



**SNOWY MONARO**  
REGIONAL COUNCIL

# **BUSINESS PAPER**

**Administrator Delegations Meeting**  
**17 July 2017**

## ***CONFLICTS OF INTEREST***

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

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

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

The Administrator or staff member who considers they may have a conflict of interest should read Council Policy.

The responsibility of determining whether or not the Administrator or Council employee has a pecuniary or non-pecuniary interest in a matter, is the responsibility of that individual. It is not the role of the Administrator or General Manager, or another Council employee to determine whether or not a person may have a conflict of interest.

Should you be unsure as to whether or not you have a conflict of interest you should err on the side of caution and either declare a conflict of interest or, you should seek the advice of the Director General of Local Government.

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

## ***COUNCIL CODE OF CONDUCT***

The Council Code of Conduct is a requirement of Section 440 of the Local Government Act 1993, which requires all councils to have a code of conduct to be observed by the Administrator, members of staff and delegates of the Council attending a Council meeting or a meeting of a committee of Council.

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

## ***COUNCIL CODE OF MEETING PRACTICE***

The Council Code of Meeting Practice is a requirement of Section 360(3) of the Local Government Act 1993, which requires all councils to have a code of meeting practice. The code of meeting practice is to be observed by the Administrator, members of staff, delegates of the Council and members of the public attending a Council or a meeting of a committee of Council.

---

### **Acknowledgement of Owners of Land**

Council wishes to show our respect to the First Custodians of this land the Ngarigo, Ngunnawal and Walgalu people and their Ancestors past and present who pass on this duty of custodianship of the land to us the current custodians.

We are proud to be Australian and celebrate the diverse backgrounds and cultures that make up our Nation – our Land.

**ADMINISTRATOR DELEGATIONS MEETING  
TO BE HELD IN COOMA OFFICE, 81 COMMISSIONER STREET, COOMA NSW 2630**

**ON MONDAY 17 JULY 2017  
COMMENCING AT 10.30AM**

**BUSINESS PAPER**

<b>1. OPENING OF THE MEETING</b>	
<b>2. APOLOGIES/REQUESTS OF LEAVE OF ABSENCE</b>	
<b>3. DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST</b> (Declarations also to be made prior to discussions on each item)	
<b>4. DELEGATE'S REPORT (IF ANY)</b>	
4.1 Draft Community Services Structure	3
<b>5. ADOPTION OF COMMITTEE MINUTES/RECOMMENDATIONS</b>	
5.1 Lake Jindabyne Community Trail 355 Committee Minutes	8
5.2 Minutes of the Recreational Facilities Committee of the 15th June 2017	13
<b>6. CORPORATE BUSINESS - KEY DIRECTION 1. SUSTAINING OUR ENVIRONMENT FOR LIFE</b>	
6.1 Minor changes to Waste Fees and Charges for Public Exhibition	19
<b>7. CORPORATE BUSINESS - KEY DIRECTION 2. EXPANDING CONNECTIONS WITHIN THE REGION AND BEYOND</b>	
Nil	
<b>8. CORPORATE BUSINESS - KEY DIRECTION 3. STRENGTHENING OUR LOCAL ECONOMY</b>	
Nil	
<b>9. CORPORATE BUSINESS - KEY DIRECTION 4. CREATING SAFER, HEALTHIER AND THRIVING COMMUNITY</b>	
9.1 Consideration of establishing alcohol free zones in Jindabyne, and consideration to extend the operation of the existing alcohol free zones in Cooma	22
<b>10. CORPORATE BUSINESS - KEY DIRECTION 5. ENHANCING OUR HEALTHY, ACTIVE LIFESTYLE</b>	
Nil	

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

Nil

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

12.1 Yamaga Sister City Exchange Annual Visit Contribution to Cooma Lions Club	51
12.2 Stronger Communities Fund Major Projects Program Delivery Program	54
12.3 Correction to the Minutes of Council meeting held 24 May 2017	59

**13. ADMINISTRATORS REPORT (IF ANY)**

**14. CONFIDENTIAL MATTERS ..... 62**

14.1 Request for Donation - Big hART

*Item 14.1 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.*

14.2 Tourism and Tourism Services Strategy Project: Initial Advice

*Item 14.2 is confidential in accordance with s10(A)(2)(diii) of the Local Government Act because it contains information that would, if disclosed, reveal a trade secret and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*



---

#### 4.1 DRAFT COMMUNITY SERVICES STRUCTURE

Record No:

Author: Acting Executive Assistant to the Administrator

Attachments: 1. Draft Community Service Committee Structure [↓](#)

#### EXECUTIVE SUMMARY

The Draft Community Services Structure was presented to the Administrator by a community member. The document is attached for consideration and review.

#### RECOMMENDATION

That Council

- A. Receive and note the Draft Community Service Structure; and
- B. Refer the proposed Committee to the in-coming Council to consider.

#### Determination by Administrator

Approved by Administrator Dean Lynch in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act 1993*.

Signature: .....

Date: .....

---

**Community Support Services and Aged Care Sector 355 Committee  
(Or Community Population Health Committee – happy to discuss)  
This committee reports the SMRC Councillors.**

**Purpose**

1. Aims to facilitate meeting the health, disability, aged and social needs of people living in the SMRC area. Including all age groups. Thus enabling an inclusive society leading to quality of life through community based services, leveraging off other mechanisms and with SMRC's strategic partners
2. Provide strategic direction for community support services and aged care
3. Through a governance framework monitor operational services for the quality of services provided by SMRC.

Connection to the Strategic Plan

This committee will enable SMRC to meet the Community Strategic Plans and falls within the Integrated Planning and Reporting Framework.

Objectives Strategies

- 2.1 An adequate and accessible transport network within and beyond the Region.  
(Service and infrastructure)
  - 2.1.1 Support the development of integrated public transport systems that support our community year round.
  - DP2.1.1.2 Expand the provision and accessibility of community transport services to eligible Groups .
  - 1.1.2 OP2.4 Continue to develop & deliver a viable, efficient & accessible community transport service.
  - DP2.2.1.4 Provide sufficient, safe and equitable parking facilities across the Region.
  - DP2.2.1.5 Improve connectivity, accessibility and promote activity through improved pathways.
- DP3.1.1.3 Promote collaborative economic development planning.
- OP3.5 Maintain key relationships with relevant State and Federal agencies.
- DP3.1.3.1 Collaboration between businesses, Council and agencies.

- 4.1 A strong thriving and inclusive community where people feel a sense of belonging and identity.
  - 4.1.1 Ensure that the unique culture and heritage of our Region, and its individual communities, are maintained and celebrated, while embracing progress, change and inclusiveness.
  - 4.1.2 Encourage active participation in Council and Community volunteer programs.
- 4.2 Increased Region-wide access to a range of health and wellbeing services that respond to changing needs.
  - 4.2.1 Actively encourage the provision of a diverse range of quality health care services within our Region
- 4.3 Reduce barriers to participation for the Region's diverse population.
  - 4.3.1 Encourage the provision of accessible services and activities that support people from identified Social Justice Groups throughout the Region.
    - DP4.3.1.1 Provide and support appropriate services for women within the Region.
    - 4.3.1.1 OP4.16 Deliver and facilitate youth programs and services throughout the Region.
    - 4.3.1.7 OP4.14 Support initiatives that encourage social inclusion
    - DP4.3.1.2 Provide and support appropriate services and facilities for children and young people within the Region.
    - OP4.15 Support and develop community groups and initiatives
- 4.4 Increased year-round safety for all.
  - 4.4.1 Protect the health, safety and wellbeing of our residents and visitors through the provision of both proactive and reactive environmental health programs.
- DP6.2.2.1 Facilitate a range of appropriate, accessible and affordable housing choices across the Region to meet the needs of the permanent and visitor populations.
  - OP6.21 Facilitate a range of appropriate, accessible and affordable housing choices across the Region to meet the needs of the permanent and visitor populations.
- 7. Providing effective civic leadership and citizen participation



**Frequency of meeting:** To meet initially 2 monthly and then quarterly

**Membership**

initial membership to include the following

Chair SMRC Councillor, alternate – SMRC Councillor

Members to include:

**Community Members**

1 or 2 community members from the previous 355 and advisory committees across the SMRC area ( Snowy River - advisory community committee, Berridale Residential Hostel; Cooma- HACC, Yallambie, Access; Bombala – HACC advisory Committee)

Advertise for 4 other community members

Key Strategic Partners: eg Primary Health and Tertiary Health (this could be now or in the future or by invitation – need to form links)

**Staff to be invited to each meeting Include:**

Purpose is to provide timely information and clarification as requested by the committee

Operational: Director of Corporate and Community Services (PC)

Manager of Aged Care services (or equivalent)

Manager of Disability services (or equivalent)

Secretariat

---

## 5.1 LAKE JINDABYNE COMMUNITY TRAIL 355 COMMITTEE MINUTES

Record No:

Responsible Officer: Director Environment & Sustainability

Author: Environment and Recreation Coordinator

Attachments: 1. Lake Jindabyne Community Trail 355 Committee Minutes [↓](#)

---

2. Attachment 1 Letter from Sue Edmonson [↓](#)

---

### EXECUTIVE SUMMARY

The Snowy Monaro Local Representative Committee met on 11 May 2017. The Committee's recommendations are presented for Council's consideration and adoption.

### OFFICER'S RECOMMENDATION

That the minutes of the Lake Jindabyne Community Trail 355 Committee be adopted

### Determination by Administrator

Approved by Administrator Dean Lynch in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act 1993*.

Signature: .....

Date: .....

---

## Lake Jindabyne Trail Committee Minutes 26 April 2017,

Meeting commenced 5-30 pm at Jindabyne KFN Office

**Committee members attending:** Craig Stonestreet (Secretary), Gordon Jenkinson, Bruce Easton, Alannah Dickeson, John Shumack, Rob Gant-Thompson

### Agenda

- Resignation of Chair John Castellari
- Future and purpose of committee
- Insurance for Volunteer trail days

Committee discussed resignation of John Castellari (Chair) (Attachment 1). Gordon Jenkinson agreed to take on the position of Chair to allow the committee to keep functioning unless new Council makes changes to 355 Committee's.

**Gordon**-letter from Sue Edmonton re: fence near Jindabyne Bowling Club (attachment 2). Access for walkers was blocked during construction of water a sewer pump station. Connection for the lake Jindabyne Community trail between Banjo Patterson Park and Cobbon Crescent is not complete and the lack of connectivity creates confusion and an increase of trail users on the narrow streets of Banjo Paterson Crescent.

