



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

17 April 2019

**ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON WEDNESDAY 17 APRIL 2019**

MINUTES

1.	OPENING OF MEETING	5
2.	ACKNOWLEDGEMENT OF COUNTRY	5
3.	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS	5
4.	CITIZENSHIP CEREMONIES	5
5.	DISCLOSURE OF INTEREST.....	5
	Nil.	
6.	MATTERS DEALT WITH BY EXCEPTION	5
7.	CONFIRMATION OF MINUTES.....	6
	7.1 Ordinary Council Meeting 21 March 2019.....	6
	7.2 Closed Session of the Ordinary Council Meeting 21 March 2019.....	6
	9.2.3 Support for upgrading the Jindabyne Airstrip.....	7
8.	PLANNING AND DEVELOPMENT APPLICATION MATTERS	8
	8.1 DA4107/2018 NBN Telecommunications Facility	8
	8.2 DA4191/2017 - 10 Lot Community Title Subdivision East Jindabyne	19
	8.3 Planning Proposal - 218 Barry Way, Jindabyne.....	36
9	KEY THEME 1. COMMUNITY.....	38
	9.1.1 Snowy Monaro Youth Crew (SMYC) Apparel Update	38
	9.1.2 Monthly Funds Management Report - March 2019	39
	9.1.3 Non Renewal of Lease - Starr Alpine Investments	40
	9.1.4 Extension to Contract for Cleaning Jindabyne Council Offices, Jindabyne Memorial Hall and Level 1, Jindabyne GP Super Clinic - Extension to Contract for Cleaning of Berridale Facilities - Extension to Contract for Cleaning of Council Buildings Cooma	41
	9.1.5 Cooma Town Clock - Outcomes of the Community Consultation Process and Potential Impacts of Snowy 2.0 Heavy Traffic.....	42
	9.1.6 Minutes of the Smiths Road Hall and Fire Shed Management s355 Committee Meeting held 16 March 2019.....	43
	9.1.7 Proposal to re-establish Alcohol Free Zones and Alcohol Prohibited Areas in Cooma and Jindabyne	44

9.1.8	Learn to Ride Centre - Cooma	45
9.1.9	Local Traffic Committee	46
9.1.10	Minutes of the Recreational Facilities Committee meeting held on 18 March 2019.....	46
9.2	KEY THEME 2. ECONOMY.....	47
9.2.1	2019 Snowy Monaro Business Awards	47
9.2.2	Consolidation of Reserve no. 530002 Centennial Park and Lot 6 DP 758280 Cooma Visitors Centre as one Crown Reserve for General Community Use.....	48
9.3	KEY THEME 3. ENVIRONMENT	49
9.3.1	ADOPTION OF THE SNOWY MONARO REGIONAL COUNCIL LIQUID TRADE WASTE POLICY	49
9.3.2	Request for Letter of Support: Bega Local Aboriginal Land Council EPA Grant Application.....	50
9.3.3	Tender - Parsonage Creek Bridge Replacement.....	51
9.3.4	TENDER FOR OPTION ASSESSMENT AND DETAILED DESIGN OF THE TIMOR ST SEWAGE PUMPING STATION AND REALIGNMENT OF RISING MAIN AND SECTION OF GRAVITY MAIN.	52
9.4	KEY THEME 4. LEADERSHIP	53
9.4.1	SMEC fluid lab building.....	53
9.4.2	Answers to Questions Without Notice.....	53
9.4.3	Resolution Action Sheet Update	54
9.4.4	Grant Applications - Activity Synopsis As At 31 March 2019	55
9.4.5	Audit, Risk and Improvement Committee - Minutes of Meeting and Charter Review	55
9.4.6	Public Exhibition of the Draft 2020 Operational Plan, Fees and Charges and Revenue Policy	56
10.	NOTICE OF MOTION	57
10.1	Clr Last - No Confidence Motion	57
10.2	SMEC Hydraulic Museum	58
10.3	Remaining Funds of the Stronger Communities Budget.....	59
11.	MAYORAL MINUTES	59
12.	QUESTIONS WITH NOTICE	59
12.1	Bombala Main Street Bollards.....	59
12.2	Mobile Phone Coverage - Anglers Reach	60
12.3	A Mayoral Report to Councillors	60
13.	CONFIDENTIAL MATTERS.....	60

13.1	Purchase of Part Lot 1 DP101714 and Part lot 1 DP 222016 in Commissioner Street Cooma - Flood Mitigation Works Stage 2.....	60
13.2	Tender Approval for Contract for Provision of Street, Shopping Centre and Toilet Cleaning Services Jindabyne.....	60
13.3	Legal Actions and Potential Claims Against SMRC as at 31 March 2019	60
13.4	Consultancy Fees for the Year Ended 30 June 2018	60
13.5	Approval to Write Off Excessive Water Usage Charges on Rural Water Service Connection	61
14.	REPORT FROM CONFIDENTIAL SESSION	61
13.1	Purchase of Part Lot 1 DP101714 and Part lot 1 DP 222016 in Commissioner Street Cooma - Flood Mitigation Works Stage 2.....	61
13.2	Tender Approval for Contract for Provision of Street, Shopping Centre and Toilet Cleaning Services Jindabyne.....	62
13.3	Legal Actions and Potential Claims Against SMRC as at 31 March 2019	62
13.4	Consultancy Fees for the Year Ended 30 June 2018	62
13.5	Approval to Write Off Excessive Water Usage Charges on Rural Water Service Connection	62
13.6	Motion of Urgency - Acquisition of Land in Bombala	62

