



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

24 May 2017

**ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON WEDNESDAY 24 MAY 2017**

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**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630**

**ON WEDNESDAY, 24 MAY 2017
COMMENCING AT 5.30PM**

PRESENT: Administrator Dean Lynch

APOLOGIES:

Staff: Joe Vescio, General Manager
Suneil Adhikari, Director Operations & Infrastructure
Peter Smith, Director Environment & Sustainability
Peter Cannizzaro, Director Corporate & Community Services
Linda Nicholson, Deputy Director Service Delivery
Sophie Ballinger, Manager Development Assessment (*until 6.15pm*)
Sandra McEwan, Personal Assistant to DCCS

The Administrator opened the meeting at 5.30PM

1. APOLOGIES

Nil

2. CITIZENSHIP CEREMONIES

Nil

3. PRESENTATIONS

Nil

4. PUBLIC FORUM

(Minutes of Deputations from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

COUNCIL RESOLUTION

80/17

That members of the public be granted permission to address Council.

Approved by Administrator Lynch

4.1 KEVIN DUNNE - YALLAMBEE LODGE

Mr Kevin Dunne addressed Council as a representative of residents and their families of Yallambee Lodge, Cooma. He encouraged Council to consider the development of the adjacent vacant block to extend the current aged care facility to cater for additional high level care residents, including dementia specific care. He said this is an opportunity to benefit current and future residents into the future, provide employment opportunities, training & education and offer stability and integrity to our local and regional communities.

4.2 CARLO BOTTO - DA 10.2016.1065.1 ROTARY MARKETS

Mr Carlo Botto spoke on behalf of the Rotary Club regarding the DA on the Rotary Markets. He raised concerns with some of the Conditions in the DA stating that if they were enforced, the viability of the markets could be diminished. He said that Centennial Park is a central meeting place and the markets are an integral part of the local community. He urged Council to consider these issues so that the Rotary Markets survive and prosper.

4.3 JOHN KING - DA 10.2016.1065.1 ROTARY MARKETS

Mr John King spoke on behalf of the Rotary Club, highlighting what the Rotary Club had done for Cooma over the years. He said it was the proceeds from the Rotary Markets that provided the funding for the many projects completed. He asked Council to consider the DA for the Rotary Markets with an outcome favourable for the Rotary Club to service the community into the future.

4.4 MARGARET McKINNON - DA 4164/2017 DWELLING HOUSE

Ms McKinnon, a resident of East Jindabyne raised concerns regarding the loss of access to the lake via the Council easement on the property subject to the DA. She said the bike path to Rushs Bay had been constructed by volunteers in the community with Council help. She asked Council to consider re-instating the access to the lake.

4.5 SHANE TRENGOVE - DA 4164/2017 DWELLING HOUSE

Mr Trengove, a resident of East Jindabyne reiterated the importance of the family friendly access to the lake via the Council easement. He said the alternative access was unviable and asked Council to delay a decision on the DA so that negotiation could take place in order to achieve a favourable outcome for the local community.

4.6 PETER BAFF - DA 4164/2017 DWELLING HOUSE

Mr Baff, a resident of East Jindabyne spoke about the new developments in the area and that there are now many new families in the community wishing to take advantage of the lake for recreational purposes. He was also concerned that the blocked access to the lake could prevent the timely arrival of an ambulance in an emergency.

Resume Standing Orders at 6.02pm

5. DISCLOSURE OF INTEREST

5.1 General Manager

The General Manager declared an interest in the following two items:

Item 8.1 Minutes of the Administrators Delegations meeting held 13 April 2017 (Item 14.1 General Manager's Application for Contract Renewal), as he has a pecuniary interest in this item due to it involving an extension to his contract.

Item 15.3 DA 10.2016.1065.1 – Rotary Markets, as he has a pecuniary interest in this item due to being a member of the Rotary Club. He advised he had played no role in the assessment of the DA and delegated all authority in the matter to the relevant Director.

5.2 SUSPENSION OF BUSINESS AGENDA ITEMS

COUNCIL RESOLUTION

81/17

That the following items on the agenda be considered as the next items of business:

15.3 DA 10.2016.1065.1 Rotary Markets

15.5 DA 4164/2017 Dwelling House

Approved by Administrator Lynch

15.3 DA 10.2016.1065.1 Rotary Markets

Record No:

Responsible Officer:	Planning Manager
Author:	Urban and Rural Planner
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.7 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP6.13 Ensure development assessment is undertaken in accordance with adopted Local Environmental Plans, Development Control Plans, Council Policy and State and Federal legislation.
Attachments:	1. Plans (Under Separate Cover) - Confidential 2. Proposed Determination

Further Operational Plan Actions:

Applicant Number:	
Applicant:	The Rotary Club of Cooma Inc
Owner:	Snowy Monaro Regional Council and Land & Property Management
DA Registered:	10.2016.1065.1
Property Description:	Centennial Park – 91 Sharp St COOMA
Property Number:	15890

Area:	Cooma
Zone:	RE1- Public Recreation
Current Use:	Public Recreation
Proposed Use:	Event- Market
Permitted in Zone:	<p>2 Permitted without consent Environmental protection works</p> <p>3 Permitted with consent Car parks; Community facilities; Environmental facilities; Heliports; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Roads</p> <p>4 Prohibited Any development not specified in item 2 or 3</p>
Recommendation:	Approval- Subject to conditions

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with the information to make a determination of the proposed development under the Environmental Planning and Assessment Act 1979 (the Act). The proposed development is for a monthly market event to be held in Centennial Park. This application is being submitted to council as it is considered to be an application of community importance and some conditions proposed may require changes to the organising of the event which has been operating in excess of twenty years.

COUNCIL RESOLUTION

82/17

That Council defer Item 15.3 until the June Council Meeting pending re-engagement between the Rotary Club and Council and development of a draft MOU between the Cooma Chamber of Commerce and the Rotary Club with regard to the operation of the markets.

Approved by Administrator Lynch

Note 1: Amendment to Original Motion

The above recommendation was an amendment to the original motion.

The original motion was:

That Council adopt the attached draft consent as its determination of the development application subject to minor administrative changes (if necessary) prior to signature.

15.5 DA4164/2017 Dwelling House

Record No:

Responsible Officer:	Director Service Planning
Author:	Manager Development Assessment
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.7 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP6.13 Ensure development assessment is undertaken in accordance with adopted Local Environmental Plans, Development Control Plans, Council Policy and State and Federal legislation.
Attachments:	<ol style="list-style-type: none">1. Draft Conditions of Consent DA4164/20172. Development Plans3. Site Survey Plan4. Statement of Environmental Effects5. Submissions received (1-4) DA4164/20176. Submissions received (5&6) DA4164/20177. Development Application Form

Further Operational Plan Actions:

Applicant Number:	DA4164/2017
Applicant:	Mr C Odell
Owner:	Mr Carl H Odell & Ms Jennifer L Flanders
DA Registered:	21/03/2017
Property Description:	Lot 3 DP 1184903 Ph Jinderboine
Property Number:	108029
Area:	3963m ²
Zone:	SP3 – Tourist
Current Use:	Vacant Land
Proposed Use:	Dwelling House
Permitted in Zone:	Yes under the provisions of clause 5.3 of the Snowy River LEP 2013
Recommendation:	That the development be approved with conditions

EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the construction of a two storey four bedroom dwelling house at 58 Jerrara Drive East Jindabyne. The site is zoned SP3 Tourist and the applicant has proposed the dwelling house under the provisions of Clause 5.3 of the Snowy River LEP 2013. Clause 5.3 allows for uses to be approved that are allowable in adjoining land use zones within 20metres of zone boundaries. In this case dwelling houses are permitted in the adjoining R5 – Large Lot Residential zone. It is considered in this case that the application satisfies the provisions of Clause 5.3 and as such it is

recommended that it be approved with conditions.

