



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

17 June 2021

ORDINARY COUNCIL MEETING
HELD IN BOMBALA COMMUNITY CENTRE, 163 MAYBE STREET, BOMBALA NSW 2632
ON THURSDAY 17 JUNE 2021

MINUTES

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**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN BOMBALA COMMUNITY CENTRE, 163 MAYBE STREET, BOMBALA NSW 2632**

**ON THURSDAY, 17 JUNE 2021
COMMENCING AT 5:00PM**

PRESENT: Mayor Peter Beer
Deputy Mayor Lynley Miners
Councillor John Rooney – *via audio-visual*
Councillor John Castellari
Councillor Rogan Corbett
Councillor Sue Haslingden
Councillor John Last
Councillor Brian Old - *via audio-visual*
Councillor Bob Stewart

APOLOGIES: Councillor James Ewart
Councillor Anne Maslin

Staff: Peter Bascomb, Chief Executive Officer
David Rawlings, Chief Strategy Officer
Jeff Morgan, Chief Operating Officer
Nick Byrne, Chief Financial Officer
Aaron Brownless, Governance Admin Support

1. OPENING MEETING

The Mayor opened the meeting at 5:01PM

2. ACKNOWLEDGEMENT OF COUNTRY

2.2 APPROVING COUNCILLORS ATTENDANCE BY AUDIO-VISUAL LINK

COUNCIL RESOLUTION

128/21

RECOMMENDATION

That Council, consistent with Council's adopted procedures for attendance by councillors at meetings by audio-visual link approve the attendance of Councillors John Rooney and Councillor Brian Old via remote audio-visual link.

Moved Councillor Stewart

Seconded Deputy Mayor Miners

CARRIED

Record of Voting

Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Last, Deputy Mayor Miners and Councillor Stewart.

Councillors Against: Nil.

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

COUNCIL RESOLUTION

129/21

That the apology from Clr Ewart and Clr Maslin be accepted and leave of absence be granted.

Moved Councillor Haslingden

Seconded Councillor Corbett

CARRIED

Record of Voting

Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Last, Deputy Mayor Miners, Councillor Old, and Councillor Stewart.

Councillors Against: Nil

4. CITIZENSHIP CEREMONIES

NIL.

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

130/21

That the Ordinary Council Meeting be adjourned for the public forum at 5.05pm

Moved Mayor Beer

CARRIED

Record of Voting

Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Last, Deputy Mayor Miners, Councillor Old, and Councillor Stewart.

Councillors Against: Nil.

Councillor Rooney joined the meeting at 5.12pm

That the Ordinary Council Meeting resumed at 6.19pm

5. DISCLOSURE OF INTEREST

Nil

6. MATTERS DEALT WITH BY EXCEPTION

Items by Exception

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

COUNCIL RESOLUTION

131/21

- A. That all items listed in Corporate Business both Open and Confidential be dealt with separately other than the following items which are moved by exception:
- 7.1 - Minutes of Ordinary Council Meeting held on 20 May 2021
 - 7.3 - Minutes of Extraordinary Council Meeting 24 May 2021
 - 7.4 - Minutes of Extraordinary Council Meeting 26 May 2021
 - 9.1.1 - Delegate Water Treatment Plant Reservoir & Pump Station - Acquisition of Part Lot 1 DP 348134 Delegate - Acquisition of Easements - Application for Crown Licence
 - 9.1.2 - Monthly funds management report - May 2021
 - 9.1.3 - Draft Minutes - Community Services Advisory Committee - 1 March 2021 and 7 June 2021
 - 9.1.4 - Recreation Facilities committee minutes - 22 February 2021
 - 9.1.5 - Draft Memorandum Of Understanding (MOU) Between the Snowy Monaro Regional Library (SMRL) and the Cooma Monaro Historical Society (CMHS).
 - 9.3.1 - Jindabyne Camping 2021 Winter Campaign
 - 9.4.2 - Review of Plantations and Reafforestation Legislation
 - 9.4.4 - Request to close part of Mittagang Road Reserve - Boundary Adjustment followed by Land Sale to Owner of Lot 2 DP 815248
 - 9.4.5 - Leesville Civil Works Progression to Enable Sale of Subdivision Section 3D (4 Lots) - Sale of Industrial Land
 - 9.4.6 - Highview Estate, Jindabyne - Boundary Adjustment to Community Land Parcel for the Purposes of Future Road Reserve
 - 9.4.7 - Answers to Questions With Notice
 - 9.4.8 - Resolution Action Sheet Update
 - 13.2 - Legal actions and potential claims against SMRC as at 31 May 2021
 - 13.3 - Contract for the Cooma Festival Swimming Pool
- B. That the Officer's Recommendations in the reports listed above are hereby adopted.

Moved Councillor Stewart

Seconded Councillor Rooney

CARRIED

Record of Voting

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

Councillors Against: Nil.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 20 MAY 2021

COUNCIL RESOLUTION	132/21
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THAT the minutes of the Ordinary Council Meeting held on 20 May 2021 are confirmed as a true and accurate record of proceedings.

Moved Councillor Stewart	Seconded Councillor Rooney	CARRIED
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Record of Voting

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

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 20 MAY 2021

COUNCIL RESOLUTION	133/21
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THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 20 May 2021 are confirmed as a true and accurate record of proceedings except for item 13.1 and that the motion and the vote be recorded.

Moved Councillor Last	Seconded Councillor Castellari	CARRIED
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Record of Voting

Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Last, Deputy Mayor Miners, Councillor Old and Councillor Stewart.

Councillors Against: Councillor Rooney

7.3 EXTRAORDINARY COUNCIL MEETING 24 MAY 2021

COUNCIL RESOLUTION	134/21
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THAT the minutes of the Extraordinary Council Meeting held on 24 May 2021 are confirmed as a true and accurate record of proceedings.

Moved Councillor Stewart	Seconded Councillor Rooney
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Record of Voting

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

Councillors Against: Nil.

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

7.4 EXTRAORDINARY COUNCIL MEETING 26 MAY 2021

COUNCIL RESOLUTION

135/21

THAT the minutes of the Extraordinary Council Meeting held on 26 May 2021 are confirmed as a true and accurate record of proceedings.