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

**ON WEDNESDAY, 17 APRIL 2019
COMMENCING AT 5.00PM**

PRESENT: Mayor John Rooney
Deputy Mayor Linley Miners
Councillor Peter Beer
Councillor John Castellari
Councillor James Ewart
Councillor Rogan Corbett
Councillor Sue Haslingden
Councillor John Last
Councillor Anne Maslin
Councillor Brian Old
Councillor Bob Stewart

APOLOGIES: Suneil Adhikari, Director Operations & Infrastructure

Staff: Peter Bascomb, General Manager
Peter Smith, Director Environment & Sustainability
Linda Nicholson, Acting Director Operations & Infrastructure
Peter Cannizzaro, Director Corporate & Community Services
Amanda Shepherd, Secretary Council and Committees
Nola Brady, Group Manager Governance
Nathan Thompson, Communications Officer

Notes: *The Mayor opened the meeting at 5.00PM, The Mayor adjourned meeting at 5.03PM for presentations and public forum, The Mayor resumed meeting at 6.42PM, Group Manager Governance was absent from the meeting from 6.57PM during Item 8.2 - DA4191/2017 10 Lot Community Title Subdivision East Jindabyne returning at 7.06PM during same Item, Group Manager Governance was absent from the meeting from 7.17PM during Item 8.3 - DA4191/2017 10 Lot Community Title Subdivision East Jindabyne returning at 7.19PM during same Item, At 7.20PM the meeting adjourned for a dinner break, The meeting resumed at 7.50PM, Group Manager Governance was absent from the meeting from 7.51PM during Item 9.1.8 – Learn to Ride Centre – Cooma, returning at 7.58PM during same item, At 9.15PM pm the meeting was closed to the press and public, At 9.38PM the Closed Session ended and the Council meeting continued in Open Session, There being no further business the Mayor declared the meeting closed at 9.40PM.*

1. OPENING OF MEETING

The Mayor opened the meeting at 5.00PM

2. ACKNOWLEDGEMENT OF COUNTRY

Note 1: Adjournment of Meeting

The Mayor adjourned meeting at 5.03PM for presentations and public forum

Note 2: Resumption of Meeting

The Mayor resumed meeting at 6.42PM

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

COUNCIL RESOLUTION

132/19

That the apology from Clr Beer be accepted and leave of absence be granted from 24 June 2019 to the end of July 2019.

That the apology from Clr Maslin be accepted and leave of absence be granted from 18 May to 2019 to 10 June 2019.

Moved Councillor Ewart

Seconded Councillor Old

CARRIED

4. CITIZENSHIP CEREMONIES

Nil.

5. DISCLOSURE OF INTEREST

Nil.

6. MATTERS DEALT WITH BY EXCEPTION

Items by Exception

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

COUNCIL RESOLUTION

133/19

A. That all items listed in Corporate Business both Open and Confidential be dealt with separately other than the following items which are moved by exception:

7.1 Ordinary Council Meeting held on 21 March 2019;

7.2 Closed Session of the Ordinary Council Meeting held on 21 March 2019;

9.1.1 Snowy Monaro Youth Crew (SMYC) Apparel Update;

9.1.2 Monthly Funds Management Report - March 2019;

9.1.3 Non-Renewal of Lease - Starr Alpine Investments;

9.1.4 Extension to Contract for Cleaning Jindabyne Council Offices, Jindabyne Memorial Hall and Level 1, Jindabyne GP Super Clinic - Extension to Contract for Cleaning of Berridale Facilities - Extension to Contract for Cleaning of Council Buildings Cooma;

9.1.5 Cooma Town Clock - Outcomes of the Community Consultation Process and Potential Impacts of Snowy 2.0 Heavy Traffic;

