



**SNOWY MONARO**  
REGIONAL COUNCIL

# **BUSINESS PAPER**

**PUBLIC EXHIBITION COPY**

**Ordinary Council Meeting  
4 October 2018**

## **CONFLICTS OF INTEREST**

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

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

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

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

The responsibility of determining whether or not the Mayor 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 Mayor 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 Mayor, 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 Mayor and Council employees attending a Council meeting or a meeting of a committee of Council. The code also sets out how complaints against a Council employee, the Mayor or General Manager are to be made.

## **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.

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### **Acknowledgement of Country**

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

### **Webcasting**

*Council meetings are recorded and live streamed to the internet for public viewing. By entering the Chambers during an open session of Council, you consent to your attendance and participation being recorded and streamed on Councils website [www.snowymonaro.nsw.gov.au](http://www.snowymonaro.nsw.gov.au)*

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

**ON THURSDAY 4 OCTOBER 2018  
COMMENCING AT 5.00PM**

**BUSINESS PAPER**

**1. APOLOGIES/REQUESTS OF LEAVE OF ABSENCE**

Leave of absence for this meeting was previously granted to Councillor Haslingden.

**2. CITIZENSHIP CEREMONY**

**3. PRESENTATIONS**

**4. PUBLIC FORUM**

**5. DISCLOSURE OF INTEREST**

(Declarations also to be made prior to discussions on each item)

**6. MATTERS DEALT WITH BY EXCEPTION**

**7. ADOPTION OF MINUTES FROM PREVIOUS COUNCIL MEETING**

7.1 Ordinary Council Meeting held on 20 September 2018

7.2 Closed Session of the Ordinary Council Meeting held on 20 September 2018

**8. DELEGATE'S REPORT (IF ANY)**

**9. ADOPTION OF COMMITTEE MINUTES/RECOMMENDATIONS**

9.1 Minutes of the Cemetery Advisory Committee Meeting dated 3 September 2018 3

**10. CORPORATE BUSINESS - KEY THEME 1. COMMUNITY**

10.1 Snowy Monaro Regional Council Commercial and Non Commercial Use of  
Footways Policy 24

**11. CORPORATE BUSINESS - KEY THEME 2. ECONOMY**

11.1 Snowy Monaro Destination Management Plan 54

**12. CORPORATE BUSINESS - KEY THEME 3. ENVIRONMENT**

12.1 Late Report (Under Separate Cover) DA10.2018.1222.1 – 11 Lot Subdivision Old Dry Plains Rd

12.2 PROPOSED AMENDMENTS TO THE WATER PRICING AND BILLING POLICY 57

**13. CORPORATE BUSINESS - KEY THEME 4. LEADERSHIP**

13.1 End of Year Closure 2018/2019 68

**14. REPORTS BY GENERAL MANAGER**

Nil

**15. NOTICE OF MOTION**

15.1 Clr Castellari Notice of Motion - Rooftop Solar

73

**16. MOTIONS OF URGENCY**

Nil

**17. QUESTIONS WITH NOTICE**

**18. QUESTIONS TAKEN ON NOTICE**

**19. CONFIDENTIAL MATTERS**

Nil

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## **DRAFT MINUTES**

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**9.1 MINUTES OF THE CEMETERY ADVISORY COMMITTEE MEETING DATED 3 SEPTEMBER  
2018**

Record No:

Responsible Officer: Director Environment & Sustainability  
Author: Group Manager Environmental Management  
Attachments: 1. Cemetery Advisory Committee Minutes

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**EXECUTIVE SUMMARY**

The Cemetery Advisory Committee met on 3 September 2018 in Berridale. The minutes of the meeting are presented for Council's consideration and adoption, including the adoption of the Cemetery Advisory Committee Charter.

**OFFICER'S RECOMMENDATION**

That the minutes of the meeting of the Cemetery Advisory Committee held on 3 September 2018 be adopted.

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# Minutes

**Cemetery Advisory Committee Meeting**

**3 September 2018**

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**CEMETERY ADVISORY COMMITTEE MEETING  
HELD IN COUNCIL CHAMBERS, MYACK STREET, BERRIDALE NSW 2630**

**ON MONDAY 3 SEPTEMBER 2018**

**MINUTES**

Notes:

<b><u>1.</u></b>	<b><u>OPENING OF THE MEETING</u></b>	<b>2</b>
<b><u>2.</u></b>	<b><u>APOLOGIES</u></b>	<b>2</b>
<b><u>3.</u></b>	<b><u>DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST</u></b>	<b>2</b>
<b><u>4.</u></b>	<b><u>ADOPTION OF MINUTES OF PREVIOUS MEETING</u></b>	<b>2</b>
<b><u>4.1</u></b>	<b><u>Cemetery Advisory Committee Meeting 27 June 2018</u></b>	<b>2</b>
<b><u>5.</u></b>	<b><u>BUSINESS ARISING</u></b>	<b>2</b>
<b><u>5.1</u></b>	<b><u>Amendment to Charter</u></b>	<b>2</b>
<b><u>6.</u></b>	<b><u>ACTION SHEET</u></b>	<b>3</b>
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<b><u>7.1</u></b>	<b><u>Correspondence In:</u></b>	<b>3</b>
<b><u>8.</u></b>	<b><u>GENERAL BUSINESS</u></b>	<b>3</b>
<b><u>8.1</u></b>	<b><u>Amendment to Charter</u></b>	<b>3</b>
<b><u>8.2</u></b>	<b><u>Request for List of Region Cemeteries</u></b>	<b>3</b>
<b><u>8.3</u></b>	<b><u>Proposal of Visit</u></b>	<b>3</b>
<b><u>8.4</u></b>	<b><u>Report by P Kabaila Heritage Advisor</u></b>	<b>3</b>
<b><u>8.5</u></b>	<b><u>10 Year Cemetery Management Plan</u></b>	<b>4</b>
<b><u>8.6</u></b>	<b><u>Cemetery Works from Grant Funding</u></b>	<b>4</b>
<b><u>8.7</u></b>	<b><u>Boco Rock Funding Update - V Pollard</u></b>	<b>4</b>
<b><u>8.8</u></b>	<b><u>Heritage Group Update - D Schubert</u></b>	<b>4</b>
<b><u>9.</u></b>	<b><u>NEXT MEETING</u></b>	<b>4</b>



**MINUTES OF THE CEMETERY ADVISORY COMMITTEE MEETING  
HELD IN COUNCIL CHAMBERS, MYACK STREET, BERRIDALE NSW 2628**

**ON MONDAY, 3 SEPTEMBER 2018  
COMMENCING AT**

**PRESENT:** Gina McConkey, Group Manager Environmental Management  
Vickie Pollard  
Christine Parkes  
Debbie Schubert  
Maureen Wallace (Polly)  
Noelene Whiting, Committee Secretary  
Ria Hrasky, Committee Secretary  
Susannah Harper

**1. OPENING OF THE MEETING**

The Chair opened the meeting at 1.10 pm.

**2. APOLOGIES**

An apology for the meeting was received from Councillor James Ewart

**3. DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST**

Nil

**4. ADOPTION OF MINUTES OF PREVIOUS MEETING**

**4.1 CEMETERY ADVISORY COMMITTEE MEETING 27 JUNE 2018**

**RECOMMENDATION**

That the minutes of the Cemetery Advisory Committee Meeting held on 27 June 2018 are confirmed as a true and accurate record of proceedings.

**5. BUSINESS ARISING**

**5.1 AMENDMENT TO CHARTER**

Charter is to be amended to reflect representatives must not have a direct pecuniary interest by being a committee member and must not conduct themselves in carrying out their

functions in a manner that is likely to bring Council or holders of civic office into disrepute.

## 6. ACTION SHEET

Action	By Whom	When	Completion
Review of Church owned properties	G McConkey/Admin Staff	Oct 2018	
Letter to Representatives with Pecuniary Interest	Administration Staff	September 2018	September 2018
P Kabalia – Review report	All members of Committee	Sept – Dec 2018	December 2018
10 year Plan - considerations	All members to consider	Ongoing	

## 7. CORRESPONDENCE

### 7.1 CORRESPONDENCE IN:

Email received C Parkes – items included in General Business

## 8. GENERAL BUSINESS

### 8.1 AMENDMENT TO CHARTER

Amendment made to Charter and copy provided to members of the Committee for their perusal. Charter to be forwarded to Council for adoption.

#### 8.1.1 AMENDED DRAFT CHARTER

##### 1. ROLE OF THE COMMITTEE

This Agreement (Charter) has been developed to facilitate the management of Council Cemeteries within the Local Government Area (LGA) of Snowy Monaro Regional Council.

##### 2. TITLE OF COMMITTEE

The title of the Committee shall be the “Snowy Monaro Region Cemetery Advisory Committee”.

##### 3. PURPOSE OF THE COMMITTEE

The purpose of the Committee is to assist Snowy Monaro Regional Council to facilitate community engagement and to ensure that council is attuned to the needs and preferences

of the community. The Committee will assist in ensuring that Council's services and policies are informed by community input such as local knowledge as well as religious, cultural and heritage perspectives. The Committee will:

- ◆ Consider, discuss and advise on specific issues related to the management and future direction of Council's cemeteries.
- ◆ Liaise with Council on a range of cemetery issues with a focus on strategic level management.
- ◆ May at times be called upon to provide advice and recommendations on Council policies, procedures and processes that impact on cemetery management.
- ◆ Council may seek comment on major projects being undertaken in Council Cemeteries.
- ◆ Have an understanding of budgets and budget constraints.
- ◆ Work within the guidelines of the *Cemeteries & Crematoria Act 2013*.

#### 4. POWER OF COMMITTEE

By virtue of Section 355 of the Local Government Act 1993, it is enacted that the Council may delegate to a Committee the relevant powers as are specifically mentioned.

This committee only has advisory power. Agreement on a course of action shall be by consensus with recommendations then made to Council.

#### 5. STRUCTURE AND COMPOSITION OF THE COMMITTEE

The Committee shall be made up as follows:

- ◆ The Mayor, or his/her delegate/s usually Councillors representing various regions within the LGA,
- ◆ Group Manager – Environmental Management
- ◆ Environmental Management Administration Officer's - one from each Cooma & Berridale office.
- ◆ 2 Community Representatives from each of the former LGA areas – the former Cooma-Monaro, Bombala and Snowy River Shires. Representatives must not have a direct pecuniary interest by being a committee member and must not conduct themselves in carrying out their functions in a manner that is likely to bring Council or holders of civic office into disrepute.
  - ◆ Representatives must conduct themselves in accordance with – Model Code of Conduct for Local Council's in NSW.

**Voting Rights:** That recommendations be adopted by consensus.

#### 6. APPOINTMENT OF THE COMMITTEE

Following the first meeting after the election of the principal office bearers, a recommendation is to be made to the next Council meeting on the membership of the committee for adoption and appointment by Council.

- ◆ Members of the previous 355 committees in the region be invited to nominate for their respective region.
- ◆ Where no prior 355 committee was in effect a notice is to be placed in the local paper and online media inviting parties interested in Cemeteries within their region be

invited to nominate.

- ◆ A review to be held in 12 months from the first election to review the makeup of the committee.

#### 7. PRINCIPAL OFFICE BEARERS

##### 1. Chairperson of Committee

**The Committee shall, at its first meeting and each two years, or on resignation, elect a Councillor as Chairperson. In the event of the absence of the Chairperson at a meeting, the Deputy Chairperson will act as Chairperson.**

##### 2. Deputy Chairperson

**The Committee shall, at its first meeting and each two years, or on resignation, elect a community member as Deputy Chairperson.**

**In lieu of the Chairperson being present at the meeting one of the SMRC staff will assume the role as Chairperson for that meeting.**

**Group Manager – Environmental Management or alternatively Environmental Management Administration officer.**

##### 3. Secretary

**Council will provide a minute taker for meetings. (Environmental Management Administration officer).**

##### 4. Co-ordinator of Committee

**The co-ordinator of the Committee will be the Group Manager – Environmental Management**

#### 5. MEETINGS OF THE COMMITTEE

Location of meetings is to be rotated as much as practicable around the different regions in the LGA. At its first meeting, the Committee is to determine the timing and location of regular meetings. Other meetings to be held at the discretion of the Chairperson and/or the Committee.

- ◆ Meetings are to be held on a quarterly basis.
- ◆ Review of frequency to be reviewed after 12 months.

#### 6. QUORUM OF COMMITTEE

A quorum will be a minimum of 3 members and a Councillor.

#### 7. DELEGATION OF POWER

Subject to requirements of Section 377 of the Local Government Act 1993, the Council's delegate to the Committee has the power to carry out the functions as listed within this Agreement. The Committee does not have the authority to expend a Council's, or other organisations, funds without the express authority of the Council or Organisation.

#### 8. MINUTES OF COMMITTEE MEETINGS

Minutes of Committee Meetings, where practicable will be presented to the next Council meeting following the committee meeting.

The Snowy Monaro Region Cemetery Advisory Committee was adopted by the Snowy Monaro Regional Council by Resolution .....

at the Ordinary meeting of Council held on .....

Signed:

Mayor

Signed:

General Manager

## 8.2 REQUEST FOR LIST OF REGION CEMETERIES

A list of all cemeteries listed by Cemeteries and Crematoria NSW was provided showing the status and also ownership of the Cemetery. Cemeteries listed under Council which are owned by Church's are to be reviewed and "care and control" determined.

### 8.2.1 LIST OF REGION CEMETERIES AND OWNER

#### **Cemeteries in the Snowy Monaro Region:**

	<b>Cemetery</b>	<b>Open/Closed</b>	<b>Ownership</b>
1	Nimmitabel	Open	Crown
2	Nimmitabel Pioneer	Closed	Crown
3	Numeralla	Open	Crown
4	Jerangle	Open	Crown
5	Jindabyne	Open	Crown
6	Old Adaminaby	Open	Crown/Private
7	Round Plain	Open	Church
8	Moonbah	Open	Church (Council Managed by arrangement)
9	Gegedzerick	Open	Crown
10	Boloco	Open	Crown/Church
11	Christchurch (Maffra Road)	Closed	Crown/Church

12	Corrowong	Open	Church
13	Craigie	Open	Crown
14	Bungarby	Open	Local Government
15	Tombong	Open	Church
16	Mount Cooper	Closed – Heritage Monument	Crown
17	Aston	Closed	Crown
18	Bombala	Open	Mixed
19	Bibbenluke	Open	Crown
20	Cathcart	Open	Crown
21	Delegate	Open	Crown
22	Cathcart Old Cemetery	Closed	Crown
23	Cooma	Open	Crown/Council
24	Bredbo	Open	Crown
25	Michelago	Open	Crown
26	Adaminaby	Open	Crown

### 8.3 PROPOSAL OF VISIT

It was determined that it would be beneficial to the committee that in 2019 arrangements be made to visit each of the Cemeteries under the care and control of the Council. This will assist with determining what is required for future strategic planning.

### 8.4 REPORT BY P KABALIA HERITAGE ADVISOR

A draft report was provided for review by the Committee. It was determined that this be perused and at the next meeting discussed and the recommendations forwarded to the author.

## CONSERVATION MANAGEMENT PLAN HISTORIC CEMETERIES- SNOWY RIVER AREA

## CONTENTS

## INTRODUCTION & RECOMMENDATIONS

### REPORT ON CEMETERIES:

Moonbah

Boloco

Gegedzerick

OldAdaminaby

### HOW TO CARRY OUT THE WORK

## INTRODUCTION & RECOMMENDATIONS

### RESPONSIBILITY & RATIONALE

This plan explains why councils need to fund conservation of their historic cemetery monuments through cemetery fees. The plan objective is to demonstrate how Snowy Monaro Regional Council can practically and affordably promote and preserve all its historic cemetery monuments in the Bombala, Cooma, and Snowy River former LGAs. The first part of the plan is this report, based on site inspections of the Snowy River area.

The need for a management plan for these cemeteries has become clear. By 2018, most of the oldest and historically significant monuments were under threat: dislodged, broken or collapsed.

These cemeteries are heritage listed and owned by council. Council is therefore legally responsible for their heritage protection.

The cemeteries include graves from some of the earliest historic settler families. Preventative maintenance should protect these monuments from collapse, damage and loss. Council has an opportunity to be innovative and lead by example with the appropriate maintenance of historic cemeteries.

It is unrealistic to expect graves over 100 years old to be maintained by descendents. Stone monuments are not just family memorials, they have become community heritage assets. Therefore Council shares a responsibility for protecting and preserving these historic graves. The maintenance and restoration of historic monuments can also generate community goodwill and a sense of ownership of historic places.

At time of writing, the four historic cemeteries in this report were all still in use and received some grounds maintenance funding – but no restoration funding -from commissioned burials in the Council's General Cemeteries. Their tourism potential had not been explored.

Australians have had generous land availability for burials. This has been matched by their poor national reputation for not maintaining burial monuments. There is an opportunity for councils to do more than just cut grass and evacuate burrowing animals. Council should make provision in its cemetery management plans, fees and charges for maintenance of heritage assets and permanent markers for burials.

External heritage funding sources outside of Council funding are small. The Local Heritage Places Fund supported by OEH is small, although potentially easy to administer. Larger State grants are for projects which demonstrate community involvement. Reliance



on favours from State government to provide external heritage funding is therefore unreliable and ultimately, bad policy.

