
 - (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
 - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
 - e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor or designated person.

Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED UNDER CLAUSE 4.21

'Disclosures by councillors and designated persons' return

- The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).
- 2. If this is the first return you have been required to lodge with the CEO after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
- 3. If you have previously lodged a return with the CEO and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the CEO, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
- 4. If you have previously lodged a return with the CEO and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
- 5. This form must be completed using block letters or typed.
- 6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
- 7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the CEO in a register of returns. The CEO is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

<u>Disclosure of pecuniary interests and other matters</u> by [full name of councillor or designated person]

as at [return date]

in respect of the period from [date] to [date]

[councillor's or designated person's signature] [date]

A. Real Property

Street address of each parcel of real property in which I had an Nature of interest at the return date/at any time since 30 June interest

B. Sources of income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer Name under	
	or description of office held (if	which
	applicable)	partnership
		conducted (if
		applicable)

2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following

Sources of income I received from a trust since 30 June

Name and address of settlor

Name and address of trustee

3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June [Include description sufficient to identify the person from whom, or the circumstances in which, that income was received

C. Gifts

Description of each gift I received at any time Name and address of donor since 30 June

D. Contributions to travel

Name and address of each person who made any financial undertaken or other contribution to any travel undertaken by me at any time since 30 June

Dates on which travel was Name of States, Territories of the Commonwealth and overseas countries in

which travel was undertaken

E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June

Nature of interest (if any) position (if any)

Description of Description of principal objects (if any) of corporation (except in case of listed company)

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June

Description of position

H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

I. Dispositions of property

- 1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time
- 2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

J. Discretionary disclosures

SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST SUBMITTED UNDER CLAUSE 4.37

- 1. This form must be completed using block letters or typed.
- 2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by [full name of councillor]

in the matter of [insert name of environmental planning instrument]

which is to be considered at a meeting of the [name of council or council committee (as the case requires)]

to be held on the day of 20.

Pecuniary interest Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land) Relationship of identified land to the ☐ The councillor has an interest in the councillor land (e.g. is the owner or has another interest arising out of a mortgage, lease, [Tick or cross one box.] trust, option or contract, or otherwise). ☐ An associated person of the councillor has an interest in the land. ☐ An associated company or body of the councillor has an interest in the land. Matter giving rise to pecuniary interest¹ □ The identified land. Nature of the land that is subject to a change in zone/planning control by □ Land that adjoins or is adjacent to or is the proposed LEP (the subject land)² in proximity to the identified land. [Tick or cross one box] Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]

¹ Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

² A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

9.4.8 AMENDMENTS TO THE MODEL CODE OF CONDUCT ATTACHMENT 1 DRAFT - SMRC 1 CODE OF CONDUCT

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[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature

Date

[This form is to be retained by the council's CEO and included in full in the minutes of the meeting]



Title of Policy	Policy 83 – Gifts and Benefits		
Responsible Department	Governance	Document Register ID	250.2016.83.3
Policy Owner	Coordinator Governance	Review Date	Date 03/03/2023
Date of Council Meeting	Date Approved 09/08/2016	Resolution Number	96/16
Legislation, Australian Standards, Code of Practice	Local Government Act 1993 Office of Local Government - Model Code of Conduct for Local Councils in NSW Independent Commission Against Corruption (ICAC) — Managing Gifts and Benefits in the Public Sector - Toolkit		
Aim	Provide guidelines for staff and councillors on the receipt of gifts and/or benefits in the course of performing their duties.		

1 Purpose

Council has developed a Gifts and Benefits Policy which applies to Councillors and staff in relation to the receipt of gifts and or benefits they may receive whilst in the course of performing their duties.

Council maintains an electronic gifts register which requires Councillors and staff to declare any gift or benefit they may receive. This includes whether or not the gift or benefit was accepted or declined.

The purpose of this policy is therefore to provide guidelines for both Councillors and staff in relation to this important issue.

2 Relevant Legislation / Standards / Code of Practice

- Local Government Act 1993
- Model Code of Conduct for Local Government
- Independent Commission Against Corruption (ICAC) Managing Gifts and Benefits in the Public Sector – Toolkit

3 Policy Details

3.1 Introduction

In the course of their public duties, both Councillors and staff may encounter situations in which they are offered gifts or benefits for a variety of reasons. In dealing with any offers of gifts or benefits, you must ensure that not only do they not influence you in the performance of your duties, but also that there can't be any public perception of undue influence due to these offers.

3.2 Definitions

3.2.1 ICAC Definitions

The Independent Commission Against Corruption in its publication "Gifts, Benefits or Just Plain Bribes? – Guidelines for Public Sector Agencies and Officials", defines gifts and benefits as follows:

Gifts: In a private context, gifts are usually unsolicited and meant to convey a feeling on behalf of the giver, such as gratitude. There is ordinarily no expectation of repayment. Gifts given in a private context are not the focus of this publication. "Gifts are also offered to individuals in the course of business relationships. Such gifts are usually given for commercial purposes, for example, to create a feeling of obligation in the receiver. Some examples of these sorts of gifts are:

- Money
- Alcohol
- Clothes
- Products
- Tickets

Benefits: The term "benefit" is used in this publication to refer to something which is believed to be of value to the receiver, such as a service. Examples include:

- Discount on Purchases
- Priority in allocation of goods or services, ie tickets, etc
- Any form of preferential treatment

3.2.2 Local Government Act Definitions

In addition, the definition of a "gift" under Part 1, Schedule 3 – *Disclosure of Interests of the Local Government Act 1993*" is as follows:

Gifts

- (1) A person making a return under section 449 (3) must disclose:
 - A description of each gift received since the last return under Part 2 of Chapter 14 was made
 - The name and address of the donor of each of the gift/s.
- (2) A gift need not be included in a return if:
 - It did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or lesser
 - It was a political contribution disclosed, or required to be disclosed under Part 6 of the Election Funding Act 1981
 - The donor was a relative of the donation recipient.
- (3) For the purposes of this clause, the amount of a gift other than money is an amount equal to the value of the property given.

3.3 Council's Position on Gifts and Benefits

Council's position regarding the receipt of gifts and benefits by Councillors and staff is that a councillor or member of staff must not, by virtue of his or her official position, accept or acquire a personal profit or advantage of a pecuniary value.

You must avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment from you or council.

You must take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment. Immediate family members ordinarily include parents, spouse, children and siblings.

3.3.1 You must not:

- seek or accept a bribe or other improper inducement
- seek gifts or benefits of any kind
- accept any gift or benefit that may create a sense of obligation on your part or which may be perceived to be intended or likely to influence you in carrying out your public duty
- · accept any gift or benefit of more than token value
- accept an offer of money, regardless of the amount. A 'Cash-like gift" includes, but is not limited to gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internal credit, memberships or entitlements to discounts

3.3.2 You may

Accept a token (low value) gift or benefit. Token gifts can be viewed as being:

- of no significant monetary value (less than \$100.00)
- presented to a number of persons in a delegation
- inconsequential or trivial and not offered on a regular basis
- not likely to be seen as compromising

Should a low value gift or benefit (such as chocolates) be offered on a regular basis, then consideration should be given as to why the gift is being offered. For example;

- is it for the purposes of placing the recipient in a position of having a sense of obligation to the gift giver
- as an inducement to continue to place orders or work with the gift giver
- for future favourable treatment for the gift giver

Council advises a cautionary approach when it comes to gifts and benefits and advises staff and Councillors to declare all offers (whether accepted or declined) for entering into the gift and benefits register.

Examples of what may be regarded as a token gift or benefit includes but is not limited to:

Gifts of single bottles of alcohol to individual council members

- Official functions, public occasions or in recognition of work done (such as providing a lecture/training, session/address)
- Lucky door/ticket prizes won at conferences
- Food stuffs cake, biscuits, lollies

Gifts and benefits that have more than a token value includes but is not limited to:

- Tickets to major sporting events such as state, or international cricket matches or matches in other national sporting codes including NRL, AFL, FFA,NBL
- Corporate hospitality at a corporate facility at major sporting events
- Complimentary tickets to a performance or function relevant to your role in the organisation
- Items left to you in a residents' will in gratitude for service provided in your role as an employee of council

Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, this must be disclosed promptly by staff to your Manager and the General Manager and by Councillors to the Mayor. The gift or benefit must be surrendered.

The recipient, General Manager or Mayor must ensure that any gifts or benefits of more than token value that are received are recorded in the Gifts and Benefits register. The gift or benefit must be surrendered to Council via the Public Officer, unless the nature of the gift or benefit makes this impractical.

3.3.3 Exemptions

The following are exempt under this policy.

- Corporate discounts extended to all staff, having been negotiated through Council, for products or services
- Free or subsidised meals, beverages or refreshments provided in conjunction with Council work related events such as training, education sessions, workshops, conferences
- Council functions or events or social functions organised by groups, such as council committees and community organisations

3.4 Gifts and Benefits Register

An Electronic Gifts and Benefits Register has been established to enable Councillors and staff to record, where appropriate, gifts and benefits which have been received by them and/or to the Council. Registration of gifts or benefits not accepted should also be included into the register.

The register contains the following:

- Name and title of person receiving the gift or benefit, either for personal or Council use
- Name and title of person giving the gift
- Description of gift
- Acceptance or refusal of the gift or benefit
- What was done with the gift or benefit
- Value of gift (if known)
- Reason for presentation of gift

Councillors and members of staff must surrender all gifts and benefits of value over \$100 (non-token-high value) for recording in the Gifts and Benefits Register. The inclusion of an entry in this Register does not relieve Councillors or staff from their obligations to make disclosures in association with annual Disclosure Returns required of Councillors and designated persons under Section 449 (3) of the Local Government Act.

Councillors must declare any gifts they receive to the Mayor or Public Officer who will then enter this into Council's Electronic Gifts Register.