Alannah suggested that extending the trail formally around the lake will be a big project and will cause a huge issue for residents in the area. It's a project that will need full Council to be on-board if it is a priority. There may also be some changes in the area with proposed plans by the Bowling Club to develop. Other access and trail connections should be explored in this process.

**John** – New Council election will be in September. Recommended that the committee continue to insure volunteers are covered by insurance for trail maintenance days. The committee plays an important role for trail maintenance and planning and served the purpose of keeping Council informed of progress and to keep things running for trail maintenance volunteer days.

**Gordon**– TSM dissolving, may use existing funds for major projects like planning of proposed trail around lake Jindabyne

**John** – Maybe more competition for funding from Cooma MTB masterplan

**Craig** – grant money so far from merger has gone towards Hatchery trail, and infrastructure like signs, trail counters and seating

---

---

**Craig**, – parks planning and costings progressing on the lower Thredbo valley track. Both key players have met to progress with options on crossing over Kosciusko road to link the Lower TVT and Lake Jindabyne Community trail via Gaden Trout Hatchery

**Alannah** – Will be presenting on behalf of SMRC at the sustainable trails conference at Thredbo

**Gordon** – Raised insurance with 355 and JTS. Trail maintenance days are run as a 355 committee event

**Craig** – Possible need for paid work and combination volunteer works. It is easy to get volunteers to come to trail construction working days but the boring maintenance works such as vegetation clearing will need to be organised through paid or Council staff to keep on top of

**Gordon** – Cooma correctional centre will also be options for trail maintenance

**Alannah** –Craig is the coordinator at trail days as representative of 355

**Bruce** – Put forward Gordon to take over chair from John Castellari until new Council election

**Craig** – working with Alannah on Tyrolean to east Jindabyne link. Craig completed most planning and trail alignment with his position at Jindabyne Landscaping.

**Rob** – Asked that Alannah table a report on existing trail counters numbers and to look at previous planning work already done on the Lake Jindabyne Community Trail to circumnavigate to whole of Lake Jindabyne.



51 Townsend St  
Jindabyne  
2 Feb. 17.

Gordon Jenkins & bike trail committee.

We live in the cul-de-sac in  
Townsend St & drive or walk to  
town via Bandjo Patterson Drive  
nearly every day.

We always used to use the  
track behind the lodges in Bandjo  
to the tennis courts & the other  
cement bike track to avoid the  
narrow road & very narrow foot  
path.

Months ago the council built a  
pumping station behind the tennis  
courts & put a huge fence right  
to the lake & made it impossible  
to get past. All quite unnecessary  
& against the alderman's wishes.  
They said this would not  
happen - but it did.

This Xmas holidays however

there are many more bikers  
& many families with often  
young children riding.

I have witnessed many  
difficult times with children  
& families on this bad  
section of the road where  
they all have to go.

Do we have to have an  
accident here before this is  
rectified?

As previous, S.R. Shine council  
said they would change this  
fence on the track could  
something be done soon please?

Yours,

Sue Edmondson

---

## 5.2 MINUTES OF THE RECREATIONAL FACILITIES COMMITTEE OF THE 15TH JUNE 2017

Record No:

Responsible Officer: Director Operations & Infrastructure  
Author: Recreation & Property Manager  
Attachments: 1. Minutes of Recreational Facilities Committee on 15th June 2017 [↓](#)

---

### EXECUTIVE SUMMARY

The Recreational Facilities Committee met on 15<sup>th</sup> June 2017 in the Council Chambers in Cooma. The minutes are presented for Council's information.

### OFFICER'S RECOMMENDATION

That the Minutes of the meeting of the Recreational Facilities Committee held on 15<sup>th</sup> June 2017 are confirmed as a true and accurate record of proceedings with the following amendments:

- Recommendation 4.1 be amended to:
  - The Trail Master Plan be adopted
  - Council receive further reports on the implications and impacts on Council on the following:
    - A. Detailed planning for new trails constructed in accordance with the Trail Master Plan
    - B. Maintenance agreements and costs when considering funding for new trails
    - C. Proposal to undertake an agreement with the Cooma Correctional Centre to provide maintenance to mountain bike trails
- Recommendation 4.2 be amended to:
  - The Badja Reserve Plan of Management be adopted and a report provided to Council on the proposed funding for improvements under the Plan of Management

### **Determination by Administrator**

Approved by Administrator Dean Lynch in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act 1993*.

Signature: .....

Date: .....

---

## Recreational Facilities Committee

**Date/Time** Thursday 15 June 2017 at 5.03pm

**Location** Council Chambers

### Attendance

Member (Representing)	Present	Apology	Absent
Rogan Corbett, Chair (LRC, Cooma)	✓		
Ken Dane, Community Representative	✓		
Neroli O'Neill, Community Representative	✓		
Ross Lawley, SMRC Recreation & Property Manager (Cooma)	✓		
Dean Lynch, SMRC Administrator		✓	
Suzanne Dunning, Community Representative	✓		
John Britton, Cooma Lions Club		✓	
Chris Reeks, Cooma Lions Club	✓		
Steve Aldous, Mountain Bike Club			✓
David Holgate	✓ (arrived 5.40pm Left 6.00pm)		

### 1 Apologies

That apologies from Dean Lynch and John Britton be accepted.

### 2 Confirmation of Previous Minutes – 20 April 2017

It was noted that the Minutes of the meeting held on 20 April 2017 were an accurate record of the meeting.

### 3 Business Arising from the Previous Minutes

#### 3.1 Mt Gladstone and Mountain Bike Trails

Works has started on the walking trail at Mt Gladstone by the Cooma Correctional Centre.  
Access and Carpark for the mountain bike trails is programmed to be completed by the end of June.

---

### **3.2 Norris Park Toilets**

Discussion took place on whether to build a brick toilet or kit type. Maintenance was the main factor in favour of the kit and also the shorter construction period.

#### **Recommendation**

That Council proceed with construction of the toilet at Norris Park using a kit type building that satisfies Council's requirements.

### **3.3 Sporting Gallery Display**

Suzanne presented the draft sign layout to the meeting that has been proof read. It was agreed that this should proceed. When a timeframe is known we will invite possible attendees to an official opening

### **3.4 Recreation Facilities Infrastructure Strategy**

To be updated after Council adopts the funding for the Infrastructure projects.

### **3.5 Southern Cloud Memorial**

The Lions are still planning the layout for the display. Perspex will be placed behind the grill for security.

### **3.6 Lions Park Project**

The playground was opened on 26 May 2017 by the Honourable John Barilaro, Deputy Premier, Administrator Dean Lynch and Lions Club of Cooma President Roger Norton.

The Lions Club and Council are working on plans to continue improvements.

### **3.7 Showground – Cooma**

A meeting on site will be planned shortly to discuss the draft landscaping plan.

## **4 Report of the Recreation and Proper Manager**

### **4.1 Trail Master Plan - Cooma**

This Draft Trail Master Plan for Cooma was placed on public exhibition for 28 days during April and May 2017 with a public meeting attended by 12 people held on the 20<sup>th</sup> April 2017. Comments closed on the 11<sup>th</sup> May 2017 with six written submissions. These submissions are summarised in the table below:

Name	Comments	Support for Trails
Jim Irvine	Strong support for new trails, repairs and improvements of existing trails, development of infrastructure and promoting Cooma as a MTB destination	Yes
Snowy Mountains MTB Club	Needs a mapped circuit of Cooma linking the riding areas. This can help council to establish cyclepaths. Must include the path along Cooma Creek to bring riders into the CBD. Also include the path to the Murrumbidgee River. Within the riding areas include beginner or intermediate loops. Needs a flow trail from the top of Mt Gladstone car park to the car park at the trailhead off Greendale Rd. Move the 60 speed zone up the hill on the Monaro Hwy toward the Mt Gladstone Road. This would make it safer riding and crossing the hwy. Develop some trails in Pine Range. An intermediate and advanced network of trails would suit this rough terrain and formalize existing trails.	Yes
Mick Pettitt NPWS	Will increase visitation to Cooma and the Snowy Mtns and establish the region as a real mountain bike mecca. It will provide ACT and SE NSW having a significant product. Riders could fly into Canberra and ride Canberra, Cooma, Tathra, Thredbo and Jindabyne Should not plan to include NPWS in any funding model. Estimated visitation seems higher taking into account the current visitor numbers to the Thredbo Valley Track.	Yes
W. Euston	A wide range of trails is needed to accommodate different skills levels. Currently there are conflicts between walkers and riders on shared trails in Jindabyne and Thredbo. Would prefer proper shared trails not single track which does not allow passing by either riders or walkers and riders. Maintenance will be a big issue and must be considered thoughtfully.	Yes but must be planned and maintained properly
Nicholas Hoyer	Cooma may not become a mountain biking destination like Derby (Tas) or Rotorua (NZ) but can attract riders stopping off on their way to Thredbo or day riders from Canberra. The trails will provide alternative outdoor recreation for residents of Cooma including both children and adults.  There is already a strong MTB Club in town. Maintenance of the trails could provide alternatives for volunteering schemes.	Yes
Mike Norrie	Excellent plan and very forward thinking. It will be great for Cooma and should be adopted in full.	Yes

Comments were also received from Council's Recreation and Environmental Coordinator and these are summarized below:

- Advantages of extending the trail network in Cooma is that in winter the trails in the Kosciuszko National Park and Thredbo are closed and many of the trails in Jindabyne are also too wet to ride. This does not affect the trails in Cooma.
- More trails provides the scope for riders to extend their stay in the region to 5 – 7 days.
- Trail maintenance will need to be considered carefully when extending any trail network.
- The trails proposed by Dirt Art are based on International Mountain Bike Association guidelines. This means they are typically narrower than a shared path to reduce environmental impacts and maintenance costs. Council should include expanding the network of shared trails concurrent with expansion of the trail network.
- All new trail construction will undergo the process of a Review of Environmental Factors (REF).

Maintenance of existing and new trails will need to be accounted for when allocating funding towards these projects. With the close co-operation that council has with the Cooma Correctional Centre and the community projects team, the establishment of an agreement with them for council to provide training and ongoing maintenance could be considered.

#### **RECOMMENDATION**

The Trail Master Plan for Cooma is adopted for implementation.

Detailed planning is undertaken for new trails constructed in accordance with the Trail Master Plan.