This plan proposes that the maintenance of heritage assets (graves over 100 years old) should be funded by the whole community through cemetery fees. For example, a levy of \$100 per burial could be preserved in a sinking fund reserved for maintenance of historic graves.

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This report also proposes a low-cost design for permanent burial markers for future gravesite management. Respectful commemoration requires a permanent marker of approved type to be installed within 12 months of every burial. Otherwise, unmarked burials become difficult to identify in the future.

Preventative maintenance avoids serious damage using low cost methods. This avoids future high cost repairs. The objective should be to stabilise historic monuments to slow down or delay further deterioration and collapse (with ultimate loss of monuments). Otherwise, future repairs will be astronomically higher in cost.

To summarise, the maintenance of burial monuments is not just safe-guarding history for the future. It has contemporary tourism implications, outlined in this report.

Council cemetery management staff provided important background information for this report. The conservation methods ("preventative maintenance") comply with National Trust Cemetery Conservation Guide (2009). Technical details are from interviews with monumental masons. For example, Tony Nemeth of Oskar Memorials (02 6299 7711 [oskarmemorials@netspeed.com.au](mailto:oskarmemorials@netspeed.com.au)) provided advice as Tony has restored monuments throughout the region, including Canberra and Moonbah.

This plan was written by Peter Kabaila, on behalf of Black Mountain Projects Pty Ltd, Heritage Consultants. It is based on site inspections carried out on Monday 18th June 2018. Council's staff member Sarah Brown provided her guidance and experience.



Nations that love their own history and culture find ways to maintain beautiful historic cemeteries that become an essential part of the visitor experience.

## RECOMMENDATIONS

### (a) CREATE AN HISTORIC CEMETERIES TRAIL

The tourism potential of historic cemeteries in the former Snowy River Shire area has not yet been fully realised.

Many people find historic cemeteries to be beautiful parks. Often these cemeteries are set in atmospheric landscapes of rolling hills and native grassland. Historic graves over 100 years old (half the period of European settlement) are of special interest. Some

cemeteries are associated with the small churches so typical of the Snowy Monaro region.

The Historic Cemeteries Trail, supported by a map and web site, could provide a heritage experience of art, history and landscape.

Visitor signage should not only provide basic information but also refer visitors to the Australian Cemeteries Index website.

### (b) KEEP A RECORD OF ALL RESTORATION

This study has reached the conclusion that appropriate management of historic cemeteries is not just about charging interment fees and making sure the grass is cut. Council and community responsibilities include keeping graves located, marked, identified and protected from damage. It is therefore vital for council staff to understand in depth what restoration projects have been carried out and what remains to be done.

The first obstacle to responsible cemetery maintenance is the loss of corporate knowledge each time the responsibility of cemetery administration transfers to another staff member. It is likely that important knowledge could be lost when new council staffers take over the cemetery management role. Staff will struggle to obtain knowledge of how previous projects to restore cemeteries were carried out. With no prior knowledge, each staffer who handles cemeteries must start from scratch.

Knowledge is easily lost regarding:

- Where graves are located.
- Which settler families are represented.
- What attempts have been made to relocate, mark, repair and restore monuments.
- Which methods of preventative maintenance have been tried and failed, or succeeded.

In order to plan future repairs and maintenance, staff members involved in cemetery administration should continue to be curious, inform themselves, seek out knowledgeable local people, understand past restoration projects, and plan practical maintenance. They should also keep a diary with notes of when and where various repairs and restorations have been done.

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**(c) CREATE A PORTAL ON COUNCIL WEB SITE**

The council web site should have a portal for descendants who want to locate and maintain gravestones.

Most descendants are non-local. When non-local descendants seek advice and involvement, there should be a portal on the council web site. Descendants should be able to access free heritage advice (such as this Plan).

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**(d) COUNCIL TO MAINTAIN LINK WITH COMMUNITY INTEREST GROUPS**

Encouragement of volunteer groups is an important community development activity for councils. It also is a way of maintaining links with descendants, who can be scattered in distant locations.

Projects to mark or repair or maintain monuments are time intensive. Fortunately, most communities have local interest groups. These vary in their practical skills and level of enthusiasm for outdoor work. Many community groups, however, struggle to raise funds and could potentially welcome partnerships with council where they could obtain some payment for carrying out research, repair and maintenance. History groups could potentially assist with research. Men's shed groups and church communities often have members with practical skills necessary for basic repair and maintenance of cemeteries.

Council staff responsible for cemetery care should keep contact with useful community groups. Partnerships between council and community groups benefit both parties. Council partnerships with community groups can potentially improve cemeteries maintenance, improve community relations and provide a much-needed income source for the community group.

Descendants should be able to make contact, through Council, with community interest groups. Council should facilitate formation of an umbrella group of the individuals and communities who have an interest in cemetery maintenance, for example, "Friends of SnowyMonaro Historic Cemeteries". Interest groups can remain as community contact groups. They do not need not be formally constituted as committees. But they can provide a useful interface between council staff and descendants inquiring about cleaning, maintenance and repair of monuments. Otherwise, each descendant who is looking to repair an ancestral monument has to start from scratch.

While it is not practical to trace descendants to notify them individually of maintenance work to graves, it is responsible to provide publicly advertised notification, inviting submissions and offers of help from descendants. – move this to a different part of the report.

It is also important that council cuts red tape for volunteers who offer to restore cemetery monuments, accepts the low-risk nature of such activities and is willing to manage that low risk.

As stated above, Council should make provision in its cemetery management plans, fees and charges for maintenance of heritage assets and permanent markers for burials.

**(e) CEMETERY FEES TO COVER RESTORATION COSTS**

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Maintenance of heritage assets (graves over 100 years old) should be funded by the whole community through cemetery fees. For example, a levy of \$100 per burial could be preserved in a sinking fund reserved for maintenance of historic graves.

Some councils, for example Queanbeyan City, offer a 50/50 cost share with descendants for essential repairs to an historic (i.e. over 100 year old) monument, provided the work accords with council heritage advice. This provides incentive for descendants to get involved and take responsibility for restoration of their ancestors' monuments.

**(f) INSTALL A PERMANENT MARKER FOR EVERY BURIAL**

Respectful commemoration requires a permanent marker of approved type to be installed within 12 months of every burial. Otherwise, unmarked burials become difficult to identify in the future. This report proposes a low-cost design for permanent burial markers.

Previous unmarked burials, where they can be identified or approximated, should have a permanent marker installed.

**(g) PROVIDE A DIGNIFIED MEMORIAL IN EACH CEMETERY FOR ASH INTERMENTS**

The recent shift to cremation has resulted in construction of a columbarium in many cemeteries. People wish to have a dignified and permanent location in which to place a family member's ashes. The ad hoc designs of columbaria, cheap designs placed in random locations and thrown together with left-over extruded bricks from building sites, do not satisfy the broader community's requirements.

Columbaria should be carefully sited; professionally designed; built of high quality materials such as polished granite; professionally landscaped; and charged for accordingly.

**(h) COUNCIL STAFF OBTAIN ADVICE FROM EXPERTS**

Restoration and repair technology is constantly changing. Council staff involved in cemetery maintenance should discuss methods and options for restoration and repair works with the experts involved in this type of work, i.e. monumental masons.

Council's heritage adviser can be consulted about any restoration at any stage. The heritage adviser is contracted to visit one day each month but can be emailed ([peterkabaila1@gmail.com](mailto:peterkabaila1@gmail.com)) or text messaged (0403 727 805) at any time.

For affordability, tendering for tradesmen's repairs might be based on a fixed price. A fixed rate for supply of a permanent marker, or per dowel connection, may provide cemetery managers more budget certainty than tendering out a complex scope of repairs for each separate monument.

**(i) CARRY OUT PREVENTATIVE MAINTENANCE**

While it might be desirable to extensively restore each monument, the most immediate action should be to stabilise and consolidate monuments.

Preventative maintenance avoids serious damage using low cost methods. This avoids future high cost repairs. ~~The objective should be to stabilise historic monuments to slow down or delay further deterioration and collapse (with ultimate loss of monuments).~~ Otherwise, future repairs will be astronomically higher in cost.

Over-restoration is neither required nor desirable. The heritage rule for preservation of historic monuments maintenance embedded in the Surra Charter is "do as little as possible, but as much as necessary").

## 8.5 10 YEAR CEMETERY MANAGEMENT PLAN

Gina McConkey gave an overview of what was required in the considerations of a 10 Year Plan for the cemeteries – current state, pressures, where to progress with the cemeteries, use of volunteer groups improved webpages, photographs of headstones, cemetery progression and lawn burial areas.

Members were requested to consider potential items which could be included/considered in this plan

## 8.6 CEMETERY WORKS FROM GRANT FUNDING

An overview report was provided which detailed the works which had been completed and those which were still to be finalised from the Stronger Communities Grant Funding Projects – Bredbo and Nimmitabel Sheds, Numeralla Fence, Cooma Fence, Tree pruning/removal, Information Boards etc.

### 8.6.1 COUNCIL CEMETERY ACTIVITY

#### Cemetery Activity - 2017/2018

Under the Stronger Communities Grant project, Council's cemetery division applied for and was granted funds to undertake a number of projects to upgrade and improve our regional cemeteries.

Two of the community groups involved with the council cemeteries also applied for specific funding within this project and the funds were granted (Numeralla & Nimmitabel). Council provided assistance in managing the project and bringing them to completion along with the other general projects.

The funds from the project have been used to replace a storage shed at the Bredbo cemetery – the cemetery previously had a small shed however that was destroyed by strong winds.

A fence has been erected around the heritage wall of headstones at the Mount Cooper Cemetery near Bombala to protect the headstones from damage that may be caused by livestock.

The new fencing and gateway at the Numeralla Cemetery replaced an old agricultural gate and patched fence which had for many years been repaired after holes made by wildlife.

Council has also had an arborist undertake a report of all trees which are located in cemeteries in the region. The report identified the condition of some 900 trees throughout the 23 cemeteries under the care and control of Council. Many of the pine trees and some eucalypts were identified as requiring immediate attention and it also identified trees which will require attention within the next 5 years. One tree in particular a large pine in the Old Adaminaby Cemetery required immediate removal with the use of a crane as it is very large.

#### Projects which have been completed to date

Numeralla Cemetery new fence and gateway.



are:-

(Applied for by the Numeralla Cemetery Committee)

Bredbo storage shed



Nimmitabel shed, mower and tank

(Applied for by the Nimmitabel Cemetery Committee)



Mount Cooper fence

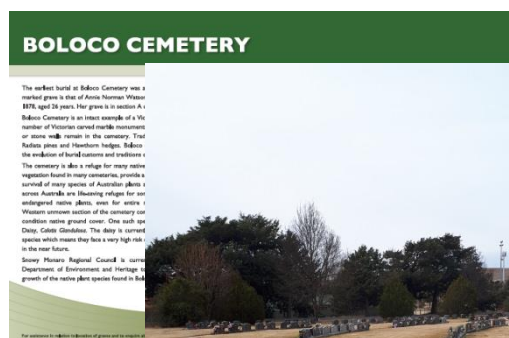


**Items which are yet to be finalised:**

- Tree removal and pruning at a number of cemeteries.
- Information boards for 17 cemeteries in the region – eg under construction by Stockls Graphics



Extension of cemetery beams Cooma



Cemetery



- Maintenance works on roadways within Cooma Cemetery – scheduled for completion with roads crew

- Maintenance of entry and Nimmitabel Cemetery – for completion with roads engineer advice being sort road



roads  
scheduled  
crew and  
for internal

- New fence to the front of Cooma Cemetery – awaiting completion by Up She Goes



- Concept Plans for new cemetery at Numeralla Road – EOI be prepared
  - Planting of trees after concept approved
  - New entry after concept approved

## 8.7 BOCO ROCK FUNDING UPDATE - V POLLARD

An overview of the Boco Rock Grant Funding was provided by V Pollard as a number of the Rural volunteer groups had made application for funding – application discussions to be had this week.



#### 8.8 HERITAGE GROUP UPDATE - D SCHUBERT

D Schubert to liaise with Heritage Groups in the region and encourage feedback from them to be able to provide information to the committee.

### 9. NEXT MEETING

Next meeting to be held at Bombala Council Chambers 3 December 2018 to commence at 1 pm.

There being no further business the Chair declared the meeting closed at 3.05 pm

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CHAIRPERSON

The above minutes of the Cemetery Advisory Committee Meeting of Snowy Monaro Regional Council held on 3 September 2018 were confirmed by Committee at a duly convened meeting on at which meeting the signature hereon was subscribed.

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## 10.1 SNOWY MONARO REGIONAL COUNCIL COMMERCIAL AND NON COMMERCIAL USE OF FOOTWAYS POLICY

Record No:

Responsible Officer:	Acting General Manager
Author:	Property Officer
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	4.1 Attract diverse businesses and industries to the region, supporting their establishment and retention
Delivery Program Objectives:	4.1.1 Council's Regional Economic Development Strategy provides a framework that fosters and grows the Region's diverse businesses
Attachments:	1. Draft SMRC Policy Commercial and Non Commercial Use of Footways 2. Draft SMRC Procedure Commercial and Non Commercial Use of Footways
Cost Centre	
Project	
Further Operational Plan Actions:	

### EXECUTIVE SUMMARY

Council's adopted fees and charges do not provide for differential charges for the commercial use of footpaths in Council's various towns and villages. This report therefore proposes that such a differential be established.

It is further recommended that for FY19 that full fees be applied to the Jindabyne township as well as Cooma, and that community consultation be commenced to advise the Jindabyne business community of Council's proposed introduction of fees.

A Draft Policy and its associated Procedure have been developed to provide a consistent approach for all businesses within Snowy Monaro Regional Council.

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

#### OFFICER'S RECOMMENDATION

That Council

- A. amend its adopted fees and charges for the Commercial and Non Commercial Use of Footways to:

**Snowy Monaro Regional Council | Operations & Infrastructure Management | Road Services  
| Footways (Footpath)**

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	Application (administration) fee	Rental Fee per square Metre	GST	Unit	Statutory
<b>Commercial Use</b>					
Impounding/retrieval fee	\$189.00		N	per retrieval	N
<b>Cooma</b>					
Daily rate	\$60.00	\$6.50	N	daily	N
New licence application for annual permits	\$100.00	\$40.00	N	per annual	N
Renewal of licence application for annual permits	\$60.00	\$40.00	N	per annum	N
<b>Other Locations Within SMRC</b>					
Daily rate	\$60.00	\$6.50	N	daily	N
New licence application for annual permits	\$100.00	\$0.00	N	per annum	N
Renewal of licence application for annual permits	\$60.00	\$0.00	N	per annum	N
<b>Non Commercial Use*</b>					
Daily rate	\$0.00	\$0.00	N	daily	N
New licence application for annual permits	\$0.00	\$0.00	N	per annum	N
Renewal of licence application for annual permits	\$0.00	\$0.00	N	per annum	N

\* As defined by SMRC's Policy for Commercial and Non Commercial Use of Footways

- B. Review and endorse the SMRC Policy and Procedure on Commercial and Non Commercial Use of Footways for public exhibition;
- C. Place both the amended fees and the Policy and Procedure on public exhibition for twenty-eight (28) days;
- D. Adopt a policy of charging for the use of footways in Jindabyne in a manner equivalent for the use of Cooma footways commencing 1 July 2019 and commence community consultation to advise the Jindabyne business community;
- E. Receive a further report following the public exhibition period.

## BACKGROUND

The former Snowy River Shire Council did not charge fees issued for the use of footways outside the DA application for the business. The former Bombala Council charged a fee of \$175.00 to local

businesses for use of footpaths. The former Cooma Monaro Shire Council had a fee based on a per square metre basis with an application fee.

Council's adopted and published fees and charges for FY19 include the following provision:

**Footways (Footpath) – Commercial Use (Permanent/Temporary)**

Name	Year 18/19 Fee (incl. GST)	GST	Unit	Statutory
Daily rate	60.00 + 6.50m2	N	per day	N
New licence application for annual permits	100.00 + 40.00m2	N	per annum	N
Renewal of licence application for annual permits	60.00 + 40.00m2	N	per annum	N
Impounding/retrieval fee	\$188.60	N	per retrieval	N

This is inconsistent with past practice and it is therefore proposed that for FY19 that these be varied as follows:

Snowy Monaro Regional Council   Operations & Infrastructure Management   Road Services   Footways (Footpath)					
	Application (administration) fee	Rental Fee per square Metre	GST	Unit	Statutory
<b>Commercial Use</b>					
Impounding/retrieval fee	\$189.00		N	per retrieval	N
<b>Cooma</b>					
Daily rate	\$60.00	\$6.50	N	daily	N
New licence application for annual permits	\$100.00	\$40.00	N	per annum	N
Renewal of licence application for annual perm	\$60.00	\$40.00	N	per annum	N
<b>Other Locations Within SMRC</b>					
Daily rate	\$60.00	\$6.50	N	daily	N
New licence application for annual permits	\$100.00	\$0.00	N	per annum	N
Renewal of licence application for annual perm	\$60.00	\$0.00	N	per annum	N
<b>Non Commercial Use*</b>					
Daily rate	\$0.00	\$0.00	N	daily	N
New licence application for annual permits	\$0.00	\$0.00	N	per annum	N
Renewal of licence application for annual perm	\$0.00	\$0.00	N	per annum	N
* As defined by SMRC's Policy for Commercial and Non Commercial Use of Footways					

The key points to note are:

1. It maintains, as close as practical, the charging practices of CMSC and BC, and introduces fees to the former Snowy River Shire area.
2. The impounding/retrieval fee applies regardless of the location and the type of organisation.
3. The daily rate is primarily intended to capture transitory businesses that may seek to set up "pop up" stores. These are often not based in SMRC and are therefore perceived as detracting from established local businesses.