Moved Councillor Stewart

Seconded Councillor Rooney

Record of Voting

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

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 DEVELOPMENT APPLICATION 10.2021.126.1 - COMMUNITY CLUB HOUSE - EQUESTRIAN CENTRE BERRIDALE

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Town 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:	8.1.3 Development assessment processes are streamlined to support regional development and growth
Attachments:	<ol style="list-style-type: none">1. DRAFT Conditions of Consent (<i>Under Separate Cover</i>)2. Plans (<i>Under Separate Cover</i>)3. Statement of Environmental Effects (<i>Under Separate Cover</i>)4. Stronger Country Communities Fund - Funding Deed (<i>Under Separate Cover</i>)5. SMRC & Monaro Equestrian Association - Deed of Non-Exclusive Licence (<i>Under Separate Cover</i>)6. AHIMS Search Results (<i>Under Separate Cover</i>)7. Submission 1 (<i>Under Separate Cover</i>)8. Development Application Form (<i>Under Separate Cover</i>)9. Procedure - Council Decision Contrary to Staff Recommendation

Further Operational Plan Actions:

Applicant Number:	10.2021.126.1
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Applicant:	Monaro Equestrian Association
Owner:	Snowy Monaro Regional Council
DA Registered:	03/05/2021
Property Description:	35 O'Brien Avenue BERRIDALE NSW 2628 Lot: 35 DP: 701757
Property Number:	40507832
Area:	1.8330 Hectares
Zone:	RU5 - Village
Current Use:	Recreation facilities (outdoor)
Proposed Use:	Recreation facilities (outdoor)
Permitted in Zone:	Yes
Recommendation:	Approval

EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the erection of a “club room with attached storage shed and toilet block” the Monaro Equestrian Association at 35 O’Brien Street, Berridale.

The application is referred to Council for determination in line with Councils’ Policy “Referral of Development Applications to Council” as the application is located on Council owned land.

Upon assessment, the assessing officer is satisfied that the development complies with the provisions of the Snowy River Local Environmental Plan 2013 and Snowy River Development Control Plan 2013 and it is recommended that it be approved with conditions.

If Council decides to make a determination other than as included in the recommendation, it must follow the requirements of Council Procedure – *Council Decision Contrary to Staff Recommendation* (attached to this report).

COUNCIL RESOLUTION

136/21

- A. That pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to DA 10.2020.216.1 for the **Construction of a Community Clubroom with Attached Storage Shed and Toilets** at 35 O’Brien Avenue Berridale (lot 35 DP701757), with draft conditions of consent attached to this report.

. Moved Councillor Last

Seconded Councillor Stewart

CARRIED

Record of Voting

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

Councillors Against: Nil

8.2 DEVELOPMENT APPLICATION 10.2020.135.1 ECO-TOURIST FACILITY

Record No:

- Responsible Officer: Chief Operating Officer
- Author: Town 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: 8.1.3 Development assessment processes are streamlined to support regional development and growth
- Attachments:
1. DRAFT Conditions of Approval (*Under Separate Cover*)
 2. Plans (*Under Separate Cover*)
 3. Statement of Environmental Effects (*Under Separate Cover*)
 4. BASIX Certificate (*Under Separate Cover*)
 5. NatHERs 1 (*Under Separate Cover*)
 6. NatHERs 2 (*Under Separate Cover*)
 7. NatHERs 3 (*Under Separate Cover*)
 8. Site and Soil Assessment (*Under Separate Cover*)
 9. AHIMS Report (*Under Separate Cover*)
 10. Submission 1 (*Under Separate Cover*)
 11. Submission 2 (*Under Separate Cover*)
 12. Submission 3 (*Under Separate Cover*)
 13. Submission 4 (*Under Separate Cover*)
 14. Submission 5 (*Under Separate Cover*)
 15. Submission 6 (*Under Separate Cover*)
 16. Submission 7 (*Under Separate Cover*)
 17. Applicant Response to Submissions (*Under Separate Cover*)
 18. Renwick Services Deed (*Under Separate Cover*)
 19. Development Application Form (*Under Separate Cover*)
 20. Procedure - Council Decision Contrary to Staff Recommendation (*Under Separate Cover*)

Further Operational Plan Actions:

Applicant Number:	10.2020.135.1
Applicant:	B M Grenfell
Owner:	J L Grenfell & B M Grenfell
DA Registered:	28/10/2020
Property Description:	Lot 9 DP 861805 Ph Abington
Zone:	Primary Production – RU1
Current Use:	Dwelling
Proposed Use:	Eco-Tourist Facility
Permitted in Zone:	Yes
Recommendation:	Approval

EXECUTIVE SUMMARY

The Ordinary meeting of Council held on 20 May 2021 considered an officer recommendation to approve an Eco-tourist Facility, comprising of three (3) cabins at Charlottes Lane, Jindabyne. The recommendation was not supported. Council did not make an alternative resolution to determine the application.

In line with the requirements of section 4.16 of the Environmental Planning and Assessment Act 1979 the application is required to be determined as either consent or refusal and therefore is required to return to Council for determination.

The body of the report remains unchanged to that which was presented to Council at its meeting on the 20 May 2021.

The revised recommendations are:

- A) That the application, DA 10.2020.135.1 for an Eco-tourist Facility (3 cabins) on Lot 9 DP 861805 Ph Abington be determined pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979, by
 - (1) granting consent to the application unconditionally or
 - (2) granting consent subject to conditions, or
 - (2) refusing consent to the application.
- B) Should the application be determined as a refusal that reasons for refusal are provided by Council as per the requirements of Council Procedure – *Council Decision Contrary to Staff Recommendation* (attached to this report).

COUNCIL RESOLUTION

137/21

The revised recommendations are:

- (A) That application, DA 10.2020.135.1 for an Eco-tourist Facility (3 cabins) on Lot 9 DP 861805 Ph Abington be deferred pending further information

Moved Councillor Haslingden

Seconded Councillor Corbett

CARRIED

Record of Voting

Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Last, Deputy Mayor Miners, Councillor Old and Councillor Stewart.

Councillors Against: Councillor Rooney.

8.3 DEVELOPMENT APPLICATION 10.2021.148.1 TEMPORARY CAMPGROUND AND CARAVAN PARK ANCILLARY TO EXISTING TOURIST FACILITY

Record No:

Responsible Officer: Chief Operating Officer

Author: Coordinator Development

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. Draft Conditions of Consent DA 10.2021.148.1
2. Statement of Environmental Effects and Supporting Documents DA 10.2021.148.1
3. Submissions to DA 10.2021.148.1
4. Development Application Form DA 10.2021.148.1

Application No:	10.2021.148.1
DA Registered:	12/05/2021
On land comprising:	Lot 8 DP 1245126 Ph Townsend
Applicant's details:	Jindabyne Equestrian Resort
Owner's details:	Prism Enterprises Pty Ltd
Zoning:	RU1 - Primary Production
Notification:	14 days
Type of development:	Local
Current Use:	Rural Tourist Recreation Facility and associated accommodation – Jindabyne Equestrian Resort
Proposed Use:	Temporary Caravan Park and Camp Ground - Ancillary to existing accommodation
Permitted in Zone:	Yes
Recommendation:	Approval with Conditions

EXECUTIVE SUMMARY

This purpose of this report is to seek approval for a Temporary Caravan Park and Camp Ground - Ancillary to existing accommodation on lot 8 DP1245126, 2 Hilltop Road Hill Top.