3.5 Surrendering of gift or benefit

From time to time, members of staff and Councillors find themselves in a position where they have received a gift or benefit which they consider not to be of a "token" nature and they are unable to return this gift or benefit.

To remove perception of undue influence being exerted, members of staff should make an appropriate entry into the Gifts and Benefits Register and surrender the gift or benefit to the custody of the Public Officer as directed within the Gifts and Benefits Procedures.

Councillors are to surrender the gift or benefit to the Mayor, General Manager or Public Officer.

All gifts and benefits will then be utilised at a staff related council event. For example, the Council Christmas Party.

3.6 Gifts Associated with Sister City Activities

Gifts presented to the Mayor/Councillors/staff for the Council in association with Sister City activities must be entered into the Gift Register. The receiver of the gift must lodge the gift with the General Manager as soon as possible after receipt of the gift. The gift will then be recorded and placed in an appropriate location.

Gifts for the Council (normally presented to the Mayor or head of a delegation) are generally non-token gifts, i.e. painting, plaque, work of art or craft, other items of significance to a specific occasion (items relating to the formal signing of a Sister City Relationship) is of a reasonable monetary value or any other item that more than one person in the delegation would not receive.

If there is doubt as to whether a gift is for the Council or is a personal gift, the General Manager must be consulted for a determination.

3.7 Performance Indicator

- a) Gifts and benefits offered to Councillors and or members of staff are registered appropriately in the electronic Gifts and Benefits Register.
- b) Internal audit of the Gifts and Benefits register does not find non compliance in relation to this Policy.

4 Version History and Authorisation

Date Published	Version	Detail reason for issue or amendments	Author / Document Owner
DRAFT	Draft	Submitted to ET for approval	Governance Group

5 Replaces Policy Number

Not applicable

6 Department Responsible

Governance

7 Review Date

This Policy may be reviewed at any time. However the Policy will be reviewed within 12 months of an Ordinary election of the Council.

Documentation	
250.2016.84.1	Procedures - Gifts and Benefits
250.2016.85.1	SMRC Councillor and Employee Gift and Benefits Form
	Supporting Documentation - Flowchart - Registration of offer gift or benefit
	SMRC Councillor and Employees Electronic Gifts & Benefits Register
	SMRC001 - Code of Conduct

Variation

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

Policy



Title of Policy	SMRC 410 Councillor and Staff Interaction Policy		
Responsible Department	Corporate and Community Services	Document Register ID	250.2017.410.3
Policy Owner	Governance	Review Date	September 2022
Date of Council Meeting	17 September 2020	Resolution Number	
Legislation, Australian Standards, Code of Practice	Local Government Act 1993 Office of Local Government - Model Code of Conduct Administration of the Model Code of Conduct		
Aim	To provide a framework for Councillors, when conducting their civic duties, by specifically addressing their ability to interact and receive information from authorised Council staff.		

1 Introduction

This policy aims to establish clear parameters around the interaction between staff and Councillors when Councillors are conducting their civic duties and to ensure that appropriate governance controls are in place. This Policy works in conjunction with Snowy Monaro Regional Council's Code of Conduct.

In accordance with Council's Code of Conduct, all Councillors and staff are expected to conduct their interactions with each other with respect, professionalism, objectivity, honesty and to a high standard of ethical behaviour. This Policy sets out the obligations of Councillors and staff in dealing with each other.

2 Scope

This Policy applies to Councillor and Council employees, including external contractors or casual employees engaged with Council.

3 Definitions

Authorised Staff

Staff designated by the Chief Executive Officer (CEO) within this policy who may interact with Councillors or provide advice to Councillors (Appendix A).

4 Policy Statement

Good governance and effective service delivery are dependent on a good relationship between the elected members and staff of the organisation, and an understanding of the roles and responsibilities of both groups to assist in exercising their civic leadership and undertaking transparent decision making.

The principals this policy is based on include:

- 1) Transparency in all interactions, discussion, provision of information and communication.
- 2) Professionalism all interactions will be courteous, respectful ad accurate information will be provided in a timely manner.
- 3) Good governance to ensure there are no perceived conflicts of interest or undue influence. Decision making is based on information provided in good faith.

5 Access to staff by Councillors other than the CEO

All access to staff by Councillors, other than the CEO, is to be authorised by the CEO. Only those staff nominated by the CEO can provide advice to Councillors. Appendix A sets out the staff that Councillors may access to exercise their civic leadership and represent the views of the community. Contact with staff other than those listed in Appendix A must be through the CEO in the first instance and with the knowledge of the appropriate Chief Officer.

In circumstances where staff are unsure whether or not they should provide information to, or respond to a request from a Councillor, they should refer the matter to their relevant Chief Officer or to the CEO, or request that the Councillor make the request through the CEO.

8. Non-Compliance with Policy

Noncompliance with this Policy may be considered a breach of the Code of Conduct and will be dealt with in accordance with the Procedures for the Administration of the Code of Conduct.

Documentation

250.2016.1.2 SMRC1 - Code of Conduct

The Model Code of Conduct for Local Councils in NSW

Procedures for the Administration of the Model Code of Conduct

250.2017.406.1 Councillor and Staff Interaction Procedure

Variation

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

APPENDIX A – Staff Authorised to Interact with Councillors

Position/ Title	Names		
Chief Executive Officer	Peter Bascomb		
Strategy Portfolio			
Chief Strategy Officer	David Rawlings		
Coordinator Strategy Development	Gina McConkey		
Manager Corporate Projects	Glen Hines		
Coordinator ICT	Scott Goudie		
Coordinator Governance	Joyleen Mathias		
Operating Portfolio			
Chief Operating Officer	Jeff Morgan		
Manager Water & Wastewater Operations	Vacant		
Manager Built & Natural Environment	John Gargett		
Manager Infrastructure	Gary Shakespeare		
Manager Resource & Waste Services	Mandy Thurling		
Manager Community Services	Bianca Padbury		
Communications Portfolio			
Chief Communications Officer	Gina Woodward		
Coordinator Economic Development	Mark Adams		
Finance Portfolio			
Chief Financial Officer	Vacant		
Workforce Portfolio			
Chief Workforce Officer	Vacant		

Notes:

- 1) The CEO may amend this list of nominated officers from time to time to reflect changes to positions.
- 2) Should a Council Officer be acting in any of the nominated positions included in this schedule, the person so acting will be a nominated officer unless otherwise determined by the General Manager.

9.4.9 BOCO ROCK COMMUNITY ENHANCEMENT FUND COMMITTEE AND SUB COMMITTEE MINUTES 2020

Record No:

Responsible Officer: Chief Strategy Officer

Author: Governance Administration Support

Key Theme: 4. Leadership Outcomes

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

community outcomes

Delivery Program Objectives: 12.3.1 Community organisations and individuals have the capacity

to apply for a range of grants funding opportunities

Attachments: 1. Minutes - Committee Meeting 13 May 2020

Minutes - Sub Committee Meeting 15 June 2020
 Minutes - Sub Committee Meeting 25 June 2020

4. Minutes - Committee Meeting 18 August 2020

EXECUTIVE SUMMARY

The Boco Rock Community Enhancement Fund Committee had 4 meeting since May 2020 and the minutes of the meeting are attached for Councils information.

- i) Committee Meeting 13 May 2020
- ii) Sub Committee Meeting 15 June 2020
- iii) Sub Committee Meeting 25 June 2020
- iv) Committee Meeting 18 August 2020

Another meeting was held on 1 September 2020 to determine the funds to the community for financial year 2020/2021. The minutes of the meeting are yet to be approved by the committee.

OFFICER'S RECOMMENDATION

That Council note the minutes from the Boco Rock Community Enhancement Fund Committee and Sub Committee Meetings.



Minutes

Boco Rock Community Enhancement Fund Committee Meeting

13 May 2020

BOCO ROCK COMMUNITY ENHANCEMENT FUND COMMITTEE MEETING HELD IN COOMA COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630

ON WEDNESDAY 13 MAY 2020

MINUTES

Notes:

1.	OPENII	NG OF THE MEETING	. 2
2.	APOLO	GIES	. 2
3.	DECLA	RATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST	. 2
	3.1	Grantley Ingram	2
4.	BUSINE	ESS ARISING	. 3
	4.1	Financial year funding acquittal status	3
	4.2	Impact on projects / activities due to bushfires and COVID-19	3
	4.3	New Committee	3
	4.4	Boco Funding for 2021 Financial Year	4
	4.5	Financial Year proposed schedule	4
5.	GENER	AL BUSINESS	. 4
	5.1	Applications in Person	4
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HELD ON WEDNESDAY 13 MAY 2020

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MINUTES OF THE BOCO ROCK WIND FARM COMMUNITY ENHANCEMENT FUND COMMITTEE MEETING HELD IN COOMA COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630

ON WEDNESDAY, 13 MAY 2020 COMMENCING AT 2:00PM

PRESENT: Mayor Peter Beer

Councillor Rogan Corbett Councillor Bob Stewart

Peter Bascomb, Chief Executive Officer

Mrs Vickie Pollard Mr John Harrington Mr Grantley Ingram

Joyleen Mathias, Manager Corporate Governance

Megan Downie, Governance Officer Alicia Carraro, Governance Admin Support

Apology: Mr Michael Walcott

1. OPENING OF THE MEETING

The Chair opened the meeting at 2:06PM.

2. APOLOGIES

An apology for the meeting was received from Mr Michael Walcott.

3. DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST

3.1 GRANTLEY INGRAM

Grantley Ingram declared an interest in Item 4.2 as he was asked to provide an opinion on the impact of his project due to COVID-19.

HELD ON WEDNESDAY 13 MAY 2020

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4. BUSINESS ARISING

4.1 FINANCIAL YEAR FUNDING ACQUITTAL STATUS

Manager Corporate Governance provided an update on the Projects status. 5 out of 15 applicants for the former Cooma Shire and 2 out of 7 applicants from former Bombala Shire have sent in acquittal documents.