It must be noted that it is the intention of the developer to utilise the SP3 Tourist zoning in the future by providing tourist and visitor accommodation with the proposed dwelling to become a manager's residence.

Issues relating to the previous use of the site as access to Lake Jindabyne have been raised in submissions to the development application. This lot is private land and the past access through the site along Council easement for service and maintenance was informal and not legal.

As such any objection raised to the development on these grounds is not considered relevant to the assessment of the application.

COUNCIL RESOLUTION

83/17

That

- A. Pursuant to section 80(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that the consent for two storey dwelling on Lot 3 DP 1184903 Ph Jinderboine, is granted subject to conditions attached.
- B. Those who made submissions are advised of the determination.
- C. That Council officers are delegated to make minor amendments to the draft conditions of consent prior to issue.

Approved by Administrator Lynch

Draft Conditions of Consent DA4164/2017

ADMINISTRATIVE CONDITIONS

Approved Plans and Documentation

The developer is to ensure that the development complies fully with DA4164/2017 as submitted to Council on the 21/03/2017 5:19:56 PM with supporting documentation including, but not limited to the development plans as stamped by the Snowy Monaro Regional Council and attached to this Notice, except where amended by the following conditions of consent (and as amended in red by Council)

Inconsistency between documents

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

Prescribed Conditions

The developer shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 80A(11) of the Environmental Planning and Assessment Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

- The work must be carried out in accordance with the requirements of the Building Code of Australia
- Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

In the case of work for which a **principal contractor** is required to be appointed:

- (i) the name and licence number of the principal contractor, and
- (ii) the name of the insurer by which the work is insured under Part 6 of that Act,

In the case of work to be done by an **owner-builder**:

- (i) the name of the owner-builder, and
- (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

- A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any

building

work and a telephone number on which that person may be contacted outside working hours, and

(c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

OTHER APPROVALS

Internal Plumbing and Drainage - Approval to Carry Out Stormwater, Water Supply and Sewerage Works

Notwithstanding the issue of this development consent, separate approval from council under Section 68 of the Local Government Act 1993 must be obtained prior to commencement internal plumbing and drainage works relating to stormwater, water supply or sewerage works within the property boundary. In this regard, a S68 Application to Carry Out Stormwater, Water Supply and Sewerage Works must be submitted on councils standard application form and be accompanied by the required attachments and prescribed fee, prior to release of the Construction Certificate.

Sewer Connection

An application, pursuant to Section 68 of the Local Government Act, 1993, to Connect to Council's sewer or carry out plumbing and drainage works, together with any prescribed fees including inspection fees, is to be submitted to and approved by Council prior to the commencement of works.

PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE

Stormwater and Drainage Works Design (Dwelling Houses Only)

The developer is to submit (three) 3 copies of a satisfactory stormwater drainage design for the development to the Council prior to the release of the Construction Certificate. The design is to be in accordance with the requirements of the approved BASIX Certificate.

PRIOR TO THE COMMENCEMENT OF WORKS

Construction Certificate

The developer is to ensure no site works, construction or building works are to

commence without first obtaining a Construction Certificate.

Appointment of Principal Certifying Authority and Notice of Commencement

At least 48 hours prior to the commencement of any works on the site, a "Notice of Commencement of Work and Appointment of PCA Form" will be submitted to Council. This includes that prior to the commencement of works the Applicant will submit to Council:

- (a) A construction certificate for the building work which has been issued by the Certifying Authority (i.e. Council or Accredited Certifier); and,
- (b) Evidence that the person having the benefit of the development consent has:
 - i) Appointed a Principal Certifying Authority (PCA) and notified Council in writing of the appointment, irrespective of whether Council or an accredited private certifier is appointed;
 - ii) notified the PCA that the person will carry out the building work as an owner-builder, if that is the case; and,
- (c) Evidence that the principal PCA has, no later than 2 days before the building work commences:
 - i) notified the consent authority and the Council of his or her appointment, and;
 - ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work; and,
- (d) Evidence that the person having the benefit of the development consent, if not carrying out the work as an owner-builder has:
 - i) notified the Certifying Authority (i.e. Council or Accredited Certifier) of any such appointment; and,
 - ii) unless that person is the principal contractor, notified the principal contractor of any critical state inspection and other inspections that are to be carried out in respect of the building work.

Residential Building Work – Compliance with the Requirements of the Home Building Act 1989

Building work involving residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates

- (a) in the case of work to be done by a licensee under that Act:

- i) has been informed in writing of the licensee's name, contractor license number and contact address details (in the case of building work undertaken by a contractor under the Home Building Act 1989); and
- ii) is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989; or

(b) in the case of work to be done by any other person:

- i) has been informed in writing of the persons name, contact address details and owner-builder permit number; and
- ii) has been given a declaration signed by the property owner(s) of the land that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989 and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the specific person or licensed contractor is the holder of an insurance policy issued for the purposes of that Part of the Act is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part of the Act.

Easements

The developer must ensure that the foundations of any structure are so constructed that they do not bear within the 'Zone of Influence' of the soils around Council's services. The applicant must submit detailed Engineering plans for all structures proposed to be constructed adjacent to an easement to verify that the foundation loads are outside the Zone of Influence'.

Temporary Benchmark

The developer shall ensure that a temporary benchmark is established on-site or adjacent to the site in a position clear of any of the proposed works. All levels for the site including driveway long-sections, building floor levels, and any other level relevant to the project are related back to the benchmark datum.

Site Notice

Before commencement of any work, a sign must be erected in a prominent, visible

position:

- (a) stating that unauthorised entry to the work site is not permitted;
- (b) showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- (c) showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

This sign shall be maintained while the work is being carried out and removed upon the completion of the construction works.

Temporary Sanitary Facilities

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be:

- (a) a standard flushing toilet; and
- (b) connected to either: an accredited sewage management facility or an approved chemical closet.

The toilet facilities shall be provided on-site, prior to the commencement of any works.

Termite Control

Prior to the commencement of works, the Applicant will submit to the satisfaction of the PCA (i.e. Council or Private Certifier) documentation confirming the building will be protected from termite attack in accordance with the provisions of Australian Standard AS 3660.1. The submitted documentation will include:

- (a) details of the proposed methods to be used; and
- (b) certification of works performed;

A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:

- (a) the method of protection;
- (b) the date of installation;
- (c) where a chemical barrier is used, its life expectancy as listed on the National
- (d) Registration Authority label; and.
- (e) the need to maintain and inspect the system on a regular basis.