The applicant has proposed the use of the existing Jindabyne Equestrian Resort (JER) as a temporary caravan park and camp ground for the 2021 Winter Ski Season (June 12 to October 4 2021). The development is proposed to be used to accommodate seasonal workers and tourists. It is proposed that the temporary use will utilise the existing infrastructure at the JER which is not in use during the winter months. The site will only be used for accommodation and no events or use of the equestrian facilities will be available, this includes the operation of the café which will not be open to outside patrons. The access for the development is proposed to be via the existing driveway into the JER from Hilltop Road. The application as originally submitted to Council was for an initial 75 sites (which could use existing onsite toilet and shower facilities) with an ability to scale up to 400 sites using temporary facilities brought to the site for the duration of the use. There was no limit specified in the development application as to the number of persons to be accommodated on each camp/caravan site or overall in the temporary facility. These sites were proposed to be spread across the existing JER site and onto the adjoining vacant land (lot 12 DP1245126). The sites on lot 12 were proposed to be the sites serviced by temporary toilet and shower facilities.

Due to significant community concerns raised through the notification process and in discussion with

the applicant, the numbers of sites proposed has been reduced from 400 to 75. The applicant has also sought to amend the application to remove any sites proposed on the adjoining vacant land (lot 12). The reduction to 75 sites also required the removal of sites from other of the areas in the original proposal.

An assessment was carried out as to the existing capacity in the onsite sewerage management system to determine the number of people that could be accommodated on site. It has been determined that the existing system has a spare capacity (when no other uses are undertaken on site other than accommodation) of an additional 97 persons. As such the 75 sites can only accommodate up to 97 people. The application was notified to adjoining owners for a period of 14 days and the application received 27 submissions. Additional time was provided for submissions to be received when requested and a number of submitters sought to add to their original submissions given the additional time. The submissions raised concerns with the scale of the development and the resultant impacts it would have on surrounding properties. The submissions have been attached to the report and are summarised into issues below with accompanying officer consideration.

It is recommended that the development be approved with the draft conditions of consent attached.

COUNCIL RESOLUTION

138/21

That pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* DA 10.2021.148.1 for a Temporary Campground/Caravan park at lot 8 DP1245126, 2 Hilltop Road Hill Top be granted subject to the conditions attached.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, Deputy Mayor Miners, Councillor Old and Councillor Rooney.

Councillors Against: Councillor Haslingden, Councillor Last and Councillor Stewart

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

139/21

That the Ordinary Council Meeting be adjourned at 7.12pm

Moved Mayor Beer

CARRIED

The Ordinary Council Meeting resumed at 7.48pm

9. OTHER REPORTS TO COUNCIL

9.1 KEY THEME 1. COMMUNITY

9.1.1 DELEGATE WATER TREATMENT PLANT RESERVOIR & PUMP STATION - ACQUISITION OF PART LOT 1 DP 348134 DELEGATE - ACQUISITION OF EASEMENTS - APPLICATION FOR CROWN LICENCE

Record No:

Responsible Officer: Chief Operating Officer

Author: Property 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:	1.1.2 Water and Sewer Services meet legislative and quality requirements
Attachments:	1. Map of Area at Delegate for Part Acquisition and Easements 2. Map Showing Area Required for Acquisition
Cost Centre	WO 347 – Delegate & Bombala Water Treatment Plant Upgrade

EXECUTIVE SUMMARY

This report seeks Council approval to formalise the relevant raw water pipeline easement over and within Lot 2 DP 1015012 and Lot 8 DP 1167423 from the raw water intake pump station situated on the Delegate River to the existing raw water reservoir. Along with securing ownership of the relevant land for the Delegate water treatment plant, and two reservoirs (one existing), being part of Lot 1 DP 348134. The report also encompasses a request for a Crown Licence for the raw water intake pump station located on Crown land at Delegate River.

The raw water intake pump station is set for future upgrades and these upgrades are in the planning stage with community consultation to take place. It was during this process that Council staff established that the parcel of land the infrastructure is located on is not under Council care and control. It is therefore necessary to subdivide and acquire part of this parcel of land (currently known as Lot 1 DP 348134) within Delegate. Discussions have been initiated with the current owners of the lot in question, Hume Forests, and they appear agreeable to this process in principle.

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

COUNCIL RESOLUTION

140/21

That Council

A. Authorise the CEO to:

- i. Negotiate the purchase under private treaty of part of Lot 1 DP 348134 Delegate or, if required;
- ii. Proceed with the Compulsory Acquisition of the land described as part of Lot 1 DP 348134 Delegate and having an area of approximately 507m² for the purpose of water treatment plant, two reservoirs (one existing) in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
 - a. Make an application to the Minister and the Governor for approval to acquire part of Lot 1 DP 348134 Delegate, having an area of approximately 507m², by compulsory process under section 186(1) of the Local Government Act 1993 and in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act;

B. That the land being acquired within Lot 1 DP 348134, having an area of approximately 507m², is to be classified as operational land;

C. Application be made to the Minister for Local Government and the Governor to acquire easements for raw water pipeline purposes being 3 metres wide within (or over) Lot 2 DP 1015012 and Lot 8 DP 1167423 at Delegate by compulsory acquisition process in accordance with Council's power under

- Section 186(1) of the Local Government Act 1993 in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991;
- D. Application be made for a Licence from Department of Planning, Industry & Environment, Crown Lands for purpose of town water supply infrastructure on the Delegate River adjacent to Lot 8 DP 1167423;
- E. Authorise the CEO to sign any documentation required for the acquisition processes defined.

Moved Councillor Stewart

Seconded Councillor Rooney

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

9.1.2 MONTHLY FUNDS MANAGEMENT REPORT - MAY 2021

Record No:

Responsible Officer:	Chief Financial Officer
Author:	Finance Officer
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.6 Increase and improve Council's financial sustainability.
Operational Plan Action:	OP7.18 Effective management of Council funds to ensure financial sustainability.
Attachments:	
Cost Centre	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 May 2021.

Cash and Investments are \$75,327,341.

Certification

I, Nicholas Byrne, 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.