The total amount acquitted as on 12 May 2020 is \$41,126.50.

The Nimmitabel Advancement Group returned their acquittal documents at the meeting.

4.2 IMPACT ON PROJECTS / ACTIVITIES DUE TO BUSHFIRES AND COVID-19

5 organisations have reported issues in completing their Projects, the Committee discussed options for the organisations that have not acquitted to date, suggestions/questions:

- What is the process of acquitting the funds?
 Manager Corporate Governance advised that all organisations had been contacted the week before seeking an update.
- What does the charter state about acquittal?
 Manager Corporate Governance advised that the projects need to be acquitted 30 days after they are completed.
- How much additional time should organisations be granted when delayed due to bushfire/COVID-19? Contractors not providing a service due to COVID-19 closures, are there alternate options/contractors?
- Acknowledgement that it was later than thought that the funding was provided to organisations, hence small amount of time to commence before fires and then COVID- 19 started to impact.
- Mayor Beer asked Mr Ingram for advice given his project was one impacted by fires and COVID-19.
 Mr Ingram suggested that those who have commenced should be allowed 6 months to complete and those who have not started at all is a different story.
- Councillor Stewart recommended organisations that have not started spending their funding should put it back into the funds.

COMMITTEE RECOMMENDATION

BOCO1/20

Each organisations who have not acquitted are to receive a letter from Council asking for an estimated completion date and progress report with responses due within 15 days.

Moved Councillor Stewart

Seconded Ms Pollard

CARRIED

4.3 NEW COMMITTEE

Manager Corporate Governance referred the Committee to the 28 August 2019 decision to advertise for new Community representatives.

Mr West advised that there were some community concern about the makeup of the Committee via the Boco Rock Community Consultative Committee (CCC). The CCC feel there should be more Community Representatives.

HELD ON WEDNESDAY 13 MAY 2020

Page 4

Mr Harrington referred the Committee to the proposed schedule where it specified the Mayor, CEO and 2 Councillors would assess the applications for the new community representatives and advised that Mr West is also part of the sub Committee.

4.4 BOCO FUNDING FOR 2021 FINANCIAL YEAR

Manager Corporate Governance referred the Committee to the amount of funding available in the 2021 financial year.

Particular	Amount
Approximate amount in reserve	\$275,415.49
Approximate amount credited by developer for FY 2021	\$210,000.00
Total	485,415.00

The committee requested that future reporting needs to reflect the allocation of funding to each of the former Bombala and Cooma LGA's. This includes the funds from Boco Rock reserves.

4.5 FINANCIAL YEAR PROPOSED SCHEDULE

Mr Ingram advised the new community representatives would need to be confirmed by Councillors at the Council meeting.

Governance Officer advised there was a change to the schedule for the assessment period of nominations from 1 June 2020 to 14 June 2020 to 5 June 2020 to 14 June 2020.

Mrs Pollard and Governance Admin Support advised of 2 errors in the dates on the schedule to be amended.

The information sessions will need to be subject to COVID-19 restrictions and may need to be delivered in the same way Council delivered information throughout the bushfires – virtually.

5. GENERAL BUSINESS

5.1 APPLICATIONS IN PERSON

At a previous meeting it was suggested that applications for funding could be made in person to the committee, applicants would be given 5 minutes to put forward their case to the committee. The Committee thought it was a good idea as paper applications may not suit all applicants to get their point across.

Concern was raised that if there was a large pool of applicants it would make it logistically impossible to get through them all. It was agreed that applicants could contact their community representative to provide information prior to the selection process.

COMMITTEE RECOMMENDATION

BOCO2/20

That applicants contact their community representative to provide information prior to the selection process.

Moved Ms Pollard

Seconded Mr Harrington

CARRIED

HELD ON WEDNESDAY 13 MAY 2020

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5.2 SCORING SYSTEM

Mr Ingram stated that the scoring system was not fair across certain organisations such as schools as they are scored on items such as "improve economic development".

COMMITTEE RECOMMENDATION

BOCO3/20

That committee use a proximity index, where the funding is proportioned on a geographical basis.

Moved Ms Pollard Seconded Mr West CARRIED

5.3 PROMOTION FOR BOCO

Mr West advised, the Council should promote the funding given out from the fund and the resulting projects/activities. Promotion could occur on the Council website and a spread in the newspapers.

COMMITTEE RECOMMENDATION

BOCO4/20

That Council update their website with information on successful applicants and acquitted projects.

Moved Mr West Seconded Mr Harrington CARRIED

6. MATTERS OF URGENCY

Nil.

7. NEXT MEETING

Sub-Committee to meet on Friday 5 June 2020 – Nimmitabel Community Centre.

There being no further business the Chair declared the meeting closed at 3:10PM.

CHAIRPERSON

The above minutes of the Boco Rock Wind Farm Community Enhancement Fund Committee Meeting of Snowy Monaro Regional Council held on 13 May 2020 were confirmed by Committee at a duly convened meeting on 15 May 2020 at which meeting the signature hereon was subscribed.



Minutes

Boco Rock Wind Farm Community Enhancement Fund Sub Committee Meeting

15 June 2020

BOCO ROCK WIND FARM COMMUNITY ENHANCEMENT FUND SUB COMMITTEE MEETING HELD IN NIMMITABEL COMMUNITY CENTRE

ON MONDAY 15 JUNE 2020

MINUTES

Notes: 1. 2. 3. 3.1 Councillor Rogan Corbett2 4. 5. 6. 7.

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MINUTES OF THE BOCO ROCK WIND FARM COMMUNITY ENHANCEMENT FUND SUB COMMITTEE MEETING
OF SNOWY MONARO REGIONAL COUNCIL
HELD ON MONDAY 15 JUNE 2020
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MINUTES OF THE BOCO ROCK WIND FARM COMMUNITY ENHANCEMENT FUND SUB COMMITTEE MEETING HELD IN NIMMITABEL COMMUNITY CENTRE

ON MONDAY, 15 JUNE 2020 COMMENCING AT 1:00PM

PRESENT: Mayor Peter Beer

Councillor Rogan Corbett

Peter Bascomb, Chief Executive Officer

Adam West

OPENING OF THE MEETING

The Chair opened the meeting at 1:16PM

2. APOLOGIES

An apology for the meeting was received from Councillor Bob Stewart

3. DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST

Nil

3.1 <COUNCILLOR ROGAN CORBETT>

Committee Member Councillor Corbett declared an interest in the application received by David Wicks due to being on the Cooma Car Club Committee with Mr Wicks.

4. ITEMS FOR DISCUSSION

DISCUSSION ON THE PROCESS OF SELECTING COMMUNITY REPRESENTATIVES

Record No:

Responsible Officer: Manager Corporate Governance
Author: Governance Administration Support

Key Theme: 4. Leadership Outcomes

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

community outcomes

Delivery Program Objectives: 12.3.1 Community organisations and individuals have the capacity to

apply for a range of grants funding opportunities

HELD ON MONDAY 15 JUNE 2020

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Attachments:

- 1. Bombala Shire Community Committee Nominations
- 2. Cooma Monaro Shire Community Committee Nominations

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Four new community representative; two from the former Bombala Shire and two from the former Cooma-Monaro Shire, need to be appointed.

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

OFFICER'S RECOMMENDATION

That Sub Committee

- A) Select two representatives from the former Bombala Shire nominees and two representatives from the former Cooma- Monaro Shire area.
- B) Following criteria to be applied while selecting new Community representatives for the Boco Rock Enhancement Fund Committee;
 - a. Community involvement 50% weightage
 - b. Geographical location (in relation to the wind turbines) 30% weightage
 - c. Governance experience 20% weightage
 - d. Landowners who hold a contract with the developer may not be eligible to apply due to perceived conflict of interest.

Mover: Mayor Peter Beer Seconder: Councillor Rogan Corbett

5. GENERAL BUSINESS

Nil

6. MATTERS OF URGENCY

Nil

7. NEXT MEETING

The next meeting will be held on 25 June 2020 1.00 PM at the Nimmitabel Community Centre. This meeting will be held to make decisions on the community nominations put forward to the Sub Committee.

There being no further business the Chair declared the meeting closed at 1:40PM

MINUTES OF THE BOCO ROCK WIND FARM COMMUNITY ENHANCEMENT FUND SUB COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL HELD ON MONDAY 15 JUNE 2020 Page 4

CHAIRPERSON

The above minutes of the Boco Rock Community Enhancement Fund Sub Committee Meeting of Snowy Monaro Regional Council held on 15 June 2020 were confirmed by Sub Committee at a duly convened meeting at which meeting the signature hereon was subscribed.



Minutes

Boco Rock Community Enhancement Fund Sub Committee Meeting

25 June 2020

7.

BOCO ROCK COMMUNITY ENHANCEMENT FUND SUB COMMITTEE MEETING HELD IN NIMMITABEL COMMUNITY CENTRE, NIMMITABEL NSW 2631

ON THURSDAY 25 JUNE 2020

MINUTES

Notes: 1. 2. 3. 4. 4.1 Boco Rock Community Enhancement Fund Sub Committee Meeting 15 June 5. Selection of community committee members for the Boco Rock Community 5.1 Enhancement Fund Committee from 1 July 2020 to 30 June 20222 6.

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MINUTES OF THE BOCO ROCK COMMUNITY ENHANCEMENT FUND SUB COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL
HELD ON THURSDAY 25 JUNE 2020
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MINUTES OF THE BOCO ROCK COMMUNITY ENHANCEMENT FUND SUB COMMITTEE MEETING HELD IN NIMMITABEL COMMUNITY CENTRE, NIMMITABEL NSW 2631

ON THURSDAY, 25 JUNE 2020 COMMENCING AT 1PM

PRESENT: Councillor Corbett

Councillor Stewart

Peter Bascomb, Chief Executive Officer Adam West, Boco Rock Representative

1. OPENING OF THE MEETING

The Chair opened the meeting at 1PM

2. APOLOGIES

An apology for the meeting was received from Mayor Peter Beer.

3. DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST

Nil

4. ADOPTION OF MINUTES OF PREVIOUS MEETING

4.1 BOCO ROCK COMMUNITY ENHANCEMENT FUND SUB COMMITTEE MEETING 15 JUNE 2020

RECOMMENDATION

THAT the minutes of the Boco Rock Community Enhancement Fund Sub Committee Meeting held on 15 June 2020 are confirmed as a true and accurate record of proceedings.

5. GENERAL BUSINESS

5.1 SELECTION OF COMMUNITY COMMITTEE MEMBERS FOR THE BOCO ROCK COMMUNITY ENHANCEMENT FUND COMMITTEE FROM 1 JULY 2020 TO 30 JUNE 2022

Record No:

Responsible Officer: Coordinator Governance

Author: Governance Administration Support

Key Theme: 4. Leadership Outcomes

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

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MINUTES OF THE BOCO ROCK COMMUNITY ENHANCEMENT FUND SUB COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL

HELD ON THURSDAY 25 JUNE 2020

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community outcomes

Delivery Program Objectives: 12.3.1 Community organisations and individuals have the capacity to

apply for a range of grants funding opportunities

Attachments: Nil

Cost Centre Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Four new community representatives; two from the former Bombala Shire and two from the former Cooma-Monaro Shire, need to be appointed.

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

MOTION

BOC9/20COMMITTEE RECOMMENDATION

That the Sub Committee nominate four representatives for a two year term, from 1 July 2020 to 30 June 2022

- A. Nominate Coleen McCoy and Merrita Coombe as community representatives from the former Bombala Shire.
- B. Nominate Kathy Kelly and David Wicks as community representatives from the former Cooma-Monaro Shire.

That Moved Councillor Corbett

Seconded BOCO Representative West

CARRIED

Councillor Stewart would like it to be noted that he voted against the motion and would have liked to see Chris Haylock as a Cooma-Monaro representative.

Record of Voting

Councillors For: Peter Bascomb, Councillor Corbett and BOCO Representative West.

Councillors Against: Councillor Stewart.

6. MATTERS OF URGENCY

Nil.

7. NEXT MEETING

The next meeting will be held on Monday 03 August 2020 at 1:00PM in the Nimmitabel Community Centre.

There being no further business the Chair declared the meeting closed at 1:30PM

MINUTES OF THE BOCO ROCK COMMUNITY ENHANCEMENT FUND SUB COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL
HELD ON THURSDAY 25 JUNE 2020 Page 4

CHAIRPERSON

The above minutes of the Boco Rock Community Enhancement Fund Sub Committee Meeting of Snowy Monaro Regional Council held on 25 June 2020 were confirmed by Committee at a duly convened meeting on at which meeting the signature hereon was subscribed.



Minutes

Boco Rock Community Enhancement Fund Committee Meeting

18 August 2020

6.

BOCO ROCK COMMUNITY ENHANCEMENT FUND COMMITTEE MEETING HELD IN NIMMITABEL COMMUNITY CENTRE, NIMMITABEL NSW 2631

ON TUESDAY 18 AUGUST 2020

MINUTES

Notes: 1. 2. 3. 4. 4.1 Update of Acquitted Projects Financial Year 2020......2 4.2 4.3 Applications Received for Boco Rock Community Enhancement Fund4 4.4 Explanation of scoring criteria.....5 MATTERS OF URGENCY...... 5 5.

NEXT MEETING...... 5

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MINUTES OF THE BOCO ROCK COMMUNITY ENHANCEMENT FUND COMMITTEE MEETING OF SNOWY
MONARO REGIONAL COUNCIL
HELD ON TUESDAY 18 AUGUST 2020
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MINUTES OF THE BOCO ROCK COMMUNITY ENHANCEMENT FUND COMMITTEE MEETING HELD IN NIMMITABEL COMMUNITY CENTRE, NIMMITABEL NSW 2631

ON TUESDAY, 18 AUGUST 2020 COMMENCING AT 3:00PM

PRESENT: Mayor Beer

Councillor Corbett Councillor Stewart

Peter Bascomb, Chief Executive Officer

David Wicks Kathy Kelly Coleen McCoy Merrita Coombe

1. OPENING OF THE MEETING

The Chair opened the meeting at 3:10PM

2. APOLOGIES

Nil

3. DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST

Coleen McCoy - Application #13 Bombala LGA

David Wicks - Application #14 and #27 Cooma-Monaro LGA

Kathy Kelly - Application #38 Cooma-Monaro LGA

4. GENERAL BUSINESS

4.1 UPDATE OF ACQUITTED PROJECTS FINANCIAL YEAR 2020

Record No:

Responsible Officer: Coordinator Governance

Author: Governance Administration Support

Key Theme: 4. Leadership Outcomes

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

community outcomes

Delivery Program Objectives: 12.3.1 Community organisations and individuals have the capacity to

apply for a range of grants funding opportunities

Attachments: Nil

MINUTES OF THE BOCO ROCK COMMUNITY ENHANCEMENT FUND COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL

HELD ON TUESDAY 18 AUGUST 2020 Page 3

EXECUTIVE SUMMARY

As per the acquittal guidelines, applicants must complete the acquittal report within 30 days from the completion of the project. Following is the status of the acquittals as on 10 August 2020.

Council has received 5 out of 7 acquittals from the former Bombala Shire, total amount acquitted is \$49,584.99 out of \$92,521.39 and 11 out of 15 acquittals from the former Cooma-Monaro Shire, total amount acquitted is \$128,349.65 out of \$167,349.65.

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

COMMITTEE RECOMMENDATION

BOCO10/20

That the Committee;

- A. Receive and note the completed and acquitted projects for the Bombala and Cooma-Monaro areas.
- B. Be provided with a completion date of the projects for the following organisations;
 - i. Nimmitabel Campdraft Association
 - ii. Nimmitabel Team Sorting

Moved Councillor Corbett Seconded Adam West CARRIED

4.2 BREAKDOWN OF FUNDS AVAILABLE FOR FINANCIAL YEAR 2021

Record No:

Responsible Officer: Coordinator Governance

Author: Governance Administration Support

Key Theme: 4. Leadership Outcomes

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

community outcomes

Delivery Program Objectives: 12.3.1 Community organisations and individuals have the capacity to

apply for a range of grants funding opportunities

Attachments: Nil

EXECUTIVE SUMMARY

The committee on 13 May 2020 requested a breakdown of the amount of funds held in the reserve and available for distribution in 2021. Below is a breakdown of available funding.

Description	Bombala Shire Reserve	Cooma-Monaro Shire Reserve	
Reserve Balance	\$168,102.40	\$107,313.21	
Invoice for FY 2021	\$93,567.28	\$108,658.78	
Total	\$261,669.68	\$215,971.99	

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MINUTES OF THE BOCO ROCK COMMUNITY ENHANCEMENT FUND COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL

HELD ON TUESDAY 18 AUGUST 2020

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

COMMITTEE RECOMMENDATION

BOCO11/20

That the Committee receive and note the breakdown of Boco Rock funds available for Financial Year 2021.

Moved Peter Bascomb Seconded Councillor Corbett CARRIED

4.3 APPLICATIONS RECEIVED FOR BOCO ROCK COMMUNITY ENHANCEMENT FUND

Record No:

Responsible Officer: Coordinator Governance

Author: Governance Administration Support

Key Theme: 4. Leadership Outcomes

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

community outcomes

Delivery Program Objectives: 12.3.1 Community organisations and individuals have the capacity to

apply for a range of grants funding opportunities

Attachments: 1. Summary of Applications for Bombala Shire Financial Year 2021

2. Summary of Applications for Cooma-Monaro Shire Financial Year

2021

Cost Centre Boco Rock Community Projects

Bombala Shire – W00000413.0020.448

Cooma-Monaro Shire - W00000414.0020.448

EXECUTIVE SUMMARY

The report contains details of all application submissions received from the former Bombala Shire and Cooma-Monaro Shire for the Boco Rock Community Enhancement Fund Financial Year 2021. A total of 16 submissions were received from the former Bombala Shire, refer to attachment 1 and 41 submissions were received from the Cooma-Monaro Shire with one of these being a late application, refer to attachment 2.

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

COMMITTEE RECOMMENDATION

BOCO12/20

That the Committee receive and note the submissions to be considered for funding from the former Bombala Shire and the former Cooma-Monaro Shire.

That applicant number 41 from the Cooma-Monaro Shire is not to be considered as a late applicant.

MINUTES OF THE BOCO ROCK COMMUNITY ENHANCEMENT FUND COMMITTEE MEETING OF SNOWY MONARO REGIONAL COUNCIL

HELD ON TUESDAY 18 AUGUST 2020

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Moved Peter Bascomb Seconded Kathy Kelly CARRIED)
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4.4 EXPLANATION OF SCORING CRITERIA

The Committee opened the floor to the new community representatives to ask questions on the scoring criteria.

5. MATTERS OF URGENCY

Nil.

6. NEXT MEETING

Tuesday 1 September 2020, 1:00PM

There being no further business the Chair declared the meeting closed at 4:01PM

CHAIRPERSON

The above minutes of the Boco Rock Community Enhancement Fund Committee Meeting of Snowy Monaro Regional Council held on 18 August 2020 were confirmed by Committee at a duly convened meeting on 2 September 2020 at which meeting the signature hereon was subscribed.

9.4.10 2020 FINANCIAL STATEMENTS TO BE REFERRED TO EXTERNAL AUDIT

Record No:

Responsible Officer: Chief Strategy Officer

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. GPFS Statement by Councillors & Management

2. SPFS Statement by Councillors & Management

Cost Centre Financial Services

Project Annual Financial Statements 2020

EXECUTIVE SUMMARY

Council's 2020 Financial Statements are in the process of being finalised and, in accordance with Section 413(2) of the Local Government Act 1993, Council is required to refer them for external audit.