NOTE: Under slab chemical treatment will not be permitted as the only method of

treatment unless the area can be retreated without major disruption to the building.

Master Water Meter

16. The developer shall ensure that a master water meter and backflow prevention device is provided to the property prior to commencement of works on-site.

DURING WORKS

Approved Plans to be On-site

17. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification will be kept on the site at all times during construction and will be readily available for perusal by any officer of the Council or the PCA.

Erosion & Sediment Control

The developer is to ensure that where site works are undertaken including all excavations, land clearing and materials storage, all topsoil that is removed is stripped and stockpiled in an appropriate location for future revegetation works. The stockpiled area is to be encircled by a geofabric filter fence.

The developer is to ensure that erosion and siltation control measures are installed and maintained on the site for the entire length of the construction project. Erosion control measures are to include the placement of hay bales staked in the ground or the erection of geofabric filter fencing at the bottom of all areas where cut and fill is carried out and within any existing drainage areas from those cut and fill areas. These control measures are to be in accordance with the requirements of the consent authority and best management practices

as outlined in the NSW Department of Housing “Soils and Construction, Managing Urban Stormwater 4th Edition, March 2004 – the Blue Book”.

The developer shall ensure that erosion and siltation control measures shall be undertaken in accordance with the approved *Erosion and Sediment Control Plan* in respect to any part of the land where the natural surface is disturbed or earthworks are carried out.

The developer is to ensure that all works proposed must be designed, constructed and operated to minimise sedimentation, erosion and scour of the banks or bed of the watercourse and to minimise adverse impacts on aquatic and riparian environments.

All-weather Access

An all-weather stabilised access point must be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single accessway.

Public Property

The developer shall ensure that no trees on public property (footpaths, roads, reserves, etc.) are removed or damaged during works including the erection of any fences, hoardings or other temporary works.

Site Management

The developer is to ensure that all builder’ sheds, including temporary sanitary closets, must at all times be:

- (a) located wholly within the site;
- (b) properly constructed and maintained to industry standards;
- (c) securely anchored to the ground, and
- (d) removed upon completion of the project.

Trade Waste

- (a) The applicant must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction

(b) Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.

(c) The burning of builders waste on site by open fire is prohibited.

Use of Power Tools - Residential and Village Areas

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

Mon - Fri 7.00am to 6.00pm

Saturday 8.00am to 5.00pm

No work to occur on Sundays or Public Holidays

Inspection Notification

The Principal Certifying Authority (PCA) (i.e. Council or Private Certifier) is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the PCA via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

Public Access and Site Security

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

Excavation

The developer is to ensure that at all times all excavations and backfilling associated with the development is executed safely and in accordance with professional standards.

The developer is to ensure that all excavations are properly guarded and protected at all times to prevent them from being a danger to life or property.

The developer is to ensure that if an excavation associated with the development extends below the level of the base of the footings of a building

on an adjoining allotment of land, the person causing the excavation to be made must:

- (a) preserve and protect the adjoining building from damage, and if necessary, underpin and support the building in an approved manner; and
- (b) at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of the work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

An **allotment of land** includes a public road and any other public place.

The developer is to ensure that the toe of any embankment to a site excavation is a minimum 900mm from the external walls and graded to drain all surface water away from the building. The ground level adjacent to the building is to be no less than 150mm below the top of the reinforced concrete floor slab.

Plumbing & Draining

The developer is to ensure that prior to any plumbing work being commenced the licensed plumber / drainer must lodge with Council a Notice of Work two (2) working days prior to commencement of the work. AND Prior to covering any new Plumbing & Drainage work arrange for the work to be inspected by Council Officers by phoning the Jindabyne Council Office on 02 64511550 and paying the appropriate inspection fee. (An additional inspection fee will apply for all work required to be re-inspected) AND Within two (2) working days of the final inspection being completed the Licensed Plumber & Drainer is to provide to the Council and the property owner:- A Certificate of Compliance to AS3500. A sewer service diagram. Notes:- The Plumbing and Drainage Act 2011 has substantial fines for non-compliance.

All plumbing and drainage work is to be installed by a Licensed Plumber & Drainer in accordance with the Australian Standard 3500 and the provisions of the Plumbing and Drainage Act 2011 and BASIX requirements.

The developer shall ensure that a licensed plumber and drainer undertakes the

connection to Council sewer system. The sewer riser is to be flush with the finished surface levels of the land and provided with a cap and concrete collar.

Hot Water Installation

All new heated water installations shall deliver heated water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-

(a) 45°C for aged, the sick, children or people with disabilities in healthcare or aged care buildings, early childcare centres, primary & secondary schools & nursing homes or similar facilities for the aged, the sick, children or people with disabilities, and

(b) 50°C for all other situations.

A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of the works.

Revegetation Works

The developer is to ensure that at the completion of site works the following landscaping works are carried out:

- (a) topsoil is spread over all disturbed areas* with priority given to cut and fill batters;
- (b) all disturbed areas* are re-vegetated using drylands grass mix with a complete fertiliser;
- (c) all disturbed areas* are to be weed free hay mulched. The hay mulching is to be undertaken by a suitable contractor in accordance with Snowy River Development Control Plan 1998 – Circular R3 Revegetation works.

(* including all footpath areas and adjoining properties where applicable)

Sewerage Connection

The developer shall make arrangements with Council (via S68 Ancillary Application) for the connection of the development to Council's sewerage system.

Water Supply (Single Dwelling Houses)

The developer shall make arrangements with Council (via S68 Ancillary

Application) for the provision of a 20 mm water service to the site with water meter, gate valve and approved backflow prevention device.

PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Occupation Certificates

An Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning and Assessment Act 1997 have been complied with as well as all of the conditions of the Development Consent.

BASIX Certificate

A BASIX certificate is to be submitted with the application for occupation certificate (For complying development, this is the BASIX Certificate applicable when the complying development certificate was issued. For DA development, this is the BASIX Certificate applicable when the construction certificate was granted). It is noted that the certifying authority must not issue the occupation certificate unless satisfied that specified BASIX commitments have been complied with.

Landscaping Plan

The developer shall ensure that landscaping of the site is carried out in accordance with the approved *Landscaping Plan* prior to issue of the Final Occupation Certificate.

Barbed Wire Fencing

The barbed wire that has been erected on the boundary fences is to be removed after three (3) months of the date of endorsement of this consent.

USE OF SITE

Stormwater Management Plan

The developer shall ensure that all on-site stormwater is treated in accordance with the approved Stormwater Management Plan and BASIX Certificate.

Tank Overflow

Tank overflow is to be connected to a retention/infiltration device, swale, appropriate landscaping or directly to the road drainage system such that it does not cause nuisance to neighbouring properties.

Rainwater Tanks

All fixtures connected to the supply system are marked 'RAINWATER'.