The draft SMRC Commercial and Non Commercial Use of Footway Policy, and its associated Procedure, with consideration of past practices while seeking to establish a standard process. As Council is the regulatory authority for ensuring public safety on roads, it is essential to have control measures in place for the use of these areas whilst actively promoting the Snowy Monaro Region as a friendly and inviting place for tourists, visitors and shoppers.

It is important to note that the Policy, as drafted, requires the applicant to hold Public Liability Insurance cover of \$20million. This is on the advice of Council's insurers who indicate that the benchmark compensation for an injured child is approaching \$20million. The insurers also noted that the premium difference between \$10million cover and \$20million is not substantial and for community groups there is the option of using Local Community Insurance Services (LCIS), a scheme established for community groups and supported by a number of Local Government peak bodies. Information about LCIS can be found here <https://www.localcommunityinsurance.com.au/>.

The Policy will ensure a pleasant and safe environment for shoppers and patrons, without compromising the safety or amenity of the public domain for pedestrians and to effectively address risk management and insurance liability issues for Council.

The Policy establishes Council's statements and principles applicable to a range of businesses including cafes and restaurants which meet the definition of 'restaurant' under the Roads Act 1993. It also covers business use of the footpath for the purpose of displaying goods as detailed in s.68 of the Local Government Act 1993.

A new Procedure has been drafted which clearly states the process for apply for, and approving, use of any of Council footways.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

To encourage establishment of appropriate outdoor dining areas throughout Snowy Monaro Regional Council Local Government Area which promote a safe, attractive and vibrant environment for local residents and visitors.

To ensure that use of the public footways is conducted with consideration for those with disabilities including vision and hearing impairments and those who use a wheelchair or other mobility aid, through minimising footpath clutter and other obstructions and by providing adequate signage and notification.

### **2. Environmental**

To minimise disruption to neighbouring businesses and the surrounding environment by regulating and monitoring approved business activities on public footways.

All businesses must adhere to the Roads Act 1993, The Local Government Act 1993 and State Environmental Planning Policy 2008.

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### **3. Economic**

Small businesses contribute to local economies by bringing growth and innovation to the community in which the business is established and they help stimulate economic growth by providing employment opportunities.

The creation of an attractive streetscape will also help businesses to prosper, further supporting the economy of the Region.

Fees are charged annually each financial year and proposed to be calculated on a per m2 basis with an application fee.

Supporting small local businesses creates local jobs and business opportunities and attracts tourism which helps the local economy and keeps towns thriving.

### **4. Civic Leadership**

Council needs to support local businesses. A thriving business environment supports local employment opportunities.

This Policy will ensure that Council adopts a consistent approach to the management of commercial and non-commercial footways. This approach will ensure that decisions are ethical and consistent in order to demonstrate that Council's processes are efficient and transparent and are fair for everyone in the SMRC region.

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# Policy



<b>Title of Policy</b>	<b>SMRC Commercial and Non Commercial Use of Footways</b>		
<b>Responsible Department</b>	Operations & Infrastructure	<b>Document Register ID</b>	250.2018.
<b>Policy Owner</b>	Property Officer	<b>Review Date</b>	
<b>Date of Council Meeting</b>		<b>Resolution Number</b>	
<b>Legislation, Australian Standards, Code of Practice</b>	<ul style="list-style-type: none"> <li>• Section 125 of the Roads Act 1993, allows Council to conditionally approve use of public footways for restaurant purposes</li> <li>• Section 126 of the Roads Act 1993, allows Council to authorise the holder of an approval to erect and maintain a structure over any part of a footway.</li> <li>• Sections 137A, 139A, 139C, 139D and 139E of the Roads Act 1993, relate to street vending consents.</li> <li>• Sections 127 and 141 of the Roads Act 1993, provide that while an approval is in force for the use of public footway for restaurant (or street vending) purposes, those activities do not constitute a public nuisance and does not give rise to an offence against the Roads Act or any other relevant legislation.</li> <li>• Section 68 Part E of the Local Government Act 1993, allows Council to permit articles to be exposed, for sale or otherwise, on any part of the road or outside a shop window or doorway abutting the road.</li> <li>• State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, Subdivision 20A allows for outdoor dining to occur without Council development consent if it complies with the following: <ul style="list-style-type: none"> <li>▪ Subdivision 20A Footpaths—outdoor dining</li> <li>▪ 2.40A Specified development. The use of a footway or public open space within the meaning of the Roads Act 1993 as an outdoor dining area associated with lawful food and drink premises is development specified for this code.</li> <li>▪ 2.40B Development standards. The standards specified for that development are that the development must:</li> </ul> </li> </ul>		

	<ul style="list-style-type: none"><li>a) not be associated with a pub or a small bar, and</li><li>b) be carried out in accordance with an approval granted under section 125 of the Roads Act 1993, including in accordance with any hours of operation to which the approval is subject, and</li><li>c) be carried out in accordance with any approval granted under section 68 of the Local Government Act 1993.</li></ul>
<b>Aim</b>	<ul style="list-style-type: none"><li>• To encourage establishment of appropriate outdoor dining areas throughout the Snowy Monaro Regional Council Local Government Area which promote a safe, attractive and vibrant environment for local residents and visitors.</li><li>• To permit limited business use of public footways for street vending purposes directly outside suitable businesses throughout Snowy Monaro Regional Council Local Government Area to help retailers with promotion of their businesses and that non-profit organisations/individuals(such as local sporting and community groups, charities etc.)are able to conduct fundraising and promotional activities.</li><li>• To minimise disruption to neighbouring businesses and surrounding environment by regulating and monitoring approved business activities on public footways.</li><li>• To ensure that Council's obligations under the SMRC Disability Inclusion Action Plan 2017 -2021 are met and its overarching principles applied in the wider community.</li><li>• To ensure that use of the public footways is conducted with consideration for those with disabilities (including vision and hearing impairments and those who use a wheelchair or other mobility aid) through minimising footpath clutter and other obstructions and by providing adequate signage and notification.</li></ul>

As Council is the regulatory authority for ensuring public safety on roads, it is essential to have control measures in place for the use of these areas whilst actively promoting the Snowy Monaro Region as a friendly and inviting place for tourists, visitors and shoppers. The creation of an attractive streetscape will also help businesses to prosper, further supporting the economy of the Region.

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These activities shall be regulated by the:

- The establishment of appropriate fees for the commercial use of Council footways (footpaths) consistent with the principles established by this policy.
- Implementation of an approval system, as set out in the Footway Usage Procedure.
- Enforcement of conditions of approval as set out in the Footway Usage Procedure.

## Approval Principles

### 1 . Fees

- 1.1 Fees will be based upon the area of footway being utilised, period of utilisation plus an application (administration) charge. Fees and charges will set by Council when it adopts its schedule of fees and charges.
- 1.2 Council may determine differential fees and charges based on townships.
- 1.3 All approvals expire on 30 June each year.
- 1.4 Rental fees for New Annual approvals, where the approval is granted for a period of less than six months, will be charged on a pro rata basis.
- 1.5 Application charges are not subject to pro-rata and are non-refundable.

### 2 . Exemptions

- 2.1 Fees and charges will not apply for fundraising activities by not for profit organisations, such as local schools, sporting and community groups and registered charities where the stalls/stands are manned primarily by volunteers.
- 2.2 All other clauses contained in the procedure shall be applicable to all applications, regardless of the status of the applicant.
- 2.3 Where stalls/stands are manned/attended by agents that receive a commission or income from the proceeds these are not eligible for an exemption.

### 3 . Public Liability Insurance

- 3.1 All applicants must indemnify Council against all claims that may arise due to the presence on the footways of outdoor furniture and facilities, or their installation and/or removal, or the conduct of the business of an outdoor dining area or street vending activity, and will be required to take out and maintain a public liability insurance policy in the sum of not less than \$20,000,000.
- 3.2 If approval is granted, the policy will require endorsement noting Council's respective rights and interests and indemnifying Council for the approved area. A copy of the revised public liability policy is to be attached to the approval prior to execution.

### 4 . Workers Compensation Insurance

- 4.1 The Work Health & Safety Act 2011 requires any person conducting a business or undertaking has a primary duty of care to ensure workers and others are not exposed to a risk to their health and safety. The business owner must therefore supply a copy of their Workers Compensation insurance for the number of staff they employ.

### **Documentation**

Draft Procedure - Commercial and Non Commercial Use of Footways

### **Variation**

Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.

# Procedure

<b>Name of Procedure</b>	<b>DRAFT - Commercial and Non Commercial Use of Footways</b>		
<b>Document Register ID</b>	250.	<b>Date Approved</b>	Date - draft 31/08/2018
<b>Document Author</b>	Property Officer		
<b>Authorised by</b>	Director Operations & Infrastructure		
<b>Applicable to</b>	All Staff		
<b>Purpose</b>	<p>The purpose of this document is to:</p> <p>Clarify Snowy Monaro Regional Council's (Council) position with regards to dealing with applications for business use on a public footpath. It provides clear guidelines for approving, or not, of activities such as; outdoor footway dining, street vending, commercial advertising, and placement of removable and fixed structures.</p>		
<b>Frequency</b>	As required and in accordance with Policy Commercial & Non Commercial Use of Footways		
<b>Hazard Identification</b>	<p>Various hazards may be identified in the undertaking of this procedure. All hazards associated with each circumstance should be recorded, assessed and controlled in accordance with Councils enterprise risk management system.</p>		
<b>Level of risk</b>	<p>Various levels of risk may be determined in the analysis of identified hazards. Levels of risk identified in each circumstance should be managed in accordance with Councils enterprise risk management system.</p>		
<b>PPE required for procedure</b>	N/A		

## Conditions-Training Required to Complete Work

- Section 125 of the Roads Act 1993, allows Council to conditionally approve use of public footway for restaurant purposes.
- Section 126 of the Roads Act 1993, allows Council to authorise the holder of an approval to erect and maintain a structure over any part of a footway.
- Sections 137A, 139A, 139C, 139D and 139E of the Roads Act 1993, relate to street vending consents.
- Sections 127 and 141 of the Roads Act 1993 provide that while an approval is in force for the use of public footway for restaurant (or street vending) purposes, those activities do not constitute a public nuisance and does not give rise to an offence against the Roads Act or any other relevant legislation.

- Section 68 Part E of the Local Government Act 1993 allows Council to permit articles to be exposed, for sale or otherwise, on any part of the road or outside a shop window or doorway abutting the road.
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, Subdivision 20A allows for outdoor dining to occur without Council development consent if it complies with the following:
- Subdivision 20A Footpaths—outdoor dining and Subdivision 20B Development Standards.

### **Approval Guidelines**

All persons intending to use the footway for the display of goods, temporary signs (being signs that are not covered by SEPP 64 and/or Exempt Development and Complying Development), outdoor seating and stalls (including fundraising and promotional) will be required to obtain approval from Council.

Approvals shall be issued either on a renewable annual or daily basis.

#### **1 . Outdoor Dining on Public Footway**

- 1.1 Applications for an "Outdoor Dining on Public Footway" approval under Section 125 of the Roads Act 1993 No.33, Part 9, Division 1(refer to Attachment 3) shall be lodged by the business owner, or an authorised representative of the business. The approval, when signed by the applicant, is between the business owner and Council, and includes the provision for an annual fee or fees as set in Council's adopted Schedule Fees and Charges for the relevant financial year.
- 1.2 The approval term for outdoor dining on a public footway is one year. The application fee and annual renewal fee payable may change from year to year in accordance with Council's annually reviewed Fees and Charges. Before commencement of the approval, the applicant is required to pay the fees in advance, based on the fee rate at time of application.

**Note:** An "Outdoor Dining on Public Footway" approval permits a business owner to provide a suitable number of approved tables and chairs in the agreed area. Shade structures and pot plants require an additional approval.

- 1.3 Once issued, holders of an Approval must be able to present the Approval upon request by the Ranger or an authorised Council Officer.

#### **2 . Annual Use of Public Footway Approval**

- 2.1 Applications for an annual "Approval for Use of Public Footway" under Section 125 of the Roads Act 1993 No.33, Part 9, Division 1(refer to Attachment 3) shall be lodged by the business owner, or an authorised representative of the business. This approval allows a business owner to erect an approved display (stand/rack) in the footway area directly outside their shop, and sell the approved goods within the agreed approved area. Examples of this approval include florists, green grocers and clothing shops. Unsuitable items placed within the footway area would include but are not limited to whitegoods, boxes, crates, electrical and/or other large goods.
  - 2.2 The "Approval for use of Public Footway", when signed by the applicant, is between the business owner and Council, and includes provision for an annual fee or fees as set in Council's adopted Schedule Fees and Charges for the relevant financial year.
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- 2.3 The approval term is one year. The application fee and annual approval fee payable may change from year to year in accordance with Council's annually reviewed Fees and Charges. Before commencement of the approval, the applicant is required to pay the fees in advance, based on the fee rate at time of application.

**3 . Daily Use of Public Footway Approval**

- 3.1 Daily use of public footway areas for one-off events, such as promotions, sample handouts, etc. may be approved by Council for a period up to 24 hours per application.
- 3.2 Such applications shall be assessed after receipt of all required documents. Payment of the appropriate fees will be in accordance with Council's adopted Fees and Charges. The conditions of approval for daily use of public footway areas are the same as those for annual, in terms of location on the footway, public safety and applicant must obtain written permission from the business operators to set up in front of premises.
- 3.3 Busking on public footway areas will require registering with Council and the applicant must obtain written permission from the business operators to set up in front of premises. Buskers will need to have a suitable location, an appropriate time and public liability cover to gain council consent. Buskers under the age of 18 years must be accompanied by an adult at all times. The annual Buskers competition held in Cooma is under a separate Policy and Procedure.

**4 . Street Stalls and Raffles on Public Footway**

- 4.1 It is an offence to conduct street stalls on public property without first obtaining permission from the Council (Section 68 of the Local Government Act 1992) (refer to Attachment 1).
- 4.2 Daily use of public footway areas for street stalls and raffles may be approved by Council for a period of up to 24 hours per application. (See Section 7.2).
- 4.3 The Bombala Township Stalls are allocated only to Bombala Community Groups. Council allow one Street Stall per week held on a Friday.
- 4.4 To be considered for the Bombala Street Stall Roster, community groups are required to provide current public liability insurance.
- 4.5 Each year around November; Council will advertise calling for Community Groups to submit an application to be included on the Bombala Street Stall Roster. Groups can request two dates, the second date will be placed into a second ballot to be allocated against the remaining vacant weeks.
- 4.6 To ensure a fair and equitable process each group will initially allocated one week. The group which had the day in the preceding year has first claim for that day the following year. If two groups want the same day and neither have previous claim a draw shall be made.
- 4.7 The community group can decide in their allocated week to hold their stall on a day other than Friday or allow someone else who is eligible to hold a stall within their week.

**5 . Removable Structures on Public Footway Approval**

- 5.1 Applications for a "Removable Structures on a Public Footway" approval under the Roads Act, 1993 No. 33 Part 9, Division 1, Section 126 (refer to Attachment 3) shall be lodged by the business owner, or an authorised representative of the business. This approval is required removable structures such as umbrellas, heaters and pot plants, which are removed from the footway at close of business each day.
- 5.2 A "Removable Structures on Public Footway" approval agreement, is between the business owner and Council, and includes provision for an annual fee based on the number of removable structures used, in accordance with Council's adopted Fees and Charges for the
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relevant year.

- 5.3 The approval term for removable structures is one year, during which time the approval agreement must be renewed. The annual approval fee payable may change from year to year in accordance with Council's annually reviewed Fees and Charges. Before commencement of the approval, the applicant is required to pay the fees in advance, based on the fee rate at time of application.
- 5.4 "Removable Structures on Public Footway" approvals shall typically only be granted where there is already an existing outdoor dining or street vending licence over the subject site, and only with the same approval holder. Such approval is dependent on a suitable area being available outside the subject business.
- 5.5 Barrier height is to be no more than 1.2 meters and must allow for 1.5 meters access on footpaths. Potential to drill holes in the pavers through to the concrete and place the barrier legs in them to resist being blown over may be approved at Council's discretion, when the barriers are removed the holes must be plugged in a fashion as to not cause a trip hazard.

#### **6 . Fixed Structures on Public Footway Approval**

- 6.1 Applications to construct "Fixed Structures on a Public Footway" shall be lodged by the business owner, or an authorised representative of the business. Such applications are assessed and approved under the Roads Act, 1993 No. 33 Part 9, Division 1, Section 126 (refer to Attachment 3) and once approved can be approved up to seven (7) years. Providing prompt annual payments of rental fees and provision of required insurance documents occurs, no administration fees will apply. Failure to pay annual fees or provide required insurance documents may result in the cancellation of the permit and removal of the structure.
- 6.2 This approval is required for fixed structures such as: umbrellas, awnings, pavilions, landscaping, planter boxes and access stairs/steps. An application fee is also to be paid by the applicant, in accordance with Council's Fees and Charges.
- 6.3 It should be noted that any proposed fixed structures that would attach to buildings on private property may require development consent under the Environmental Planning and Assessment Act 1979 and the Snowy Monaro Regional Council Local Environment Plan. Where a Development Application is required then development consent must be obtained prior to consideration and approval under the Roads Act 1993. The applicant is to check with Council's Environment and Sustainability Directorate whether development consent is required.
- 6.4 The business owner who constructs and pays for a fixed weather protection structure shall not be required to pay a lease for the structure for the duration of their business operations.