9.1.6 Minutes of the Smiths Road Hall and Fire Shed Management s355 Committee Meeting held 6 March 2019;

- 9.1.7 Proposal to re-establish Alcohol Free Zones and Alcohol Prohibited Areas in Cooma and Jindabyne;
- 9.1.9 Local Traffic Committee;
- 9.1.10 Minutes of the Recreational Facilities Committee meeting held on 18 March 2019;
- 9.2.1 2019 Snowy Monaro Business Awards;
- 9.2.2 Consolidation of Reserve no. 530002 Centennial Park and Lot 6 DP 758280 Cooma Visitors Centre as one Crown Reserve for General Community Use;
- 9.3.2 Request for Letter of Support: Bega Local Aboriginal Land Council EPA Grant Application;
- 9.3.4 Tender for Option Assessment and Detailed Design of the Timor St Sewage Pumping Station and Realignment of Rising Main and Section of Gravity Main;
- 9.4.1 SMEC fluid lab building;
- 9.4.4 Grant Applications - Activity Synopsis As At 31 March 2019;
- 9.4.5 Audit, Risk and Improvement Committee - Minutes of Meeting and Charter Review;
- 9.4.6 Public Exhibition of the Draft 2020 Operational Plan, Fees and Charges and Revenue Policy;
- 13.1 Purchase of Part Lot 1 DP101714 and Part lot 1 DP 222016 in Commissioner Street Cooma - Flood Mitigation Works Stage 2;
- 13.2 Tender Approval for Contract for Provision of Street, Shopping Centre and Toilet Cleaning Services Jindabyne;
- 13.5 Approval to Write Off Excessive Water Usage Charges on Rural Water Service Connection

B. That the Officer's Recommendations in the reports listed above are hereby adopted.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 21 MARCH 2019

COUNCIL RESOLUTION

134/19

THAT the minutes of the Ordinary Council Meeting held on 21 March 2019 are confirmed as a true and accurate record of proceedings.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 3: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors.

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 21 MARCH 2019

COUNCIL RESOLUTION

135/19

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 21 March 2019 are confirmed as a true and accurate record of proceedings.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 4: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors.

Note 5: Agenda Item Brought Forward

The Mayor called for item 9.2.3 – Support for upgrading the Jindabyne Airstrip to be brought forward and discussed as first point on the Agenda. Moved by Clr Stewart, Seconded by Clr Ewart, Councillors voted and agreed on item to be brought forward to be discussed first in the Meeting.

9.2.3 SUPPORT FOR UPGRADING THE JINDABYNE AIRSTRIP

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Economic Development 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:	Nil

EXECUTIVE SUMMARY

The Jindabyne Aero Club are seeking Council support of a grant application that will enable the Club to undertake upgrades to the Jindabyne Airstrip (sealing of the runway) and construct an improved terminal building for use by visitors. The intention is that the airstrip will become more attractive to private commercial and recreational flights. The upgrade will also benefit local emergency services especially the Rural Fire Service and National Parks and Wildlife Service. There is no intention that the airstrip will host public commercial air transport services.

The Aero Club is applying for funding of \$1.693m under the Growing Local Economies Fund, which is part of the Regional Growth Fund of the NSW State Government. The Aero Club is a small organisation and would be completely reliant on the grant funding for the project if successful. It has indicated that it will need assistance to manage the funds and milestone payments for the project if it proceeds, which may include Council underwriting the grant funding to contractors. This would require strong Council involvement in managing the project finances and carries some financial risk.

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

COUNCIL RESOLUTION

136/19

That Council, having understood the risks outlined in the report,

- A. Provides in principal support for the Aero Club submitting their business case for grant funding to the NSW Government;
- B. Provides in principal support for an arrangement with the Jindabyne Aero Club whereby Council would, where required, pay any contractor payments not exceeding approved grant funding that are due for works prior to the grant funds being received, subject to the grant funds once received being used to refund the Council in full; and
- C. If the grant application is successful, develop a formal agreement with the Jindabyne Aero Club to formalise the details of any such arrangement and/or find alternative arrangements which eliminates Council exposure to any risk or administrative burden arising from Council's support for the project.

Moved Councillor Castellari

Seconded Councillor Stewart

CARRIED

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 DA4107/2018 NBN TELECOMMUNICATIONS FACILITY

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Manager Development Assessment
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage
Delivery Program Objectives:	8.1.3 Development assessment processes are streamlined to support regional development and growth
Attachments:	<ol style="list-style-type: none">1. Letter to Mayor and Councillors (<i>Under Separate Cover</i>)2. Response to Additional Consultation (<i>Under Separate Cover</i>)3. Letter to neighbour regarding alternative site (<i>Under Separate Cover</i>)4. Draft Conditions of Consent (<i>Under Separate Cover</i>)5. Revised Planning Report - 40m tower (<i>Under Separate Cover</i>)6. Photomontages - 60m tower (<i>Under Separate Cover</i>)7. Full Construction Plans (<i>Under Separate Cover</i>)8. Plans showing location of approved dwellings and building envelopes on adjoining properties9. Objections 1 & 2 (<i>Under Separate Cover</i>)10. Objection 3 (<i>Under Separate Cover</i>)11. Objections 4 & 5 (<i>Under Separate Cover</i>)12. Submissions in favour of development (<i>Under Separate Cover</i>)13. Applicants Response to Submissions (<i>Under Separate Cover</i>)14. Vegetation Assessment (<i>Under Separate Cover</i>)15. CASA Response (<i>Under Separate Cover</i>)16. Application Form (<i>Under Separate Cover</i>)

Further Operational Plan Actions:

CSP Community Strategy: 9.3 Our Region has access to effective telecommunication infrastructure and services

Applicant Number:	DA4107/2018
Applicant:	Visionstream Pty Ltd C/ Katherine Klouda Po Box 5452 WEST END QLD 4101
Owner:	Ms Emma R Borderie
DA Registered:	7/02/2018
Property Description:	11 DP245722
Property Number:	108244
Area:	Area of lot 11 – 40.47 hectares Area of proposed development – 120sqm
Zone:	E3 – Environmental Management
Current Use:	Residential
Proposed Use:	Telecommunications tower in addition to existing dwelling house
Permitted in Zone:	Yes under the provisions of State Environmental Planning Policy (Infrastructure) 2007 ('ISEPP')
Recommendation:	That the development be approved with conditions

INTRODUCTION

This application was originally presented to the Council meeting of 6 December 2018.

At that meeting Council resolved to defer the determination, Resolution 551/18 being:

"That Council defer consideration of this matter pending a more substantial response from the applicant, Vision Stream, in response to community concerns."

In response to that resolution, Ericsson Australia (on behalf NBN Co) had undertaken further consultation and a report as to the outcome was provided to Council at its meeting of 21 March 2019 (refer attachments 2 and 3).

At its meeting of 21 March 2019, Council resolved as follows (Resolution 104/19):

- A. Defer DA4107/2018B Telecommunications to the earliest possible meeting, pending further information on the current house sites, both future and present, a clear explanation on the EME Reports, and the effect on adjoining properties.
- B. A site visit be organised for interested Councillors.

Further information is included below in regards to the location of house sites and a further explanation of the EME reports and the effect of the development on adjoining properties.

Further correspondence was received from Ericson on 4 April 2019 and addressed to the Mayor and Councillors (attached as item 1). Ericson have indicated that depending on the outcome of the meeting,

an appeal will be considered (which is an option available regardless), or satellite-based services would be allocated, which would not be the preferred outcome from a community perspective.

A site visit was organised for Councillors on 11 April 2019.

As was reported to the Council meeting of 21 March 2019, the response from Ericson following their further consideration of matters raised (and in response to resolution 551/18) was that the existing proposed site (the subject of this application) is the most desirable from the applicant's point of view.

The reasons provided by Ericsson are listed in attachment 2, and summarised as follows:

In summary, the enclosed report makes the following significant findings:

- There is currently no existing electricity supply to the site at lot 31. A new power network extension including new power lines will be required to make power available to the lot. The closest existing power source is located approximately 2.6km away.*
- in one scenario, creation of power easements across a crown road would be required, and this is a process with a prohibitive timeframe causing significant delays of up to 2 years. Alternatively, extending the power network along the crown road was also considered (removing the requirement for easements). This would increase the length of the network extension and amount of vegetation clearing required.*
- overhead power is often the preferred option in areas of rocky terrain, but it requires a minimum 20m wide corridor, resulting in an even greater amount of vegetation clearing – up to 48,000m² worth of trees and undergrowth. We consider this to be an unacceptable environmental outcome.*
- underground power works are estimated at \$967,500 assuming no rock trenching required, or up to \$1.5 Million if rock is encountered.*
- both solutions require the removal of a significant amount of vegetation to clear a 2-metre wide corridor. This removal includes the impact on understorey vegetation. Dependent on the solution chosen, the amount of vegetation to be cleared could be as large as 5000-7000m².*
- access track upgrade costs for the alternative at lot 31 are significant, with an estimate of \$244,000, Versus \$18,200 for the site of the current application.*
- in summary, the suggested alternative is likely to cost in excess of an additional \$1,000,000. Such a cost cannot be justified and is outside of the parameters set by nbn for the establishment of a fixed wireless facility.*
- whilst there are several benefits to the suggested alternative site at lot 31, which are outlined in the enclosed report, these do not compensate for the very substantial cost of siting the facility in a relatively remote location.*

The applicant wishes to proceed with the current development application as it was originally submitted.

Council requested a copy of the written response from the neighbour's solicitor, however, Ericson advised that they were not provided with permission to release it. The matters raised in the response from the neighbour's solicitor are stated as being considered in the Ericson response.

As such the following report refers to the location of the tower as originally proposed by the applicant.

The report as resubmitted to Council on 21 March 2019 is reproduced but also includes additional information, as follows:

- Inclusion of the correspondence from Ericson dated 4 April 2019 as attachment 1;

- Inclusion of attachments 2 and 3 (these were included in the 21 March report but numbered as attachments 1 and 2, but were not part of the 6 December 2018 report);
- An expanded commentary regarding the EME information in the section titled “Principle 3: Health standards for exposure to radio emissions will be met” and shown in **BOLD** text; and
- additional images and commentary under the heading: “*Visual Impacts of the Development and Location of approved (unconstructed) dwellings and building envelopes on adjoining properties*”.

Note: If Council decides to make a determination other than as included in the recommendation, it must follow the procedure adopted through resolution 18/18 on 15 February 2018.

EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the erection of a fixed wireless facility broadband (NBN Co) telecommunications facility at Wollondibby Road Crackenback. The development will consist of a 40.7 m lattice structure with associated ancillary components including two outdoor units enclosed within a secure compound of 120m². The site was one of three identified for the erection of the structure and was chosen based on NBN requirements. The tower will provide broadband communications to areas that current do not have access to this type of internet provision.

The application was notified and advertised and five (5) objections were received from owners and prospective purchases of land surrounding the tower. In addition to the five (5) objections Council received ten (10) submissions in support of the development.

Due to the visually prominent location of the tower and issues raised in the objections the applicant reduced the overall height of the tower from 60m to 40.7m in an effort to minimise its impact. The visual impact of the development and the impact of the structure on native flora and fauna has been considered as part of this report.

It is recommended that the development be approved subject to attached conditions of consent.

COUNCIL RESOLUTION

137/19

That

- A. Pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that the consent for Telecommunications facility on Lot 11 DP 245722 Ph Thredbo, is granted subject to conditions attached;
- B. Any person who made a submission is notified according to the regulations; and,
- C. When the Telecommunications facility is no longer required, it is removed and restored to a condition similar to before the tower was constructed

Moved Councillor Ewart

Seconded Councillor Beer

CARRIED

Note 6: Record of Voting

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

Councillors Against: Nil.

Note 7: Draft Conditions of Consent – DA4017/2018 NBN Telecommunications Facility

Reasons for Decision

Pursuant to Schedule 1 cl 20(1)(c)

The reasons for the decision were:

1. The proposal adequately satisfies the application provisions and objectives of the Snowy River LEP 2013 and the Snowy River DCP 2013
2. The proposed development adequately satisfies the relevant State Environment Planning Policies including SEPP (Infrastructure) 2007
3. The proposed development, subject to the conditions below, will have no unacceptable adverse impacts on the natural or built environments. Further it is considered that developments of the subject site does not prevent future reasonable development of adjoining allotments
4. The application was notified to adjoining landowners and publicly advertised in accordance with the Snowy River DCP 2013 and the relevant statutory regulations. The proposal received five (5) objections and ten (10) positive submissions.
5. In consideration of conclusions 1 – 4 above it is considered the proposed development is a suitable and planned use of the site and approval of the proposal is in the public interest.

Conditions

ADMINISTRATIVE CONDITIONS

Approved Plans and Documentation

1. The developer is to ensure that the development complies fully with DA4107/2018 as submitted to Council on the 7/02/2018 3:54:32 PM with supporting documentation including, but not limited to the development plans being:

Reference/Dwg No	Title/Description	Prepared By	Date/s
SK1 – DA4107/2018	Planning Report	Vision Stream	30.11.17
	Vegetation and Preliminary Arboricultural Assessment	Ironbark Environmental Arboriculture	9.11.2018
	Responses to Submissions	Vision Stream	2/5/2018 & 14/09/2018

2COM-51-CRAC-T1 REV A	Cover Sheet	Ericsson	30.08.18
2COM-51-CRAC-T2 REV A	Reference Documents	Ericsson	30.08.18
2COM-51-CRAC-C1 REV A	Site Specific Notes	Ericsson	30.08.18
2COM-51-CRAC-C2 REV A	Overall Site Plan	Ericsson	30.08.18
2COM-51-CRAC-C3 REV A	Site Set out Plan	Ericsson	30.08.18
2COM-51-CRAC-C4 REV A	North East Elevation	Ericsson	30.08.18
2COM-51-CRAC-C5 REV A	Allotment Plan	Ericsson	30.08.18
2COM-51-CRAC-C6 REV A	Asset Protection Zone	Ericsson	30.08.18
2COM-51-CRAC-C7 REV A	Site Civil Plan	Ericsson	30.08.18

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

Inconsistency between documents

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

Prescribed Conditions

3. The developer shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 80A(11) of the Environmental Planning and Assessment Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:
 - The work must be carried out in accordance with the requirements of the Building Code of Australia
 - A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.

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

PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE

Payment of Levy Fee

4. Payment of the prescribed Long Service Levy Fee is to be made to the Long Service Levy Payments Corporation prior to the issue of a Construction Certificate.

Airspace

5. The Council must, prior to the release of the Construction Certificate, be given a report:
 - (1) showing compliance with any relevant site and height requirements specified by the Civil Aviation Regulations 1988 and the Airports (Protection of Airspace) Regulations 1996 of the Commonwealth, and
 - (2) showing that it does not penetrate any obstacle limitation surface shown on any relevant Obstacle Limitation Surface Plan that has been prepared by the operator of an aerodrome or airport operating within 30 kilometres of the proposed development and reported to the Civil Aviation Safety Authority Australia.

Note: See the Advisory Circular 139-08(0) entitled Reporting of Tall Structures issued by the Civil Aviation Safety Authority Australia in 2005 concerning these conditions.