The developer shall ensure that rainwater tanks are de-sludged every three years.

For Non Charged Systems

The developer shall ensure that rainwater tanks are fitted with a first flush device and filter sock to prevent potential contaminants from entering the tank.

Or

For Charged Systems

The developer shall ensure that the charged line has a flush out drain point.

The developer shall ensure that rainwater tanks are fitted with the following:

- a) Impervious covers and all access points, except for inlet and overflow, are fitted with close fitting lids.
- b) The inlet and overflow shall incorporate a mesh covering and/or strainer.

The tank is enclosed and inlets screened, so as to prevent the entry of foreign matter and to prevent mosquito breeding.

The developer shall ensure that the roof catchment area is kept clear of overhanging vegetation.

Pumps are to be covered or screened to avoid noise nuisances to neighbouring properties.

The developer shall ensure that all storm water that is not collected by the tank is directed away from tank foundations, buildings or other structures onto gardens or into rubble pits or directly to the road drainage system such that it does not cause nuisance to neighbouring properties.

Rainwater Tanks - Mains Top Up

The developer shall ensure that each tank is fitted with: an automatic mains water top up or bypass system via a float switch to ensure water supply during prolonged dry periods. Top up systems should not be triggered until the tank is at least 80% empty (ie to keep the tank water level at approximately 900 litres or less in a 4,500 litre tank). A backflow prevention device in accordance with *Australian Standard AS 3500.1.2* (1998). a first flush device and filter sock to prevent potential contaminants from entering the tank.

Garbage Disposal – Residential

The developer shall ensure that a 240-litre capacity wheeled garbage bin and a 360 litre recycling bin of a type provided by Council must be provided for each dwelling.

Note - to arrange for the provision of bins for the development please contact Councils Berridale office on (02) 6451 1195.

Maintenance of Garbage Bins

The developer shall ensure that the garbage bin/s are:

- (a) maintained in good order and healthy state at all times; and
- (b) only for the purpose of storage and collection of garbage.

Driveway

The developer shall ensure that provision of a sealed driveway (being concrete or bitumen) be provided from the edge of the existing road seal to the property boundary.

Driveway Design

The developer shall ensure that the proposed driveway has:

- (a) a gradient not exceeding 16%;
- (b) changes in gradient not exceeding 6.7%; and
- (c) a length per change of gradient of not less than 4 metres.

External Finishes

The developer is to ensure that the external type, colour and texture of materials to be used on the project shall be consistent with those of the existing development.

Any outbuildings or other ancillary structures are to be finished in colours and materials of natural earthy tones and low reflective quality to blend with the surroundings. The driveway is to be finished in dark earth tones.

The developer shall ensure that the materials and colours of external features of any building, driveways, walkways or large paved areas shall be in colours that blend with the surrounding natural materials (e.g. olive or mist green, light or slate grey, light browns) and shall be non-reflective.

That the approved colours of the exterior of the building are:

Roof: Black Colorbond steel

Trim: Colorbond steel

Walls/Cladding: Stone surface face, timber cladding, black colorbond steel

Note: This condition can be amended with the written consent of Council.

Services

The developer shall ensure that all service pipes and vents are enclosed in suitable ducts so that no plumbing or other fittings are exposed. Access panels

must be provided as required by the relevant authority.

Amenity

The developer shall ensure that lighting of the premises is to be directed so as not to cause nuisance to the owners or occupiers of adjoining premises or to motorists on adjoining or nearby roads.

Property Number

The developer shall attach to the front of the development the following house number that is clearly visible from the street frontage of the property: 58

Degree of Permanency

The development is occupied with a degree of permanency. In this regard, separate consent from Council is required to use the development for short term holiday accommodation.

Occupancy (Garages/Sheds Only)

The developer is to ensure that the proposed structure is not used for habitable purposes.

6. ADOPTION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council Meeting 26 April 2017

COUNCIL RESOLUTION

84/17

THAT the minutes of the Ordinary Council Meeting held on 26 April 2017 are confirmed as a true and accurate record of proceedings.

Approved by Administrator Lynch

6.2 Closed Session of the Ordinary Council Meeting 26 April 2017

COUNCIL RESOLUTION

85/17

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 26 April 2017 are confirmed as a true and accurate record of proceedings.

Approved by Administrator Lynch

6.3 Extraordinary Council Meeting 9 May 2017

COUNCIL RESOLUTION

86/17

THAT the minutes of the Extraordinary Council Meeting held on 09 May 2017 are confirmed as a true and accurate record of proceedings.

Approved by Administrator Lynch

7. ADMINISTRATORS REPORT

A number of issues were raised by the Administrator seeking advice on progress with recommendations of the Committee. These issues did not require further resolutions from Council and were addressed by the General Manager.

7.1 URGENT BUSINESS NOT ON AGENDA

The attention of the Council was drawn to three (3) late reports not listed on the Council agenda and business paper and requested that Council consider the late reports as matters of urgency.

COUNCIL RESOLUTION

87/17

That in accordance with Clause 6(5)(1) of Council's Code of Meeting Practice Council consider the following reports as matters of urgency.

- Late Item 7.2 Entry Sculpture and Public Art Policy
- Late Item 7.3 Sale of Land on Yallakool Road
- Late Item 7.4 Setting of Mayoral and Councillor Fees from July 1 2017

Approved by Administrator Lynch

7.2 ENTRY SCULPTURE AND PUBLIC ART POLICY

COUNCIL RESOLUTION

88/17

That Council:

- A. Purchase the 'Brumbies' Sculpture from Tobias Bennetts for \$40,000 to be used as part of the Snowy Monaro Regional Council entry sign into NSW from the ACT.
- B. Ensure that Mr Bennetts agrees to provide a 25% commission to the Jindabyne Lakelight Sculpture Organisation.
- C. Fund the purchase from the previous Cooma Monaro Shire Council Boco Rock Future Fund.
- D. Fund any remaining amount from the Merger implementation budget.
- E. Allocate approximately \$25,000 from the previous Bombala Council Boco Rock Future Fund for the acquisition of public art in the former Bombala Shire.
- F. Develop a policy in conjunction with CWP Renewables that allows at least 50% of the Boco Rock Community Funds to be allocated annually to Public Art across the region.

- G. Allow this funding stream to be managed through the Snowy Monaro Regional Council Arts and Cultural Activities Committee.
- H. Ensure that all approvals are in place prior to any purchase.
- I. Urgently receive a reconciliation of all acquittals of the Boco Rock Projects funded to date by the next Administrators Delegations meeting.

Approved by Administrator Lynch

7.3 SALE OF LAND ON YALLAKOOL ROAD

COUNCIL RESOLUTION

89/17

That Council:

- A. Rescind Resolution ADA87/16 made on 25 November 2016.
- B. Following negotiation with owners of the land, Council now offer an amount of up to \$40,030 being the difference between Council and the developer's individual valuations; and
- C. Apply this contribution to Stages 1 and 2 of the Subdivision.