#### **7 . General Conditions**

- 7.1 Display of goods on footway need to be stable so as to not cause a danger to the public from overturning etc.
- 7.2 An unobstructed clear space of a minimum of 1.5 meters shall be maintained for the comfortable movement of pedestrians, wheelchairs and prams.
- 7.3 Subject to compliance with Clause 1.1, 2.2 and 7.2 table/chairs, temporary footway ramps and display of goods shall have a maximum encroachment of 2 meters from the property boundary.

**Note:** in areas where there are awning posts and other street furniture which require a minimum space of 1 meter from the kerb and gutter, in order to maintain the clear space, the space available to businesses may be less than 2 meters from the property boundary. This will depend on the total width of the footway adjacent to the subject business.

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- 7.4 All signs, (not being signs requiring Development Consent under SEPP 64 and/or signs that constitute Complying or Exempt Development) and displays etc. will be allowed only in front of the subject premises. These signs if attached to the face of the shop front shall not protrude more than 40 mm.
- 7.5 Sandwich board signs are to comply with the following:
  - 7.5.1 Maximum size of 900 mm high and 750 mm wide and located in Zone 1 or 3 (refer to Figure 1);
  - 7.5.2 To be securely located within Zone 1 or Zone 3 so as not to cause a hazard (refer to Figure 1);
  - 7.5.3 No more than one sign per entry door to be permitted.
- 7.6 Access ramps and any other permanent structures will require specific Development Approval by Council and should be located within the space allocated for businesses.
- 7.7 Footway flag signs on single pole to comply with the following:
  - 7.7.1 To be securely located in Zone 1 so as not to cause a hazard (refer to Figure 1);
  - 7.7.2 Location points constructed so as not to cause hazard when the flag is not in place.
- 7.8 Encroachment by awning posts – Awning posts will require specific Development Approval by Council and should be located in the space allocated for awning posts (1 meter from the kerb and gutter) (refer to Figure 1).
- 7.9 Street barriers used to define seating areas on the footway shall be stable and should not contain any fixtures that will cause any trip hazards.
- 7.10 The total number of seating (indoor and outdoor) shall not exceed the number of seating places approved in any Development Consent issued for the development adjacent to the footway, inclusive of any car parking the subject of the considerations indicated in “Development Control Plan 2014 clause 2.10 – Off-Street Parking”, “Clause C9 – Existing Car Parking”, must be considered in the allocation of seats on the footway.

For typical seating arrangements (*refer to Figure 2*).

## **8 . Special Conditions**

- 8.1 Council may at any time cancel the approval or impose additional conditions if satisfied that the use of footway by the applicant is causing unacceptable obstruction, and/or if the area is used for a non-approved purpose and/or, any other problems relating to public safety or amenity as determined by Council. Refer to section 11 Non Compliance.
  - 8.2 The applicant may use the specified area only for the approved purposes in conjunction with the subject premises and is required to ensure unobstructed public access over the remaining area of the footway at least 1.5 metres wide. (See Figure 1).
  - 8.3 Where the applicant is not associated with the premises, the applicant shall seek permission from the owner/lessee of the premises.
  - 8.4 Activities that may attract an audience/bystanders, may be restricted to areas where the audience/bystanders will not impact on pedestrian traffic. Such activities may include, but not limited to, Busking, Public Addresses, Information /Promotional Displays.
  - 8.5 Where the footway is not paved full width a minimum of 1.5 meters of the paved area shall remain unobstructed.
  - 8.6 Where any variations are sought, changing the Standard Zone Layout or due to the nature of the footway, Council will consider these applications on an individual basis and advise the applicant accordingly. These variations will be recorded in the application.
  - 8.7 The approved site is to be maintained in a clean state with all spills and rubbish generated by
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the use of the footway removed.

### Procedure Steps

#### 9 . Application for a Footway Usage Approval (New)

- 9.1 Use of Footway for Commercial/Non Commercial Purposes Approval Application Form is to be completed by the applicant. The completed Form is to be returned to Council with a certificate of currency for the applicant's current Public Liability Insurance Policy (PLI) and a copy of the business's Workers Compensation Insurance (WCI).
- 9.2 Construction Manager or Maintenance Manager, or designated Council Representative, to check if DA approval is required then to consult with the applicant, inspect the site and approve or reject the application. Refer to the conditions of approval.
- 9.3 After approval has been given (NOTE: no approval shall be granted unless a certificate of currency for the PLI and a copy of the businesses WCI (if applicable) is attached to the application) all information will be recorded in Council's Footpath Usage Register. The application form (including attachments) is to be filed in Council's electronic records management system.
- 9.4 The approval details are to be entered on the Footpath Usage Register.
- 9.5 Fees letter for Approval for Use of Footway to be generated from the Footpath Usage Register.
- 9.6 13.6 "Pro-Rata" payments for new applications during the financial year will be considered by Council.
- 9.7 When all required documents and fees have been received an 'Approval for Use of Footway' will be issued to the applicant.
- 9.8 If payment has not been made by the due date, the designated Council Representative is notified to undertake necessary action.
- 9.9 Expiry dates of Public Liability Insurance Policy & Workers Compensation Insurance to be monitored on a monthly basis by the designated Council Representative.
- 9.10 Fourteen (14) days before the expiry of the Public Liability Insurance and Workers Compensation Insurance Policy applicant requested to provide a certificate of currency for the updated Policies.
- 9.11 If certificates of currency for the updated Public Liability Insurance and Workers Compensation Insurance Policies are not received within seven (7) days of the expiry date, the applicant will be advised not to use footway for commercial/non-commercial purposes until the certificates are received by Council.

**Note:** approval for footway usage associated with a pub or small bar will require development approval (DA) (*SEPP 2008 Reg 2.40B*) (*refer to Attachment 4*).

#### 10 . Renewal of Footway Usage Approval

- 10.1 Use of Footway Approval Renewal Form is to be sent out by 1 July each year.
  - 10.2 All fees fall due on 1 August each year.
  - 10.3 Footway Approval Renewal Form is to be completed and returned to Council with copies of current Public Liability and Workers Compensation Insurance Policies.
  - 10.4 Fees letter for Approval for Use of Footway to be generated from the Footpath Usage Register.
  - 10.5 Footway usage fees report is to be generated regularly to monitor payment of fees.
  - 10.6 Once payment is received an Approval for use of Footway will be issued to the applicant.
  - 10.7 If payment has not been made by the due date, the designated Council Representative is notified to undertake necessary action (existing permit will be cancelled).
  - 10.8 Expiry date of Public Liability Insurance Policy & Workers Compensation Insurance Policy to be
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monitored on a monthly basis by Group Manager Transport Infrastructure (Operations).

10.9 Fourteen (14) days before the expiry of the Public Liability Insurance and Workers Compensation Policy the applicant is requested to provide a certificate of currency for the updated Policies.

10.10 If a certificate of currency for the updated Public Liability Insurance and Workers Compensation Policies are not received within seven (7) days of expiry date, applicant requested not to use footway for commercial/non-commercial purposes until certificate is received by Council.

## **1 1 . Non Compliance**

### **11.1 First Incident of Non Compliance:**

11.1.1 Daily and Annual Approvals: a verbal warning is to be issued by Council and Verbal Warning Notice to be recorded in Footpath Usage Register.

11.1.2 Unapproved Activities: offenders shall be requested to cease activities and move on. Incident to be noted in council's record system.

### **11.2 Second Incident of Non Compliance:**

11.2.1 Daily Approval: the approval shall be revoked and the approval holder is to be notified to cease activities and move on. Incident to be noted in council's record system.

11.2.2 Annual Approval: a written warning shall be issued.

11.2.3 Unapproved Activities: an Infringement Notice shall be issued under the Local Government Act (1993), Section 626(3) (refer to Attachment 1).

### **11.3 Repeat or continuing Incidents of Non Compliance:**

11.3.1 Annual Approval: shall be either/or a combination of; the revocation of approval, an infringement notice issued under the Local Government Act (1993), Section 627(3) (refer to Attachment 1).

11.3.2 Daily Approval: an infringement notice shall be issued under the Local Government Act (1993), Section 628(4) (refer to Attachment 1).

11.3.3 Unapproved Activities: an infringement notice shall be issued under the Local Government Act (1993), Section 628(4) (refer to Attachment 1).

## **1 2 . Use of Footway Without Approval**

Individuals who use the footway without obtaining approval under Roads Act Section 125 or Section 68 Part 1 of Chapter 7, of the Local Government Act 1993, where activities are detected on SMRC footways, will be issued a seven (7) day warning to remove all goods, flags etc. until application for a permit has been made and approval given. If individual continues to use the footway without a permit a penalty notice under the Local Government Act 1993 No 30, Section 626 (refer to Attachment 1) will be issued.

### 1 3 . Allocation of Space on the Footway

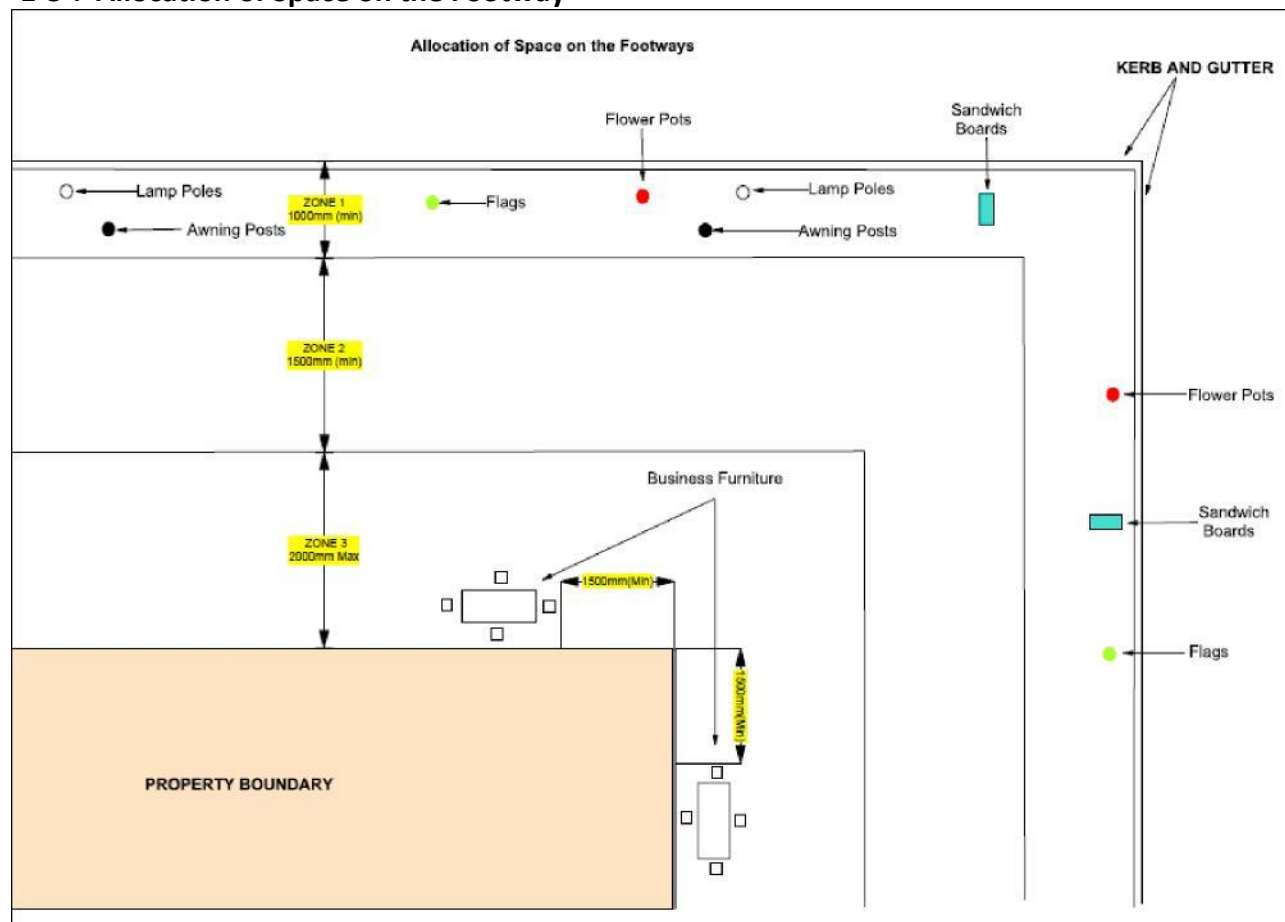


Figure 1 – Typical Dimensions for allocation of space in the Footway

#### Standard Zone Allocations:

##### ZONE 1

This Zone is allocated for street furniture, lamp poles, awning posts, and stormwater drainage. Specifically:

- Lamp poles to be at a **minimum distance of 400 mm** from the kerb and gutter (Note this location will be different in new subdivisions).
- Awning posts to be at a **maximum distance of 1000 mm** from the kerb and gutter
- Footway flag signs on single pole to be located so as to not obstruct parking and/or pedestrians.

##### ZONE 2

This Zone is a clear zone allocated for the movement of pedestrians and for buried utilities. It shall be left **unobstructed**.

##### ZONE 3

This Zone is space available for businesses.

**Note:** The space available for use by businesses may be less than 2.0 metres depending on total width of the footway.

**Standard Zone Allocation applies unless written approval by Group Manager Transport Operations  
for a variation in accordance with clause 12.6 of this procedure.**

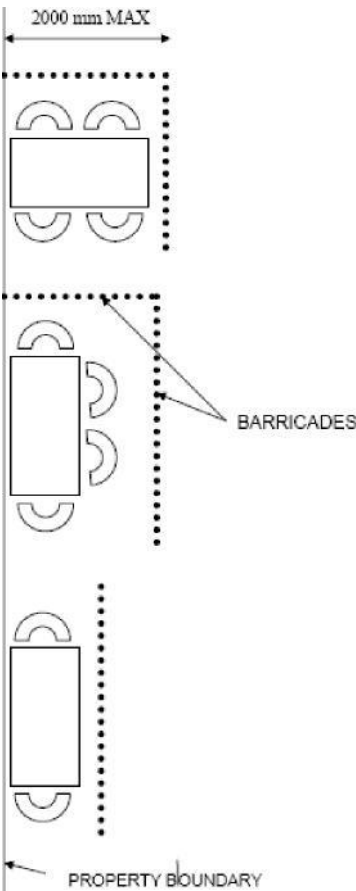


Figure 2 . Typical arrangements for seating on footways

Table 1. Calculation of Fees and Charges

Daily Approval	Administration Charge	+ {	Daily Usage Fee (m2)	x	Length x Width of Area used (m)	} x	No. of Days of use
Annual Approval	Administration Charge	+ {	Annual Usage Fee (m2)	x	Length x Width of Area used (m)	}	
Pro-Rata Payment Charge	Administration Charge	+ {	Annual Usage Fee (m2)	x	Length x Width of Area used (m)	}	No. of Quarters remaining

NOTE: Minimum area of hire 0.5m²

This procedure should be read in conjunction with the following documents:

**Documentation**

250.2018. Draft Commercial & Non Commercial Use of Footways Policy

250.2018.470.1 Use of Footways for Commercial/Non Commercial Purposes Renewal

0250.2018.471.1 Use of Footways for Commercial/Non Commercial Purposes Approval

250.2018. Draft Approval Form for Use of Public Footway

**Attachment 1:**

**Local Government Act 1993 No 30**

**Chapter 7**

**Part 1 Approvals**

**Section 68 What activities, generally, require the approval of the council?**

- (1) A person may carry out an activity specified in the following Table only with the prior approval of the council, except in so far as this Act, the regulations or a local policy adopted under Part 3 allows the activity to be carried out without that approval.
- (2) This section does not apply to the carrying out of an activity specified in Part B of the following Table:
  - (a) on land within the area of operations of the Sydney Water Board under the Sydney Water Act 1994, or
  - (b) on land within the area of operations of the Hunter Water Board under the Hunter Water Act 1991.
- (3) This section does not apply to the carrying out of an activity specified in item 1, 2, 3, 4 or 6 of Part B of the following Table on land within the area of operations of a water supply authority constituted under the Water Management Act 2000.

**Note.** A person who fails to obtain an approval or who carries out an activity otherwise than in accordance with an approval is guilty of an offence—see sections 626 and 627.