Offset Planting

6. The developer shall provide a plan showing the trees to be removed as part of the development and a plan showing the location and number of trees to be planted as "offset planting". This planting should be in and around the base of the facility so as to screen the tower and ancillary equipment from users of the access track.

The plan including location and species is to be provided to Council for approval prior to the issue of the Construction Certificate.

PRIOR TO THE COMMENCEMENT OF WORKS

External Finishes

7. The ancillary structures and the base of the tower (where it is within the tree line) are to be finished in colours of natural earthy tones and low reflective quality to blend with the surroundings. The proposed colours for the development are to be presented to Council for approval prior to the commencement of works on site.

Construction Certificate

8. The developer is to ensure no site works, construction or building works are to commence without first obtaining a Construction Certificate.

Appointment of Principal Certifying Authority and Notice of Commencement

9. The developer is to ensure no site works, construction or building works are to commence without first obtaining a Construction Certificate.
At least 48 hours prior to the commencement of any works on the site, a "Notice of Commencement of Work and Appointment of PCA Form" will be submitted to Council. This includes that prior to the commencement of works the Applicant will submit to Council:
- (a) A construction certificate for the building work which has been issued by the Certifying Authority (i.e. Council or Accredited Certifier); and,
 - (b) Evidence that the person having the benefit of the development consent has:
 - (i) Appointed a Principal Certifying Authority (PCA) and notified Council in writing of the appointment, irrespective of whether Council or an accredited private certifier is appointed;
 - (ii) notified the PCA that the person will carry out the building work as an owner-builder, if that is the case; and,
 - (c) Evidence that the principal PCA has, no later than 2 days before the building work commences:
 - (i) notified the consent authority and the Council of his or her appointment, and;
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work; and,
 - (d) Evidence that the person having the benefit of the development consent, if not carrying out the work as an owner-builder has:
 - (i) notified the Certifying Authority (i.e. Council or Accredited Certifier) of any such appointment; and,
 - (ii) unless that person is the principal contractor, notified the principal contractor of any critical state inspection and other inspections that are to be carried out in respect of the building work.

Site Notice

10. Before commencement of any work, site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details. The notice(s) is to satisfy all but not be limited to, the following requirements:
- (1) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
 - (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period;

(3) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and

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

Enclosure of the Site

11. The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifying Authority. No building work is to commence until the fence is erected.

Construction Management - Contact Telephone Number

12. Prior to the commencement of the works, the Applicant shall forward to the Council a 24 hour telephone number to be operated for the duration of the construction works.

Compliance Report

13. Prior to the commencement of works, the Applicant, or any party acting upon this consent, shall submit to the Council a report addressing compliance with all relevant conditions of this consent.

DURING WORKS

Approved Plans to be On-site

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

Erosion & Sediment Control

15. The developer is to ensure that where site works are undertaken including all excavations, land clearing and materials storage, all topsoil that is removed is stripped and stockpiled in an appropriate location for future revegetation works. The stockpiled area is to be encircled by a geofabric filter fence.
16. The developer is to ensure that erosion and siltation control measures are installed and maintained on the site for the entire length of the construction project. Erosion control measures are to include the placement of hay bales staked in the ground or the erection of geofabric filter fencing at the bottom of all areas where cut and fill is carried out and within any existing drainage areas from those cut and fill areas. These control measures are to be in accordance with the requirements of the consent authority and best management practices as outlined in the NSW Department of Housing "Soils and Construction, Managing Urban Stormwater 4th Edition, March 2004 - the Blue Book".

Site Management

17. The developer is to ensure that all builder' sheds, including temporary sanitary closets, must at all times be: located wholly within the site; properly constructed

and maintained to industry standards; securely anchored to the ground, and removed upon completion of the project.

Contact Telephone Number

18. The applicant shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development and this is displayed for public viewing at the entrance to the site.

Use of Explosives

19. The developer is to ensure that any person considering the use of explosives during construction must at all times: be an operator licensed by the WorkCover (NSW); notify the local police and persons likely to be affected by the blasting; obtain the necessary public liability insurance; and use approved and serviceable blasting mats.

Hours of Work

20. The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:
 - (1) between 7:00 am and 5:00 pm, Mondays to Saturdays inclusive;
 - (2) no work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- (1) the delivery of materials is required outside these hours by the Police or other authorities; or
- (2) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; and
- (3) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

Inspection Notification

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

Public Access and Site Security

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

Excavation

23. The developer is to ensure that at all times all excavations and backfilling associated with the development is executed safely and in accordance with professional standards.
24. The developer is to ensure that all excavations are properly guarded and protected

at all times to prevent them from being a danger to life or property.

25. The owner of the adjoining allotment of land is not liable for any part of the cost of the work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. An **allotment of land** includes a public road and any other public place.