Maintenance agreements and costs is included when considering funding for new trails.

Council initiate discussions with the Cooma Correctional Centre for an agreement to provide maintenance to mountain bike trails.

#### **4.2 Badja Reserve Plan of Management**

The draft plan was formulated following a public meeting last year and considered the comments from this meeting as well as several submissions. The draft plan was then revised and advertised in April and May 2017 and comments closed on the 19 May 2017. Four written submissions were received with only one requesting that they believe the reserve should not have any camping or access restrictions.

The revised Badja Plan of Management provided a compromise between the two opposing views that were presented by the community during the consultation process. The strategies that have been presented in order to protect the integrity of the Reserve whilst providing a recreation facility that can be utilised include:

- the installation of bollards or some type of barrier to exclude vehicle access from the river confluence area and exclude camping in this area
-

- the installation of picnic facilities and barbecues in this area
- the provision of purpose built fire pits to allow campers and visitors to still enjoy this experience
- improved access to the river in some areas
- extended car parking area
- improvements to the top (eastern) section of the reserve to make it more appealing to campers
- improve the access to the amenities from the lower section – investigate the possibility of a path under the bridge and to the amenities
- investigate reducing the speed limit in this section of the road to improve safety

The Badja Plan of Management has provided broad strategies that will require more detailed planning. This will ensure the best outcomes for the community and that the Badja Reserve is managed in a sustainable way for the future.

#### **RECOMMENDATION**

The Badja Reserve Plan of Management be adopted.

The improvements recommended in the Badja Plan of Management be funded.

### **5 General Business**

#### **5.1 Committee**

Ken Dane thanked the members of the committee and considered that the Committee achieved its objectives.

#### **5.2 Centennial Park**

Rogan Corbett noted that the general surface of the park is deteriorating and would like to see renovations as a priority.

#### **5.3 Multi Function Centre**

Rogan Corbett requested that a set of wider doors be installed facing the oval to enable larger items (vehicles) to be able to enter the MFC. RPM to investigate.

### **5 Next Meeting**

The next meeting will be held on Thursday 17 August 2017 at 5.00pm in the Cooma Council Chambers.

There being no further business the meeting closed at 6.30pm.

---



---

## 6.1 MINOR CHANGES TO WASTE FEES AND CHARGES FOR PUBLIC EXHIBITION

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Waste Management Officer
Key Direction:	1. Sustaining Our Environment for Life
Delivery Plan Strategy:	DP1.8 Deliver cost effective and environmentally responsible Waste Management facilities.
Operational Plan Action:	OP1.33 Efficient and compliant operation of Councils Waste facilities.
Attachments:	Nil
Cost Centre	26-2270 - Landfills & 26-2230 Commercial Waste
Project	
Further Operational Plan Actions:	1.26 Efficient operation of Domestic and Commercial Waste Collection Services 1.28 Efficient operation of Domestic and Commercial Recycling Collection Services

### EXECUTIVE SUMMARY

Following the release of the 2018 Fees and Charges on 28 June 2017, staff in Council's Waste Department have noticed two items that require amendment and may need to go out on public exhibition prior to being changed.

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

#### OFFICER'S RECOMMENDATION

That Council approve for the following amendment of waste fees and charges to be advertised on public exhibition for the required period of 28 days, and introduce if there are no submissions:

- A. Compost Grade A (screened) @ \$50/tonne
- B. Delivery and Return of 3-8 1100L Bins @ \$80
- C. Snow Skis/Snowboards/Ski Boots @ \$15 pair

### BACKGROUND

On review of the Final Fees and Charges that were adopted by Council on 28 June two minor errors were noted that waste staff would like to be redisplayed on public exhibition to allow the correct fees to be charged.

Both A & B appear on page 93 of the Fees and Charges Document.

- A. Under "Sale Items", "Compost Grade A (Screened)" Should have a price per tonne as well as a price per cubic metre as this item is sold from Cooma and Jindabyne landfills where a
-

weighbridge can weigh the quantity for sale.

The price for this item should read \$50/tonne, as well as \$30/m<sup>3</sup> for if/when this product is sold from facilities without weighbridge.

- B. Under “Hire of Bins for Events/Functions”, “Delivery and Return of 3-8 1100L Bins” price should read \$80 for 3-8 bins.  
Additionally both items for delivery and return of 1100L bins should just read “bins” not “waste bins”.
- C. Page 102 under “Other Waste Cooma and Jindabyne Waste Facilities only” there should be an additional item to charge per unit of skis/snowboards/ski boots @ \$15 per pair. A unit item helps facilitate charging at the landfills as 1 pair of skis or boots won’t register on the weighbridge so it helps make the transactions quicker and easier to charge.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Having fees and charges that are simple to apply at point of sale (weighbridge) and accurate (by weight) allows for more accurate and efficient charging, saving time for staff and public and ensuring correct pricing is applied.

Providing waste services for events ensures local services are used and that best practices to divert from landfill are factored.

### **2. Environmental**

Expanding the options for sale of compost from more Council facilities increases diversion from landfill which is part of WARR strategy from EPA.

Ensuring correct fees are charged for landfill helps public be aware of environmental costs of landfill and consider diversion methods.

### **3. Economic**

Correcting the missing fees will ensure Council is gaining correct revenue for services rendered.

Ensuring correct fees are charged for landfill helps public be aware of environmental costs of landfill and consider diversion methods.

### **4. Civic Leadership**

- Council must give public notice (in accordance with section 705) for at least 28 days of the fee proposed for the new or changed service or the fee determined in accordance with the amended regulations.
- That the fee be advertised and introduced if there are no submissions.

## **LOCAL GOVERNMENT ACT 1993 - SECT 610F**

### **Public notice of fees**

---

### **610F Public notice of fees**

(1) A council must not determine the amount of a fee until it has given public notice of the fee in accordance with this section and has considered any submissions duly made to it during the period of public notice.

(2) Public notice of the amount of a proposed fee must be given (in accordance with section 405) in the draft operational plan for the year in which the fee is to be made.

(3) However, if, after the date on which the operational plan commences:

(a) a new service is provided, or the nature or extent of an existing service is changed, or

(b) the regulations in accordance with which the fee is determined are amended,

the council must give public notice (in accordance with section 705) for at least 28 days of the fee proposed for the new or changed service or the fee determined in accordance with the amended regulations.

(4) This section does not apply to a fee determined by a council for an application made in a filming proposal, if that fee is consistent with a scale or structure of fees set out in an applicable filming protocol.

### **Determination by Administrator**

Approved by Administrator Dean Lynch in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act 1993*.

Signature: .....

Date: .....

---

---

## 9.1 CONSIDERATION OF ESTABLISHING ALCOHOL FREE ZONES IN JINDABYNE, AND CONSIDERATION TO EXTEND THE OPERATION OF THE EXISTING ALCOHOL FREE ZONES IN COOMA

Record No:

Responsible Officer:	Director Environment & Sustainability
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.2.1.1 Ensure that Council's land use planning and development policies enhance liveability.
Operational Plan Action:	OP6.15 Ensure that amenity, safety and sustainability of community neighbourhoods is enhanced through compliance and enforcement
Attachments:	<ol style="list-style-type: none"><li>1. LG Act extracts <a href="#">↓</a></li><li>2. Police request Feb <a href="#">↓</a></li><li>3. Police Request June <a href="#">↓</a></li><li>4. Background re Cooma AFZ <a href="#">↓</a></li><li>5. Jindabyne map of suggested AFZ <a href="#">↓</a></li></ol>
Cost Centre	1110 – Assessment and Compliance
Project	Alcohol Free Zones
Further Operational Plan Actions:	<a href="#">Type text here</a>

### EXECUTIVE SUMMARY

[Type Executive Summary here](#)

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

#### OFFICER'S RECOMMENDATION

That Council

- A. Consider the request from NSW Police for Council to establish Alcohol Free Zones in Jindabyne
  - B. Determine whether to proceed with the initial consultation process for establishment of alcohol Free Zones as set out accordance with the Local Government Act and Ministerial Guidelines
  - C. Consider the option to extend the existing Alcohol Free Zones in the Cooma CBD by a further four (4) years from December 2017, pursuant to the relevant provisions of the Local Government Act
  - D. Consult with NSW Police as to whether they consider it beneficial to include the CBD areas of Berridale and Bombala for consultation regarding establishment of Alcohol Free Zones
-

## **BACKGROUND**

NSW Police have put several requests to Council to consider the establishment of Alcohol Free Zones (AFZ's) in Jindabyne. AFZ's have been in place in the Cooma CBD for several years, and the current AFZ declarations expire in December 2017.

An option is available to Council to extend the existing AFZ's in Cooma for a further four (4) years. It is understood that the former Snowy River Shire Council had been requested to consider the establishment of AFZ's in the Jindabyne area on prior occasions, however, the Council determined not to do so.

A further quite detailed request was received from Detective Chief Inspector Neil Grey from the Monaro Local Area Command on 5 June 2017 (attached). A map indicating the areas included in the police request is also attached.

The NSW Local Government Act provides for the establishment of Alcohol Free Zones through sections 644, 644A, 644B, 644C, and 646 (extracts attached). Ministerial guidelines issued pursuant to Section 646 provide details of the procedures to be followed.

The Ministerial Guidelines provide that an AFZ may only be established to include a public road, footpath, or public place that is a carpark (i.e. carparks on public land or Crown land). Private carparks (being on private land and not under the control of the Council) may not be included. It appears that the proposal from the NSW Police suggests the extension of an AFZ over a privately owned car park, which would not be permissible.

Other items to consider from a Council perspective are whether there is an expectation for Council staff to actively enforce any of the requirements of the AFZ. The former CMSC established AFZ's on the understanding that Council staff would NOT be involved in enforcement of alcohol-related offences as the risk to Council staff (under Council's WHS obligations) were considered too high. Council staff have not been involved in any enforcement activities since the AFZ were first introduced (approximately 7 years ago).

The establishment of an AFZ does, however, provide the police with additional means to address and control anti-social behaviour within the prescribed area. This is considered as a positive step to improving the safety of the area, and to potentially alleviate the frequency of alcohol-related incidents.

There are costs to Council in establishing AFZ's in relation to erection of signage. While there may be existing signposts that can be utilised, there may be a requirement for additional poles to be erected and appropriate signage installed.

In the case of the existing Cooma CBD zones, if an extension of the AFZ period is approved, it would just be a matter of using a suitable adhesive 'patch' over the existing signage in relation to the applicable dates (as happened on the last occasion).