**Table**

**Approvals**

**Part D Community land**

- 1 Engage in a trade or business
- 2 Direct or procure a theatrical, musical or other entertainment for the public
- 3 Construct a temporary enclosure for the purpose of entertainment
- 4 For fee or reward, play a musical instrument or sing
- 5 Set up, operate or use a loudspeaker or sound amplifying device
- 6 Deliver a public address or hold a religious service or public meeting

**Part E Public roads**

- 1 Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway
- 2 Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to



overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road

### **3 (Repealed)**

#### **Part F Other activities**

- 1 Operate a public car park
- 2 Operate a caravan park or camping ground
- 3 Operate a manufactured home estate
- 4 Install a domestic oil or solid fuel heating appliance, other than a portable appliance
- 5 Install or operate amusement devices

### **6 (Repealed)**

- 7 Use a standing vehicle or any article for the purpose of selling any article in a public place 8,

### **9 (Repealed)**

- 10 Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations

#### **Local Government Act 1993 No 30**

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#### **Chapter 7**

#### **Part 2 Orders**

#### **Section 125 Abatement of public nuisances**

A council may abate a public nuisance or order a person responsible for a public nuisance to abate it.

**Note. Abatement** means the summary removal or remedying of a nuisance (the physical removal or suppression of a nuisance) by an injured party without having recourse to legal proceedings.

**Nuisance** consists of interference with the enjoyment of public or private rights in a variety of ways. A nuisance is “public” if it materially affects the reasonable comfort and convenience of a sufficient class of people to constitute the public or a section of the public. For example, any wrongful or negligent act or omission in a public road that interferes with the full, safe and convenient use by the public of their right of passage is a public nuisance.

#### **Local Government Act 1993 No 30**

#### **Chapter 16 Offences**

#### **Part 1 General offences**

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**626 Failure to obtain approval**

- (3) A person who carries out an activity specified in Parts B–F of the Table to section 68 without having obtained a prior approval of the council under Part 1 of Chapter 7 required for the carrying out of that activity is guilty of an offence.

Maximum penalty: 20 penalty units.

#### **627 Failure to comply with approval**

- (3) A person who has obtained the approval of the council under Part 1 of Chapter 7 to the carrying out of an activity specified in Parts B–F of the Table to section 68 and who carries out that activity otherwise than in accordance with the terms of that approval is guilty of an offence.

Maximum penalty: 20 penalty units.

#### **628 Failure to comply with order**

- (4) A person who fails to comply with an order given to the person under section 125 to abate a public nuisance is guilty of an offence.

Maximum penalty: 20 penalty units.

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### **Attachment 2:**

#### **Local Government Act 1993 - Sect 626**

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#### **Chapter 16**

#### **Part 1 General offences**

#### **Section 626 Failure to obtain approval**

- (1) A person who carries out an activity specified in Part A of the Table to section 68 without having obtained a prior approval of the council under Part 1 of Chapter 7 required for the carrying out of that activity is guilty of an offence, subject to subsection (2).

Maximum penalty: 50 penalty units (in the case of an individual) or 100 penalty units (in the case of a corporation).

- (3) A person who carries out an activity specified in Parts B-F of the Table to section 68 without having obtained a prior approval of the council under Part 1 of Chapter 7 required for the carrying out of that activity is guilty of an offence.

Maximum penalty: 20 penalty units.

- (4) A person:

- (a) who carries out an activity without having obtained a prior approval of the council under Part 1 of Chapter 7 required for the carrying out of that activity, and
  - (b) who so carries out the activity on the basis of an exemption granted by or under this Act, being an exemption that is subject to conditions, and
  - (c) who carries out the activity otherwise than in accordance with the conditions to which the
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exemption is subject,

is guilty of an offence under subsection (1) or (3) as if the exemption did not apply.

**Attachment 3:**

**Roads Act 1993 – Part 9 – Regulation of Works, Structures and Activities**

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**Division 1 – Footway Restaurants**

**Roads Act 1993 – Sect 125**

**Approval to use footways for restaurant purposes**

**125 Approval to use footway for restaurant purposes**

1. A council may grant an approval that allows a person who conducts a restaurant adjacent to a footway of a public road (being a public road that is vested in fee simple in the council) to use part of the footway for the purposes of the restaurant.
2. An approval may be granted on such conditions (including conditions as to payments in the nature of rent) as the council determines.
3. An approval may not be granted in respect of a footway of classified road except with the concurrence of RMS.
4. The term of an approval is to be such period (not exceeding 7 years) as is specified in the approval.
5. An approval lapses at the end of its term or, if the part of the footway the subject of the approval ceases to be used for the purposes of a restaurant, when that use ceases.

**Roads Act 1993 – Sect 126**

**Authority to erect structures**

**126 Authority to erect structures**

1. A council:
  - (a) may authorise the holder of an approval to erect and maintain structures in, on or over any part of the footway the subject of the approval, or
  - (b) may, at the request and cost of the holder of the approval, erect and maintain any such structure.
2. The council may erect and maintain structures in, on or over any part of the footway the subject of an approval for the protection of public health and safety.

**Roads Act 1993 – Sec 127**

**Effect of approval**

**127 Effect of approval**

While an approval is in force:

- (a) the use of the footway for the purposes of a restaurant, and
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- (b) the erection and maintenance of structures on the footway in accordance with an authorisation given in respect of the approval,

are taken not to constitute a public nuisance and do not rise to an offence against this or any other Act.

**Attachment 4:**

**State Environmental Planning Policy (SEPP) (Exempt & Complying Development Codes) 2008 – REG 2.40A**

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**Specified development 2.40A**

**Specified development**

The use of footway or public open space within the meaning of the *Roads Act 1993* as an outdoor dining area associated with lawful food and drink premises is development specified for this code.

**State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 – REG 2.40B**

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**Development standards**

**2.40B Development standards**

The standards specified for that development are that the development must:

- (a) not be associated with a pub or a small bar, and
  - (b) be carried out in accordance with an approval granted under *section 125* of the *Roads Act 1993*, including in accordance with any hours of operation to which the approval is subject, and
  - (c) be carried out in accordance with any approval granted under *section 68* of the *Local Government Act 1993*.
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## 11.1 SNOWY MONARO DESTINATION MANAGEMENT PLAN

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Manager Tourism & Events
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	6.1 The Snowy Monaro region is a destination that offers a variety of quintessential year – round experiences, attractions and events
Delivery Program Objectives:	6.1.3 Council facilitates and supports and promotes events to highlight the attributes of our towns and villages
Attachments:	Nil
Cost Centre	7030
Project	Destination Management Plan
Further Operational Plan Actions:	

### EXECUTIVE SUMMARY

This report provides an update on the development of the Snowy Monaro Regional Destination Management Plan (DMP).

The SMRC Economic Development & Tourism Department recently invited quotations for provision of services to develop the Snowy Monaro Regional Destination Management Plan (DMP). TRC Tourism was selected through that process. TRC Tourism is a leading international tourism, recreation and conservation consulting business based in Jindabyne.

The development of a Snowy Monaro Regional DMP will be the second phase in Council's process for progressing tourism within the organisation. The recently adopted 'SMRC Tourism Governance Strategy' developed by the University of Canberra outlines the suggested method for Council to resource the tourism unit and effectively deliver tourism services to the region. Whilst the DMP will be developed to identify and inform strategic directions and themes that will encourage growth of the region's visitor economy.

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

#### OFFICER'S RECOMMENDATION

That Council receive and note this report.

### BACKGROUND

Both the State and Federal Governments have identified a well-developed DMP as a key requirement for accessing future investment.

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The DMP will extend and draw from existing documents such as the SMRC Tourism Governance Strategy, existing DMPs and plans from former Council areas, Destination Southern NSW DMP, Regional Economic Development Blueprint (LEK Report), SMRC Community Strategic Plan, South East and Tablelands Regional Plan 2036, as well as the state-wide DMP document currently in development.

The Snowy Monaro DMP needs to build on these documents and effective consultation to crystallise the priority actions, initiatives, precincts and experiences that will enable SMRC to achieve both its own local community goals as well as those of the State in relation to tourism in the region to 2020 and beyond.

A clear and practical set of actions will realise the long-term objectives of the region. The DMP will continue the region's momentum, and provide focus moving into a new era. It will recognise the region's most compelling visitor experiences, features and opportunities for industry and visitor economy growth.

Essential to the approach will be ensuring that there is a compelling story for each of the regional areas, including the towns and villages, relative to each other. It's important that they each have a point of difference and its clear what needs to be done for each to strengthen their own unique positioning.

Stakeholder engagement will be a vital part of the project. Specific arrangements will be confirmed at a later date and will include a Councillor workshop/s and community consultation period. The timeline for the draft DMP to be delivered will be early November 2018 with the public consultation period running during December and January. A final copy will be received from the consultants in February and it is intended this will then be reported to a Council meeting in March for final consideration.

The DMP layout will include:

- **Executive Summary** – outlining the importance of tourism to the region, tourism integration in the region and interconnected industry
  - **Vision Statement**
  - **Mission Statement**
  - **Tourism Overview** – current state of play, statistics and analytics of tourism in the region.
  - **Tourism Products & Experiences**
    - Accommodation
    - Attractions
    - Hospitality Sector
    - Retail Sector
    - Natural Environment
    - Online Marketing & Promotions
  - **SWOT analysis**
  - **Product enhancement & development opportunity's**
  - **Co-ordination, communication and management**
-

- **Actions**

The business products & experiences will include the many unique and specific activities and features including, but not limited to, cycling, touring routes, hiking, camping, mountain biking, fishing, heritage etc.

In particular recently discussed aspects including RV Friendly status and Visitor Centre operation hours will be included in the considerations of the development of the DMP.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Actions flowing from the DMP will be intended to boost tourism in the region, both in terms of improved visitor experience and overall tourism numbers. Both these aspects will inevitably impact on social experiences within the community. If not managed well social aspects of tourism can have a negative impact on the community. However, with the correct strategy and research informing proposed actions there can be many positive benefits for the community. It is intended that the DMP will have this result, however this will need to be determined as the project progresses.

### **2. Environmental**

The DMP may propose actions that will have an impact on the environment. These would need to be further assessed through an environmental assessment process before any such action with significant potential environmental impact could proceed.

### **3. Economic**

TRC Tourism will complete the DMP project at a cost of \$42,500 (ex GST) to Snowy Monaro Regional Council.

The NSW Department of Premier and Cabinet (DPC) have provided sufficient funding to Snowy Monaro Regional Council to cover the costs of producing the DMP. This resulted from DPC having the primary responsibility to deliver the Direction 3.2 specified in the Implementation Plan for the South East and Tablelands Regional Plan – ‘Develop a Visitor Economy Strategy for the Snowy Mountains Region’. A partnership between DPC and SMRC was formed so to deliver this direction without duplication.

As part of the DMP preparation process, the consultants have been asked to provide broad cost estimates where relevant for the actions they propose in the DMP. This will enable Council to be better informed and prioritise actions it wishes to implement each year within its budget.

### **4. Civic Leadership**

Since the restructure of the Destination Networks in NSW and the Council merger there has been considerable disruption in the tourism space within the region. Preparation and implementation of this DMP provides an opportunity for Council to show leadership and bring tourism stakeholders together to set a new direction for the region in tourism.

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## 12.2 PROPOSED AMENDMENTS TO THE WATER PRICING AND BILLING POLICY

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Group Manager Water & Wastewater Services
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	7.2 Water, waste, sewer and stormwater management practices are contemporary and efficient
Delivery Program Objectives:	7.2.1 Water and sewer management services and operations meet legislative and quality requirements
Attachments:	1. Draft Amended Water Pricing and Billing Policy (with track changes)
Cost Centre	2010 – Water Management
Project	N/A
Further Operational Plan Actions:	

### EXECUTIVE SUMMARY

Some discrepancies have been identified in the adopted water pricing and billing policy which requires clarification and review. The issues relating to them are summarised below:

1. Council resolutions relating to: Clause 2.9 of the policy

**Clause 2.9** “Water loss due to circumstances beyond owner’s control” of the water pricing and billing policy as follows:

- **Resolution 303/17 of 14 December 2017** – While adopting a policy direction on “water loss beyond owners control”, the resolution states that the refund will apply to **all residential users** and does not state that the adjustments will be done on a “**once only basis**”. This was a policy direction only in the absence of harmonised SMRC water and sewer pricing.
- **Resolution 217/18 of 7 June 2018 (dot points 3 and 5)** – While adopting the SMRC water and sewer pricing and billing policies and making it available on Councils website (dot points 3 and 5) the policy proposed at that period had clause 2.9 stating that the refund will apply to **pensioners and patients on dialysis machines ONLY** and states that the adjustments will be done on a “once only basis”.

#### NOTE:

The adopted policy also does not state that resolution **303/17 will be superseded by resolution 217/18** and this needs to be clarified with Councils intent on how the refund will apply.

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## 2. Non-residential property Fire Meters -

The following resolution 217/18 dot point 3 parts (a) and (b) relating to fire meters has been inadvertently missed in the adopted policy of 7 June 2018

- a. No access charges shall apply to water meter connections required as fire meters for non-residential properties
- b. These meters must be dedicated for firefighting purposes only and should not have any consumption. If any consumption is noted, the customer shall be informed that the access charge will apply if it is used for any other purpose.

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

### OFFICER'S RECOMMENDATION

That Council approve the draft amended water pricing and billing policy with the following amendments to be exhibited for public exhibition for a period of 28 days:

#### A. Clause 2.9 – Water Loss due to circumstances beyond owner's control:

1. Remove the following from Clause 2.9 of the water pricing and billing policy:

*"The above mentioned refund will be applicable to pensioners and patients on dialysis machines ONLY" All other customers to be responsible for any leaks on the consumer side of the meter"*

2. Replace with the following:

**"The above mentioned refund will be applicable to RESIDENTIAL CUSTOMERS ONLY"**

3. Leave clause 2.9 c) **"Such adjustments will be on a "once only" basis"**

B. Add the following approved by Council resolution 217/18 but inadvertently left out of the policy.

#### Add Clause 2.1.3 Non-residential Property – Fire Meters

- a) No access charges shall apply to water meter connections required as **Fire meters** for non-residential properties
- b) These meters must be dedicated for firefighting purposes only and should not have any consumption. If any consumption is noted, the customer shall be informed that the access charge will apply if it is used for any other purpose

### BACKGROUND

Since amalgamation, it was difficult to harmonise the water pricing and billing policies due to the large discrepancies in the pricing and the phased harmonisation of the pricing.

In December 2017, it was noted that all customers in the Cooma region were being refunded for excessive use due to leaks but only pensioners in the Snowy area were eligible for refunds. This was due to the 2 different policies in the 2 areas.

For purposes of equity, the clause relating to water loss due to circumstances beyond owners control was reported to Council on 14 December 2017 to harmonise this clause only.

In June 2018, water pricing was harmonised and the draft SMRC water pricing and billing policy was also drawn up and was on public exhibition. No comments were received on Clause 2.9 and the policy was adopted by Council on 7 June 2018.

However, it must be noted that resolution 303/17 of December 2017 which stated that the refund will apply to residential customers only was not amended in the adopted policy and Clause 2.1.3 Non-residential Property – Fire Meters was also inadvertently missed.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Community hardship has been recognised but wastage is not encouraged through the refund being on a “once only” basis. This will ensure customers are vigilant in their use of treated water.

Access Charges for fire meters for non-residential properties required by statute must be waived as this is an unfair charge as the fire connection does not place a demand on Council services during normal operations.

### **2. Environmental**

Wastage of treated water is not environmentally friendly and must be discouraged.

### **3. Economic**

Loss of water from large leaks which have not been attended to promptly could lead to large losses in income

### **4. Civic Leadership**

Council recognises community hardship whilst discouraging wastage of treated water.

## **COUNCIL RESOLUTION**

**303/17**

That Council approve the following:

A. One policy direction to be used in all areas as follows:

#### **WATER LOSS DUE TO CIRCUMSTANCES BEYOND OWNER’S CONTROL**

In situations where excessive water consumption has been incurred due to circumstances beyond the owner’s control, such as broken pipes etc, Council will consider adjusting accounts on the following basis:

- The applicant lodges a written request detailing the circumstances;
- Evidence is provided in writing from a registered plumber that the problem has been or will be rectified;
- Authority to be delegated to the General Manager to authorise such adjustments;

B. The above mentioned refund will be applicable to all residential users; and

C. That the policy direction shall apply from the date of resolution and a public notice be

placed on Councils website and in the media.

**Moved Councillor Castellari**

**Seconded Councillor Ewart**

**CARRIED**

**COUNCIL RESOLUTION**

**217/18**

That Council:

1. Receive and note the information in the report.
2. Adopt the water and sewer pricing for 2019 as advertised in the revenue policy.
3. Adopt the water and sewer pricing policies with the following addition:
  - a. No access charges shall apply to water meter connections required as **Fire meters** for non-residential properties
  - b. These meters must be dedicated for firefighting purposes only and should not have any consumption. If any consumption is noted, the customer shall be informed that the access charge will apply if it is used for any other purpose
4. Non-residential customers be given the opportunity to downsize with a hydraulic engineers certificate. Any access charges that will apply in July to existing meters prior to downsizing shall be reimbursed after downsizing within this financial year only.
5. Approve the annual water and sewer financial plan and make it available on Councils website along with the water and sewer pricing policies.