Approved by Administrator Lynch

7.4 SETTING OF MAYORAL AND COUNCILLOR FEES FROM JULY 1 2017

Responsible Officer:	General Manager
Author:	Acting Executive Assistant to the Administrator
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.2 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 Ensure that governance structures are open, transparent and fully accountable and that these are supported by relevant instruments.
Attachments:	1. 2017-Annual Determination-Local Government Remuneration Tribunal
Cost Centre	3110 Mayor and Council
Project	Operational

Executive Summary

To consider the determination of the Local Government Remuneration Tribunal and set the Mayor and Councillor Fees from 1 July 2017 in accordance with that determination.

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

COUNCIL RESOLUTION

90/17

That Council

- A. Pursuant to Section 248 of the Local Government Act 1993, Council fix the annual fee for Councillors for the period 1 July 2017 to 30 June 2018, as the maximum annual amount determined being \$19,310 per councillor payable monthly in arrears as prescribed by the Act;
- B. Pursuant to Section 249 of the Local Government Act 1993, Council fix the annual fee for the period 1 July 2017 to 30 June 2018, as the maximum annual amount determined being \$42,120, for payment to the Mayor subject to the deduction there from of such amounts calculated on a daily pro-rata basis, to be paid to the Deputy Mayor in respect of those periods of time when the Mayor is prevented, by absence, illness or otherwise, from acting in the Office of Mayor and the Deputy Mayor is specifically requested to do so by the Mayor.

Approved by Administrator Lynch

7.5 LRCS - FINAL DATE

The Administrator advised that he had notified the LRC members that their term will end on 30 June 2017, with the final Joint LRC meeting to be held next month. He thanked all the LRC members for their valuable assistance.

7.6 L'ETAPE

The Administrator announced that he had received a Promotional Video and Tour de France Jerseys to be used for promotion in the lead up to the L'Etape event in December 2017.

The Director Environment & Sustainability displayed the Jerseys, signed by Tour de France riders. He said the feedback from riders attending the first L'Etape event here in December 2016 was amazing and the event organisers were very positive, commenting on the fantastic atmosphere they experienced in villages along the way. He said the event was the biggest tour outside France and has given our region a massive global recognition.

COUNCIL RESOLUTION

91/17

That the Administrators reports be noted.

Approved by Administrator Lynch

8. DELEGATE'S REPORT (IF ANY)

8.1 Minutes of the Administrators Delegations meeting held 18 April 2017

Record No:

Responsible Officer: General Manager

Author: Secretary Council & Committees

Attachments: 1. Minutes - Administrator Delegations Meeting held 18 April 2017 [⇒](#)

EXECUTIVE SUMMARY

The Administrator considered a number of reports and exercised his Delegation on 18 April 2017 in the Cooma Office, 81 Commissioner Street, Cooma.

COUNCIL RESOLUTION

92/17

That Council receive and note the minutes of the Administrator Delegations meeting, held 18 April 2017 and confirm the adopted recommendations approved by the Administrator in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act*.

Approved by Administrator Lynch

8.2 Minutes of the Administrators Delegations meeting held 24 April 2017

Record No:

Responsible Officer: General Manager

Author: Secretary Council & Committees

Attachments: 1. Minutes - Administrator Delegations Meeting held 24 April 2017 [⇒](#)

EXECUTIVE SUMMARY

The Administrator considered a number of reports and exercised his Delegation on 24 April 2017 in the Cooma Office, 81 Commissioner Street, Cooma.

COUNCIL RESOLUTION

93/17

That Council receive and note the minutes of the Administrator Delegations meeting, held 24 April 2017 and confirm the adopted recommendations approved by the Administrator in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act*.

Approved by Administrator Lynch

8.3 Minutes of the Administrator Delegations Meeting Held 4 May 2017

Record No:

Responsible Officer: General Manager

Author: Acting Executive Assistant to the Administrator

Attachments: 1. Minutes of the Administrator Delegations Meeting Held 4 May 2017 [⇒](#)

EXECUTIVE SUMMARY

The Administrator Delegation met on 4 May 2017 in Head Office, Snowy Monaro Regional Council. The Committee's recommendations are presented for Council's consideration and adoption.

COUNCIL RESOLUTION

94/17

That Council receive and note the minutes of the Administrator Delegations meeting, held 4 May 2017 and confirm the adopted recommendations approved by the Administrator in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act*.

Approved by Administrator Lynch

9. ADOPTION OF COMMITTEE MINUTES/RECOMMENDATIONS

Business Arising Out Of The Minutes

Proceedings in Brief

A number of issues were raised by the Administrator seeking advice on progress with recommendations of the Committee. These issues did not require further resolutions from Council and were addressed by the General Manager

9.1 Minutes of the Local Representative Committee Meeting Held 11 May 2017

Record No:

Responsible Officer: General Manager

Author: Acting Executive Assistant to the Administrator

Attachments: 1. Minutes of the Local Representative Committee Held 11 May 2017 - Closed Session - **Confidential**

2. Minutes of the Local Representative Committee Held 11 May 2017 - Open Session [⇒](#)

EXECUTIVE SUMMARY

The Snowy Monaro Local Representative Committee met on 11 May 2017 in Bombala HACC Centre, 163 Maybe Street, Bombala. The Committee's recommendations are presented for Council's consideration and adoption.

COUNCIL RESOLUTION

95/17

That the recommendations of the meeting of the Snowy Monaro Local Representative Committee held on 11 May 2017 be adopted with the exception of:

Item 9.1 – Yamaga Committee Minutes which is to be deferred for further consideration.

Approved by Administrator Lynch

Note 2: Amendment to Original Motion

The above recommendation was an amendment to the original motion.

The original motion was:

That the recommendations of the meeting of the Snowy Monaro Local Representative Committee held on 11 May 2017 be adopted.

10. CORPORATE BUSINESS - KEY DIRECTION 1. SUSTAINING OUR ENVIRONMENT FOR LIFE

10.1 Lease to Optus - Part Lot 2 DP 1064078

Record No:

Responsible Officer:	Director Service Delivery
Author:	Property Officer
Key Direction:	1. Sustaining Our Environment for Life
Delivery Plan Strategy:	DP1.6 Ensure Council services, facilities and land holdings achieve best practice for sustainability.
Operational Plan Action:	OP1.22 Ensure Council has a safe reliable, sustainable and cost effective assets through the effective management of Facilities, Infrastructure, Plant, Motor Vehicle and Equipment Assets.
Attachments:	Nil
Cost Centre	2060 - Reservoirs
Project	There is no identified project
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

At the meeting of the Administrator Delegations held on 11 November, 2016 (res. ADA74/16) Council resolved to authorise the General Manager to execute the Lease Agreement at the appropriate time. The lease will permit Optus to erect a hut and co-locate their telecommunications equipment on the Telstra tower which is located on lot 2 DP 1064078 (Jindabyne High Zone Water Reservoir).

The lease was executed by both the Administrator and the General Manager but Optus has now requested that the Council seal be affixed to the Lease.

Resolution ADA74/16 did not authorize the affixing of the seal to the lease and it is now necessary to obtain Council's consent to do so.