It is further suggested that the proposal to consider the establishment of AFZ's (or extending existing AFZ's) does not commit Council to a decision either way. Such a decision would, however, see the commencement of a mandatory consultation period, including each of the licensees in or adjacent to the proposed affected areas.

There are provisions to enable a Council to 'license' a section of footpath area within an AFZ to enable alcohol to be consumed within that licensed area (e.g. footpath tables used in conjunction with a licensed premises). This has worked effectively in the Cooma CBD.

---

9.1 CONSIDERATION OF ESTABLISHING ALCOHOL FREE ZONES IN JINDABYNE, AND CONSIDERATION TO EXTEND THE  
OPERATION OF THE EXISTING ALCOHOL FREE ZONES IN COOMA

---

While there has not been an approach from Police regarding establishing AFZ's in the CBD's of Berridale and Bombala, it is suggested that Council could approach NSW Police for their opinion on including those centres for consultation as well.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Establishment of AFZ's can be an effective measure in addressing anti-social behaviour in public places and provides the police with additional capabilities to address such issues.

### **2. Environmental**

There would be minimal environmental impact due to installation of additional signage, however, the initial resolution would be in relation to commencement of the consultation process with a further resolution being required to either agree or not to agree to proceed.

### **3. Economic**

If it is agreed to proceed with the consultation process, there would be some costs involved in notifying interested parties (advertising, postage etc) however this would be minimal. Depending on the result of the consultation and possible subsequent decisions, additional costs would be incurred in new and/or updated signage is required. Those costs would need to be assessed as part of a further report prior to the final determination.

### **4. Civic Leadership**

Council will be illustrating its civic leadership by addressing concerns raised by NSW Police in relation to public safety and managing anti-social behaviour. The provisions of the NSW Local Government Act and the Ministerial Guidelines prescribe the actions and processes required to be followed.

### **Determination by Administrator**

Approved by Administrator Dean Lynch in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act 1993*.

Signature: .....

Date: .....

---

## Local Government Act 1993 No 30

Current version for 7 July 2017 to date (accessed 13 July 2017 at 14:30)

Chapter 16 > Part 4 > Section 644

### 644 Proposal for establishment of alcohol-free zone

- (1) A council may prepare a proposal for the establishment of an alcohol-free zone, either on its own motion or on the application of one or more of the following people:
  - (a) a person who the council is satisfied is a representative of a bona fide community group active in the area,
  - (b) a police officer,
  - (c) a person who the council is satisfied lives or works in the area.
- (2) The application must be in the form set out in the guidelines in force under section 646 or, if there are no such guidelines, in the approved form.
- (3) The proposal must comply with the guidelines (if any) in force under section 646.
- (4) The proposed alcohol-free zone may comprise either or both of the following:
  - (a) a public road or part of a public road,
  - (b) a public place that is a car park or part of a car park.
- (5) The proposal may provide for an alcohol-free zone to be established for a period not exceeding 4 years and for the zone to operate for the whole of that period or just for days on which particular special events occur.

---

## Local Government Act 1993 No 30

Current version for 7 July 2017 to date (accessed 13 July 2017 at 14:31)

Chapter 16 ▶ Part 4 ▶ Section 644A

---

### 644A Public consultation on proposal to establish alcohol-free zone

- (1) After preparing a proposal under section 644, the council may, by notice published in a newspaper circulating in the area as a whole or in a part of the area that includes the zone concerned:
  - (a) declare that it proposes to establish an alcohol-free zone, indicating the location of the zone and the proposed period or special events for which it will operate, and
  - (b) state the place at which, the dates on which and the times during which a copy of the proposal may be inspected, and
  - (c) invite representations and objections from persons and groups within the area, indicating that any representations or objections by them must be made within 14 days after the date on which the notice is published.
- (2) The council must give a copy of its proposal to each of the following persons, indicating that any representations or objections by the person must be made within 30 days after the date on which the copy is given:
  - (a) the officer in charge of the police station within or nearest to the proposed alcohol-free zone,
  - (b) each holder of a licence in force under the *Liquor Act 2007* for premises that border on, or adjoin or are adjacent to, the proposed alcohol-free zone.
  - (c) (Repealed)
- (3) If required to do so by the guidelines in force under section 646, the council must also give a copy of its proposal to the Anti-Discrimination Board, indicating that any representations or objections by the Board must be made within 40 days after the date on which the copy is given.
- (4) The council must consider all representations and submissions that are duly made to it under this section.



---

## Local Government Act 1993 No 30

Current version for 7 July 2017 to date (accessed 13 July 2017 at 14:31)

Chapter 16 > Part 4 > Section 644B

---

### 644B Establishment of alcohol-free zones

- (1) After complying with the procedures set out in sections 644 and 644A, the council may, by resolution, adopt a proposal (with or without modifications) to establish an alcohol-free zone.
- (2) The resolution has the effect of establishing the alcohol-free zone in accordance with the terms of the resolution.
- (3) After making the resolution, the council must, by notice published in a newspaper circulating in the area as a whole or in a part of the area that includes the zone concerned:
  - (a) declare that an alcohol-free zone has been established, and
  - (b) specify the period (or, in the case of a zone established for one or more special events, the day or days) for which the alcohol-free zone is to operate.
- (4) An alcohol-free zone may be re-established from time to time, in accordance with this Part, for further periods each not exceeding 4 years.

---

## Local Government Act 1993 No 30

Current version for 7 July 2017 to date (accessed 13 July 2017 at 14:31)  
Chapter 16 > Part 4 > Section 644C

---

### 644C Operation of alcohol-free zones

- (1) An alcohol-free zone operates, in accordance with the terms of the resolution establishing the zone, for the whole of the period specified in the resolution or just for specified days on which particular special events occur.
- (2) However, an alcohol-free zone cannot operate earlier than 7 days after the first publication of the relevant notice under section 644B.
- (3) An alcohol-free zone operates only so long as there are erected at the outer limits of the zone, and at suitable intervals within the zone, conspicuous signs:
  - (a) stating that the drinking of alcohol is prohibited in the zone, and
  - (b) specifying the period (or, in the case of a zone established for one or more special events, the day or days) for which the alcohol-free zone is to operate, as specified in the resolution by which it was established.
- (4) The signs must comply with the requirements of the guidelines (if any) in force under section 646.

---

## Local Government Act 1993 No 30

Current version for 7 July 2017 to date (accessed 13 July 2017 at 14:32)

Chapter 16 ▶ Part 4 ▶ Section 646

---

### 646 Guidelines for alcohol-free zones

- (1) For the purposes of this Part, the Minister may from time to time prepare, adopt or vary guidelines that must be followed by councils for the establishment of an alcohol-free zone or the cancellation or suspension of the operation of an alcohol-free zone.
- (2) The guidelines for the time being in force are to be made available to councils on request and, on payment of such fee (if any) as the Minister may determine, to any interested person.
- (3) The guidelines are to include a list of the names of the councils that are required to advise the Anti-Discrimination Board under section 644A (3). The list is to be prepared after consultation with the Board.
- (4) However, the guidelines are to make it clear that other councils may also advise the Anti-Discrimination Board under section 644A (3).

RECEIVED  
- 3 MAR 2017  
BY: .....



Dean Lynch,  
Administrator,  
Snowy Monaro Regional Council  
Cooma, NSW

17 February 2017

Dear Sir,

Request for re-establishment of Alcohol Free Zone – Jindabyne CBD.

Alcohol Free Zones (AFZ) are an important part of the overall 'Crime and Harm Management Plan' used by the NSW Police Force in addressing 'Alcohol Related Crime' and harm associated with the misuse and abuse of alcohol in our community.

As a New South Wales Police Officer and Commander of the Monaro Local Area Command, I request council re-establish an Alcohol Free Zone in the area specified on the attached map.

I understand that council may, at times, lift the authority of the Alcohol Free Zone for certain community functions that are considered appropriate. I am also aware that council may impose times during which the Alcohol Free Zone is enforceable.

To that end, the important issue for the NSW Police Force is that the Alcohol Free Zone have clearly displayed and current signage.

The Jindabyne township is a prominent area for tourism, mainly during winter but increasingly so during summer. By reducing alcohol related crime and anti social behaviour in the areas where Alcohol Free Zones are in place, improves the image and safety of this area. Alcohol Free Zones are additional tools for the relevant authorities to do the job the overall community expects, that is safe public locations.

I note the Ministerial Guidelines on Alcohol Free Zones indicates sixteen (16) councils throughout NSW which must consult with the Anti-Discrimination Board in the establishment of alcohol free zones. The Snowy Monaro Regional Council does not appear on that list of councils and is not required to undertake that consultation.

From my experience in the NSW Police Force, I am satisfied that the use of Police Powers under Section 642 of the Local Government Act 1993 – Confiscation of Alcohol

Monaro Local Area Command  
Police Station  
Farrer Place, Queanbeyan

Telephone 02 62980514 Facsimile 0262980511 ENet81514 EFax81511 TTY 9211 3776 (Hearing/Speech impaired)  
ABN 43 408 613 180

**NSW POLICE FORCE RECRUITING NOW 1800 222 122**

WWW.POLICE.NSW.GOV.AU/RECRUITMENT

in Alcohol Free Zones by police officers within this Local Area Command, does not have a disproportional impact on certain groups within the community.

In this regard, it is important to note that Section 642 of the Local Government Act 1993 has been amended. That is, people are no longer subject to fines.

The legislation does have considerable enforcement and crime reduction value in that any alcohol that is in the immediate possession of a person with an Alcohol Free Zone, who is drinking, is about to drink or has been drinking, can be seized and immediately disposed of.

That certainly may be considered by the person losing their alcohol as being a penalty, however they receive no infringement notice and are unable to drink to higher levels of intoxication, unless they are able to obtain further alcohol.

For your information, crime in the identified area of Jindabyne increases significantly during the winter months. This is acknowledged and made clear in the Snowy River Social Plan where a commitment is also given to work with police in addressing this issue. Police from the Monaro Local Area Command are aware of local businesses and residents who are continually required to clean up discarded bottles and cans, and clean up urine and vomit left behind by drunken pedestrians, particularly during winter.

As indicated above, the Alcohol Free Zones within the Jindabyne Central Business District will form part of an overall management plan to reduce incidents of crime and anti social behaviour. It is also very important to recognise that the enforcement of these zones may also be contributing to the health, safety and general welfare of persons who may be otherwise intoxicated and place themselves in vulnerable circumstances.