COUNCIL RESOLUTION

141/21

That Council:

- A. Receive the report indicating Council's cash and investments position as at 31 May 2021; and

B. Receive the Certificate of the Responsible Accounting Officer.

Moved Councillor Stewart

Seconded Councillor Rooney

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

9.1.3 DRAFT MINUTES - COMMUNITY SERVICES ADVISORY COMMITTEE - 1 MARCH 2021 AND 7 JUNE 2021

Record No:

Responsible Officer: Chief Operating Officer

Author: Executive Assistant (Strategy)

Attachments: 1. Draft Notes - Community Services Advisory Committee 1 March 2021
2. Draft Minutes - Community Services Advisory Committee 7 June 2021

EXECUTIVE SUMMARY

The Community Services Advisory Committee met on 1 March 2021 and 7 June 2021 in Cooma and via Zoom. The Draft Notes and Minutes are presented for Council's information.

Note: the meeting held on 1 March 2021 did not have a quorum. The Draft Notes were presented to the Community Services Advisory Committee meeting held on 7 June 2021 for adoption.

COUNCIL RESOLUTION

142/21

That Council:

- A. receive and note the Draft Notes of the Community Services Advisory Committee meeting held on 1 March 2021 and the Draft Minutes of the Community Services Advisory Committee meeting held on 7 June 2021.
- B. endorse the Community Services Advisory Committee nomination of Mr Kevin Dunne and Ms Joanne Jeanes (as an alternate) to participate in the Expression of Interest (EOI) and Request for Proposal (RFP) evaluation for a new operator of residential aged care facilities

Moved Councillor Stewart

Seconded Councillor Rooney

CARRIED

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

9.1.4 RECREATION FACILITIES COMMITTEE MINUTES - 22 FEBRUARY 2021

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Supervisor Civic Maintenance
Key Theme:	1. Community Outcomes
CSP Community Strategy:	1.3 Recreation, sporting and leisure facilities encourage all ages to live in an active and healthy lifestyle
Delivery Program Objectives:	1.3.2 Council has effectively identified community and visitor needs in the development and enhancement of the Region's recreational facilities to ensure sound decision making
Attachments:	1. Recreation Facilities committee Meeting Minutes - 22 February 2021

EXECUTIVE SUMMARY

Minutes of the recreation Facilities Committee Meeting held 22 February 2021 are attached.

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

COUNCIL RESOLUTION

143/21

That Council receive the minutes of the Recreation Facilities meeting held on 22 February 2021.

Moved Councillor Stewart

Seconded Councillor Rooney

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

9.1.5 DRAFT MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE SNOWY MONARO REGIONAL LIBRARY (SMRL) AND THE COOMA MONARO HISTORICAL SOCIETY (CMHS).

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Manager Community Services
Key Theme:	1. Community Outcomes
CSP Community Strategy:	2.1 Our culturally diverse heritage is preserved and celebrated for the richness it brings to our regional identity
Delivery Program Objectives:	2.1.2 Council celebrates and enriches the heritage fabric throughout the region
Attachments:	1. Draft MOU between SMRL & CMHS
Cost Centre	Community Services
Project	MOU between SMRL & CMHS

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The purpose of this report is to seek Council endorsement of a Memorandum of Understanding (MOU) between the Snowy Monaro Regional Library (SMRL) at Cooma and the Cooma Monaro Historical Society (CMHS).

The CMHS has a collection held at Cooma Library. This collection is only to be accessed by CMHS archivists and volunteers. The CMHS will provide support researchers every Friday, and maintain and conserve the collection. CMHS will be able to continue to raise revenue for the service they provide.

The SMRL will ensure security of the collection, including no access by the general public and SMRL staff without the express permission of the CMHS. SMRL will also provide electricity, and internet / Wi-Fi. SMRL will continue to offer a 60% discount on the use of the photocopier.

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

COUNCIL RESOLUTION

144/21

That Council endorse the memorandum of understanding between the Snowy Monaro Regional library, Cooma and the Cooma Monaro Historical Society.

Moved Councillor Stewart

Seconded Councillor Rooney

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

9.2 KEY THEME 2. ECONOMY

Nil

9.3 KEY THEME 3. ENVIRONMENT

9.3.1 JINDABYNE CAMPING 2021 WINTER CAMPAIGN

Record No:

Responsible Officer: Chief Operating Officer

Author: Coordinator Public Health & Environment

Key Theme: 1. Community Outcomes

CSP Community Strategy: 3.2 Positive social behaviours (including law and order) are fostered and encouraged to maintain our safe, healthy and connected communities

Delivery Program Objectives: 3.2.1 Council's public health and regulatory responsibilities are planned for and delivered to facilitate a safe community and raise awareness

Attachments: 1. Attachment 1 No Stopping Zones Along The Lake Jindabyne Foreshore
 2. Attachment 2 Feasibility Study Paid Parking Claypits

Cost Centre Work Order 32

Project Feasibility Study Investigating the Strengths Weakness, Opportunities and Threats associated with introducing paid parking at the Jindabyne Claypits.

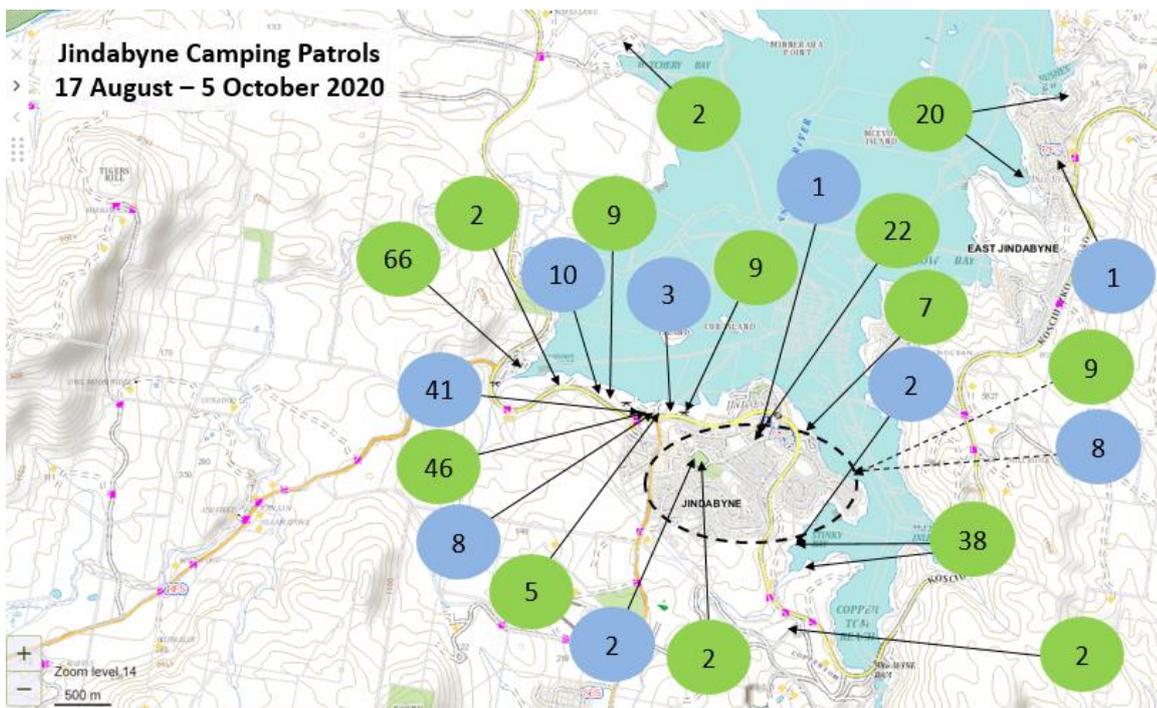
Further Operational Plan Actions: Feasibility study - Paid parking permit for the Claypits carpark.