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

COUNCIL RESOLUTION

96/17

That Council authorize the affixing of the seal to the Lease to Optus of part Lot 2 DP 1064078.

Approved by Administrator Lynch

11. CORPORATE BUSINESS - KEY DIRECTION 2. EXPANDING CONNECTIONS WITHIN THE REGION AND BEYOND

Nil

12. CORPORATE BUSINESS - KEY DIRECTION 3. STRENGTHENING OUR LOCAL ECONOMY

Nil

13. CORPORATE BUSINESS - KEY DIRECTION 4. CREATING SAFER, HEALTHIER AND THRIVING COMMUNITY

13.1 Modifications to the Customer Service Counter - Cooma Council Building

Record No:

Responsible Officer: Director Service Delivery
Author: Recreation & Property Technical Officer
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy: DP7.9 Provide a work place that ensures the health, safety and wellbeing of employees is maintained through the management of potential risks
Operational Plan Action: OP7.27 Develop and implement WHS policies, procedures and resources for managers and workers.
Attachments: 1. Risk Assessment →
2. Photo →
3. Quote →
4. Photo of door →
Cost Centre WO1589
Project The installation of Anti Jump Barrier and Security door and modifications to the Cooma Customer Service Counter
Further Operational Plan Actions:

EXECUTIVE SUMMARY

A risk assessment of the main customer service area has identified that there is an increasing risk of security issues for the customer service operators at the main counter on the ground floor of the Cooma Council building. A quote has been received for the installation of a bank style security screen and door that will protect staff. It is also proposed to modify the counter so that there is a section that lower to allow wheelchair access. Money has been allocated for the refurbishment of the ground floor toilets. The safety of staff is a matter of high priority and it is proposed that this money be reallocated for this project.

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

COUNCIL RESOLUTION	97/17
That Council approve	
A. The allocation of some funding from the \$60,000 that is in WO1589 (Council Chambers Refurbish Toilets) for the modifications of the counter to make it wheelchair accessible and for the installation of a bank style security screen and door for the ground floor customer service area in the Cooma	

office.
Approved by Administrator Lynch

14. CORPORATE BUSINESS - KEY DIRECTION 5. ENHANCING OUR HEALTHY, ACTIVE LIFESTYLE

Nil

15. CORPORATE BUSINESS - KEY DIRECTION 6. MANAGING DEVELOPMENT AND SERVICE DELIVERY TO RETAIN THE THINGS WE VALUE

15.1 Snowy Monaro Local Environmental Plan - Project concept plan for development of a new LEP for Snowy Monaro Regional Council

Record No:

Responsible Officer:	Director Service Planning
Author:	Planning Manager
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.7 Ensure that Council’s policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP6.16 Review Local Environment Plan
Attachments:	Nil
Cost Centre	Economic Development and Tourism
Project	LEP harmonisation project
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

This report provides a basic background and concept outline for the delivery of one new Local Environmental Plan for the Council. It also incorporates the development of a long term land use strategy, a new Development Control Plan and Developer Contributions Plans as part of this project.

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

COUNCIL RESOLUTION **98/17**
That Council endorse the concept plan outlined in this report for the delivery of a new Land Use Strategy, Local Environmental Plan, Development Control Plan and Developer Contributions Plans for Snowy Monaro Regional Council.
Approved by Administrator Lynch

15.2 Wheel in Wheel out charge

Record No:

Responsible Officer:	Director Service Planning
Author:	Manager Waste Services
Key Direction:	1. Sustaining Our Environment for Life
Delivery Plan Strategy:	DP1.7 Provide an integrated waste management service that is socially, economically and environmentally responsible.
Operational Plan Action:	OP1.26 Efficient operation of Domestic and Commercial Waste collection services.
Attachments:	1. Wheel In Wheel Out Charge -Responses to Public Display of New Fee ⇒
Cost Centre	2215-2210
Project	Wheel in Wheel out Service
Further Operational Plan Actions:	1.28 Efficient operation of Domestic and Commercial Recycling Collection Services

EXECUTIVE SUMMARY

After the 28 days of public exhibition with minimal comments received (as attached) it is suggested the Wheel In Wheel Out Fee, if re-introduced, should be at the advertised price of \$888.00 annually.

This service was previously offered in the former Snowy River Shire as a fee for service, and primarily in place for multi-unit or holiday properties (i.e. properties deriving significant income from holiday letting). This fee however did not reflect the true cost of delivering the service. Waste department staff believed the resources and funding for this service were better put to providing the service at no cost to the elderly and those physically unable to present bins kerbside for collection. This service has been provided for free to eligible residents in the Cooma Monaro Shire for several years.

The cost of providing this service has been determined to be \$888.00 per household per year to have both waste and recycling bins emptied by council staff using council owned plant.

This price is conservative and does not include the cost of site assessment, risk assessment and the physical risk to staff due to increased manual handling tasks.

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

COUNCIL RESOLUTION

99/17

That Council

- A. Apply the \$888.00 advertised fee once approved and add to 2017/2018 fees and charges commencing 1 July 2017
- B. Offer an exemption of fee for eligible infirmed or elderly residents who meet the following criteria:
 - Reside at the residence
 - Be physically incapable of wheeling the bins to the kerb and have no other able bodied person residing with them that could wheel bins to kerb
 - Provide a Doctors Certificate and Statutory Declaration confirming above
- C. Support additional staffing if required to deliver this service

Approved by Administrator Lynch

15.4 DA4119/2017 3 Lot Torrens Title Subdivision Thredbo Terrace Jindabyne

Record No:

Responsible Officer: Director Service Planning
 Author: Manager Development Assessment
 Key Direction: 6. Managing Development and Service Delivery to Retain the Things We Value
 Delivery Plan Strategy: DP6.7 Ensure that Council’s policy, land use planning, development assessment enhance liveability.
 Operational Plan Action: OP6.13 Ensure development assessment is undertaken in accordance with adopted Local Environmental Plans, Development Control Plans, Council Policy and State and Federal legislation.
 Attachments: 1. Draft Conditions of Consent DA4119/2017 [⇒](#)
 2. Plan of Subdivision DA4119/2017 [⇒](#)
 3. Statement of Environmental Effects DA4119/2017 [⇒](#)
 4. Objection to DA4119/2017 [⇒](#)
 5. Application Form DA4119/2017 [⇒](#)

Further Operational Plan Actions:

Applicant Number:	DA4119/2017
Applicant:	Snowy Monaro Regional Council
Owner:	Snowy Monaro Regional Council
DA Registered:	11/1/2017
Property Description:	Lot 22 DP 227005 Ph Clyde
Property Number:	100187
Area:	4926m ²
Zone:	B2 Local Centre
Current Use:	Snowy River Health Centre, Heath One Centre and Public Car Park
Proposed Use:	Subdivision three lots to annex the health centres from each other and from the car-parking area
Permitted in Zone:	Yes
Recommendation:	That the development be approved with conditions

EXECUTIVE SUMMARY

The purpose of this report is to seek approval for a three lot Torrens title subdivision on lot 22 DP 227005 known as Thredbo Terrace Car Park. The site encompasses a component of public car parking and two health services buildings. The subdivision seeks to situate each of these uses on separate lots. The subdivision will not confer any additional development entitlements on any of the lots other than

that which currently exists. It will allow for a caveat related to the Snowy River Health Centre to be relocated to proposed lot one (on which the centre is erected) and not continue to encumber the whole of lot 22.