Thankyou for the opportunity provide this information and correspondence in support of an Alcohol Free Zone.

Yours faithfully,



Rod Smith  
Superintendent  
Commander  
Monaro Local Area Command



Snowy Monaro Regional Council  
Administrator  
81 Commissioner Street  
Cooma NSW 2630  
Dean.lynch@snowymonaro.nsw.gov.au

**RE: Submission relating to the implementation of Alcohol Free Zones and Alcohol Prohibited Areas within the Jindabyne Township**

Thank you for consulting the Monaro Local Area Command in relation to the establishment of Alcohol Free Zones and Alcohol Prohibited Areas within the township of Jindabyne.

This submission is divided into three sections:-

1. Crime Prevention and Community Safety principles which influence the foundational beliefs upon which Police base their support for the establishment of Alcohol Free Zones and Alcohol Prohibited areas.
2. Alcohol Free Zones: Statistical and anecdotal information provided in support of the creation of four (4) individual zones (referenced 1 to 4) within the Jindabyne Township.
3. Alcohol Prohibited Areas: Statistical and anecdotal information provide in support of the creation of five (5) individual zones (referenced 4A, 5 to 8) within the Jindabyne Township.

**Note:**

The information provided in this proposal is evidence based and a reflection of past irresponsible behavior arising from the consumption of alcohol within the nominated zones.

This report identifies individual areas, or zones, that can be readily identified and effectively signposted (see annexure last page). It is hoped that Council may consider establishing all, or the majority of, these zones with a view of combating anti-social behavior and alcohol related violence within the community. The zones also provide council with a real opportunity to positively influence the public's perception of, and shape the culture surrounding, 'street drinking' within Jindabyne.

In establishing these zones council obviously have flexibility surrounding the hours and dates of operation for each zone and the ability to exempt any zone for special functions or events.

Officers from the Monaro Local Area Command fully support all of the proposed areas as outlined in this submission. The Monaro Command gives a commitment to enforce any alcohol free zone or alcohol prohibited area that might be established by council. Officers, such as the Crime Prevention Officer and Licensing Officer for Monaro are also dedicated to assist in other community programs such as education, awareness and harm minimisation programs surrounding laws relating to alcohol free zones and alcohol prohibited areas.



### **Section 1 - Crime Prevention principles, Community Safety principles and perceived social costs**

The prohibition of alcohol consumption in public areas is an important and ongoing strategy adopted by many councils within New South Wales to help curb antisocial behaviour and alcohol related crime in specified areas. Many Regional Councils, including Armidale, Tweed Heads, Queanbeyan and Tamworth have established alcohol free zones and alcohol prohibited areas.

People who frequent the established areas have become accustomed to, and largely abide by, the laws that prohibit them from consuming alcohol within the area. When this pattern of behavior is established it assists in developing a culture within the community that fosters responsible drinking habits.

The Intergovernmental Committee on Drugs had stressed the importance of reducing the supply of alcohol within regional areas. The National Drug Strategy document mentions the importance of local council's involvement in campaigns to help shape the culture of young people and their acceptance of alcohol <sup>(1)</sup>. Further the document identifies the importance of alcohol harm reduction and encourages strategies that help to reduce harm to individuals <sup>(2)</sup>. One of the good practice examples includes creating safer settings such as 'dry areas' through the establishment of Alcohol Free Zones and Alcohol Prohibited Areas.

The National Institute of Justice state the consumption of alcohol (and drugs) by people impact on crime indirectly because it effects their behaviour and is associated with violence and other illegal activity <sup>(3)</sup>. The Australian Drug Foundation produced a report in 2012 indicating alcohol consumption is strongly related to a wide range of crimes, including antisocial behaviour and interpersonal crime <sup>(4)</sup>.

The National Crime Prevention Framework cites crime prevention principles that can reduce the long term costs associated with crime and can reinforce social cohesion within communities <sup>(5)</sup>. The conclusion reached is that the implementation of Alcohol Free Zones and Alcohol Prohibited Areas assists in reducing the amount of alcohol consumed within public areas and thus assists in reducing the likelihood of crime occurring.

The signage displayed upon the establishment of Alcohol Free Zones and Alcohol Prohibited Areas not only enable's law enforcement officers to actively reduce the amount of alcohol consumed within the public sphere, it also has the effect of informing community members and visitors that the town does not welcome 'street drinkers'. Signs are an 'ownership' cue and form a principle of association with Crime Prevention Through Environmental Design. Areas that appear 'owned' and 'cared for' are less likely to be damaged or littered and are more likely to be respected.

Alcohol Free Zones and Alcohol Prohibited Areas also help to improve the perception of safety within the nominated areas. In general, 'street drinkers' can increase the perceived fear of crime which can lead to avoidance of the area. Avoidance of specific areas leads to a reduction in natural surveillance which renders a location vulnerable for the commission of offences such as malicious damage, littering and more serious offences such as assaults and sexual assaults.

- (1) National Drug Strategy 2016-2025, p.16 draft form for public consultation
- (2) National Drug Strategy 2016-2025, p.12 – 24 draft form for public consultation
- (3) Drug & Alcohol Crime & Offences, National Institute of Justice
- (4) Prevention Resource Quarterly 2012, Australian Drug Foundation
- (5) Australian and New Zealand Crime Prevention Senior Officers' Group (ANZCP SPG) p.3

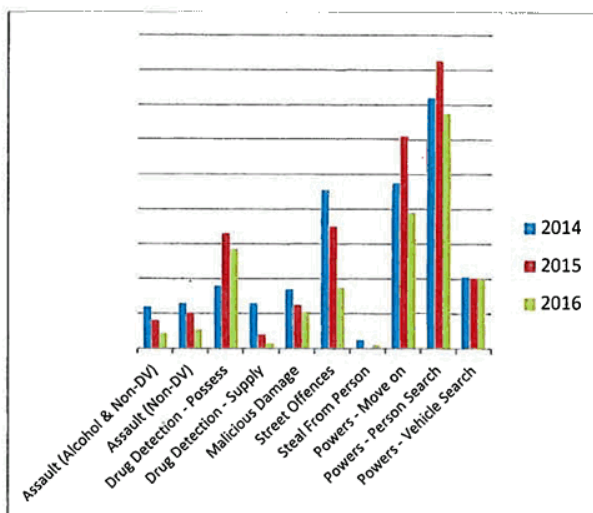
Alcohol Free Zones and Alcohol Prohibited Areas work best when the local community engages in other strategies simultaneously. There have already been significant inroads made in addressing issues of anti-social behavior and alcohol related crime in the Jindabyne area. These inroads have been made as a consequence of the collaborative approach made by both Police and Local Council. Jindabyne already has an effective Community Drug and Alcohol Action Team (CDAT), a proactive Liquor Accord and the engagement of members of the business community, who have cooperated with police in the implementation of a number of harm minimization strategies.

As a result of this concerted focus on alcohol related behavior a number of key crime areas have declined in the Jindabyne area over the last few years (Table 1). That being stated, the NSW Bureau of Crime and Statistics Research depicts Jindabyne as being over represented for the commission of liquor and drug offences, albeit those figures are influenced adversely by a seasonal fluctuation in population <sup>(6)</sup>. Current legislative powers such as 'move on directions', whilst effective, are reliant on patrons behaving in an aggressive or intimidating manner and are not as proactive in reducing potential harms as enforcement activities within 'dry areas'.

The Monaro Command Police, although buoyed by the decline in the majority of key crime categories, do not consider a single alcohol related offence as being within their degrees of tolerance. There exists a financial and social cost with the commission of any alcohol related offence. These costs are incurred in clearing up broken bottles and rubbish, the repair of damaged property, the physical and psychological harm inflicted upon those who are affected by violent crime or by the impact on the town's reputation.

It is for these reasons Police continue to strive to eliminate alcohol related crime in the Jindabyne area and propose the creation of the following Alcohol Free Zones and Alcohol Prohibited Areas as part of a holistic approach to reduce alcohol related harms.

Table 1 – Jindabyne 2014-2016



(6) NSW Bureau of Crime and Statistics  
2016: Liquor offences: 1836 per 100 000 population as compared to the NSW State average of 795  
2016: Drug offences: 3477 per 100 000 population as compared to the NSW State average of 146



## Section 2 – Alcohol Free Zones

Alcohol Free Zones can be established on public roads, footpaths, car parks and laneways. The following submission will detail statistical and anecdotal evidence which is an indication of past irresponsible behavior arising from the consumption of alcohol within each of the specific zones. For this report a twelve month period from April 2016 to 2017 has been considered.

In 2009 the NSW Government implemented ministerial guidelines in support of alcohol-free zones as a measure to help prevent antisocial behavior as a result of alcohol consumption in a public place. According to these guidelines, obstruction (by persons), littering, personal injury, property damage and police interventions that have occurred within the nominated area are reasons for requesting the proposed area.

The evidence contained within this submission has been obtained from an interrogation of the NSW Police Force Computerised Operational Policing System (COPS). COPS is an operational computer system designed to capture and record crime. An 'event' is created by police within COPS when they attend an incident which they believe to be reportable. Police have also obtained information from the NSW Police Force Aided Dispatch (CAD) System. CAD is the NSW Police Force's resource deployment and incident management system. This system captures not only the police attendance at a location but also complaints made by members of the public. Other information within this submission arises from the observations of local Police as well as, information provided by members of the public, local business owners, managers and employees.

The proposed Alcohol Free Zones are identified on the attached map and represented in pink with corresponding zone numbers (See annexure last page).

### Proposed Zone 1: Jindabyne Town Centre (Including surrounding streets of Thredbo Terrace and Kosciuszko Road)

Within the twelve month period from April 2016 until April 2017 police have responded to the following alcohol related incidents within the proposed area.

- Intoxicated Person
- Noise Complaint
- Assault
- Brawl
- Concern for Welfare
- Move-on Directions
- Fire
- Street Offences
- Resist/Hinder/Assault Police
- Crowd Control Management.

Surveillance conducted of this area indicates people often conceal alcohol bottles and food wrappers within bushes around the location. People have been observed walking and consuming alcohol in the area and have been observed urinating in public. Late night food outlets within this area appear to be the reason some people gather in this area after closing of licensed premises nearby. Business owners indicate in the mornings they are often cleaning up bottles and other litter from around their premises, more specifically on Thursday morning's and on the weekends and on occasions need to clean where people have urinated on buildings.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

**Proposed Zone 2: Street and car park areas encompassing the Skate Park and Bowling Club (This area includes surrounding streets and public parking spaces of Bay Street, Kosciuszko Road and Banjo Paterson Crescent)**

Within the twelve month period from April 2016 until April 2017 police have responded to the following alcohol related incidents within the proposed area.