**Moved Councillor Beer**

**Seconded Councillor Castellari**

**CARRIED**

**Record of Voting**

*Councillors Against: Councillor Haslingden, Councillor Last, Deputy Mayor Miners and Councillor Stewart.*

# Policy



Title of Policy	SMRC Water Pricing and Billing		
Responsible Department	Operations and Infrastructure	Document Register ID	250.2018.465.1
Policy Owner	Group Manager Water and Wastewater	Review Date	April 2021
Date of Council Meeting	7 June 2018	Resolution Number	217/18
Legislation, Australian Standards, Code of Practice	a) Local Government Act 1993 b) Water Management Act 2000 c) Local Government (General) Regulation 2005 d) Best Practice Management of Water Supply and Sewerage Guidelines e) Water Supply, Sewerage and Trade Waste Pricing Guidelines Note: The most recent edition of the above documents shall apply to the policy		
Aim	To provide appropriate pricing signals that enable customers to balance the benefits and costs of using the water supply services and promote efficient use of resources.		

## 1 Purpose

To implement Best-Practice water pricing tariff that is a cost-reflective two part tariff and involves pay-for-use pricing which complies with NSW Best Practice Management of Water Supply and Sewerage Framework encompassing IPART's 1996 Pricing Principles for Local Water Utilities, the COAG Strategic Framework for Water Reform and National Competition Policy.

To encourage all customers to use water efficiently and conserve water thereby resulting in reduced water bills and reduced impact on the environment.

To introduce appropriate pricing that reflects the cost of providing the service and to raise the annual income required for the long term financial sustainability of the water supply and sewerage business including investments in new and replacement infrastructure.

## 2 Policy Details

### 2.1 Water Pricing and Tariffs

Water pricing shall comprise of a two part tariff that meets Best Practice guidelines.  
 The two part tariff consists of the following charges:

- a) **Annual Access Charge** and
- b) **Usage Charge** - A single step Charge per kL for annual water consumption.
- c) **The Access and Usage charge** shall be as stated in the annual revenue policy

250.2018.465.1	Issue Date: 10/07/2018	Revision Date: 10/07/2021	Page 1 of 5
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In accordance with the Best Practice Pricing requirements, Residential and Non-Residential tariffs will be set as described in detail below:

### **2.1.1 Residential Customer's Water Tariff**

**Access Charge** - The Annual Access Charge for residential customers will be a flat annual charge as set in the Revenue Policy for that particular year.

**Usage Charge** - The usage charge for residential customers shall be a single step charge. The charge per kL will be the charge as set in the Revenue Policy for that particular year.

### **2.1.2 Non-Residential Customer's Water Tariff**

**Access Charge** - The Access Charge for non-residential customers will be based on the diameter of connection. In accordance with Best-Practice Pricing Guidelines, the Access Charge for non-residential properties shall be proportional to the square of the size of the water supply service connection and meter size. The annual charge will be the charge as set in the Revenue Policy for that particular year. The charge is determined by the following formula:

$$AC = AC20 \times D^2 / 400$$

Where:

AC = Customer's Annual Access Charge (\$)

AC20 = Annual Access Charge for a 20mm diameter water supply service connection

D = Diameter of customer's water supply service connection (mm)

**Usage Charge** - The usage charge for residential customers shall be a single step charge. The charge per kL will be the charge as set in the Revenue Policy for that particular year.

### **2.1.3 Non-Residential Property – Fire Meters**

- (a) No access charges shall apply to water meter connections required as fire meters for non-residential properties.
- (b) These meters must be dedicated for firefighting purposes only and should not have any consumption. If any consumption is noted the customer shall be informed that access and usage charges will apply if it is used for any other purposes.

## **2.2 Residential and non-residential strata, flats, dual occupancies and vacant properties.**

Each Strata Title, Flat, Dual occupancy and vacant property shall be treated as a single assessment with a 20mm service connection and will be charged Access Charges.

Pursuant to S552 of the Local Government Act, all properties located within 225m of a water supply service shall be charged vacant Access Charges.

The annual charge that will apply will be the charge as set in the annual fees and charges in the Operational Plan for that particular year

250.2018.465.1	Issue Date: 10/07/2018	Revision Date: 10/07/2021	Page 2 of 5
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## **2.3 Water Accounts / Water Billing**

Water meters are read tri-annually in October, February and June of the financial year. Accounts are issued for the usage between readings. Each account will be calculated on the number of kilolitres passing through the relevant property's water meter. The charge per kL (1000 litres) is subject to annual review and is set in the Annual Revenue Policy.

The Access Charge will be proportionally charged over the 3 billing periods. The Access charge is also subject to annual review and is set in the Annual Revenue Policy

## **2.4 Water Accounts Applicable to Strata Properties**

The charging of strata properties shall be as follows:

- a) Reading of Main Meter/Parent meter only – When a group of strata units, flats, or dual occupancies are served by one parent water meter, Council will read the main parent meter only and all water that passes through this meter shall be billed to the Body Corporate / Owner along with the Access Charges for each strata unit. It is the responsibility of the Body Corporate to apportion the charges between the units.

## **2.5 Payments of Accounts and Interest Charges**

Accounts must be paid on or before the due date or interest shall apply on overdue accounts. Recovery action in relation to overdue/outstanding accounts may result in the installation of a flow restrictor.

## **2.6 Hardship Relief**

Requests for assistance by ratepayers citing hardship shall be made in writing to the Council.

## **2.7 Pensioner Rebates / Donations**

Other than the subsidy payable by the Department of Local Government, no other financial assistance shall be given to pensioners.

Water charges exemptions or reduction of charges shall not apply and any requests for a reduction of charges (eg. Patients on dialysis machines), shall be made to Council in writing and treated as a donation which will be reviewed annually.

## **2.8 Broken Meters / Non Recording meters**

In the event of a water meter not operating or being broken at the time of reading, the charge for consumption will be calculated as follows:

- a) On the average pro-rata consumption for the previous three years for the relevant billing period eg. October, June or February readings.

## 2.9 Water loss due to circumstances beyond owners control

In situations where excessive water consumption has been incurred due to circumstances beyond the owner's control, such as broken pipes etc, Council will consider adjusting accounts on the following basis:

- a) The applicant lodges a written request detailing the circumstances
- b) Evidence is provided in writing from a registered plumber that the problem has been or will be rectified
- c) **Such adjustments will be on a "once only" basis**

Authority to be delegated to the General Manager to authorise such adjustments

**The abovementioned refund will be applicable to residential customers only.**

NOTE: Under S637 of the Local Government Act, a person who wilfully or negligently wastes or misuses water from a public water supply is guilty of an offence and may be fined unless he/she is able to prove that the waste was not within his/her knowledge.

## 2.10 Water meter tests

Consumers concerned that they have been charged for excessive consumption will be encouraged to test for leaks before requesting a water meter test. Such a water meter test is carried out on payment of the prescribed fee and is fully refundable if a meter is found to register at a level of inaccuracy of 3% or more. The water account will be adjusted accordingly. The prescribed fee is in Council's Fees and Charges

## 2.11 Downsizing of water connections and replacement of meters

To avoid high cost of annual access charges, customers may choose to downsize the water connection size, if there is no hydraulic requirement for a larger diameter connection. Application for downsizing shall be made to Council in writing. The application must include a certification from a hydraulic engineer that the downsizing will not affect the hydraulic capacity required by the customer including any fire- fighting capabilities if required for the property. Council will proceed with the changes to the connection on receipt of payment of the prescribed fee.

## 2.12 Additional water meter readings

Additional Meter Readings may be carried out as follows:

- a) Application for meter readings upon sale of property shall be made to Council on Councils application form for the issuance of a final account. (Note: verification of the existing meter is required prior to payment of the fees. A fee is charged in accordance with Council's Fees and Charges.)
- b) Any extraordinary meter readings for any other purpose will also incur the same fee even if a final bill is not required.

## 2.13 Education

Whenever suitable, information shall accompany water accounts that will clearly explain Council's water charging policy and provide suggestions to assist people to conserve water. This information will also be available on Councils website.

### Variation

Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.

## 3 Version History

Date Published	Version	Detail reason for issue or amendments	Author/document Owner
07/06/2018	1	Adopted version	GBA
04/10/2018	1	Draft Proposed Revision	GBA
	2		

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### 13.1 END OF YEAR CLOSURE 2018/2019

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Group Manager People & Culture
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.9 Provide a work place that ensures the health, safety and wellbeing of employees is maintained through the management of potential risks
Operational Plan Action:	OP7.27 Develop and implement WHS policies, procedures and resources for managers and workers.
Attachments:	1. End of Year Closure 2018/2019
Cost Centre	0610 People and Culture
Project	
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

This report provides information regarding the proposed end of year shut down period. This report has been endorsed by the Executive Leadership Team.

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

#### OFFICER'S RECOMMENDATION

That Council approve:

- A. The closure of council offices, facilities and work sites from 12 noon on Friday, 21 December 2018 in order to hold the staff end of year function (as per attached table).
- B. The closure of council offices, facilities and work sites from Monday, 24 December 2018 to Monday, 31 December 2018 both days inclusive (as per attached table).
- C. The re-opening of council offices, facilities and work sites on Wednesday, 2 January 2019 (as per attached table).

#### BACKGROUND

Traditionally, Council closes between the Christmas and New Year Period and staff have been required to take this time as leave (for example, annual leave or flex-time leave). Also arrangements are put in place for a staff end of year function.

Demand on Council services is limited at this time of the year. However, as is usual practice, emergency services will be in place with the necessary staff on stand-by.

---

### **Staff End of Year Function**

The date proposed for the staff end of year function is Friday 21 December 2018.

Whilst the venue details have yet to be confirmed, the end of year function would typically commence at 1:00pm with a finish time of 4:00pm. All Council operations are proposed to close at 12 noon to allow staff to travel to the venue. The venue for the end of year function in 2017 was held at the bowling club in Cooma which was well received because of its central location.

The proposed half day close on Friday, 21 December 2018 represents time taken to hold the end of year function which has traditionally been provided as a funded half-day with no requirement for an employee to draw on leave accruals.

### **End of Year Closure**

In previous years Council has closed for a number of business days between the Christmas and New Year public holidays. Essential services have remained operational. Staff have been required to use accrued leave for the non-public holiday days.

Where some Council offices or sites remain open during the Christmas/New Year period, minimum staff requirements would need to be considered to address workplace health and safety.

The table attached to this report reflects the proposed position of Council facilities and services during the period 21 December 2018 to 2 January 2019.

It is likely that a number of staff may apply for additional time off during this period, irrespective of an enforced closure period, for example, 24 December and 31 December.

The period of time off taken by staff is covered by the taking of accrued leave. The use of accrued leave by employees will have a positive impact by reducing Council's excessive leave liability.

### **Previous Year Resolution**

At its meeting held on 27 September 2017, Council adopted the following resolution.

#### **COUNCIL RESOLUTION**

**215/17**

That Council approve the following office closures:

- A. Close offices from 1 pm Tuesday 7 November 2017 for Melbourne Cup;
- B. Closes offices from 12 noon on Thursday 14 December 2017 for the Staff Christmas/End of Year party; and
- C. Closes offices and facilities from 12.30pm on Friday, 22 December 2017 and reopen at 8.30am on Tuesday 2 January 2018;

**Moved Councillor Stewart**

**Seconded Councillor Haslingden**

**CARRIED**

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The closure of a number of Council's offices and depots over the end of year period gives staff a chance to take a well-deserved break to spend time with their families to promote a positive work life balance. A positive approach to work life balance will promote Council as an employer of choice.

### **2. Environmental**

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

### **3. Economic**

Additional period of time off taken by staff is covered by the taking of accrued leave.

The use of accrued leave by employees will have a positive impact by reducing Council's Excessive leave liability. Further savings may be realised by the operational shutdown due to savings in electricity, water and communications costs.

### **4. Civic Leadership**

By planning an operational closure period, council may retain public confidence through a commitment to maintaining services and assets at an appropriate standard to cover a period of shutdown.

Formal notice is required so that the general public are aware of Council's hours of operation over the holiday period and are able to plan their requirements around availability. It is recommended that Council advertise the closure through its various communications channels well in advance.

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## 15.1 CLR CASTELLARI NOTICE OF MOTION - ROOFTOP SOLAR

Record No:

Responsible Officer:	Acting General Manager
Author:	Councillor John Castellari
Attachments:	1. Rooftop Solar Proposal
	2. FAQ - Solar Saver
	3. Clr Castellari Notice of Motion - Rooftop Solar

---

Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 4 October 2018, he will move the following motion.

### MOTION

That Council

- A. Support the Albury City Council motion regarding legislative changes to enable the implementation of a program similar to that implemented by Darebin City Council in Victoria;
- B. Advocate for the legislative changes to local members and relevant Ministers;
- C. Explore other funding options available under current legislation that would support Snowy Monaro Regional Council to provide a solar rooftop subsidy scheme for residents and businesses in our region.

### BACKGROUND

See attached files.

At Council's 20 September meeting I outlined the work done by Darebin City Council in Victoria to support the installation of rooftop solar systems within its LGA.

Albury City Council considered implementing Darebin's model, but identified challenges in the corresponding NSW legislation. It is understood that there are inadequate options available to ensure that any outstanding debt remains with the land, rather than the owner, on sale of a property. As a consequence it has submitted a proposed motion to the LGNSW annual conference (22/23 Oct) requesting that LGNSW lobby the State Government to modify the *Local Government Act 1993* to allow such a proposal.

Clause 9. 1 of Council's Code of Meeting Practice provides as follows:

#### 9.1 Notices of Motion

- (1) *The deadline for lodging notices of motion in writing for inclusion on the business paper for consideration at any meeting of the Council, shall be eleven (11) days prior to the meeting.*
  - (2) *A councillor must give notice of business in writing no later than 4.00pm on the Tuesday that follows the ordinary meeting of council.*
  - (3) *At an Ordinary meeting Councillors may give notice of motions in writing to be listed as matters on the business paper for the next Ordinary meeting of Council.*
  - (4) *The rules applying to the content of Questions also apply to the content of Notices of Motion.*
-

15.1 CLR CASTELLARI NOTICE OF MOTION - ROOFTOP SOLAR

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- (5) *Councillors are to ensure, where it is intended that staff be asked to carry out some specific defined action, that a Notice of Motion is written in such a way that, if carried, the motion carries such clear and unambiguous direction.*
-

# Snowy Monaro rooftop solar subsidy proposal

Benefiting the people of the Snowy  
Monaro Region

## Fundamental concept

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- Increase the prevalence of rooftop solar in Snowy Monaro through Council subsidy scheme
- Expected benefits to residents include financial, physical health, mental health
- Expected benefits to business – more discretionary income from residents
- Expected benefits to SMRC – enhance clean green image – tourism attractor

## Solar Saver program – Darebin Shire - source of the concept

- Initial round helped 500 low income households go solar
- Council procures good quality solar systems with extended 10 year warranty
- Council pays up front cost
- Ratepayer pays council back through special rates scheme (quarterly or annual over 10 years)
- Annual household savings exceed repayments (approx \$100-200 p.a.)
- \$400 savings p.a. after first ten years

## Darebin – next stage

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- \$20million over 4 years for 4000 properties (\$5000 per property)
- Loan attaches to property, not to householder
- 4 Greenhouse alliance partnerships representing 20 Councils across Victoria to roll out solar for 720 low income households
- Note: solar requires light, but not necessarily sunshine, to operate and can be more efficient in cooler climates



## Snowy Monaro Region Proposal

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- 500 low income houses = \$2.5 million in first tranche
- In 2016 in SMRC approximately 2100 households populated the lowest income quartile – 29% of all households
- 500 houses in tranche 2 - \$2.5 million to include uptake from more general population
- This would approximate to 50% of SMR low income domestic properties benefiting financially and via amenity
- Energy bills are often the last bills to be paid in poor households

## Lowest income townships (2016 Census) national

average weekly income \$1,628 (2017) “Houses” = private dwellings Med \$ = median weekly income

Town	Pop’n	Houses	Med age	Med \$	%< \$650	% rent
Adaminaby	301	239	55	783	37.4	15.4
Nimmitabel	320	185	52	786	38.3	13.4
Delegate	351	224	54	854	42.6	13.9
Dalgety	205	169	52	966	26.1	14.1
Cooma	6681	3273	45	1006	29	30.6
Berridale	957	532	42	1032	30	27.2
Bombala	1387	698	45	1090	26.8	25.2
Cathcart	108	58	51	1125	18.4	15.8
Numeralla	258	136	46	1140	32.9	8.1

## Potential social impacts of scheme

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- Health – residents more likely to use heating and cooling appliances during temperature extremes
- Lower emissions – less use of power grid that includes NG and other fossil fuels
- Economic relief – more discretionary income
- Mental health – less stress over bills, heating/cooling – greater sense of well being
- Potential to stay at home longer as we age
- Uptake of battery storage (optional ) – adds to less demand on grid and greater independence

## Can we afford it?

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- Interest rates are lower than they have ever been – advice from PWC council finances expert was to borrow now
- Borrowing capacity of council is 7 times above the required ratio – i.e. we can comfortably afford to borrow, including against our own reserves
- We have more than the required 5 million in investments should we choose to go that way, but borrowing is probably more sensible

# Questions

■ ?????

## Darebin Solar Saver and Bulk Buy Frequently Asked Questions (FAQ)



Thank you for your interest in Darebin's solar programs!

In this document we answer the most common questions people have about our solar programs. If you're interested in participating, please read through this document carefully so that you understand all the steps and processes involved

If you have any remaining questions please don't hesitate to get in touch:

Phone: 03 8470 8389  
Email: [solar@darebin.vic.gov.au](mailto:solar@darebin.vic.gov.au)  
Web: [darebin.vic.gov.au](http://darebin.vic.gov.au)

We look forward to doubling solar in Darebin with you!