The application was notified for a period of 14 days and one objection was received, the contents of this submission are considered below.

The development complies with the provisions of the State Environmental Planning Policy (Infrastructure) 2007 and the Snowy River LEP 2013 and DCP 2013. As such it is recommended that the development be approved with conditions.

The development is considered

COUNCIL RESOLUTION

100/17

That

1. Pursuant to section 80(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that the consent for Three (3) lot Torrens Title subdivision on Lot 22 DP 227005 Ph Clyde, is granted subject to conditions attached.
2. Those people who made submissions are notified of the outcome.

Approved by Administrator Lynch

Draft conditions of consent DA4119/2017

Approved Plans and Documentation

18. The developer is to ensure that the development complies fully with DA4119/2017 as submitted to Council on the 11/01/2017 4:19:54 PM with supporting documentation including, but not limited to the development plans being:

Reference/Dwg No	Title/Description	Prepared By	Date/s
S704 Rev D	Plan of Subdivision	Kleven Spain	Undated
59-16	Statement of Environmental Effects	Dabyne Planning	January 2016

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

Inconsistency between documents

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

SUBDIVISION ENGINEERING

Right of Carriageway

20. The plan of subdivision shall include the creation of a right-of-carriageway to provide access to lots 2 & 3 over lots 1 & 2. The registered surveyor who prepares the plan of subdivision shall certify to the Principal Certifying Authority that the existing track is wholly contained within the right-of-carriageway as defined on the plan.

Easements for Services

21. Suitable easements for services shall be established as necessary to allow each lot to be connected to all normal urban utility services, including water supply, sewerage, electricity and telephone services.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

Subdivision Certificate Application

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

Property Numbers/House Numbers

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

Works-as-executed Plan

24. Upon completion of the subdivision works, the developer shall provide Council

with a complete set of plans of the works as constructed, detailing all variations from the approved plans and to the acceptance of the Council's Director of Engineering and Operations or his nominee.

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

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

Approval from Department of Health

25. Prior to release of the subdivision certificate the applicant shall present the approval provided by the Commonwealth Department of Health for the removal of the caveat imposed on lot 22 and its transfer to proposed lot 1 of the subdivision.

The reasons for the imposition of the conditions are:

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

15.6 Change to Operating Hours at Nimmitabel Transfer Station

Record No:

Responsible Officer: Director Service Planning
 Author: Resource & Waste CoOrdinator / Noxious Weeds
 Key Direction: 1. Sustaining Our Environment for Life
 Delivery Plan Strategy: DP1.7 Provide an integrated waste management service that is socially, economically and environmentally responsible.
 Operational Plan Action: OP1.26 Efficient operation of Domestic and Commercial Waste collection services.
 Attachments: Nil
 Cost Centre
 Project
 Further Operational Plan Actions:

EXECUTIVE SUMMARY

To advise of a change to operating hours at Nimmitabel Transfer Station to allow Transfer Station attendants to complete their operational duties and travel safely prior to nightfall during winter. There is no reduction in the total number of hours the facility is open to the public.

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

COUNCIL RESOLUTION **101/17**

That Council receive and note the information in the report on the change to operating hours at Nimmitabel Transfer Station.

Approved by Administrator Lynch

Note 1: Change of Operating Hours at Nimmitabel Transfer Station

Current	Hours of operation
Friday	2 pm to 5 pm
Wednesday	9 am to 12 noon
Sunday	10 am to 5 pm
New as from 1 June 2017	Hours of operation
Friday	1 pm to 4 pm
Wednesday	9 am to 12 noon
Sunday	9 am to 4 pm

16. CORPORATE BUSINESS - KEY DIRECTION 7. PROVIDING EFFECTIVE CIVIC LEADERSHIP AND CITIZEN PARTICIPATION

16.1 Quaterly Budget Review Statement (QBR) - 31 March 2017

Record No:

Responsible Officer:	Acting Director Corporate & Community Services
Authors:	Financial Accountant Acting Director Corporate & Community Services
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1 Ensure that legislative obligations are met throughout all Council departments.
Operational Plan Action:	OP7.3 Completion of Financial statutory and regulatory reports in accordance with specified requirements.
Attachments:	1. QBR March 2017 Consolidated ⇒ Cost Centre 4010 Financial Services
Project	QBR
Further Operational Plan Actions:	OP7.20 The Finance framework ensures that Budgets can be developed, monitored and reviewed regularly to ensure sustainability

EXECUTIVE SUMMARY

At its extraordinary meeting on 29 July 2016, Council adopted the Budgeted estimates of Council's Income and Expenditure for the financial year ending 30 June 2017 including Water Supply, Waste Water and Waste Management resulting in a balanced Budget.

The Adopted budget was amended to reflect the September and December Quarterly Budget Review Statement (QBR) variations which likewise resulted in a balanced budget through utilisation of Reserves.

The March Quarterly Budget Review Statement (QBR) is presented with variations also balanced through utilisation of Reserves.

STATEMENT BY RESPONSIBLE ACCOUNTING OFFICER

In accordance with Clause 203(2) of the Local Government (General) Regulations 2005

I, Jo-Anne Mackay, Responsible Accounting Officer of Council hereby certify that:

It is my opinion that the Quarterly Budget Review Statement for Snowy Monaro Regional Council for the quarter ended 31 March 2017 indicates that Council's projected financial position at 30 June 2017 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

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

COUNCIL RESOLUTION

102/17

That Council

- A. Adopt the Quarterly Budget Review Statement for the period ended 31 March 2017
- B. Council's Adopted Budget be adjusted to reflect the recommended variations to revenue, expenditure and reserves, as shown in the Quarterly Budget Review Statement
- C. Receive and note the Statement by the Responsible Accounting Officer.

Approved by Administrator Lynch

16.2 Monthly Funds Management Report - April 2017

Record No:

Responsible Officer:	Acting Director Corporate & Community Services
Author:	Finance Assistant
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	4010 Financial Services
Project	Funds Management
Further Operational Plan Actions:	OP7.2 Completion of reporting requirements in accordance with legislation.

EXECUTIVE SUMMARY

The following details funds management position for the reporting period ending 30 April 2017. Cash and Investments are \$71,342,300.

Certification

I, Jo-Anne Mackay, Responsible Accounting Office of Snowy Monaro Regional Council hereby certify, as required by Regulation 212 of the Local Government (General) Regulation 2005, that investments as detailed in the attached listings were invested in accordance with Section 625 of the Local Government Act 1993, the Regulations and Council's Investment Policies.

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

COUNCIL RESOLUTION

103/17

That Council

- A. Receive and note the report indicating Council's Funds Management position as at 30 April 2017.
- B. Receive and note the Certificate of the Responsible Accounting Officer.