EXECUTIVE SUMMARY

The number of winter freedom camping visitors to Jindabyne has been increasing each year. This has caused an increase in the number of complaints about anti-social behaviour, littering and rubbish dumping. Council’s Ranger Services undertake regular patrols and regulating of foreshore areas around Lake Jindabyne and the broader township. The 2020 season saw the introduction of Covid-19 restrictions, which in effect did not reduce the number of freedom campers in Jindabyne area.

A short term strategy was developed in August 2020 to address the increased concerns of residents about the number of people camping in Jindabyne, with a particular concern about the Claypits carpark. The concerns were widely reported in both social and printed media. Council installed no stopping zones to cover the Claypits carpark and no camping signs to cover the entire township of Jindabyne and East Jindabyne. These signs were in addition to the ones installed along Lake Jindabyne’s foreshore (see attachment 1).

Following the installation of the new signs an education campaign was implemented to ensure all potential campers were made aware of the new restrictions. Both educational and punitive measures (penalty infringement notices) were used to bring about compliance. Figure 1 illustrates the number of people spoken to and the infringements issued after the new signs were installed.



Legend

Engaged and Cautioned

239

Infringements

76

Figure 1: Jindabyne Camping Patrols 2020 Statistics.

Additionally, Council undertook a study into the feasibility of using paid parking as a strategy to manage freedom camping in the Claypits (see attachment 2). The report does not support the use of paid parking as a strategy to manage camping in the Claypits. However, it does support further studies into the use of paid parking in the broader township of Jindabyne one part of a wide-ranging strategy to manage freedom camping.

This report provides a brief update on the 2020 winter campaign, it seeks approval to implement a similar campaign used implemented in August 2020, to note the findings of the feasibility study undertaken and note work is continuing to develop a long term wide-ranging strategy to manage freedom camping.

Also, Council has been working closely with the Chamber of Commerce on the problem and is in receipt of two development applications focused on alternative accommodation options.

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

COUNCIL RESOLUTION

145/21

That Council

- A. Notes the successful outcomes of the amended 2020 Jindabyne camping campaign.
- B. Notes that the demand for free camping, both in summer and winter, is increasing as tourist and visitor numbers coming to Jindabyne and the Snowy Monaro Region continue to grow.
- C. Notes the outcomes of feasibility study undertaken to consider the introduction of a paid parking permit for the Claypits carpark did not support this concept as a standalone strategy.
- D. Notes negotiations are taking place between key stakeholders to develop a long term strategy to manage camping in the Jindabyne Township and surrounding regions.
- E. Notes the increase of the annual operating budget to maintain this campaign from \$17,900 in 2020 to \$33,500 in 2021 and that the budget may need to increase as Council's management strategy evolves and adapts to the increased demands.
- F. Approves the installation of "No Stopping Zone" signs in the Claypits Carpark and the Boat Ramp Carpark restricting parking from 6pm until midnight and from midnight until 7am between 01 June and 31 October annually.
- G. Approves the installation of "No Camping" signs to cover the townships of Jindabyne and East Jindabyne plus Hatchery Bay and the land surrounding the access road to Council's landfill site in Jindabyne.

Moved Councillor Stewart

Seconded Councillor Rooney

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

**9.3.2 ADOPTION OF RECOMMENDATIONS FROM THE LOCAL TRAFFIC COMMITTEE MEETING HELD ON
20 MAY 2021**

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Road Safety Officer
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	9.1 Transportation corridors throughout the region are improved and maintained
Delivery Program Objectives:	9.1.2 Our local road network is planned, built and repaired to improve movement across the region
Attachments:	1. Local Traffic Committee Minutes 20 May 2021
Cost Centre	Infrastructure Administration
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The Snowy Monaro Local Traffic Committee held their meeting on the 20 May 2021. The Committee's recommendations are presented for Council's consideration.

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

COUNCIL RESOLUTION

146/21

That Council adopt the recommendations of the meeting of the Local Traffic Committee on 20 May 2021.

A. SNOWY MOUNTAINS GRAMMAR SCHOOL PRECINCT

That Council approve a Left in and Right in/Left out access option on Barry Way, Jindabyne for the SMGS Sports Precinct carpark and work with Transport for NSW to:

- Create a 40km/h zone up Barry Way, Jindabyne when the access road becomes open to the public.

B. 400 IN 4 CHARITY RIDE

That Council approve the 400 in 4 Charity Ride to ride through Cooma on the 13/10/21 and 14/10/21 provided the organisers:

- Change the entrance into Cooma on the 13/10/21 to Yallakool Road.
- Limit the number in cycling groups to 15 riders each, all with a lead and following vehicle.

C. SHOW AND SHINE

This submission to the Local Traffic Committee was withdrawn on the 26/05/21.

D. SCHOOL ZONE SIGNAGE – Mittagang Road and Barona Avenue

That Council change the parking signs around Cooma North Public School and Monaro High along Mittagang St, Cooma and Barona Avenue, Cooma. This is to reflect the current school hours from

8:00am-9:30am and 2:30pm-4:00pm creating consistency across the region.

E. LOADING ZONE – Vale Street, Cooma

That Council investigate the parking area outside 57 Vale Street, Cooma by:

- Speaking to the Taxi drivers about allowing trucks to use part of the Taxi space.
- Investigating line-marking on the driveways outside 57 Vale Street, Cooma for to create clear lines of sight for driveway entrances.
- Investigating the need for one driveway as opposed to two driveways at 57 Vale Street, Cooma through Council.

F. ROCK FLAT CREEK BRIDGE, NUMERALLA

That Council approve the Cooma side of Rock Flat Creek Bridge on Numeralla Road to have a give way sign to vehicles coming from Numeralla. This side is encouraged as there is more space for heavy vehicles to wait on this approach.