The 2020 Financial Statements encompass the period 1 July 2019 to 30 June 2020. Council staff are well placed to complete the draft financial statements in line with the NSW Audit Office's Annual Engagement Plan timeline with the draft financial statements not due until 28 September 2020. With work still in progress at the time of preparing this report a draft income statement and statement of financial position are circulated separately to this report for review.

The Audit Risk and Improvement Committee (ARIC) will received the draft financial statements on the 25 September 2020 and it will be tabled at their meeting on the 2 October 2020.

OFFICER'S RECOMMENDATION

That Council:

- A. Authorise the Mayor, a Councillor, Chief Executive Officer, and the Responsible Accounting Officer to sign the Statement by Councillors and Management for the Snowy Monaro Regional Council 2020 General Purpose Financial Statements;
- B. Authorise the Mayor, a Councillor, Chief Executive Officer, and the Responsible Accounting Officer to sign the Statement by Councillors and Management for the Snowy Monaro Regional Council 2020 Special Purpose Financial Statements for the following business activities:
 - Water Supply (mandated)
 - Sewerage (mandated)
 - Water Management (self-determined)
 - Residential Aged Care (self-determined)
- C. Authorise the referral of the 2020 Financial Statements to the external auditor; and
- D. Authorise the General Manager to issue the 2020 Financial Statements upon receiving the

9.4.10 2020 FINANCIAL STATEMENTS TO BE REFERRED TO EXTERNAL AUDIT

external auditor's report.

BACKGROUND

The audit of Council's financial statements is scheduled to start on 28 September 2020.

In accordance with Section 417(5) of the Local Government Act 1993, Council is required to lodge its Audited Financial Statements and Financial Data Return (FDR) to the Office of Local Government by 31 October 2020 (extended to 30 November 2020 due to COVID-19).

The Audit Risk and Improvement Committee (ARIC) will received the draft financial statements on the 25 September 2020 and it will be tabled at their meeting on the 2 October 2020.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The audit of the Council's General and Special Purpose Financial Statements and accounting policies will provide assurance of Council's financial management.

2. Environmental

No direct environmental impacts.

3. Economic

The preparation, compilation and audit of Council's Financial Statements has been provided for in Council's annual budget in the Financial Services operating plan.

4. Civic Leadership

The audit of Council's General Purpose Financial Statements and Special Purpose Financial Statements and accounting policies supports the accountability of decision makers and compliance with regulations.

Snowy Monaro Regional Council

General Purpose Financial Statements

for the year ended 30 June 2020

Statement by Councillors and Management made pursuant to Section 413(2)(c) of the Local Government Act 1993 (NSW) (as amended)

The attached General Purpose Financial Statements have been prepared in accordance with:

- · the Local Government Act 1993 (NSW) (as amended) and the regulations made thereunder,
- · the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board,
- · the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these statements:

- · present fairly the Council's operating result and financial position for the year,
- · accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 17 September 2020.

Peter Beer Mayor

17 September 2020

Peter Bascomb **Chief Executive Officer** 17 September 2020

Lynley Miners Councillor

17 September 2020

David Rawlings

Responsible Accounting Officer

17 September 2020

Snowy Monaro Regional Council

Special Purpose Financial Statements

for the year ended 30 June 2020

Statement by Councillors and Management made pursuant to the Local Government Code of Accounting Practice and Financial Reporting

The attached Special Purpose Financial Statements have been prepared in accordance with:

- · the NSW Government Policy Statement 'Application of National Competition Policy to Local Government',
- the Division of Local Government Guidelines 'Pricing and Costing for Council Businesses A Guide to Competitive Neutrality',
- · the Local Government Code of Accounting Practice and Financial Reporting,
- · the NSW Office of Water Best-Practice Management of Water and Sewerage Guidelines.

To the best of our knowledge and belief, these statements:

- · present fairly the operating result and financial position for each of Council's declared business activities for the year, and
- accord with Council's accounting and other records,
- present overhead reallocation charges to the water and sewerage businesses as fair and reasonable.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 17 September 2020.

Lynley Miners Councillor 17 September 2020
17 September 2020
Responsible Accounting Officer
17 September 2020

9.4.11 AMENDMENTS TO 2021 SCHEDULE OF FEES AND CHARGES

Record No:

Responsible Officer: Chief Strategy Officer

Author: Manager Finance

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. BMR Letter - s10.7(2) Certificate - 24 Hr Fast Track fee

EXECUTIVE SUMMARY

At the Council meeting held on 18 June 2020, the Draft 2021 Operational Plan and associated documents were adopted by Council.

The Council resolution included that the Section 10.7(2) certificate, 24-hour fast track fee unit change be placed on public exhibition for 28 days.

An objection was received to the charge being based on each lot and requesting that charges for the certificates be on each certificate.

The charge per lot method is used by a number of other councils and providing a certificate for each lot is considered the:

- best method of ensuring the planning information accurately portrays the issues on each parcel of land, and
- Most equitable form of charge as its best reflects the workload for the service.

The implication of the reference in the Conveyancing Regulation is that except in a very limited situation it is expected that a separate planning certificate is required for each title.

Charging by land parcel is a common practice across NSW and a review of the fees and charges within the NSW Land Registry Service indicates that services relating to individual titles are charged per title.

To change to charging per lot would increase the subsidy of the ratepayers, increasing average rates. Based on the limited submissions lodged it is difficult to consider that there is strong community support to increase the subsidisation of this service further.

OFFICER'S RECOMMENDATION

That Council adopt the revised fee clarifying that the section 10.7(2) certificate, 24-hour fast track fee is per lot.

BACKGROUND

The proposed amendment and subsequent public exhibition was to clarify and provide transparency to customers that the 24 hr fast track planning certificate is based per lot, as with the fee for the actual certificate, not per certificate.

The consultation and engagement process conducted from 10 July 2020 – 6 August 2020 utilised a range of different approaches in an effort to reach a broad cross-section of the community and within available resources. Members of the community could access the documents online via Council's website and "Your Say". Announcements were made on social media and in local papers during the exhibition period.

A total of 10 visits to Councils website were reported throughout the submission period and 1 letter was received and is attached to the report for consideration. The main points raised in this submission were:

- That the fee per lot for a s.10.7(2) certificate be removed, and
- That the urgency fee be refunded where the turnaround period is not met.

1. Request for application fee for s.10.7 certificates to apply per certificate, not lot

The submission requests the removal of a per lot fee for all s10.7 certificates.

Response

This position is not supported.

The exhibited fee only included the 24 hour fast track fee. Council adopted the fees and charges relating to standard 10.7(2) and (5) applications at 18 June 2020 meeting. Those fees cannot be changed without placing that proposed change on public exhibition.

The changing of the fee from a per lot basis would lead to increased subsidisation from general rates for the provision of this service. Based on the number of submissions it is not considered that there is broad community support for the passing of increased costs onto the ratepayer in preference to the service user.

2. That the urgency fee be refunded where the turnaround period is not met

The submission observes that the urgency fee is double that of Goulburn Mulwaree fast track processing fee, but ails to observe that it is lower than all other fees in their table. In addition, Council's consideration that in the event that the 24 hour turnaround is not achieved, that full refund of the fee be provided is sought.

Response

It is agreed if a customer pays for the issuance of 24 hour fast track planning certificate and does not receive the certificate within this timeframe, then the fee should be refunded to the applicant. This is the current practice and will not be altered as part of this proposed amendment to the fees and charges outlined in this report.

Should planning certificates be per lot

The submission argues that Council does not have a legal basis on which to change per lot for a certificate is for land. The case put however, at best only establishes that the Council is not bound to charge per lot if it so chose. This view is not agreed with.

In the submission a reference to Schedule 1 of the Conveyancing (Sale of Land) Regulation 2017 is used to support the case that planning certificates must be for more than one parcel of land. The note actually supports the view that certificates are generally for individual parcels, as it sets out that it is only in the situation of a strata plan that a single planning certificate for multiple lots may be attached. By extension, the logical conclusion is that in all other situations multiple planning certificates should be attached. Even in the specific case in the note, the use of the word 'may' shows that there is clearly a legally valid position that multiple certificates can be provided.

"Note. If the sale relates to more than one lot <u>in a strata plan</u>, a single planning certificate may be attached." (Emphasis added)

The submission claims that:

"There is nowhere therefore within the Local Government Act 1993 (NSW), the Environmental Planning Assessment Act 1979 (NSW) nor the Conveyancing (Sale of Land) Regulation 2017 which legislatively requires a \$10.7 certificate to be "per lot". Nor therefore, is there any corresponding provision to charge ratepayers a fee "per lot".

For Council not to have legislative grounds it would need to be shown that such action was not in accordance with the legislative provisions. As the submission points out, the Local Government Act allows the issuing of a fee for any service (s.608(1)) and by intent this can be based on units of use of a service, for example entry into swimming pools. The argument that this section prevents charging on units of service is contrary to generally accepted practice across NSW.

In terms of setting this fee the Council needs to consider the factors under s.610D(1). Relevant to these if he need to consider the cost to the council of providing the service. With planning certificates the cost to Council of providing a service is higher when multiple parcels of land are required to be investigated. It would seem legislatively valid to consider that the fee is for the service of providing a planning certificate on each lot as a result of consideration of the cost of providing a service.

In the submission it is indicated that changing the charging to a single fee would reduce Council's costs. Much of the information detailed in a planning certificate is lot specific and if one certificate were to be issued for a property which for example may have more than one land use zone it would require the certificate to be broken up in a number of sections relating to each lot in the property. This would make the certificate overly complex. The time taken to review the lots will not change just because one fee is accepted for multiple parcels of land.