**If you're viewing this document on a computer** you can click any heading or sub-heading in the Contents below to go straight to that section. Click "Back to top" at the bottom right of any page to navigate back to this first page.

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Darebin City Council  
ABN 75 815 980 522  
**Postal Address**  
PO Box 91  
Preston VIC 3072  
T 03 8470 8888  
[darebin.vic.gov.au](http://darebin.vic.gov.au)

**National Relay Service**  
TTY dial 133 677  
or Speak & Listen  
1300 555 727 or  
[relayservice.gov.au](http://relayservice.gov.au)  
then enter  
03 8470 8888

**Speak your language**  
T 03 8470 8470  
العربية  
繁體中文  
Ελληνικά  
हिंदी  
Italiano  
Македонски  
Soomalii  
Tiếng Việt

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## General information about our solar programs

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### The benefits of installing solar through Council

The Solar Saver and Bulk Buy programs are designed to help Darebin residents, organisations and businesses install solar power, for their own benefit, and the benefit of the broader community.

Many people in Darebin are interested in installing solar but are unable, or hesitate for various reasons:

#### The upfront cost of installing solar

- **We can help you by paying the entire upfront cost** of your solar system and installation. You then pay it back slowly over 10 years, interest free.
- While paying back the system you are saving on your power bills, leaving you better off overall.

#### Knowing which company to trust

- **We've done the homework for you** via a competitive tender process to find reliable providers who offer quality and value for money.
- We have arranged industry-leading 10 year product and installation warranties, and the panels have a 25 year performance warranty.

#### Technical details

- **You don't need to understand all of the technical details** to choose the right product.
- We have set high quality and efficiency standards for the products we allow through the program, and our installers will help you choose the right size of system for your roof and your needs.

#### Financial benefits

- The competitive tender process delivers **good value for money** for Council and our community.
- We will give you an indication of how much you can expect to save. Most households will be between \$100 and \$500 better off every year, even after making repayments
- If your savings are likely to be low, we will alert you so you can make an informed choice.



### Solar Saver vs Bulk Buy: What's the difference?

Through the Solar Saver program Council pays the upfront cost; through the Bulk Buy program you pay the upfront cost.

#### Solar Saver program – Council pays upfront

- Council pays the upfront cost of the system.
- You pay it back over 10 years, interest free.
- You don't pay GST because Council is GST exempt.
- Choices are limited to set packages at set prices (batteries not included).

#### Bulk Buy program – You pay upfront

- You pay the upfront cost of the system.
- The system is 10% more expensive because you pay GST.
- You may be able to negotiate the inclusion of a battery, a different inverter, different panels, and other variations – this is at the discretion of the solar company.
- You *may* get your system installed sooner because you don't need to wait for the Council process of administering the Special Charge.

#### Benefits of both programs

- We have done the homework for you, via a competitive tender process, to find a **reliable installer and value for money**.
- We have negotiated a **10 year warranty** for parts and installation.
- While we don't use the most expensive products, we have set a **high quality standard** in terms of manufacturing quality and the efficiency of the system.
- Installers must be **Clean Energy Council registered installers** and adhere to strict safety and quality standards.

### What about solar for business and other organisations?

Businesses, NGOs, community groups and other organisations can also participate in our solar programs. If you're interested please go through the standard registration process and we will contact you when the next round opens.

Additional options for non-residential installations:

- For small installations, up to 10kW, organisations go through the standard program processes, using the solar provider we select through the tender process.
- For medium sized installations, 10-30kW, you will receive a quote from each of the companies on our panel of providers. It is then up to you to select which quote best meets your needs.

- For systems larger than 30kW Council will assist you in accessing funding through an Environmental Upgrade Agreement (EUA).

## What is the process of getting solar through Council?

### Who can apply?

Our solar programs are open to all households, businesses and organisations in Darebin.

Anyone can apply as long as:

- The property is in Darebin.
- You are the property owner (or ratepayer) OR you are a renter but have permission from the owner (or ratepayer). We can help you if you haven't yet had a conversation with your landlord, owners' corporation or housing provider.
- Note: In earlier rounds of the program only pensioners and low income householders were eligible. This is no longer the case, however, we do prioritise pensioners and low income households to make the programs as accessible to all Darebin households as possible.

Find out more about the below specific cases from page 17 (or by clicking the below links if viewed on a computer):

- [Landlords](#)
- [Renters/tenants](#)
- [People living in flats, units and apartment buildings](#)

### How do I apply?

- Participation is voluntary and obligation-free. You need to register if you want to participate in the program.
- Register online at [darebin.vic.gov.au/solar](https://darebin.vic.gov.au/solar)
  - Call us on 8470 8389 and we can register your details over the phone
  - OR call 8470 8470 if you like an interpreter to help you in a language other than English.
- By registering your interest you *are likely to* be offered a quotation for a solar system. Council **cannot guarantee** you will be accepted into the program.
- You can withdraw at any time up until your system is installed

### What are the steps involved for me?

What steps are involved for you depends on whether you proceed with the Solar Saver program (where Council pays upfront) or the Bulk Buy program (where you pay upfront). The steps for each program are outlined below.

Remember that you need to be ready to have a site visit, and your property needs to be ready to have a solar system installed. If you're going to be away, or you have renovations planned, please let us know.

Steps in the Solar Saver program:

- Step 1. **Register:** You register your interest in the Solar Saver program.
- Step 2. **Program opens:** Council will contact you to confirm your details, request some additional information, and make sure you are ready for the supplier to arrange a visit and quotation with you. At this time we will let you know which solar company will be working with us.
- Step 3. **Site visit:** When you're ready we will pass your details on to the solar company and they will contact you to arrange a site visit and give you a quotation. The site visit is to ensure that your property is suitable for a solar installation. At this time please inform the solar company if you have any preferences about system size, roof location, or access issues.  
  
**NOTE: Before or during the site visit you will need to provide the solar company with a recent power bill.** This is important for them to estimate your usage and potential savings, and record your smart-meter number for activation. This number will also be provided to Council.
- Step 4. **Quotation:** Your quotation is obligation-free and you can request changes if the quote does not meet your needs. If at this stage you choose not to go ahead please let us know and we will withdraw you from the program.
- Step 5. **Signing agreement with Council:** If you accept the quotation, Council will send you an agreement based on that quote. If you wish to accept the offer, you sign the agreement with Council to pay off the system through the Special Charge scheme.
- Step 6. **Special Charge process:** Council goes through a process to have the Special Charge approved, and will contact you when the installation phase is about to get underway.
- Step 7. **Installation:** The supplier will contact you to arrange a time to install your system.
- Step 8. **Grid connection:** After the installation, the solar company will contact your Electricity Distributor (CitiPower, Jemena or AusNet) to make sure your solar system gets connected to the grid. This can take some time to be processed – often several weeks.
- Step 9. **Repayments:** Your repayment details are given to Council's Revenue Services team, who administer rates and charges, to begin collecting your repayments.
- Step 10. **Make the most of it!** We will stay in touch to make sure you know how to get the most out of your system. If there are any problems with your system, you can get in touch with the supplier. If you are not able to resolve the issue with them, we will assist you.

Steps in the Bulk Buy program:

- Step 1. **Register:** You register your interest in the Bulk Buy program.
- Step 2. **Bulk Buy round opens:** We confirm with you that you're ready to proceed with the Bulk Buy.
- Step 3. **Site visit:** Council passes your details on to the solar provider and they contact you to arrange a site visit and quotation.
- Step 4. **Quotation:** You receive the quotation and if you wish to proceed you arrange payment directly to the solar provider.
- Step 5. **Installation:** Your solar system is installed.
- Step 6. **Make the most of it!** You do not have any contractual agreement with Council, but we will stay in touch to make sure you know how to get the most out of your system.

### What if I change my mind?

Participation in our solar programs is completely voluntary - there is no obligation for you to go ahead with a solar installation.

In the Solar Saver program, if you need to withdraw for any reason, you can - even after you have agreed to the quotation or signed the agreement. As long as your system has not yet been installed, all you need to do is tell us in writing and we can withdraw you from the program.

With the Bulk Buy program you enter into an agreement with the solar provider directly, and if you sign an agreement with them you will need to negotiate with them if you want to change or withdraw your agreement.

### When will my system be installed?

From receiving a site visit and quote to getting the system installed can take 3-9 months. From first registration it can take longer.

How long it takes will depend on when you sign up, what stage the project is up to, and how much demand there is. As a rough guide, installations for the next round of Solar Saver will occur from January to July 2019.

We are committed to keeping you informed of our progress and will be working with you over that time to make sure the installation process runs smoothly when it commences.

The installation itself can usually be completed in a single day, or two days for larger systems. Once your system is installed it may take some weeks for your retailer to connect your system to the grid. The installer will submit this request on your behalf once your system has been installed.

### Why is there a delay for Solar Saver installations?

- Because Solar Saver involves an addition to your rates payments called a Special Charge, the Victorian Government requires us to go through some formal processes. These take several months.
- We may have many people on our waiting list if there is a surge in registrations.

The required processes include:

- Finalizing the details of every household participating in the Special Charge Scheme
- Giving public notice of the Special Charge Scheme (including the list of properties to be included)
- Writing to all affected ratepayers
- Allowing at least 28 days for people to make submissions
- Considering the scheme and any submissions at a Council meeting before adopting the Scheme.

### Will I need a permit? What about heritage status?

You won't need a permit to install solar unless you are in a heritage area or your property is a listed heritage building. Generally, even if you are in a heritage area, if your panels are not visible from the street (or a public park) you won't need a permit. Usually only about 5% of Darebin applicants need a permit, and if you are one of them, we will guide you through that process, pay for your permit, and submit the paperwork on your behalf.

### What happens if I sell my house?

When your property is sold, any remaining repayments to Council will be taken out of the proceeds of the sale, like any other rates or charges you owe to Council.

### What is the "Authority to Release Information to Third Parties form" for?

We will send you a form asking for authority to release information to third parties. This allows us to collect your smart meter data directly from your energy provider. You do not have to sign this form. If you do that will help us to understand the outcomes of the project.

### Details of your solar installation

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#### What size solar system will I need?

The solar provider will talk to you about what size system will fit on your roof and best meet your needs. With the current feed-in-tariff, larger systems will generally deliver greater financial savings. Unless you have extremely low electricity usage we often recommend you install the largest system that fits on your roof.

Through these programs we can offer systems between 1.5kW (6 panels) – 10kW (36 panels), which will suit most homes.

Business/commercial installations can be much larger.

### What are the technical details of the systems?

This information is not yet available for 2019 installations. Please keep checking [www.darebin.vic.gov.au/solar](http://www.darebin.vic.gov.au/solar) for more details as they become available.

### Who will install the systems?

The winner of the tender process will be announced at the end of July 2018.

### Where are the panels and inverter made?

While Council would like to offer Australian-made panels and inverters, currently the price is prohibitive. Chinese panels and inverters are affordable and high quality.

Through the tender specifications Council has ensured that the panels and inverters are high quality products. Panels are sourced from Tier 1 manufacturers (the highest level in the Bloomberg ranking system), and inverters must meet the highest efficiency standards.

### Warranty: How long will it last?

Details for this intake are yet to be confirmed. Previously, all of the components (inverter and panels) came with a 10 year product warranty. The installation and workmanship also came with 10 year warranties. In addition, the panels came with 25 year performance warranty, meaning that if they degrade to a point where they do not meet performance expectations, they will be replaced. As a rough guide, solar panels have a life expectancy of around 25 years. These panels are made with a low-iron tempered glass face and are specifically designed and certified to withstand large hailstones. The aluminium frames are anodized for extra durability and long life.

### What about insurance?

We recommend that you check with your insurance provider to ensure that your panels are covered by your insurance in case something happens to them that is outside the conditions of the warranty, particularly during the period when you are still paying them back.

## Costs, savings and repayments

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### How much will it cost?

Prices for the next round will be available around July 2018.



Remember that if you participate in the Solar Saver program, Council pays the upfront cost and you pay it back slowly over ten years (or sooner if you prefer), interest free.

The only upfront expense for you will be the connection fee through your energy retailer, usually in the order of \$50-100, which will be added to your next electricity bill after your system is installed. Talk to us if you are concerned about this fee.

The cost of your solar system depends on various things, like the following:

- The size of your system (i.e. how many solar panels you get installed)
- The type of roof you have. There are extra charges for:
  - Double storey and steep roof installations
  - Tilt frames for flat roofs and brackets for tiled roofs
  - Split arrays – when panels cannot all fit on one section of the roof and have to be split across more than one
- Whether you go with the Solar Saver or Bulk Buy program
  - Bulk Buy prices are 10% higher than due to GST.
- Potential associated costs outside of the solar programs
  - If you don't have a smart-meter you will need a new one installed, and this could cost \$400-500 (this is extremely unlikely to be the case and we will attempt to have this fee waived).
  - If your switchboard needs to be replaced in order to meet the requirements of your solar system you may need to pay \$800-1000 for a new one, and you would need to arrange a full replacement yourself if required. You should seek an assessment and quote from an electrician for this before proceeding and be aware that they may discover a need for rewiring, which can be very costly.

Our solar provider will give you a quotation after they visit and assess your property. They will check whether any of the above upgrades are applicable to your property and if required they will be reflected in your quote.

#### Once-off connection fee

About four months after your solar system is installed and your smart meter is switched on you will see the once-off connection fee (\$50-\$100) on your bill. This is the only upfront payment you will face through the Solar Saver program.

### How do I pay my system off over time?

#### If you participate in the Solar Saver program:

- Council pays the upfront cost and you pay your system off over time.
- After your system is installed, Council will send you a quarterly Special Charge notice, just like we send you a quarterly rates notice. You pay off your system in this way over 10 years, or you can choose to pay it off more

quickly. You won't be charged interest, and the savings you make on your electricity bill should more than cover these Special Charges.

- After you have paid off your system, it belongs to you and you continue to save. Until then, Council owns your system.

If you participate in the Bulk Buy program:

- You pay for the system upfront directly to the solar company and there are no payments or repayments made to Council.

### How much money will I save?

These programs are designed to save you money. The exact amount of savings will be different for each participant and depend on:

- The size of the solar system you choose - larger systems typically result in greater savings.
- How much electricity you use and what time of day you use it. You save more when you use the power that your system generates during the day, rather than exporting it to the grid.
- How much you pay for your electricity.
- The feed-in tariff you receive. This is the price you get paid when you export power to the grid. The minimum flat rate feed in tariff is 9.9c/kWh.

It is impossible to calculate exactly how much you will save because of all the variables involved, but your quote will include an indicative range of savings expected for your property.

Important note on savings:

Your power bill will not show you how much money you have saved by using your own solar power, it only shows how much electricity you sold back to the grid (exported). That is the energy that you generated additional to what you used yourself. This means that most of your savings are not visible on your bill because you simply used the power from your solar system and didn't need to buy it. Your inverter records will how much power you produced, however, and you should notice a significant drop in your bills.

In this way, generating your own solar power is like growing your own veggies. It means you need to buy fewer groceries, and you might sell some spare veggies. But your groceries bill would only show how much you sold back to the grocer, not how many veggies you grew and ate yourself, and hence didn't need to buy.

### How do I maximize savings from my solar system?

The more of your daily power usage happens while you're producing solar power the greater your savings will be. This is because you pay more for power you buy than you get paid for selling it back to the grid via the feed-in tariff.

This is how solar batteries help; they store the power you produce during the day for you to use after the sun sets. However, even if you're out during the day and



don't have a battery, you can still maximize your solar savings by using power during the day, rather than in the early morning or evening.

If you have an electric oven or stove, do your cooking or baking during the day. If you have appliances with timers, set them to operate during the day. Many modern washing machines, dishwashers and ovens have timers on them.

### What is the feed-in-tariff? What will I see on my bills?

When your solar system generates more electricity than you're using in your home, excess power is exported to the grid and you receive credits on your bill for that amount.

It is rare for people to export so much that their bill goes below zero, but in theory it's possible, and your retailer would have to pay you out the difference on your request (or more likely give you a credit for a future bill).

How much you are credited for the electricity you export to the grid is called the 'feed-in-tariff'. A higher feed-in-tariff means you get greater savings from your solar system.

- The minimum flat rate feed-in-tariff that electricity retailers *must* offer is 9.9c/kWh (from July 2018).
- Retailers can also voluntarily offer time varying tariffs as in the table below:

### Time varying tariffs from 1 July 2018

The time-varying tariff for certain times of day is outlined in this table:

Period	Weekday	Weekend	Rate: cents per kilowatt hour (c/kWh)
Off peak	10pm to 7am	10pm to 7am	7.1 c/kWh
Shoulder	7am to 3pm, 9pm to 10pm	7am to 10pm	10.3 c/kWh
Peak	3pm to 9pm	n/a	29.0 c/kWh

Table from Essential Services Commission website.

- This is a better tariff for you, but adoption is voluntary for retailers at this stage, so you may need to shop around to get this.
- Some retailers will only offer this tariff in combination with higher electricity rates for what you purchase from the grid, so look carefully at the deal you are offered.