G. DROP & HOODS – Snowy Mountains

That Council ask Lateral Management for more information about the Drop and Hood event planned for December 2021. The information should include how this event may impact other council departments, the timing of the races and the number of participants. This can then be submitted to the next Local Traffic Committee meeting.

H. ST PATRICKS JUNIOR SCHOOL PARKING

That Council investigate measures such as street trees or a barrier to block vehicles parking on the nature strip at St Patricks School, Cooma.

I. ILLAWONG ST, ANGLERS REACH – SPEEDING

That Council investigate measures to reduce speed along Illawong Street, Angler's Reach such as the placement of temporary speed display signs as well as speed cushions at all entrance to the lake and caravan park.

J. DALGETY ROAD SPEED LIMIT – OUT OF BERRIDALE

That Council forward on all information regarding the support to reduce the speed limit on Dalgety Road for 800m, to Transport for NSW to investigate.

K. ADAMINABY PARKING

Recommendation: That Council undertake a review the parking for light and heavy vehicles throughout Adaminaby.

L. POLO FLAT ROAD, NUMERALLA ROAD AND YAREEN ROAD

That Council change the two giveaway signs on Numeralla Road and Yareen Road to stop signs with the condition that council also:

- Place signs warning vehicles to slow down or stop ahead in the lead up to these stop signs on Numeralla Road and Yareen Road.
- Investigate moving the future stop sign on Numeralla Road back a few metres from Polo Flat Road.

Moved Deputy Mayor Miners

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For:	<i>Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Last, Deputy Mayor Miners, Councillor Old, Councillor Rooney and Councillor Stewart.</i>
Councillors Against:	<i>Nil.</i>

9.3.3 BUMBALONG BRIDGE

Record No:

Responsible Officer: Chief Strategy Officer
Author: Chief Strategy Officer
Key Theme: 3. Environment Outcomes
CSP Community Strategy: 9.1 Transportation corridors throughout the region are improved and maintained
Delivery Program Objectives: 9.1.2 Our local road network is planned, built and repaired to improve movement across the region
Attachments: 1. Locality Maps
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

The NSW government is considering funding the construction of Bumbalong Bridge following from the issues identifying that there is no safe and legal access for the heavy fire vehicles for quite a significant distance into that area. This will hamper the firefighting response into this area and creates a higher risk of entrapment, in an emergency, due to the extensive length of fire trails that would need to be relied upon for alternative access. This action is supported by the Rural Fire Service.

The lack of an access will also hamper rebuilding efforts for the residents that currently have lost houses or suffered significant damage as the existing unapproved crossing structure has been assessed as being unsafe for heavy vehicles to cross. There will also be minor benefits in that the residents and visitors will have a safer crossing and there are benefits in that the structure is most likely towards the end of its effective life.

To achieve this will require the acquisition of the road leading to the bridge and the road immediately past the bridge. This infrastructure would then become part of the local transport network. Council already maintains Bumbalong Road and would take on 1.2km of unsealed road and a concrete low level bridge. The NSW Government (If funding is approved) will fund 100% of the construction costs up to \$4million, with the funding provided in advance.

With the NSW Government seeking Council to take on this project the offer will also provide that should the project face increased costs are a result of the tender pricing or other unforeseen issues the NSW Government will fund increased costs greater than 5% above the funding level. This would cap Council's exposure to any cost increases.

This project has been estimated at \$3.91million and is seen as a good investment to resolve a historic issues at what should be no cost to the community.

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

COUNCIL RESOLUTION

147/21

That Council:

- A. Agree to accepting 100% grant funding to acquire and construct the section of road leading up to and immediately surrounding the crossing known as Bumbalong Bridge and replace Bumbalong Bridge to ensure that there is access for emergency services to legally cross the Murrumbidgee River at Bumbalong and safely operate within that region in emergencies.
- B. Authorise the Chief Executive Officer to negotiate for the acquisition of such land as is required.

. Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil

9.4 KEY THEME 4. LEADERSHIP

MOTION 9.4.1 DONATIONS AND SPONSORSHIP SUBMISSIONS FOR FY22 JULY TO DECEMBER 2021

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. Attachment 1 - Donations and Sponsorship - Summary of Requests FY22 <i>(Under Separate Cover)</i> 2. Attachment 2 - Applications D&S FY22 #1 to #9 - Redacted <i>(Under Separate Cover)</i> 3. Attachment 3 - Applications D&S FY22 #10 to #19 - Redacted <i>(Under Separate Cover)</i> 4. Attachment 4 - Applications D&S FY22 #20 to #30 - Redacted <i>(Under Separate Cover)</i>
Cost Centre	3120

EXECUTIVE SUMMARY

The report contains details of all application submissions received for round 1 of council's Donations and Sponsorship as detailed in Attachment 1 with Councillor scores tallied. The budget allocated for this round is \$50,000.00.

The total value of submissions received for this round equates to \$108,629.93.

The process of administering the donations and sponsorships are administratively complex and expensive. As noted the rounds are well oversubscribed. For the level of funding available it is recommended that Council's policy be changed to only have one round of donation requests per annum. The amount available is set in the policy. This should be removed from the policy and set in the annual budget.

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

COUNCIL RESOLUTION

148/21

That Council move into Committee into the whole

Moved Councillor Stewart

Seconded Deputy Mayor Miners

Record of Voting

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

COUNCIL RESOLUTION

149/21

That Council move out of Committee

Moved Councillor Last

Seconded Mayor Beer

Record of Voting

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

COUNCIL RESOLUTION

150/21

That the items before Council be deferred to the extraordinary meeting to be held on 28 June 2021:

- A. Determine the submissions to be approved for Donations and Sponsorship July to December 2022FY up to \$50,000.00;
- B. Continue the previously approved recurring donations and sponsorship for the remainder of the Council term; and
- C. Change Council's policy to having one round each year and remove the set amounts.

Moved Mayor Beer

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil

9.4.2 REVIEW OF PLANTATIONS AND REAFFORESTATION LEGISLATION

Record No:

Responsible Officer: Chief Strategy Officer
Author: 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. Attachment A - Request for comment
Cost Centre: WO 47
Project: Plantation and Reafforestation Legislative Review
Further Operational Plan Actions:

EXECUTIVE SUMMARY

NSW Department of Primary Industries is inviting submissions on the review of the *Plantations and Reafforestation Act 1999* and *Plantations and Reafforestation (Code) Regulation 2001*.

The review provides Council with an opportunity to provide feedback on the regulation of plantation forestry (on private land only) which is a considerable industry in the Snowy Monaro Region, particularly the south east corner.

The closing date for submissions is Sunday 27 June 2021.