The submission notes that the legislation removed the use of the word 'lot' and inserted the word 'land'. This would allow for more flexibility in the types of land a contract could relate to, in lieu of a single lot. While this does allow increased flexibility to consider what can be included on the one certificate, the legislation did not include any definition that prevents land being considered as the parcels of land. Interpreting the legislation to mean that one certificate can cover any grouping of land requested by the applicant leads to a nonsensical outcome. It would mean that an application for a planning certificate for the entire local government area would need to be provided on one certificate and for a \$53 fee. It was not considered that this was the intent of the legislators.

When reviewing the range of legislation relating to land within NSW it is apparent that the term land is used differently when relating to different contexts, which is alluded to in the submission. As put in the submission:

"If for example, I was selling a farm, the land would be **all the land** comprising the farm and would include any land upon which a building was erected. If I was selling a block of units, the land would be **all the land** comprising the strata plan and would include the land upon which the block of units was erected."

Based on this it is important to look at the context of what is land in relation to planning certificates. The context of land with planning certificates is the legal parcels of land. Thus, it is considered the appropriate guidance on the use of the term land in the context of planning certificates is how land is legalistically defined. This leads back to the Real Property Act 1900. In NSW land is deal with under the Torrens title system. This system defines land by the creation of parcels of land. The lot and plan system provides the legal description of land. The correct legal description is important as Council uses a Lot and Deposited Plan or Strata Plan based system when dealing with land, including issuing certificates.

In practice the benefits of issuing a certificate on an individual lot provides greater transparency to the intended purchasers of any restrictions that may apply to that lot. This may include bushfire, biosecurity, heritage or contaminated land. In addition this process will provide greater assurance of Councils discharge of duties in line with legislative requirements of what is to be included in a certificate issued. As outlined in the submission, other Councils in the area undertake as common industry practice the issue of a certificate based on a lot and not the whole land.

As indicated in the submission, and through investigation of other Council's in NSW, the most common practice is the current process being adopted by Snowy Monaro Regional Council being a fee and certificate based on each lot.

Council has legal basis to charge the prescribed fee on a per lot per certificate basis as per the interpretation of clause 10.7. In this case "the land" as referenced in s10.7 of the 'Act' is interpreted to be the land to which the certificate applies and in this case the land is a lot, for the purposes of issuing the certificate. The terminology of "land" does not conclusively mean all land that forms a property as suggested but the land (allotment) to which the certificate applies to.

In preparing a planning certificate, the cost of supplying an individual certificate or multiple certificates would not have a bearing on the efficiency of the process nor create a quicker turnaround time.

As the only fee at issue here is the fast track fee Section 610D(3) specifically stipulates that a higher fee may be charged for an expedited service. Council is acting in accordance with this provision by providing such a fee for a faster service, as a certificate is issued per lot then a fast track fee is associated with that service (the issuing of the certificate). The fast track fee is not a required fee and should the applicant not want to pay the additional fee for an expedited service they are not required to do so and can have a certificate issued for the statutory \$53.00.

3. Timeframe for issue of certificates

The submission outlines that the urgency fee is double that of Goulburn Mulwaree fast track processing fee and Council's urgency fee should not be introduced to speed up a Council induced delay. In addition, Council must consider that in the event that the 24 hour turnaround is not achieved, that full refund of the fee be provided.

Response

The submission is supported in part. There is not a regulatory requirement to issue a planning certificate within a defined timeframe. Council has introduced a new digital integrated platform and new processes and procedures are being implemented through this process to improve turnaround times to meet our customer's needs. The number of 24 hr fast track applications during the last 12 month are a small proportion of the overall volume of certificates issued.

It is agreed if a customer pays for the issuance of 24 hour fast track planning certificate and does not receive this certificate within this timeframe, then the fee should be refunded to the applicant. This is the current practice will not be altered as part of this proposed amendment to the fees and charges outlined in this report.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Relates to fees and charges for the Operational Plan year for 2021.

2. Environmental

There are no perceived environmental impacts as a result of the preparation of this report.

3. Economic

The 2021 Operational Plan incorporates the 2021 Revenue Policy, along with the 2021 Schedule of Fees and Charges. These documents include a range of initiatives to be undertaken during 2021 that encourage regional economic growth.

Council is in a poor financial situation, not raising sufficient income to provide the current level of service sustainably. Increasing the level of service or reducing the direct contribution to services will require funding. In general, there is not a desire to reduce service levels: this means that increased revenue from rates would be necessary, hence the fees and charges set.

4. Civic Leadership

The 2021 Operational Plan and associated Revenue Policy and Fees and Charges sets actions for the coming year based on the community's aspirations as defined in Council's Community Strategic Plan, Snowy Monaro 2040.

Please reply to Cooma office.

Our Ref: JVP:ECS:123. Your Ref:

6 August 2020

Mr P Bascomb Chief Executive Officer Snowy Monaro Regional Council PO Box 714 COOMA NSW 2630

By Email: council@snowymonaro.nsw.gov.au

Dear Mr Bascomb

SUBMISSION DRAFT 20201 SCHEDULE OF FEES AND CHARGES

FEE: SECTION 10.7(2) CERTIFICATE – 24 HOUR FAST TRACK FEE

I refer to the request for feedback in relation on the proposed change to Council's fees and charges, following Council's resolution to adopt the draft 2021 Schedule of Fees and Charges at its meeting on 18 June 2020.

This submission considers the proposed fee payable for a \$10.7(2) certificate 24 hour fast track fee, the basis upon which Council is (or is not) entitled to charge a fee "per lot" generally and fees charged by other Councils for the same certificate. This submission supports the removal of a "per lot" fee for all \$10.7 certificates and a refund of the urgency fee where the turnaround time is not met.

I note that despite the feedback period being open until 6 August 2020, Council updated its 2020/2021 Application for Certificates form with the new fee of \$124.00 in June 2020. As a "trusted community partner" Council should consider removing the new fee until the feedback period has expired and community views have been expressed and given due consideration.

Legislative basis for charging of fees

It is not disputed that Council may in accordance with s608 of the Local Government Act 1993 NSW, "....charge and recover an approved fee for any service it provides, other than a service provided, or proposed to be provided, on an annual basis for which it is authorised or required to make an annual charge under section 496 or 501." ¹

1 S608(1) Local Government Act 1993 (NSW)



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6 August 2020

The provision of a section 10.7(2) certificate falls within the definition of providing a service "The services for which an approved fee may be charged include the following services provided under this Act or any other Act or the regulations by the council....• giving information".

Legislative basis for providing a certificate

The "other Act or regulations" referred to in s608 are the Environmental Planning Assessment Act 1979 ("EPAA") and the Conveyancing (Sale of Land) Regulation 2017 ("Regulation").

It is pertinent to look at the wording of both the EPAA and Regulation in terms of what Council is required to provide.

The EPAA states at s10.7:

- "(1) A <u>person</u> may, on payment of the prescribed fee, apply to a <u>council</u> for a certificate under this section (a "planning certificate") with respect to any <u>land</u> within the <u>area</u> of the <u>council</u>.
- (2) On application made to it under subsection (1), the <u>council</u> shall, as soon as practicable, issue a planning certificate specifying such matters relating to the <u>land</u> to which the certificate relates as may be prescribed (whether arising under or connected with this or any other Act or otherwise).
- (3) Repealed
- (4) The <u>regulations</u> may provide that information to be furnished in a planning certificate shall be set out in the prescribed form and manner.
- (5) A <u>council</u> may, in a planning certificate, include advice on such other relevant matters affecting the <u>land</u> of which it may be aware.
- (6) A <u>council</u> shall not incur any liability in respect of any advice provided in good faith pursuant to subsection (5). However, this subsection does not apply to advice provided in relation to contaminated <u>land</u> (including the likelihood of <u>land</u> being contaminated <u>land</u>) or to the nature or extent of contamination of <u>land</u> within the meaning of Schedule 6.
- (7) For the purpose of any proceedings for an offence against this Act or the <u>regulations</u> which may be taken against a <u>person</u> who has obtained a planning certificate or who might reasonably be expected to rely on that certificate, that certificate shall, in favour of that <u>person</u>, be conclusively presumed to be true and correct."

Land is not defined in the EPAA in the sense that most people may expect:

"land includes-

(a) the sea or an arm of the sea,

- (b) a bay, inlet, lagoon, lake or body of water, whether inland or not and whether tidal or non-tidal, and
- (c) a river, stream or watercourse, whether tidal or non-tidal, and
- (d) a building erected on the land."

It is an inclusive definition and may be used where applicable. If for example, I was selling a farm, the land would be **all the land** comprising the farm and would include any land upon which a building was erected. If I was selling a block of units, the land would be **all the land** comprising the strata plan and would include the land upon which the block of units was erected.

When an owner wishes to sell their property, they are required to prepare a contract for sale. Prescribed documents in accordance with the Conveyancing (Sale of Land) Regulation 2017 are required to be annexed to a contract for sale.

² S608(2) Local Government Act 1993 (NSW)

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Schedule 1 of the Conveyancing (Sale of Land) Regulation 2017 sets out a list of the prescribed documents and specifically states that the following document must be annexed to a contract for sale:

"A planning certificate for the land unless the land is not within a local government area.

Note. If the sale relates to more than one lot in a strata plan, a single planning certificate may be attached."

Land is also not defined in the Conveyancing Act 1919 NSW as one would expect:

"includes tenements and hereditaments, corporeal and incorporeal, and every estate and interest therein whether vested or contingent, freehold or leasehold, and whether at law or in equity."

There is nowhere therefore within the Local Government Act 1993 (NSW), the Environmental Planning Assessment Act 1979 (NSW) nor the Conveyancing (Sale of Land) Regulation 2017 which legislatively requires a s10.7 certificate to be "per lot". Nor therefore, is there any corresponding provision to charge ratepayers a fee "per lot".

Previous Council authority pursuant to repealed Regulation

In 2015, the writer at the invitation of Council attended its meeting to address Councillors on this very issue. At the time, the Conveyancing (Sale of Land) Regulation 2010 stated:

A section 149 certificate (unless the land is not within a local government area) for the lot (emphasis added).