Approved by Administrator Lynch

16.3 SMRC 354 - Loan Borrowings Policy

Record No:

Responsible Officer:	Acting Director Corporate & Community Services
Author:	Finance Manager
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:	OP7.17 Effective management of Council funds to ensure financial sustainability.
Attachments:	1. SMRC 354 - Loan Borrowings Policy ↔
Cost Centre	NA
Project	NA
Further Operational Plan Actions:	NA

EXECUTIVE SUMMARY

The DRAFT Borrowing Policy as attached has undergone the appropriate staff consultation and is now presented to Council for adoption

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

COUNCIL RESOLUTION

104/17

That Council adopt and authorise for distribution SMRC Policy 354 – Loan Borrowings

Approved by Administrator Lynch

17. REPORTS BY GENERAL MANAGER

17.1 STAFF STRUCTURE

The General Manager advised that a draft Staff Structure is currently out for comment with staff and the unions with a deadline for submissions of COB 29 May 2017.

17.2 CANBERRA REGION JOINT ORGANISATION MEETING

The General Manager advised that he will be attending the next meeting of the Canberra Region Joint Organisation (CBRJO) in Sydney on 30-31 May 2017 with the Administrator.

17.3 COMMUNITY STRATEGIC PLAN

The General Manager reported that consultation with local communities on development of the Community Strategic Plan for the in-coming Council has commenced with the first session being held in Berridale on 24 May 2017.

COUNCIL RESOLUTION

105/17

That Council receive and note the reports by the General Manager.

. Approved by Administrator Lynch

18. NOTICE OF MOTION

Nil

19. MOTIONS OF URGENCY

Nil

20. QUESTIONS WITH NOTICE

Nil

21. QUESTIONS TAKEN ON NOTICE

Nil

22. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

106/17

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:

22.1 Property Review for Former Bombala Cooma and Snowy River Shire Council's

Item 22.1 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

22.2 Request from the Highview Estate Developer for a discount of the Section 64 Developer Contributions for Seniors Living Developments

Item 22.2 is confidential in accordance with s10(A)(2)(f) of the Local Government Act because it contains 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.

22.3 Stronger Communities Fund – Major Project Program of Works

This item is classified confidential in accordance with section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

22.4 Property Purchases in Vale Street Cooma

This item is classified confidential in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

22.5 Tender Evaluation and Award of Contract No. 007/2017 for the Mercy Street

Bombala – Water Mains Replacement Project

This item is classified confidential in accordance with Section 10A(2)(c, di and dii) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

22.6 Waste and Recyclables Collection and Management Contract Award

This item is classified confidential in accordance with Section 10A(2)(di) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it

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.

Approved by Administrator Lynch

Note 3: Invitation to Public

Upon the above motion being moved and seconded, the Administrator 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 4: Confidential Session of Committee

At 6.34pm the meeting was closed to the press and public.

Note 5: Resumption of Open Committee Meeting

At 6.52pm the Closed Session ended and the Council meeting continued in Open Session.

23. REPORT FROM CONFIDENTIAL SESSION

22.1 Property Review for Former Bombala Cooma and Snowy River Shire Council's

COUNCIL RESOLUTION

107/17

That Council receive and note the information in the report on Property Review for all Council Property.

Approved by Administrator Lynch

22.2 Request from the Highview Estate Developer for a discount of the Section 64 Developer

Contributions for Seniors Living Developments

COUNCIL RESOLUTION

108/17

That Council:

- A. Receives and notes the request to waive the s64 and s94 contributions for retirement village developments.
- B. Maintains the current s64 and s94 contributions for retirement village developments as specified in the Snowy River Development Servicing Plan 2008.

Approved by Administrator Lynch

URGENT BUSINESS NOT ON AGENDA

The attention of the Council was drawn to four (4) late confidential reports not listed on the Council agenda and business paper and requested that Council consider the late reports as matters of urgency.

COUNCIL RESOLUTION

109/17

That in accordance with Clause 6(5)(1) of Council's Code of Meeting Practice Council consider the following reports as matters of urgency:

22.4 Stronger Communities Fund – Major Project Program of Works

This item is classified confidential in accordance with section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

22.5 Property Purchases in Vale Street Cooma

This item is classified confidential in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

22.6 Tender Evaluation and Award of Contract No. 007/2017 for the Mercy Street Bombala – Water Mains Replacement Project

This item is classified confidential in accordance with Section 10A(2)(c, di and dii) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

22.7 Waste and Recyclables Collection and Management Contract Award

This item is classified confidential in accordance with Section 10A(2)(di) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Approved by Administrator Lynch

22.3 Stronger Communities Fund - Major Project Program of Works

COUNCIL RESOLUTION

110/17

That Council:

- (a) Receive and note the report on Major Project Program of Works
- (b) Accept and endorse the projects to be funded under the Stronger Communities Fund – Major Project Program in the following categories:
 - (i) Roads and Bridges \$ 3,171,001.08
 - (ii) Buildings upgrades or modifications \$ 1,636,044.22
 - (iii) Public Health (Including cemeteries) \$ 440,072.50
 - (iv) Recreational facilities \$ 5,581,620.38
 - (v) Renewable Energy \$ 358,028.30
 - (vi) Streetscape Projects \$ 2,813,233.53
 - TOTAL \$14,000,000.00
- (c) Note that the funding allocation has been split equally between each of the former Local Government Areas being an amount of \$4,666,666.67
- (d) That a media release be issued followed adoption.

Approved by Administrator Lynch

22.4 PROPERTY PURCHASES IN VALE STREET COOMA

COUNCIL RESOLUTION

111/17

That Council

- A. Authorise the General Manager and/or the Administrator to execute all documents necessary to complete the purchase of Lot 2 DP 1004003, lot D DP 163898 and Lot B DP 154627 (55-59 Vale Street Cooma) and if required, affix the Council Seal.
- B. Upon settlement these properties be classified as Operational under the Local Government Act 1993.

Approved by Administrator Lynch

22.5 TENDER EVALUATION AND AWARD OF CONTRACT NO. 007/2017 FOR THE MERCY STREET BOMBALA - WATER MAINS REPLACEMENT PROJECT

COUNCIL RESOLUTION

112/17

That Council

Having considered the recommendation in the Tender Evaluation Report following consideration by the Tender Review Panel of the Tenders received on 14th April 2017. Award the contract to South East Crane and Civil for a lump sum and schedule of rates contract amount of \$113, 118.

Approved by Administrator Lynch

22.6 WASTE AND RECYCLABLES COLLECTION AND MANAGEMENT CONTRACT AWARD

COUNCIL RESOLUTION

113/17

- A. That Council endorse the recommendation of the Tender Evaluation Panel and authorise the General Manager to proceed with final contract negotiations and executions.
- B. That the Administrator be briefed regarding progress of negotiations.

Approved by Administrator Lynch

There being no further business the Administrator declared the meeting closed at 6.53pm



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 24 May 2017 were confirmed by Council at a duly convened meeting on 28 June 2017 at which meeting the signature hereon was subscribed.