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

COUNCIL RESOLUTION

151/21

That Council:

- A. Receive and note the information in the report.
- B. Make a submission on the review of the Plantations and Reafforestation Act 1999 and Plantations and Reafforestation (Code) Regulation 2001.
- C. Be provided with a draft submission for comment seven (7) days prior to the closing date.

Moved Councillor Stewart

Seconded Councillor Rooney

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

9.4.3 REVENUE RECOVERY UPDATE

Record No:

Responsible Officer:	Chief Financial Officer
Author:	Finance Accountant
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	11.2 Council utilises sound fiscal management practices, pursues and attracts other sources of income
Delivery Program Objectives:	11.2.1 Council has best practice management for financial sustainability
Attachments:	Nil
Cost Centre	WO17 Financial Services

EXECUTIVE SUMMARY

An update of collection activities to address outstanding balances.

Council paused following its Debt Management policy as a response to providing financial relief for those in the community that may have suffered the impacts of the bushfires in late 2019 and COVID pandemic from March 2020.

A report is provided to Council on revenue recovery covering past matters and current activities to address outstanding and overdue debts. Council's external debt collection agency has recommended a number of matters to pursue sale of land for unpaid rates as all other means to recover monies owed to Council have been exhausted.

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

COUNCIL RESOLUTION

152/21

That Council:

- A) Receive and note the status of past matters referred to external debt collection agency.
- B) Receive and note the status of current debt recovery activities.
- C) Inform the community through media release and advertising that this was a suspended process of debt recovery suspended during the period of COVID and bushfires that has now recommenced.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil

9.4.4 REQUEST TO CLOSE PART OF MITTAGANG ROAD RESERVE - BOUNDARY ADJUSTMENT FOLLOWED BY LAND SALE TO OWNER OF LOT 2 DP 815248

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Coordinator Land & Property
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments:	1. Draft Survey Plan SM250 BDY ADJ - Mittagang Road Reserve Boundary Adjustment - Lot 2 DP 815248 related
Cost Centre	Work Order 254 – Road Operations
Further Operational Plan Actions:	9.1 Transportation corridors throughout the region are improved and maintained 9.1.1 Management of road corridors is effective and efficient

EXECUTIVE SUMMARY

On 21 August 2020, an email was received from Vision Town Planning consultants Pty Ltd, acting for the owner of Lot 2 DP 815248 in Mittagang Road, Cooma. The email sought Council's consent to close a section of road reserve in Mittagang Road Cooma and to subsequently sell the land to the owner of Lot 2 DP 815248 (adjoining land). The landowner in question has subsequently made further representations and tabled adjustments for Council consideration in order to progress this matter. A survey plan is attached which is regarded as meeting the mutual needs of Council and the landowner of Lot 2 DP 815248, with this plan having been funded by the landowner.

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

COUNCIL RESOLUTION

153/21

That Council

- A. Approve to proceed partial road closure of Mittagang Road, being approximately 773m², at the specified location, in accordance with the Roads Act 1993;
- B. Authorise the Chief Executive Officer to execute all necessary documents for the partial road closure and boundary adjustment;
- C. Agrees that all costs incurred in actioning the boundary adjustment and partial road closure are to be borne by the adjacent landowner (Lot 2 DP 815248), inclusive of general legal, registration fees and title creation costs incurred by Council;
- D. Obtain an independent valuation of the 773m² land area that is the subject of the boundary adjustment to guide sale price setting;
- E. Approve the sale of the subdivided land parcel, approximate 773m² in area, by private treaty to the adjacent landowner (Lot 2 DP 815248) subject to the completion of the road closure process; and
- F. Authorise the Chief Executive Officer to negotiate the sale price and execute any documentation required to complete the sale, at the appropriate time.

Moved Councillor Stewart

Seconded Councillor Rooney

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

9.4.5 LEESVILLE CIVIL WORKS PROGRESSION TO ENABLE SALE OF SUBDIVISION SECTION 3D (4 LOTS) - SALE OF INDUSTRIAL LAND

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Coordinator Land & Property
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. Diagram - Leesville Industrial Estate Staging Plan - Stage 3D indicated
Cost Centre	WO1896 – Percy Harris Subdivision Land Sale (Leesville Estate)
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Council is developer of the 36 Lot Leesville Industrial Estate subdivision in Jindabyne, with an approved DA (Development Consent 10.2005.3000163.4), enabling a modified staging plan that included stage 3D by splitting stage 3C into two parts. Council is currently actioning completion of the civil works required for Stage 3C (3 lots) of Leesville Industrial Estate to reach subdivision registration readiness. These lots having been sold off the plan, via public auction, in October 2020. Across the region industrial land is in high demand, particularly in Jindabyne.

This report seeks endorsement to expand the civil works delivery to encompass the essential service needs of the next section of the Leesville Industrial Estate subdivision being Stage 3D (4 lots). Actioning these civil works now will deliver cost savings and timing efficiency in the realms of construction and land parcel release to market.

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

COUNCIL RESOLUTION

154/21

That Council

- A. Approve the completion of the essential civil works required for Stage 3D of the Leesville Industrial Estate subdivision in Jindabyne, expending up to \$600,000;
- B. Approve Lots 17, 18, 19 & 20 in Stage 3D at Leesville Industrial Estate to be sold by public auction, once civil works are completed;
- C. Authorise the Chief Executive Officer to establish the reserve price for Lots 17, 18, 19 & 20 at Leesville Industrial Estate ahead of the auction, and to negotiate with the highest bidder should any property fail to meet the reserve;
- D. Authorise the Chief Executive Officer to undertake all negotiations for the sale of Lots 17, 18, 19 &

20 at Leesville Industrial Estate, including real estate agent engagement; and
E. Authorise the Chief Executive Officer to execute all legal documents and contracts for the sale of Lots 17, 18, 19 & 20 Leesville Industrial Estate.

Moved Councillor Stewart

Seconded Councillor Rooney

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

9.4.6 HIGHVIEW ESTATE, JINDABYNE - BOUNDARY ADJUSTMENT TO COMMUNITY LAND PARCEL FOR THE PURPOSES OF FUTURE ROAD RESERVE

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Coordinator Land & Property
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. Boundary Change Diagram - Highview - Adjusted Road Path NL180423_CSK13.01 2
Project	Highview Estate Minor Boundary Adjustment Proposed – Lot 30 DP 1118132 – Safer Road Trajectory
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Lot 30 DP 1118132 is Council owned land, having been dedicated to Council by the developers of Highview Estate based on the initial concept road design referenced in the initial DA circa 2007. To encompass specific recommended road safety improvements it is proposed to make a minor boundary adjustment, to deliver a safer road pathway for future use by the community. Lot 30 DP 1118132 is categorised as community land and the proposed boundary adjustment will not reduce the land's total area, rather the lot will be slightly increased in area. The State Environmental Planning Policy (Exempt and Complying Codes) 2008 provides various exemptions for low impact subdivision matters, which this particular circumstance aligns with.