## General information about solar power

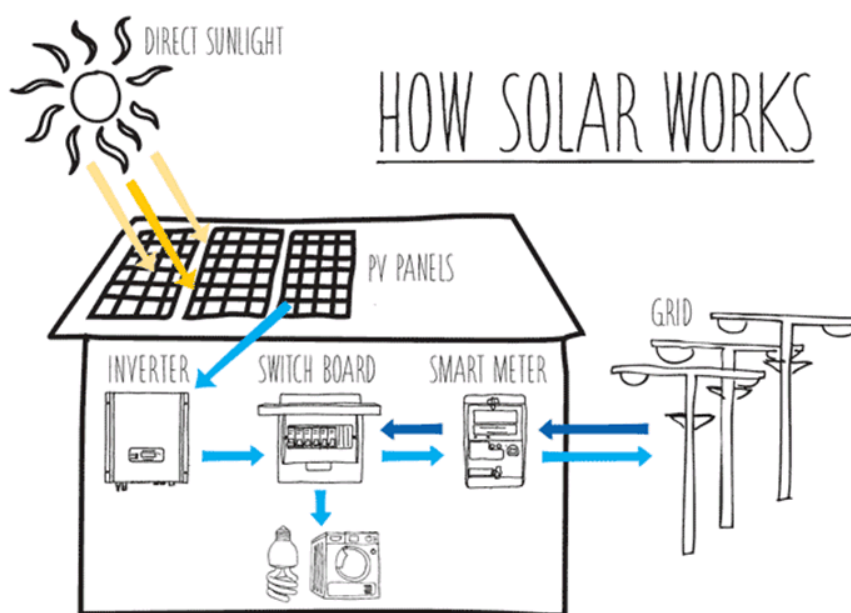
### Why go solar?

- By generating your own solar power, you'll be saving on your electricity bills.
- By installing clean energy you help keep our air clean and our climate safe.

- Council has set a target to double Darebin's solar energy generation over the next four years – so you're also helping us as a city to reach our goals.

### How does solar power work?

- Solar panels on your roof convert energy from sunlight into direct current (DC) electricity, and the inverter then transforms the DC electricity into alternating current (AC), which is used in your house or exported to the grid.
- Whenever you produce more solar power than you're using in your home, the remainder is exported (sold) to the grid.
- Your smart meter records electricity being exported and imported to and from the grid, and you get credited on your bill for the electricity you export to the grid [see Question 25](#).
- The amount you get paid for your electricity exports is called the *feed-in tariff*. The minimum feed-in tariff is currently 11.3 cents but is about to change to 9.9c (see also: What is the feed-in-tariff? What will I see on my bills?).
- Generally, you pay more for what you import than you get paid for what you export. This means that the more your daily power usage happens during the day, the more financial benefit you will get from solar.



You can find out more about solar on [our website](#).

### Is my roof suitable for solar? Which orientation is best?

When you apply for one of our solar programs, our solar provider will first do a desktop assessment using satellite imagery to see whether solar is suitable for your roof.

While due North is the ideal orientation for maximum solar generation, West and East also work. While they are a little less efficient than North-facing, for most households it will still be worthwhile. If you use most of your power in the afternoon, then West-facing panels may even be better for you.

You may also have heard that the angle of your roof is important. The optimum angle is 20–25 degrees, but slightly more or less than this is not a problem. However if you have a flat roof, an adjustable tilt frame will be installed to bring the panels up to the ideal angle.

If solar is a viable option for your house then an **obligation-free quote** will be arranged for you.

### Will significant modifications need to be made to my home?

No. Solar PV systems are typically installed with minimal modification to the house. The frames for the solar panels are usually built onto your existing roof, and the cables run inside the roof and walls where possible. On a flat roof a special kind of mounting called a tilt-frame is needed, which will add to the cost but will not affect your roof.

For a tiled roof, some of the tiles are removed, brackets attached to the rafters in the roof, and then the tiles go back into place. Having spare roof tiles handy during installation would be ideal as old tiles can become brittle and crack. For a tin roof it is even easier because the frames are mounted directly onto the roof.

### Are there any reasons why I might not be able to get solar?

Yes, unfortunately solar doesn't work for all properties. Some of the problems that can come up include the following.

- If your roof does not have enough clear, unshaded space to fit at least the smallest system we offer then we won't be able to install a system for you.
- Your switchboard and wiring need to be up to standard and able to accommodate solar power safely. If your switchboard or wiring are old they may not be adequate and may need to be replaced before an installation can go ahead. This can be costly and needs to be paid by you, so you need to weigh up whether it is worth the benefit and whether you can afford it.
- If asbestos is present in your house and/or your switchboard, our installer may not be able to carry out the necessary works. You would need to pay for its removal prior to installation.
- If you are in a heritage area, and if your system would be visible from the street or a public park, you will need to apply for a heritage permit. If this permit is granted, we won't be able to go ahead with an installation.

- If your roof is made from decramastic roof sheets our installer may not be able to carry out the necessary works. This is a kind of pressed metal roof sheeting that is made to look like roof tiles.
- If your roof is very steep (roughly over 35 degrees) or if for any other reason a non-standard method of installation would be required (e.g. if scaffolding, a crane, or a scissor-lift would be required) our installer may not be able to carry out the necessary works.
- If we determine that the financial benefit to you might be marginal then we will let you know so you can make an informed decision.

### Is my smart meter compatible with solar power?

Yes, all smart meters are compatible with rooftop solar systems. Smart meters monitor how much power you use from the electricity grid (import) and how much is sent back to the grid from your panels (export).

When your solar system is installed your Electricity Distributor Network (CitiPower, Jemena or AusNet) will reprogram your meter remotely so that the smart meter knows you have a solar system. There will be a small, one-off fee for this service – usually in the order of \$50-100, which will be added to your next electricity bill. If you are concerned about this fee please talk to us.

If you don't yet have a smart meter, you will need to arrange for this before the solar system can be switched on.

### Do I need to clean or maintain the panels?

Manufacturers sometimes advise you to wipe the panels down with warm water perhaps once a year. This is because small collections of dust, dirt and bird droppings may affect the output – particularly if the pitch of your roof is less than 15 degrees. It's not likely to have a major impact in the short term, but build-up over time could reduce the effectiveness of the solar panel. If you don't feel confident about getting up on the roof, don't. Given that the impact is not likely to be great, you might choose not to clean the panels at all, or you might choose to pay someone to do it or ask a family member to help.

### What happens in the event of a power failure?

If there is a black-out your solar power system will instantly and automatically shut off. This is Australian law and is designed to protect electrical line workers. When the grid power is shut off, the workers need the lines to be dead so they can safely repair faults.

### How else can I make my house more energy efficient?

You can go to our website or Sustainability Victoria to learn ways to save electricity costs by making some simple changes at home. There are easy things to do like choosing cold water for your washing machine, fitting LED lights, or fitting draught stoppers to your windows and doors. There are great resources available for people

renting, seniors and advice for different times of year. Go to  
<http://yourenergysavings.gov.au/guides/reduce-your-energy-bills>

You can also check out Darebin's website for more energy saving tips:  
<http://www.darebin.vic.gov.au/en/Darebin-Living/Caring-for-the-environment/EnergyClimate#Saving-Energy>

Installing solar may require some changes to your daily routines to make the most of your day-time electricity generation. We will provide you with specific information prior to installation and afterwards.

## What about batteries?

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Many people are interested in batteries, however batteries are not yet as financially beneficial as solar PV alone. For this reason Council is recommending that you install solar power now, so you can start getting the benefits, rather than waiting for battery prices to drop.

## Are batteries included in the Darebin solar programs?

Solar Saver: No

**Solar Saver** is the program, whereby **Council pays the upfront cost** of your solar system, and you pay it back slowly over 10 years. Batteries are not included in the Solar Saver program.

Bulk Buy: Yes, if you can afford upfront payment

**Bulk Buy** is the program, whereby **you pay the entire upfront cost** of the solar system. Through this program you can negotiate a battery **at extra cost** if you go through the Bulk Buy program. Though you pay for the entire system upfront, you still get the other benefits of participating in a Council program.

## Why don't you include batteries in the Solar Saver program?

Council's main aim in funding the Solar Saver program is to increase the amount of renewable energy *generated* in Darebin, not the amount of renewable energy *stored* in Darebin. Money spent on battery storage would reduce the amount of money available to install renewable energy generation. We also want to make sure you are getting the financial benefits of solar, and currently batteries have a long pay-back period – often longer than the warranties on your system.

## Are batteries worth the cost? What is the payoff time?

At this stage batteries are still very expensive. A typical medium-large solar system might cost around \$5,000. But a battery on top of the solar system, can cost around \$10,000 extra, so a total of say \$15,000.

While a grid connected solar system will typically pay for itself in 3-5 years, a battery will take 10-15 years. Given that most batteries only carry a 10 year warranty, if they fail after this time there is no net benefit.



## What are the benefits of solar batteries?

### Going off the grid

Historically people would mainly install solar batteries in cases where getting their home connected to the grid was very expensive. Some remote and rural properties could pay more than \$50,000 for grid connection, in which case solar and batteries were a cheaper option. Some people also chose to be off-the-grid because they prefer the independence, even if it's not a cheaper option.

### Saving money

Most people are not home to use the power that their solar system is generating during the day. By installing a battery you can save what your solar system produces during the day, and use it in the evening and morning.

This saves you money because you pay more for the power that you buy from the grid in the morning or evening than what you get paid for the power that you export back to the grid during the day when you're not home to use it.

### Have power in your home during a blackout

Solar systems disconnect from the grid in the event of a blackout so that people working on the power lines to restore power aren't electrocuted by power coming out of your home's solar system.

Many battery systems can disconnect from the grid while still supplying power to your home in the event of a blackout. Not all battery systems will do this, so you need to check with the supplier.

## Landlords, renters and owners' corporations.

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## What are the benefits of Solar Saver for landlords?

The potential benefits of installing solar on a property that you rent out to tenants include:

- Increased property value
- Increased attractiveness as a rental property (which may lead to longer tenancies, higher rent, and a higher occupancy rate)
- Ownership of the asset after paying it off
- Contributing to increasing local renewable energy.

The additional benefits of the **Darebin Solar Saver** program are that:

- Council pays the upfront cost for the system, and you pay it off over ten years, interest free.
- If you are renting out your property and you choose to install a solar system through Solar Saver, your Special Charge repayments are considered to be a capital expense. As a loan repayment you can't claim this as an income deduction against the rental income from the property. The solar system is

considered to be a depreciating asset for income tax purposes. Provided the solar system is part of the rental property, the purchase price is treated as the 'cost' of the solar system for income tax purposes. A part of that cost can be claimed yearly as a tax deduction over its effective life (Division 40 of the Income Tax Assessment Act 1997).

- Taxation Ruling TR 2017/2 Income tax: effective life of depreciating assets provides a table listing the effective life of depreciating assets. In accordance with TR 2017/2 the effective life of solar power generating system assets is twenty years.
- Further information on depreciating assets is available on the ATO's website, [www.ato.gov.au](http://www.ato.gov.au) by inserting 'QC 51237' into the website's search function.
- This is general information only, so you should seek individual advice from your tax accountant about your specific circumstances.

### Do landlords need permission from tenants?

Council can form a legal agreement only with the ratepayer. For a rental property, the ratepayer is the owner (landlord).

Council wants to make the benefits of solar accessible to everyone, including renters and landlords. It's also important for Council to do everything it can to ensure that renters are not disadvantaged in any way by the installation of a solar system on their home through this program.

For this and other reasons:

- If you are a landlord who wants to install solar on a property you rent out you need your tenant to sign a written agreement indicating that:
  - They consent to the installation of a solar system through this program
  - They will provide safe access to the property for the installation
  - They will pay the connection fees and complete any paperwork required by their electricity retailer to connect the system to the grid.
- This written consent forms part of your agreement with Council.
- We inform tenants who apply independently that:
  - Their landlord will have to sign the agreement.
  - Landlords are limited in how they increase rent. Stricter rules about rent increases are expected to come into law in 2018-2019.
  - In the meantime if they feel they are being asked to pay an excessive increase in rent, they can ask Consumer Affairs Victoria to assess the fairness of the situation:  
<https://www.consumer.vic.gov.au/housing/renting/during-a-lease-or-residency/rent-and-other-payments/rent-increases>

### I am a renter / tenant, can I participate?

- Yes, but you will need permission from the owner (or ratepayer) of the property. The owner (or ratepayer) will need to sign an agreement with Council to make the additional Special Charge payment applicable to the Solar Saver program.
- We can help you with the discussion with your landlord.
- If you are in social housing please let us know. We may be able to work with your housing provider.
- If you are public housing we won't be able to include you in this round but we will keep you posted if that changes.

### What if I live in a flat/unit/apartment with a shared roof?

- If you live in a semi-detached house that has its own roof space, even if you may share a wall with a neighbor, then these points do not apply to you.
- For many apartment buildings, flats and units, your roof is part of what is called a *common area*. Each property has equal share to the roof space.
- If your roof is a shared space you will need permission from your Owners' Corporation.
- We recommend that you get this permission in writing, and that you forward this to us to keep with your records (however that is not a requirement to participate in the program).
- There may not be enough space for each and every apartment to install solar PV panels.
- Solar power systems cannot be shared across separate apartments because they need to feed into a single smart meter. Individual solar systems are required for each apartment.

We recommend you start a solar conversation with your neighbours as soon as possible. We can help you with this. Some advice on talking to your Owners' Corporation:

- Ask to put solar on the agenda at your next Owners' Corporation meeting.
- Think about how you can communicate with other owner's before the meeting – do you have a group Facebook page, an email list, or phone number for your fellow owners? Or could you put up a notice on a noticeboard or drop a note into their letterboxes? If you need help with this, please ask us – we can provide a template or point you to appropriate materials. This FAQ could be a good start.
- If you don't already attend Owners' Corporation meetings, find out how many owners usually take interest and what quorum is (how many people do they need to attend to make a decision)?
- Let your neighbours and/or other owners know that there is an opportunity for them to access solar through our programs – share our website with them [www.darebin.vic.gov.au/solar](http://www.darebin.vic.gov.au/solar)



- If you want to read more about sustainability for multi-residential buildings check out [these resources from the City of Melbourne](#).
- If you need help, please ask us.

### Who do I contact with further questions?

Please get in touch with us via phone or email if you have any further questions, we're here to help you!

Phone: 03 8470 8389

Email: [solar@darebin.vic.gov.au](mailto:solar@darebin.vic.gov.au)

Web: [darebin.vic.gov.au](http://darebin.vic.gov.au)

Or for general Council enquiries please call the service desk on 03 8470 8888.

## GLOSSARY

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**Distributor** = the company that is responsible for distributing energy and maintaining the powerlines and poles that carry your electricity. There are three in Darebin: AusNet, Jemena and CitiPower.

**FIT = Feed-In Tariff** = the money you get paid when you feed excess energy back into the grid. Currently the minimum FIT in Victoria is 11.3 cents per kilowatt hour. This about to change – [see Question 25](#).

**Inverter** = the machine that converts the energy collected by your panels into energy you can use in your house.

**kW(hr) = kilowatt (hour)** = unit of measure for electricity consumption (per hour).

**NMI** = National Meter Identifier = a unique number that identifies your home or business for the purpose of electricity billing. You can find your NMI on any electricity bill.

**Pitch** = angle (of your roof) – this affects your solar panels because they need to be on a particular angle to the sun to be most efficient (can be adjusted by using special mounts).

**PV, Solar PV** = (Solar) Photo Voltaic (Panels) = Solar Panels.

**Retailer** = the company that sells you electricity (eg Origin, AGL, TruEnergy, Powershop, Diamond Energy etc etc).

**Smart Meter** = the device that records your electricity use. This is how your power company (retailer) knows how much to charge you. It also tells them how much energy you are putting back into the grid.

**Special Charge Scheme** = a mechanism that allows Council to buy your solar system upfront and you to pay back the cost over time. The way this works is that Council will charge you a small additional payment (a Special Charge) on your quarterly rates notice. You can repay the loan over up to 40 instalments over up to 10 years in this way.



## Notice of Motion

Submitted for Meeting of Snowy Monaro Regional Council \_\_\_\_\_  
(Council or name of Committee)

Date of Meeting 4 October 2018 \_\_\_\_\_

Submitted by John Castellari \_\_\_\_\_  
(Councillor Name)

### Motion:

That Council receive a report from staff that provides options available to Council to efficiently and effectively deliver a rooftop solar subsidy program, based on, but not restricted to, the successful Darebin model outlined in the accompanying background materials. The aim of the program should be to provide rooftop solar for our residents, with a component quarantined for our region's lower income residents.

Background : see attached PDF files. \_\_\_\_\_

Council's Code of Meeting Practice provides as follows:

21.1 It is the duty of the Chairperson at a meeting of Council to receive and put to a meeting any lawful motion that is brought before the meeting.

21.2 The Chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.

21.3 Any Motion, amendment or other matter that the Chairperson has ruled out of order is taken to have been rejected (cl 238 of the Regulation)

22 In the absence if a Councillor who has placed a notice of Motion on the business paper for a meeting of Council:

- a) Any other Councillor may move the motion at the meeting; or
- b) The Chairperson may defer the motion until the next meeting of Council at which the motion can be considered (cl 243 of the Regulation)

PO Box 714 COOMA NSW 2630 | 1300 345 345 | council@snowymonaro.nsw.gov.au |  
www.snowymonaro.nsw.gov.au

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## 19. 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.