- Move-on Directions
- Street Offences
- Concern for welfare
- Intoxicated person

Surveillance conducted of this area indicates that people often discard alcohol bottles and food wrappers around the location.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

Note: There are car parking spaces within this area that are owned by the Bowling Club. These are marked on the map within this section in green. Due to the liquor license attached to the Bowling Club, alcohol consumption within this car parking area is already restricted.

**Proposed Zone 3: Alcohol Free Zone:- Street areas and car park areas surrounding Nuggets Crossing and connecting streets (Includes council owned car parking areas, Park Road, Snowy River Avenue, Gippsland Street, Kalkite Street, Thredbo Terrace, Kousciuszko Road, Clyde Street, Bent Street and Kurrajong Street)**

Within the twelve month period from April 2016 until April 2017 police have responded to the following alcohol related incidents within the proposed area.

- Intoxicated Person
- Noise Complaint
- Assault
- Concern for Welfare
- Move-on Directions
- Street Offences
- Resist/Hinder/Assault Police
- Malicious Damage
- Offences against the person

Surveillance conducted of this area indicates people smash and discard empty alcohol bottles and other rubbish in a small concealment area adjacent to Mitre 10 and within the car park surrounding the National Parks Visitor Centre. This littering appears to be occurring predominantly on Wednesday night/Thursday morning. Information has been provided indicating that at least one of the local businesses employs extra staff to remove this litter in a timely fashion. Further information was also received suggesting the verandah areas within this zone were being used of a night by groups of people consuming alcohol.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

**Note:** Section 3A:- It is noted within this zone there are a number of privately managed car parking spaces and road related areas. These areas are marked on the attached map (green 3A). These areas are managed by Nuggets Crossing and the National Parks Visitor Centre. Police have made contact with management of both of these locations. Both locations are willing to consider release of the area to council so council are capable of establishing Alcohol Free Zones within their parking and road related areas. They were informed there is specific legislation and costs surrounding this proposal. Even if these areas remain private lands, people must cross zone 3's proposed alcohol free zone in order to get to the location, thus providing authorised personnel with an opportunity to enforce the requirements of the zone.

**Proposed Zone 4: Gippsland Street, (position indicated on the attached map in pink)**

Within the twelve month period from April 2016 until April 2017 police have responded to the following alcohol related incidents within the proposed area.

- Street Offences
- Offences against the person
- Check Bonafides

Surveillance conducted of this area indicates this area is a popular thoroughfare for people to migrate from a high residential area to the main entertainment district. Surveillance conducted indicates people often carry and consume alcohol as they travel through this proposed zone. Police have approached residents within this area who state they often see empty alcohol bottles discarded on the street.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol free zone within this area.

### Section 3 – Alcohol Prohibited Areas

Alcohol Prohibited Areas cover any other public place that is not a public road, part of a public road or a car park. It is noted that some of these areas are used for welcomed recreational activities. For this reason it is recommended that times be considered for each of these locations as deemed appropriate. For example, as police encounter the majority of alcohol related issues of a night time, police would be supportive of the areas being enforceable from sunset to sunrise. This would allow for extended usage of the area for welcomed recreation activities in the warmer summer months.

The following submission will detail statistical and anecdotal evidence which is an indication of past irresponsible behavior arising from the consumption of alcohol within each of the specific areas. For this report a twelve month period from April 2016 to April 2017 has been considered.

The evidence contained within this submission has been obtained from an interrogation of the NSW Police Force Computerised Operational Policing System (COPS). COPS is an operational computer system designed to capture and record crime. An 'event' is created by police within COPS when they attend an incident which they believe to be reportable. Police have also obtained information from the NSW Police Force Aided Dispatch (CAD) System. CAD is the NSW Police Force's resource deployment and incident management system. This system captures not only the police attendance at a location but also complaints made by members of the public. Other information within this submission arises from the observations of local Police as well as, information provided by members of the public, local business owners, managers and employees.

Other information within this submission arises from the observations of police and information provided by members of the public, business owners, managers and employees.

The proposed Alcohol Prohibited Areas are identified on the attached map and represented in red with corresponding zone numbers (See annexure last page).

#### Proposed Area 4a - Alcohol Prohibited Area – Walking tracks and surrounding parkland situated between Gippsland Street and Kosciusko Road, Jindabyne

There have been no alcohol related events recorded in the twelve month period from April 2016 to April 2017 however Police have been provided with information that suggests irresponsible behavior arising from the consumption of alcohol has occurred within this zone.

The pathways from Gippsland Street towards the Jindabyne town center form part of a frequently used thoroughfare. This thoroughfare is used by people commuting from a high residential area to the entertainment district.

Surveillance of this area by local Police supports the assertion that people are transiting through this area as they consume alcohol. Police have spoken with members of the public in the area who complain that they often see people finishing alcoholic drinks and then discarding the empty bottles within this zone. Observations of the area support the assertion that alcohol packaging is frequently discarded within this zone.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.



**Proposed Area 5 - Alcohol Prohibited Area – Skate Park and surrounding public land  
situated off Bay Street, Jindabyne**

Within the twelve month period from April 2016 until April 2017 police have responded to the following alcohol related incidents within the proposed area.

- Street Offences
- Move on directions
- Intoxicated person
- Concern for welfare
- Check Bonafides

Surveillance of the proposed area suggests that young people tend to gather at this location and consume alcohol. It was reported to police that frequent cleaning of the skate park is required to remove glass and rubbish. This area is bordered on one side by an alpine lake. Over a number of years drownings have occurred in the lake that have been linked, along with other causal factors, to alcohol consumption.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.

**Note:** There are open spaces within this area that are owned by the Bowling Club. These are indicated on the map within this section in green. Due to the liquor license attached to the Bowling Club, alcohol consumption within the area is already restricted.

**Proposed Area 6: - Banjo Patterson Park**

Within the twelve month period from April 2016 until April 2017 police have responded to the following alcohol related incidents within the proposed area.

- Street Offences
- Move on directions
- Intoxicated person
- Concern for welfare
- Check Bonafides

Surveillance of the area by local Police suggests this area is used by people consuming alcohol. This area is also bordered on one side by an alpine lake. Over a number of years drownings have occurred in the lake that have been linked, along with other causal factors, to alcohol consumption.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.

**Proposed Area 7:- Park land and footpath between Banjo Patterson Park and Foreshore Park , Jindabyne**

Within the twelve month period from April 2016 until April 2017 police have responded to the following alcohol related incidents within the proposed area.

- Street Offences
- Move on directions
- Concern for welfare
- Check Bonefides

This area is bordered on one side by a lake. Over a number of years there have been drownings that have occurred in the lake that have been linked to excessive alcohol consumption.

For these reasons police are in full support of the establishment of an alcohol prohibited area within this area.

**Proposed Area 8:- Foreshore Park area and area commonly known at the Clay Pits (Including Foreshore Park, Clay Pits, Clay pits boat ramp and community stage)**

Within the twelve month period from April 2016 until April 2017 police have responded to the following alcohol related incidents within the proposed area.

- Noise complaints
- Move on directions
- Concern for welfare
- Intoxicated persons
- Check Bonefides

Surveillance of this area indicates that alcohol is often consumed near the clay pit areas by gatherings of people. It is a popular spot and is used as a swimming location. This area is bordered on one side by an alpine lake. Over a number of years drownings have occurred in the lake that have been linked, along with other causal factors, to alcohol consumption.

For these reasons, and the crime prevention advantages mentioned in section one, police are in full support of the establishment of an alcohol prohibited area within this area.



Naomi Nemec  
Senior Constable  
Crime Prevention Officer  
Monaro Command  
5<sup>th</sup> June, 2017



Neil Grey  
Detective Chief Inspector Grey  
Crime Manager  
Monaro Command  
5<sup>th</sup> June, 2017

9.1 CONSIDERATION OF ESTABLISHING ALCOHOL FREE ZONES IN JINDABYNE, AND  
CONSIDERATION TO EXTEND THE OPERATION OF THE EXISTING ALCOHOL FREE ZONES IN  
COOMA

ITEMS FOR DECISION

COUNCIL MEETING, 9 DECEMBER 2013

ITEM 27 ALCOHOL FREE ZONE IN COOMA

<b>Reporting Officer</b> Manager Infrastructure Planning	<b>File No</b> CO/COM/10
<b>Budget Allocation</b> N/A	<b>Expenditure to Date</b> N/A
<b>Effect of Recommendation on Budget</b> N/A	

**Report Summary**

At the 12 August 2013 Council meeting it was resolved:

*“That the re-establishment of an Alcohol Free Zone in Cooma’s CBD proceed”.*

In accordance with the Local Government Act 1993 and Ministerial Guidelines 2009, the proposal was publicised in a local newspaper (Council Communique page) allowing 30 days for submissions, and also referred to Police Local Area Commander and liquor licencees in the area. Twelve liquor licencees were invited to comment.

Submissions were received from NSW Police and Alpine Hotel. Copies of these are FOLLOWING.

Police supported the re-establishment of the Alcohol Free Zone (AFZ) for a further 4 years. Alpine Hotel lessees advised that the licenced area of the footpath outside the hotel has been successfully managed as part of the AFZ, and that they propose to continue this arrangement.

A recommendation in the same terms as the Council resolution of 13 July 2009 is provided, with the additional point that the period of the AFZ shall be 4 years.

The estimated cost of updating the existing 53 signs with the new expiry date is \$400.00.

**RECOMMENDATION**

That an Alcohol-Free Zone be established in accordance with the Local Government Act 1993 in the following areas:

- (a) Soho, Dawson, Vale and Bombala Streets between Commissioner and Massie Streets.
- (b) Commissioner and Massie Streets between Soho Street and Cooma Creek.
- (c) Sharp Street between Soho and Hilton Streets.
- (d) The four Council carparks accessed from Commissioner Street, and the Council carpark accessed from Massie Street.

That the hours of operation of the Zone be 24 hours, 7 days per week.

That the Zone shall be for a period of 4 years.

That the areas which are part of the public road reserve occupied by footpath dining facilities be exempted from the zone.