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

COUNCIL RESOLUTION

155/21

That Council

A. Agrees to the boundary adjustment related to Lot 30 DP 1118132 in principle, informed by boundary change diagram attached to this report (NL180423_CSK13.01 2);

- B. Acknowledge that the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Division 1 Subdivision 38 Section 2.75 provides the relevant development exemption due to the specific circumstances;
- C. Agrees that that developer will be responsible for all costs incurred in actioning the boundary adjustment and that the boundary adjustment will be formalised at the subdivision certificate stage of the development process.

Moved Councillor Stewart

Seconded Councillor Rooney

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

9.4.7 ANSWERS TO QUESTIONS WITH NOTICE

Record No:

Responsible Officer:	Chief Strategy Officer
Author:	Governance Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments:	1. In Progress Questions up to end of May 2021

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 Councillors with updates on questions asked by Councillors, a report has been generated with a summary of questions that are current and have recently been completed, for the period ending May 2021.

COUNCIL RESOLUTION

156/21

That Council receive the answers to questions with notice for the period ending May 2021.

Moved Councillor Stewart

Seconded Councillor Rooney

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

9.4.8 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer:	Chief Strategy Officer
Author:	Governance Officer
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1.1.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.
Operational Plan Action:	OP7.7 Provide timely, accurate and relevant information to Council to enable informed decision making.
Attachments:	1. In Progress Actions up to end of May 2021
Cost Centre	3120

EXECUTIVE SUMMARY

In order to provide Councillors with updates on resolutions of Council, a report has been generated with a summary of actions that are current and have recently been completed, for the period ending April 2021.

The In Progress Resolution Action Sheet for period ending May 2021 is attached to this report.

COUNCIL RESOLUTION

157/21

That Council receive the In Progress Resolution Action Sheet Update for the period ending May 2021.

Moved Councillor Stewart

Seconded Councillor Rooney

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

10. NOTICE OF MOTION

10.1 WILD HORSE HERITAGE MANAGEMENT PLAN

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 June 2021, he will move the following motion.

COUNCIL RESOLUTION

158A/21

That Council:

Write to the NSW Premier urging immediate publication of the draft plan of management of wild horses in Kosciuszko National Park noting that:

- The plan, which is required under Kosciuszko Wild Horse Heritage Act of 2018, (KWHHA 2018) has not been issued despite the SAP and CAP having provided their reports to the minister.
- Activities which may be proposed in the plan are likely to affect tourism operators and employment opportunities in the Snowy Monaro region
- The plan of management may have local social impacts that have a bearing on the upcoming Council elections in September 2021.

Moved Councillor Castellari

Seconded Councillor Haslingden

CARRIED

Record of Voting

Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Last, Deputy Mayor Miners, Councillor Old and Councillor Stewart.

Councillors Against: Councillor Rooney

10.2 BUSINESS CASE CRITERIA

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 June 2021, he will move the following motion.

COUNCIL RESOLUTION

159/21

That Council write to the Minister for Local Government requesting clarification of the criteria expected to be satisfied in a business case of the type identified in section 218CC of the Local Government Amendment Bill 2021.

. Moved Councillor Castellari

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Last, Deputy Mayor Miners, Councillor Old and Councillor Stewart.

Councillors Against: Councillor Rooney

10.3 DEMOLITION OF DECOMMISSIONED SERVICE STATION

Record No:

Responsible Officer: Chief Executive Officer
Author: Councillor John Last
Attachments: Nil

Councillor John Last has given notice that at the Ordinary Meeting of Council on 17 June 2021, he will move the following motion.

COUNCIL RESOLUTION	160/21
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That Council demolish the decommissioned service station on Mittagang Road Cooma

. Moved Councillor Last	Seconded Councillor Stewart	CARRIED
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Record of Voting

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

Councillors Against: Nil

11. MAYORAL MINUTES

Nil

12. QUESTIONS WITH NOTICE

12.1 NIMMITABEL GARAGE DEVELOPMENTS

RECOMMENDATION

Councillor Sue Haslingden

Question: Can Council please advise under which DA's the developments around the old garage opposite Lake Williams of Nimmitabel are being managed and when are the develops [are] due for completion as the site look very messy, unmanaged and untidy.

13. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION	161/21
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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 Consideration of Work Health and Safety Matters

Item 13.1 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and (f) of the Local Government Act because it contains and details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.2 Legal actions and potential claims against SMRC as at 31 May 2021

Item 13.2 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.3 Contract for the Cooma Festival Swimming Pool

Item 13.3 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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

Moved Councillor Corbett

Seconded Councillor Haslingden

CARRIED

Record of Voting

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

Councillors Against: Nil.

Note 1: Invitation to Public

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

Note 2: Confidential Session of Committee

At 9.09 pm the meeting was closed to the press and public.

Note 3: Resumption of Open Committee Meeting

At 9.10 pm the Closed Session ended and the Council meeting continued in Open Session.

14. REPORT FROM CONFIDENTIAL SESSION

13.1 CONSIDERATION OF WORK HEALTH AND SAFETY MATTERS

COUNCIL RESOLUTION

162A/21

That Council receive and note the report and attachments and review as necessary.

Moved Councillor Last

Seconded Deputy Mayor Miners

CARRIED

Record of Voting

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

Councillors Against: Nil.

13.2 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 31 MAY 2021

COUNCIL RESOLUTION

163A/21

That Council receive the information in the Legal Actions and Potential Claims Against SMRC as at 31 May 2021 report.

Moved Councillor Stewart

Seconded Councillor Rooney

CARRIED

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

13.3 CONTRACT FOR THE COOMA FESTIVAL SWIMMING POOL

COUNCIL RESOLUTION

164/21

That Council:

- A. Enter into a short term lease of 12 months with Monaro Aquatic Services for the 2021/2022 swimming pool season at Cooma Festival Swimming Pool;
- B. Develop a new lease that will provide some clarity over income and expenditure, including maintenance for the operation of the Cooma Festival Swimming Pool.

Moved Councillor Stewart

Seconded Councillor Rooney

CARRIED

Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 131/21 above as there was no challenge by Councillors.

There being no further business the Mayor declared the meeting closed at 9.11pm.

P Beer

CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 17 June 2021 were confirmed by Council at a duly convened meeting on 15 July 2021 at which meeting the signature hereon was subscribed.