Note: If the sale relates to more than one lot in a strata plan a single section 149 certificate may be attached."

When an application for a s149 certificate (as it was then) was made for a property which had more than one lot, only one certificate issued, based on the address of the property. The front page of that certificate listed all the lots associated with the property. It would only be in circumstances where the property straddled different local government areas, did more than one certificate issue.

At this meeting, Mayor Lynch advised that "Council had been doing everyone a favour up to now by not charging a fee per lot and the Regulations allowed Council to charge a fee per lot".

The other argument in favour of issuing "per lot" certificates provided by Council related to "bushfire prone areas" where one lot of a property may be bush fire prone but others not. In those circumstances, Council was of the opinion that it would actually benefit an owner to have individual certificates to ensure accurate information was contained within each.

Council has since this time, continued to charge a fee per lot for s10.7(2) certificates.

Inconsistency with current Regulation, best practice and other Councils

In 2019, the writer applied to Goulburn Mulwaree Council for twenty-one, s10.7(2) certificates for the sale of a farm comprising 21 lots and provided payment of \$1,113.00. The writer was pleasantly surprised to receive a call from that Council to advise that only 2 certificates would be issued, one certificate comprising 20 lots and the other certificate comprising 1 lot which was categorised as bushfire prone land, unlike the other 20 lots. That Council returned \$1,007.00.

The current Regulation commenced on 1 September 2017 and Council it appears, without any legal basis, has been charging ratepayers a fee "per lot" for s10.7(2) certificates despite the wording having been removed from the Regulation almost 3 years ago.

Whilst most ratepayers will appreciate that Councils are entitled to obtain income from fees, they are also entitled to expect the Councils do this legitimately.

Comparative fees

Acknowledging that it may not be as simple as comparing one local government area with another given their size and current financial status, set out below is a table of comparative fees for surrounding LGAs.

Council	S10.7(2) certificate	Urgency fee
Snowy Monaro Regional Council	\$53.00 per lot	\$121.00 (proposed \$124.00) 24hr
Bega Valley Shire Council	\$53.00 per lot	\$166.00 (24 hr) \$220.00 (3 hr)
Snowy Valleys Council	\$53.00 (0-5 lots)	\$138.00 (24 hr)
	\$159.00 (6-10 lots)	
	\$250.00 (>10 lots)	
Queanbeyan Palerang Council	\$53.00	No urgent certificates
Goulburn Mulwaree Council	\$53.00 per certificate	\$70.00

Factors in determining a fee

The provisions of s610D of the Local Government Act 1993 NSW are relevant in terms of looking at what factors **must** be considered by Council in setting a fee. In support of our submission that Council provide one 10.7(2) certificate per property (as opposed to per lot), if Council were to comply with s610D(2), the cost to Council would arguably be less than current expenditure. In the example provided above with the issue of 21, 10.7(2) certificates, reducing this to two certificates means less paper, less review time and quicker turnaround time. This would achieve the objectives set out in s610D(1)(c) and s610D(1)(d), being the importance of the service to the community and alignment with the wording of the Regulation.

Timeframe for issue of certificates

In its 2018/2019 Annual Report, Snowy Monaro Regional Council reports that it issued 1200, s10.7(2) certificates in that financial year. Omitted from this report are the average timeframes for the issue of those certificates. In the writer's regular experience, it can take anywhere between two and four weeks for a s10.7(2) certificate to issue (not counting any delay from a third party provider such as Infotrack to onforward the certificate or any delay due to COVID-19).

An urgency fee is appropriate in circumstances where an owner may be required to sell a property on short notice (by way of auction for example) or where the existing certificate has expired and an updated certificate is required where a purchaser has made an offer of purchase. Of course, an urgency fee is payable at the election of the person ordering the certificate and our only observation is that the amount of the urgency fee is double that of Goulburn Mulwaree (who also only charges a per certificate fee).

An urgency fee however, should not be introduced to speed up a Council induced delay. Flowing on from this, Council must consider that in the event that the 24 hour turnaround is not achieved, that a full refund of that urgency fee be provided.

We trust this feedback is of use to you. It is clear that other Councils have adopted the same approach and it is on that basis that the writer has forwarded a copy of this correspondence to the NSW Law Society and NSW Ombudsman with a request that the "per lot" issue be reviewed.

- 5 –

6 August 2020

Please do not hesitate to contact the writer should you wish to discuss the matter further.

Yours faithfully BLAXLAND MAWSON & ROSE

Per: NOT SIGNED - SENT ELECTRONICALLY

JOANNE VAN DER PLAAT

Partner

jvanderplaat@bmrlawyers.com.au

9.4.12 ELECTION FOR DEPUTY MAYOR

Record No:

Responsible Officer: Chief Strategy Officer

Author: Coordinator Governance

Key Theme: 4. Leadership Outcomes

CSP Community Strategy: 10.2 Sound governance practices direct Council business and

decision making

Delivery Program Objectives: 10.2.2 Councillors are supported to make informed decisions in

the best interest of the community and to advocate on behalf of

the community

Attachments: Nil

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

On 2 September 2019 Council had elected Mayor and Deputy Mayor for one year term as the elections were to take place in September 2020. Due to the COVID-19 Pandemic the elections have been postponed to September 2021.

As per the *Local Government Act 1993 s.(230)* "A mayor elected by the councillors holds the office of mayor for 2 years, subject to this Act" and as per OLG circular 20-25 September 2020 mayoral elections "Mayors elected in September 2019 will continue to hold office until council elections are held on 4 September 2021." Therefore a Mayoral election will not take place.

As per the Local Government Act 1993 s.(231) "The person may be elected for the mayoral term or a shorter term." Since the Deputy Mayor was elected for a term of one year, the election will need to take place as the term ends in September 2020.

OFFICER'S RECOMMENDATION

That Council:

- A. Invite nominations for the election of Deputy Mayor;
- B. In accordance with Section 231 of the *Local Government Act 1993* elect a Deputy Mayor for the term of one year, i.e., from September 2019 to September 2020; and
- C. Election be conducted by ordinary ballot.

BACKGROUND

Schedule 7 - Election of Mayor by Councillors

The main points from the legislation are:

- The General Manager (or a person appointed by the general manager) is the Returning Officer.
- Nominations are to be announced and elections are to be conducted at the same council meeting.

Note: The completed nomination form (attached) may be handed to the Returning Officer at the meeting or prior to the meeting.

Procedure

- A nomination is to be <u>made in writing by two or more councillors</u>, one of whom may be the nominee.
- The nominee must indicate consent to the nomination in writing. If more than one nomination
 is received the Council must resolve that the election proceed by preferential ballot, ordinary
 ballot or open voting.
- Preferential ballot and ordinary ballot will be secret ballots.

The Election Procedures will generally be as follows: -

- 1. Councillors will be called upon by the Returning Officer (General Manager) to submit their written nomination papers.
- 2. The nominations received will then be announced to the Meeting by the Returning Officer who will request each nominee to confirm his/her acceptance or otherwise.
- 3. If only one Councillor is nominated and accepts nomination, that Councillor is elected.
- 4. If there are more candidates than one contesting the Mayoral election, the provisions of Clause 3(2), Schedule 7 of the Local Government (General) Regulation 2005 will take effect.
- 5. The Council must resolve which method of election will be used, i.e. by preferential ballot, by ordinary ballot (secret ballot) or by open voting (show of hands) and the election must be held at the Council Meeting at which the Council resolves on the method of voting.
- 6. If an election by ballot is necessary, the Council will be asked to adjourn for a short time to allow the preparation of ballot papers.
 - (i) When the ballot papers have been prepared, the meeting will be resumed and the ballot papers will be distributed to Councillors for marking.
 - (ii) Upon completion of marking of the ballot papers by Councillors, the papers will be collected by or on behalf of the Returning Officer and a short adjournment will again be necessary to enable the counting of votes.
- 7. When all voting and the counting has been completed, and the result has been obtained, the Returning Officer will declare the result to the meeting.

Councillors are requested to complete the nomination papers (attached) prior to the meeting to enable them to be delivered or sent to the Returning Officer.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Council understands the importance of providing effective and accountable civic leadership from elected leaders. The election of a Mayor is necessary for Council to function. The election of a Deputy Mayor will see that the role of Mayor is fulfilled should the Mayor be unavailable.

2. Environmental

Nil.

3. Economic

Nil.

4. Civic Leadership

5. The following sections of the *Local Government Act 1993* details the roles of Mayor, Deputy Mayor and Councillors.

6.

7. Section 226 of the Local Government Act 1993 states:-

- 8. The role of the mayor is as follows:
- 9. (a) to be the leader of the council and a leader in the local community,
- 10. (b) to advance community cohesion and promote civic awareness,
- 11. (c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
- 12. (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
- 13. (e) to preside at meetings of the council,
- 14. (f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
- 15. (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- 16. (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- 17. (i) to promote partnerships between the council and key stakeholders,
- 18. (j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
- 19. (k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- 20. (I) to carry out the civic and ceremonial functions of the mayoral office,
- 21. (m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- 22. (n) in consultation with the councillors, to lead performance appraisals of the general manager,
- 23. (o) to exercise any other functions of the council that the council determines.

24.

25. Section 231 of the Local Government Act 1993 states:-

- 26. Deputy mayor:
- 27. (1) The councillors may elect a person from among their number to be the deputy mayor.

- 28. (2) The person may be elected for the mayoral term or a shorter term.
- 29. (3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.
- 30. (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.

31.

- 32. Section 232 of the Local Government Act 1993 states:-
- 33. The role of a councillor
- 34. (1) The role of a councillor is as follows:
- 35. (a) to be an active and contributing member of the governing body,
- 36. (b) to make considered and well informed decisions as a member of the governing body,
- 37. (c) to participate in the development of the integrated planning and reporting framework,
- 38. (d) to represent the collective interests of residents, ratepayers and the local community,
- 39. (e) to facilitate communication between the local community and the governing body,
- 40. (f) to uphold and represent accurately the policies and decisions of the governing body,
- 41. (g) to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.
- 42. (2) A councillor is accountable to the local community for the performance of the council.