9.1 CONSIDERATION OF ESTABLISHING ALCOHOL FREE ZONES IN JINDABYNE, AND  
CONSIDERATION TO EXTEND THE OPERATION OF THE EXISTING ALCOHOL FREE ZONES IN  
COOMA

ATTACHMENT 4 BACKGROUND RE COOMA AFZ

Page 43

ITEMS FOR DECISION

COUNCIL MEETING, 9 DECEMBER 2013

That approval for the use of footpath for seating at liquor licensed premises include a requirement to install screens defining the perimeter of the approved area.

That the changes to signage be funded from the Roads Signage budget.

COOMA-MONARO SHIRE COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON 9 DECEMBER 2013

ITEM 27 ALCOHOL FREE ZONE IN COOMA

**Report Summary**

At the 12 August 2013 Council meeting it was resolved:

*"That the re-establishment of an Alcohol Free Zone in Cooma's CBD proceed".*

In accordance with the Local Government Act 1993 and Ministerial Guidelines 2009, the proposal was publicised in a local newspaper (Council Communique page) allowing 30 days for submissions, and also referred to Police Local Area Commander and liquor licencees in the area. Twelve liquor licencees were invited to comment.

482/13

**RESOLVED (Kaltoum/Phillips)**

That an Alcohol-Free Zone be established in accordance with the Local Government Act 1993 in the following areas:

- (a) Soho, Dawson, Vale and Bombala Streets between Commissioner and Massie Streets.
- (b) Commissioner and Massie Streets between Soho Street and Cooma Creek.
- (c) Sharp Street between Soho and Hilton Streets.
- (d) The four Council carparks accessed from Commissioner Street, and the Council carpark accessed from Massie Street.

That the hours of operation of the Zone be 24 hours, 7 days per week.

That the Zone shall be for a period of 4 years.

That the areas which are part of the public road reserve occupied by footpath dining facilities be exempted from the zone.

That approval for the use of footpath for seating at liquor licensed premises include a requirement to install screens defining the perimeter of the approved area.

That the changes to signage be funded from the Roads Signage budget.

CARRIED UNANIMOUSLY (8-0)

ITEMS FOR DECISION

COUNCIL MEETING, 12 AUGUST 2013

ITEM 24 ALCOHOL FREE ZONE IN COOMA

<b>Reporting Officer</b> Manager Infrastructure Planning	<b>File No</b> CO/COM/10
<b>Budget Allocation</b> N/A	<b>Expenditure to Date</b> N/A
<b>Effect of Recommendation on Budget</b> N/A	

**Report Summary**

Council will consider if it proposes to re-establish an alcohol free zone (AFZ) in Cooma CBD.

**Commentary**

On 13 March 2006, Council established an AFZ in Cooma for a period of three years, ending on 12 March 2009.

On expiry of the AFZ Council again advertised a proposal to establish the AFZ and followed the process mandated by the Local Government Act. The culmination of this process was the re-establishment of the AFZ with the following resolution adopted on 13 July 2009.

1. *That an Alcohol-Free Zone be established in accordance with the Local Government Act 1993 in the following areas:*

*(a) Soho, Dawson, Vale and Bombala Streets between Commissioner and Massie Streets.*

*(b) Commissioner and Massie Streets between Soho Street and Cooma Creek.*

*(c) Sharp Street between Soho and Hilton streets.*

*(d) The four Council carparks accessed from Commissioner Street, and the Council carpark accessed from Massie Street.*

2. *That the hours of operation of the Zone be 24 hours, 7 days per week.*
3. *That the areas which are part of the public road reserve occupied by footpath dining facilities be exempted from the zone.*
4. *That approval for the use of footpath for seating at liquor licensed premises includes a requirement to install low level screens defining the perimeter of the approved area.*
5. *That the changes to signage be funded from the Roads Signage budget.*

The area covered by the AFZ is indicated in the diagram FOLLOWING.

The signs throughout the CBD area were adjusted to the expiry date of 13 July 2013. This was the maximum period of four years allowed by the legislation.

As seen in the Council resolution, the areas occupied by footpath dining facilities were exempted. This included the footpath seating areas outside licensed premises, and was a matter of some contention and objection including objection by the Police.

ITEMS FOR DECISION

COUNCIL MEETING, 12 AUGUST 2013

Council subsequently on 14 October 2009 signed a Memorandum of Understanding with the Alpine Hotel whereby the hotel agreed to restrict the consumption of alcohol on the footpath to between 9.00am and 10.00pm daily. The MOU is to be reviewed on cessation of the AFZ. The AFZ has now expired.

If Council wishes to re-establish the AFZ, it must follow the requirements of Section 644 of the Local Government Act and the Ministerial Guidelines February 2009.

The Guidelines contain the following excerpts of relevance:

*The object of alcohol-free zones is an early intervention measure to prevent the escalation of irresponsible street drinking to incidents involving serious crime.*

*The drinking of alcohol is prohibited in an alcohol-free zone that has been established by a council. Public places that are public roads, footpaths or public carparks may be included in a zone. Alcohol-free zones promote the use of these roads, footpaths and carparks in safety and without interference from irresponsible street drinkers.*

*Any person living or working within an area, the local police or a local community group may ask a council to establish an alcohol-free zone or a council itself may decide to do so. A proposal to establish an alcohol-free zone must in all cases be supported by evidence that the public's use of those roads, footpaths or public carparks has been compromised by street drinkers. For example, there could be instances of malicious damage to property, littering, offensive behaviour or other crimes.*

*The council must undertake a consultation process to decide if an alcohol-free zone is appropriate. Once established by council resolution, the roads, footpaths and public carparks within the zone must be signposted and notice of the zone must appear in the local press. The maximum duration of an alcohol-free zone is four years, although it may be re-established at the conclusion of the original period, following a review by council of its continuing applicability. Alcohol-free zones may also be established for special events only.*

*Alcohol-free zones are enforced by the police or by council enforcement officers where the Commissioner of Police gives written authorisation. Any person observed to be drinking in an alcohol-free zone may have the alcohol in their possession immediately seized and tipped out or otherwise disposed of.*

*These Ministerial Guidelines provide local councils with detailed procedures which must be followed in the establishment of an alcohol-free zone. They supplement the relevant provisions of the Local Government Act 1993.*

*An alcohol-free zone is a means by which a council may limit the locations within its area where the consumption of alcohol is permitted. Because it will impose restrictions on the personal freedom of citizens, a proposal to establish a zone must adequately address the following matters:*

1. Reasons to Support an Alcohol-Free Zone

*Reasons for supporting alcohol-free zones must be included and must reflect the fact that irresponsible behavior arising from the consumption of alcohol is occurring on those roads and footpaths and in those public carparks included in the proposal. This could involve instances of obstruction, littering, the actual commission of, or police intervention to avoid the commission of, more serious offences under the Law Enforcement (Powers and*

ITEMS FOR DECISION

COUNCIL MEETING, 12 AUGUST 2013

*Responsibilities) Act 2002, Summary Offences Act 1988 or the Crimes Act 1900, such as malicious damage, etc.*

*It is not appropriate to consider an alcohol-free zone for reasons that are unrelated to the irresponsible behavior of drinkers, for example, the congregation of drinkers where irresponsible behavior does not occur, general conduciveness to business or tourist activities or the personal beliefs of particular citizens.*

2. Location of an Alcohol-Free Zone

*Generally, an alcohol-free zone should be as small as is possible and must only extend to areas which can be supported by reasons as set out in point 1 above. However, larger alcohol-free zones, sometimes known as 'whole-town' alcohol-free zones may be effective in some rural and remote towns where they are supported generally by all stakeholder groups in that community. There are legal issues that need to be considered by councils when such 'whole-town' zones are proposed, as some relevant areas of a town will not be public roads, footpaths or public carparks.*

*Large alcohol-free zones need to be established in a way which is complementary with public places signposted under section 632 of the Local Government Act 1993. It is not usually appropriate to establish an entire local government area, or a substantial part of that area, as an alcohol-free zone. Similarly, it would usually be inappropriate to zone the greater part of a town, suburb or urban area as alcohol-free.*

*Alcohol-free zones should primarily be located adjacent to outlets supplying alcohol where drinkers congregate. In the absence of such an outlet a zoning should be considered only in exceptional circumstances. For example, a known hot spot for inappropriate street drinking may be in a public carpark adjacent to a beach for public reserve, but which is many kilometres from an outlet supplying alcohol.*

Alcohol-free Zones and Alfresco Dining

*In some circumstances an alcohol-free zone may be proposed for an area that includes footpath alfresco dining areas for cafes and restaurants which fall within the zone. When a council issues a licence for the use of public footpaths for such dining use in an alcohol-free zone, it must impose conditions on the licensee (eg restaurant operator) about the requirements of the zone, including clear delineation and control of the licensed area from the alcohol-free zone.*

3. Duration of an Alcohol-Free Zone

*An alcohol-free zone may be established for a maximum period of four years. Once established, it applies twenty-four hours per day.*

4. Consultation

*After preparing a proposal to establish an alcohol-free zone a council is required to undertake a public consultation process. The process under the Act involves all of the following:*

- 1. Publish a notice of the proposal in a newspaper circulating in the area of the proposed alcohol-free zone, allow inspection of the proposal and invite representations or objections within 30 days from the date of publication. The notice should state the exact*

ITEMS FOR DECISION

COUNCIL MEETING, 12 AUGUST 2013

*location of the proposed alcohol-free zone, and the place and time at which the proposal may be inspected.*

2. *Send a copy of the proposal to:*

*(a) The Police Local Area Commander and the officer in charge of the police station within or nearest to the proposed zone,*

*(b) Liquor licensees and secretaries of registered clubs whose premises border on, or adjoin or are adjacent to, the proposed zone,*

*and invite representation or objections within 30 days from the date of sending the copy of the proposal, AND*

3. *Send a copy of the proposal to the NSW Anti-Discrimination Board, if the local area is listed in Appendix 2 to these Guidelines, and invite representations or objections within 30 days from the date of sending the copy of the proposal. Other councils have the option of advising the Board if they wish to seek the Board's views on the proposed alcohol-free zone.*

*In addition to these statutory requirements there are other consultative avenues that may enhance the effectiveness of any alcohol-free zone that is subsequently established. Accordingly, a council is also required to:*

4. *Send a copy of the proposal to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and invite representations or objections within 30 days from the date of sending the copy of the proposal.*

*A council is to give proper consideration to any representations, submissions or objections received and as a result may amend or withdraw a proposal to establish an alcohol-free zone. However, any amendment that extends the location of the proposed alcohol-free zone must be supported by reasons (as outlined above).*

If Council wishes to progress to consider the re-establishment of the AFZ, then the proposal must be advertised and consultation carried out as described above. Evidence as to the need for the AFZ and effectiveness of the previous AFZ will need to be sought from the NSW Police.