Revegetation Works

26. The developer is to ensure that at the completion of site works the following landscaping works are carried out: topsoil is spread over all disturbed areas* with priority given to cut and fill batters; all disturbed areas* are re-vegetated using drylands grass mix with a complete fertiliser; all disturbed areas* are to be weed free hay mulched. The hay mulching is to be undertaken by a suitable contractor. (* including all footpath areas and adjoining properties where applicable)

Impact of Below Ground (Sub-surface) Works – Non-Aboriginal Relics

27. If any previously unidentified archaeological relics are uncovered during the course of the work, then all works shall cease immediately in that area and the Heritage Branch of the Department of Planning must be contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the *NSW Heritage Act 1977* may be required for further works can be considered in that area. Works shall not recommence until the applicant receives written authorisation from the Heritage Branch.

Impact of Below Ground (Sub-surface) Works – Aboriginal Relics

28. If any previously unidentified Aboriginal archaeological relics are exposed during construction works, the Applicant shall immediately cease work and notify the OEH (Office of Environment and Heritage) in accordance with the National Parks and Wildlife Act 1974 and obtain any necessary approvals to continue the work. Works shall not recommence until an appropriate strategy for managing the objects has been determined in consultation with the OEH and the applicant receives written authorisation from the OEH.

PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Occupation Certificates

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

Road Damage

30. The cost of repairing any damage caused to the right of carriage way use for access to the site as a result of construction works associated with the approved development, is to be met in full by the applicant prior to the issue of an Occupation Certificate.

Electromagnetic Emissions

31. Council must, before commencement of use, be given:
- (i) in the case of development that will produce electromagnetic radiation-a report in the format required by the Australian Radiation Protection Nuclear Safety Agency that shows the predicted levels of electromagnetic energy surrounding the development comply with the safety limits imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard, and
 - (ii) a report showing compliance with the Australian Communications Industry Forum Industry Code entitled CIF C564:2004 Deployment of Mobile Phone Network Infrastructure.

Completion of Offset and Screen Planting

32. The developer shall ensure that the screen and offset planning approved by Council is finalised and established prior to the issue of the construction certificate.

8.2 DA4191/2017 - 10 LOT COMMUNITY TITLE SUBDIVISION EAST JINDABYNE

Record No:

Responsible Officer:	Group Manager Development & Building Certification
Author:	Manager Development Assessment
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage
Delivery Program Objectives:	8.1.3 Development assessment processes are streamlined to support regional development and growth
Attachments:	<ol style="list-style-type: none">1. Draft Conditions of Consent (<i>Under Separate Cover</i>)2. Subdivision Plans (<i>Under Separate Cover</i>)3. Proposed entry signage and gate design (<i>Under Separate Cover</i>)4. Statement of Environmental Effects (<i>Under Separate Cover</i>)5. Site and Soil Assessment (<i>Under Separate Cover</i>)6. Bushfire Report (<i>Under Separate Cover</i>)7. Rural Fire Service Bushfire Safety Authority (<i>Under Separate Cover</i>)8. Flora and Fauna Assessment (<i>Under Separate Cover</i>)9. Aboriginal Cultural Heritage Assessment Report (<i>Under Separate Cover</i>)10. Office of Environment and Heritage General Terms of Approval AHIP (<i>Under Separate Cover</i>)11. Submissions (<i>Under Separate Cover</i>)12. DA Form (<i>Under Separate Cover</i>)

EXECUTIVE SUMMARY

Application Number:	DA4191/2017
Applicant:	Fraish Consulting
Owner:	Alpine Sands Pty Ltd

DA Registered:	8/06/2017
Property Description:	Lot 43 DP1215502
Zone:	RU5 – Village
Current Use:	Vacant land
Proposed Use:	Community Title Subdivision
Permitted in Zone:	Yes
Integrated Approval Bodies	Office of Environment and Heritage – Aboriginal Cultural Heritage NSW Rural Fire Service – Bushfire Safety Authority
Recommendation:	That the application be approved with conditions

The purpose of this report is seek approval for a ten (10) lot residential community title subdivision, being Stage 4 of Alpine Sands.

If Council decides to make a determination other than as included in the recommendation, it must follow the procedure adopted through resolution 18/18 on 15 February 2018.

COUNCIL RESOLUTION

138/19

That Council defer item to seek legal advice on public foot access to the lake

Moved Councillor Castellari

Seconded Councillor Haslingden

CARRIED

Note 8: Record of Voting

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

Councillors Against: Nil.

Note 9: Lost Motion

An Amendment moved by Cllr Castellari and seconded Cllr Maslin was put to the vote and LOST. The lost motion was in the following terms:

“That

A.. Pursuant to section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) it is recommended that the consent for Alpine Sands Stage 4, ten (10) Lot Community Title Subdivision on Lot 43 DP 1215502 Ph Jinderboine, is granted subject to conditions attached.

B. Any person who made a submission is notified according to the regulations.

C. The approval is conditional on the development allowing public foot access to the lake

Note 10: Record of Voting

Councillors For: Councillor Castellari and Councillor Maslin.