10.1 YOUTH MENTAL HEALTH

Record No:

Responsible Officer: Chief Executive Officer

Author: Councillor John Castellari

Attachments: Nil

Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 17 September 2020, he will move the following motion.

MOTION

That Council support the Snowy Monaro Regional Council Youth Council to access training under the "Teen Mental Health First Aid" (youth under 18 years) and "Youth Mental Health First Aid" (over 18 years) programs by providing up to three thousand dollars for the FY 2020 – 2021 to cover any incidental or other costs which may be incurred.

BACKGROUND

Youth Council representatives have identified a need for mental health training in the Snowy Monaro Regional Council LGA. They have identified two programs that could help local youth recognise the symptoms of peers and juniors experiencing mental health issues, and constructively intervene to assist distressed youth access professional help.

The Youth Council minutes provided to the August 2020 meeting of Council note, inter alia:

- An increase in youth unemployment and financial and housing stress
- The death by suicide of a local young man, highlighting the need for better delivery of youth services
- The offer by Headspace employee Liz Scott to provide training under the above nominated programs.

While the reported prevalence of mental illness in Regions is similar to that in cities, access to services is substantially more limited in regional and remote areas. Accordingly, programs that teach youth to recognise the signs of mental distress in their peers and juniors can be an effective way to intervene early and ensure young people gain the professional help they need.

Information about headspace can be found here https://headspace.org.au

CHIEF EXECUTIVE OFFICER'S RESPONSE

Clause 9. 1 of Council's Code of Meeting Practice provides as follows:

9.1 Notices of Motion

As the level of government closest to the community, Council is well placed to support community wellbeing. Consultation for the Snowy Monaro Youth Strategy indicated that mental health is a considered a priority for young people and stakeholders and as such, the Youth Development team work proactively in this space to address identified needs.

10.1 YOUTH MENTAL HEALTH

The Mental Health First Aid and Teen Mental Health First Aid programs empower children and young people with the tools, confidence and resources to support their peers navigate tough times. Both programs are nationally recognised, accredited and evidence based and were developed in consultation with young people who have a lived experience of mental illness. Research with high school students who received the training report reduced stigma, increased help seeking behaviours and the confidence to identify an adult or mental health support service who can assist. Locally, the training is delivered by Headspace – the peak body for youth mental health – and any activity which increases the visibility of this organisation in the community should be supported.

The Youth Council has representation from every high school in the region along with 3 community representatives. Financially supporting this group to become accredited Mental Health First Aiders is a cost effective and efficient means of contributing to better mental health and wellbeing outcomes for the region's youth.

The requested \$3,000 can be sourced through re-allocation from Council's existing youth projects as shown in the following table.

20/21 Youth Budget (existing)		20/21 Youth Budget (Adjusted)		
Item	Amount	Item	Amount	
National Youth Leadership Camp – 20 young people, 5 days.	10,000	National Youth Leadership Camp – 20 young people, 5 days	10,000	
Youth Council – meetings, projects and events, catering & transport	4,000	Youth Council – meetings, projects and events, catering & transport	4,000	
National Youth Week – contractually obligated Council matched funding.	5,000	National Youth Week - contractually obligated Council matched funding.	5,000	
Youth projects (Jindabyne & surrounds)	5,000	Youth projects (Jindabyne & surrounds)	4,000	
Youth projects (Bombala and surrounds)	5,000	Youth projects (Bombala and surrounds)	4,000	
Cooma Youth Hub Projects	6,000	Cooma Youth Hub Projects	5,000	
Materials, resources	3, 000	Materials, resources	3, 000	
Transport	2,000	Transport	2,000	
		Mental Health training – 20 young people	3,000	
Total	\$40,000	Total	\$40,000	

10.2 OCTOBER BUSH FIRE CLEAN UP

Record No:

Responsible Officer: Chief Executive Officer

Author: Councillor John Castellari

Attachments: Nil

Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 17 September 2020, he will move the following motion.

MOTION

That Council:

- A. During the month of October 2020, provide free home garden green waste tipping as a way of encouraging households to prepare for the bush fire season, and that this be widely advertised through our LGA, and supported with other bushfire season educational and promotional activities; and
- B. Undertake an audit of initially the area in Jindabyne noted in the background to this motion, with a view to investigating the feasibility of the fire-retardant native plant replacement concept proposed and its applicability in a possible staged implementation across our LGA.

BACKGROUND

The text of this email from a concerned Jindabyne resident puts the case clearly: "I have lived permanently here for 8 years and am quite worried for the up and coming bushfire season. The panic we had in January was crazy, if I am honest with you. The lack of preparation for the imminent threat was quite scary.

I propose that we have October free vegetation tip dumping month. Trying to encourage people to prepare their properties around the area, ready for any fires that may arise. This is the new normal and I would like to see our area more prepared. If we don't have bushfires great. But if we do it will take some of the anxiety away, knowing we are ready for it this summer.

We also need to look at the Jindabyne town in general with all the hazards we have. One being, the pine forest on the corner of Barry Way round about. I live on the up side up that. I have noticed a lot of dead trees and dead undergrowth. If this goes up the whole of Clyde street will go, with the right wind.

I propose a gradual revegetation of native fire-retardant trees, like Acacias. Like a nature reserve. I would be more than happy to be a part of that if it came to fruition."

CHIEF EXECUTIVE OFFICER'S RESPONSE

Clause 9. 1 of Council's Code of Meeting Practice provides as follows:

9.1 Notices of Motion

- (1) The deadline for lodging notices of motion in writing for inclusion on the business paper for consideration at any meeting of the Council, shall be eleven (11) days prior to the meeting.
- (2) A councillor must give notice of business in writing no later than 4.00pm on the Tuesday that follows the ordinary meeting of council.
- (3) At an Ordinary meeting Councillors may give notice of motions in writing to be listed as matters on the business paper for the next Ordinary meeting of Council.
- (4) The rules applying to the content of Questions also apply to the content of Notices of Motion.
- (5) Councillors are to ensure, where it is intended that staff be asked to carry out some specific defined action, that a Notice of Motion is written in such a way that, if carried, the motion carries such clear and unambiguous direction.

Council made the decision to assist the residents during the bushfire disaster period with the ability to dispose of waste material free of charge at the landfill and transfer station facilities. This included domestic waste, recycling and green waste material. All council resource and waste facilities saw an influx of material being delivered. The total tonnage of material received for the period between 6 to 13 January and again from 15 January to 20 January 2020 was as follows:

- General Waste 92.83 tonnes
- Recyclable material 10.36 tonnes,
- Green waste both domestic and commercial 367.84 tonnes (majority domestic)

The total value of this waste (revenue that these volumes would have equated to) was \$160,404.

The ongoing costs for any future waste, recycling and green waste disposal that may be disposed of for any future property bushfire remediation works would not only incur a loss of income from disposal, the disposal of this material would also incur charges for the processing of the material from external contractors and further contribute to the cost of disposal.

- Green waste processing approximate costing (depending on contract)
 Shredding, shearing and grinding approximate \$4000 (based on above tonnages)
- Extra transporting of waste and recycling from transfer stations to landfills and MRF Transportation approximate \$19,000 (based on above tonnages).

After the bushfire disaster period council established a disaster recovery group to assist the region with further bushfire disaster relief and distributed a further \$5,850 in waste disposal vouchers to assist those residents who had lost their homes during the fire season. Through having the free disposal periods it saw all residents take advantage of the time to dispose of their material even those properties not immediately effected by the fires.

Given the impacts and the rapid response required at the height of the bushfires communications sent out at the time were too broad and it was noted that more comprehensive communications campaign be undertaken for any future disasters. As a result the broad communication that was delivered saw all SMRC residents dispose of all manner of material from construction material from renovations and the like, it was even noted that residents from the Canberra region drove to the region to dispose of their material for free.

10.2 OCTOBER BUSH FIRE CLEAN UP

Any future communications for disaster relief will need to ensure that the members of the communities most affected by the bushfires are reached and that specifically effected areas and types of material are pinpointed.

Further effects from the free disposal period was the impact to staff, councils waste contractors and facilities with larger than normal traffic flow, larger daily quantities of disposal leading to staff and contractors having to work overtime and schedule in extra collections to ensure that all sites met with the daily covering and closing requirements. Due to the urgency and somewhat panic at the time there was no way to gauge where the material was coming from and if it was indeed material that needed to be disposed of from properties within the fire disaster path or just from people taking advantage of free waste disposal.

It was suggested that a resource and waste disaster policy be drafted to address all the issues associated with planning for disaster events within our region. This policy would be required to cover all aspects of disposal of material (type of material, quantity, and source and site disposal) and its effect on the current facilities and staff.

13. CONFIDENTIAL MATTERS

In accordance with Section 10A(2) of the Local Government Act 1993, Council can exclude members of the public from the meeting and go into Closed Session to consider confidential matters, if those matters involve:

- (a) personnel matters concerning particular individuals; or
- (b) the personal hardship of any resident or ratepayer; or
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; or
- (d) commercial information of a confidential nature that would, if disclosed;
- (i) prejudice the commercial position of the person who supplied it, or
- (ii) confer a commercial advantage on a competitor of the council, or
- (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law; or
- (f) matters affecting the security of the council, councillors, council staff or council property; or
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege or information concerning the nature and location of a place; or
- (h) an item of Aboriginal significance on community land.

and Council considers that the closure of that part of the meeting for the receipt or discussion of the nominated items or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information, and discussion of the material in open session would be contrary to the public interest.

In accordance with Section 10A(4) of the Local Government Act 1993 the Chairperson will invite members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential matters.

RECOMMENDATION

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

13.1 Legal Actions and Potential Claims Against SMRC as at 31 August 2020

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.

- 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.