Should Council wish to proceed with a proposal, then it could resolve "That a proposal to re-establish an Alcohol Free Zone in Cooma be advertised in accordance with the Local Government Act".

**RECOMMENDATION**

That Council determine if it wishes to propose the re-establishment of an Alcohol Free Zone in Cooma.











---

## **12.1 YAMAGA SISTER CITY EXCHANGE ANNUAL VISIT CONTRIBUTION TO COOMA LIONS CLUB**

Record No:

Responsible Officer:	Director Corporate & Community Services
Author:	Finance Manager
Key Direction:	3. Strengthening Our Local Economy
Delivery Plan Strategy:	DP3.8 Market the Snowy Monaro Region's "destination town's", promoting the history of the area, access to tourism attractions and develop tourism for the future for the Region.
Operational Plan Action:	OP3.28 Coordinate event activities that increase local and visitor participation.
Attachments:	1. Letter from Lions Club of Cooma 15/12/2016 <a href="#">↓</a>
Cost Centre	3120 – Corporate Governance
Project	Yamaga/Cooma Sister City Exchange Program
Further Operational Plan Actions:	

### **EXECUTIVE SUMMARY**

A request has been received from the Lions Club of Cooma to increase Council's contribution towards the Yamaga/Cooma Sister City Exchange program from \$4,000 to \$5,000 per year.

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

#### **OFFICER'S RECOMMENDATION**

That Council

- A. Make a decision regarding the request for an increase to the annual contribution to the Lions Club of Cooma for the Yamaga Sister City Visit with any additional funding to come from the existing general donations budget.

### **BACKGROUND**

The Cooma Lions Club is involved in maintaining and organising a Sister City relationship with Yamaga in Japan. Financial sponsorship to the value of \$4,000 has been maintained by the Council on a yearly basis to assist in subsidising these costs. In December last year the Cooma Lions club made a request to the Administrator to increase this annual contribution from \$4,000 to \$5,000 per year.

### **QUADRUPLE BOTTOM LINE REPORTING**

#### **1. Social**

The Sister city program develops a network of communication between the cities of Cooma and Yamaga to cut across boundaries and reduce the likelihood of polarization and conflict. The community will benefit from Council's involvement in this program.

---

## **2. Environmental**

There are no environmental impacts as a result of this recommendation.

## **3. Economic**

\$4,000 is currently included in the estimates for this contribution, any increase in contribution could be funded through the general donations budget.

This same contribution of \$4,000 has been paid for the last 6 years.

## **4. Civic Leadership**

Council does not have an adopted policy on donations or contributions. Council considers each on a case by case basis.

### **Determination by Administrator**

Approved by Administrator Dean Lynch in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act 1993.*

Signature: .....

Date: .....

---

RECEIVED  
19 DEC 2016

BY: .....

## LIONS CLUB OF COOMA Inc.

ABN 77 324 498 510

Address all communications to: THE SECRETARY, P.O Box 208, COOMA, NSW, 2630  
Phone: 02 6452 7337 Mobile: 0427 322 806 Email: seclionscooma@gmail.com



The Administrator  
Snowy Monaro Regional Council  
81 Commissioner St.  
Cooma 2630

15<sup>th</sup> December 2016

Dear Administrator Dean,

At our board meeting last night it was resolved that I write to you regarding Council's annual contribution to our club's Yamaga/Cooma Sister City Program.

Our club respectfully requests that you consider increasing Council's contribution from \$4000 p/a to \$5000 p/a, adjusted annually in accordance with the Consumer Price Index.

The Lions Club of Cooma acknowledges your strong involvement in this Program over several years, and a favourable response to this request would be very much appreciated.

Yours Faithfully

Bob Nichols  
Secretary  
Lions Club of Cooma

---

## 12.2 STRONGER COMMUNITIES FUND MAJOR PROJECTS PROGRAM DELIVERY PROGRAM

Record No:

Responsible Officer:	General Manager
Author:	Deputy Director Service Delivery
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:	OP7.5 Achieve a stronger, more efficient Council through a successful merger.
Attachments:	1. Estimated Project Completion Dates (July 2017) <a href="#">↓</a>
Cost Centre	3101
Project	Stronger Communities Fund Major Projects Program
Further Operational Plan Actions:	

### EXECUTIVE SUMMARY

The Stronger Communities Fund Major Projects Program delivery schedule has been finalised to provide details of the estimate completion date of all 100 projects to be delivered under this program of works.

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

#### OFFICER'S RECOMMENDATION

That Council receives, notes and accepts the proposed delivery dates for the projects to be funded under the Stronger Communities Fund Major Projects Program.

### BACKGROUND

Council adopted the 100 projects to be delivered under the Stronger Communities Fund Major Projects Program (SCFMPP) in May 2017. The process to delivery these project by June 2019 has been developed. To ensure all 100 projects can be delivered in the 2 year period, significant planning of all project is required.

Project or components have been grouped together into approximately 55 delivery packages. These packages are of similar scope to allow for an efficient delivery of each service, and to maximise value for money for the delivery.

The timing of the delivery of each package has been carefully examined to provide us with an order of projects to ensure we meet the delivery timetable.

The attached document provides the estimated completion date of each project. This is the initial plan and there will be minor adjustments to the plan as the program of works progress.

---

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

To ensure all Stakeholder and the community are kept informed of the progress of the Stronger Communities Fund Major Projects Program and the estimated delivery dates

### **2. Environmental**

Nil

### **3. Economic**

Nil

### **4. Civic Leadership**

Nil

### **Determination by Administrator**

Approved by Administrator Dean Lynch in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act 1993.*

Signature: .....

Date: .....

---



[illegible]





---

### 12.3 CORRECTION TO THE MINUTES OF COUNCIL MEETING HELD 24 MAY 2017

Record No:

Responsible Officer:	General Manager
Author:	Secretary Council & Committees
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1.1.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.
Operational Plan Action:	OP7.8 Ensure that appropriate governance structures are in place enabling open, transparent government.
Attachments:	Nil
Cost Centre	3120
Project	Governance
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

The minutes of the Council meeting held 24 May were confirmed at a duly convened meeting on 28 June 2017. Following the adoption of the minutes, staff have brought to the attention of the General Manager some minor omissions in the minutes. As per councils Code of Meeting Practice, to ensure full and accurate minutes are kept, the reasons for confidential matters must be recorded.

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

#### OFFICER'S RECOMMENDATION

That Council amend the minutes of the Council meeting held 24 May 2017 to include, under Confidential Matters, the reasons for the following reports to be dealt with in Closed Session:

- A. Stronger Communities Fund – Major Project Program of Works  
**Reason:** *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;*
  - B. Property Purchases in Vale Street Cooma  
**Reason:** *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;*
  - C. Tender Evaluation and Award of Contract No. 007/2017 for the Mercy Street Bombala – Water Mains Replacement Project  
**Reason:** *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; and*

D. Waste and Recyclables Collection and Management Contract Award

**Reason:** *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.*

## BACKGROUND

The minutes of the Council meeting held 24 May were confirmed at a duly convened meeting on 28 June 2017. Following the adoption of the minutes, staff have brought to the attention of the General Manager some minor omissions in the minutes.

Councils Code of Meeting Practice states (in accordance with the Local Government Act 1993), to ensure that full and accurate minutes are kept of the proceedings of a meeting of Council, grounds for closing part of a meeting to the public must be included in the minutes.

Four (4) late reports were accepted as matters of urgency in Closed Session of the May meeting. These items, as listed above, and the reasons for confidential are required to be listed in the open minutes of Council.

## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

By amending the minutes to reflect the reasons for confidential, council ensures open and transparent process are followed to inform the community. The community can be confident council is acting within its authority and regulation.

### 2. Environmental

There are no significant impacts on the environment in creating or amending documents within councils electronic document systems. Council endeavours to work in a paperless environment where possible. Printing of business papers and minutes are limited and available on Councils website.

### 3. Economic

There are no financial implication in the creation of this report, or minor amendments to documents.

### 4. Civic Leadership

In order to maintain correct and accurate minutes council adopts a Code of meeting Practice which outlines and details information, guidelines and conduct which Council is required to follow.

Extract from Councils Code of Meeting Practice

## 2 Act and Regulation and Associated Documents

- (1) This Code and its associated Codes are made as required by section 360(2) of the Act. This Code incorporates relevant provisions of the Regulation and the Act. Where there is any inconsistency between the Code and the Act or the Regulation, the provisions of the Act or the Regulation prevail.
  
- (2) These procedures shall be applicable to the conduct of meetings of Council, Committees, Working Parties and Workshops of Council. They shall be read in conjunction with the provisions of the Local Government Act 1993, Local Government (General) Regulation 2005, Model Code of Conduct for Local Government Councils in NSW and Meetings Practice Note No 16 November 2005.

**Determination by Administrator**

Approved by Administrator Dean Lynch in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act 1993*.

Signature: .....

Date: .....

---

#### 14. CONFIDENTIAL MATTERS

In accordance with Section 10A(2) of the Local Government Act 1993, Council can exclude members of the public from the meeting and go into Closed Session to consider confidential matters, if those matters involve:

- (a) personnel matters concerning particular individuals; or
- (b) the personal hardship of any resident or ratepayer; or
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; or
- (d) commercial information of a confidential nature that would, if disclosed;
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law; or
- (f) matters affecting the security of the council, councillors, council staff or council property; or
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege or information concerning the nature and location of a place; or
- (h) an item of Aboriginal significance on community land.

and Council considers that the closure of that part of the meeting for the receipt or discussion of the nominated items or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information, and discussion of the material in open session would be contrary to the public interest.

In accordance with Section 10A(4) of the Local Government Act 1993 the Chairperson will invite members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential matters.

#### RECOMMENDATION

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

##### **14.1 Request for Donation - Big hART**

Item 14.1 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.

##### **14.2 Tourism and Tourism Services Strategy Project: Initial Advice**

Item 14.2 is confidential in accordance with s10(A)(2)(diii) of the Local Government Act because it contains information that would, if disclosed, reveal a trade secret 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.
---