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

Note 11: Amendment to Original Motion

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

The original motion Moved: Clr Beer, Seconded: Clr Corbett was:

“That:

- 1. Pursuant to section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) it is recommended that the consent for Alpine Sands Stage 4 , ten (10) Lot Community Title Subdivision on Lot 43 DP 1215502 Ph Jinderboine, is granted subject to conditions attached.*
- 2. Any person who made a submission is notified according to the regulations. “*

Note 12: Attendance of Group Manager Governance

Group Manager Governance was absent from the meeting from 6.57PM during Item 8.2 - DA4191/2017 10 Lot Community Title Subdivision East Jindabyne returning at 7.06PM during same Item.

Note 13: Draft Conditions of Consent – DA4191/2017 10 Lot Community Title Subdivision East Jindabyne

Integrated Approval Bodies

Pursuant to Section 4.50 of the Act

Office of Environment and Heritage – General Terms of Approval (SF17/49802, IDA No, 4191/2017) issued 4/03/2019.

NSW Rural Fire Service - Bushfire Safety Authority (D17/3941, DA17112710527 BB) issued 20/03/2019

Reasons for Decision

Pursuant to Schedule 1 cl 20(1)(c)

The reasons for the decision were:

6. The proposal adequately satisfies the application provisions and objectives of the Snowy River LEP 2013 and the Snowy River DCP 2013
7. The proposed development adequately satisfies the relevant State Environment Planning Policies.
8. The proposed development, subject to the conditions below, will have no unacceptable adverse impacts on the natural or built environments including heritage items, local waterways or drainage systems or the operation of the local road system. Further it is considered that developments of the subject site does not prevent future reasonable development of adjoining allotments
9. The application was notified to adjoining landowners and publicly advertised in accordance with the Snowy River DCP 2013 and the relevant statutory regulations. The proposal received “12” submissions.
10. In consideration of conclusions 1 – 6 above it is considered the proposed development is a suitable and planned use of the site and approval of the proposal is in the public interest.

Conditions

ADMINISTRATIVE CONDITIONS

Approved Plans and Documentation

33. The developer is to ensure that the development complies fully with DA4191/2017 as submitted to Council on the 8/06/2017 with supporting documentation including, but not limited to the development plans being:

Reference/Dwg No	Title/Description	Prepared By	Date/s
C002 Rev B	Layout Plan	Fraish Consulting	17/01/2019
C100 Rev d	Community Title Lot Layout Plan	Fraish Consulting	17/01/2019
C211 Rev B	Erosion and Sediment Control Plan	Fraish Consulting	17/01/2019
	Proposed entry statement and gate design		
29241	Alpine Sands – Stage 4 East Jindabyne NSW Flora and Fauna Assessment – Final Report	Biosis	25/01/2019
	Site and Soil Assessment for Onsite Effluent Disposal at a proposed residential subdivision Willow Bay	Fraish Consulting	1/04/2017
	Bushfire Protection Assessment – Residential subdivision – Alpine Sands Stage 4 East Jindabyne	Eco Logical	23/01/2019
	Statement of Environmental Effects	Fraish Consulting	January 2019

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

Inconsistency between documents

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

Impact on Aboriginal Cultural Heritage

35. No harm can occur to any Aboriginal objects unless an Aboriginal Heritage Impact Permit (AHIP) has been issued by the Office of Environment and Heritage (OEH).
36. In the event that any Aboriginal object, or potential Aboriginal objects, are uncovered in the area, any works must cease immediately and OEH contacted for advice. Contact South East Region Planning Team – (02) 6229 7188 or email: rog.southeast@environment.nsw.gov.au.

OTHER APPROVALS

Separate Section 138 Permit – Roads Act 1993

37. Notwithstanding the issue of this development consent, separate consent from Council under Section 138 of the Roads Act 1993, must be obtained prior to any works taking place on a public road including the construction of a new driveway access (or modification of access) or intersection or traffic control devices. Applications for consent under Section 138 must be submitted on Council's standard application form and be accompanied by the required attachments and prescribed fee.

General Terms of Approval – Office of Environment and Heritage

38. **Administrative conditions**

Information supplied to OEH

Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the integrated development application IDA No 4191-2017 received by OEH on 30 October 2017;
- the updated Statement of Environmental Effects prepared by Fraish Consulting, dated January 2019 and received by OEH on 8 February 2019 relating to the development; and
- the revised Aboriginal Cultural Heritage Assessment Report titled: Alpine Sands East Jindabyne — Aboriginal Cultural Heritage Assessment, Lot 43 DP 1215502 Kunama Drive, including the appended Archaeological Report, dated 7 December 2018 and received by OEH on 19 February 2019.

Aboriginal cultural heritage conditions

- No harm can occur to any Aboriginal objects within the Alpine Sands Stage 4 residential subdivision development area unless an Aboriginal Heritage Impact Permit (AHIP) has been issued by OEH.
- The applicant must comply with the conditions of any AHIP that is issued by OEH.
- The applicant must ensure that all persons involved in actions or works

covered by an AHIP (whether employees, contractors, sub-contractors, agents and invitees) are made aware of, and comply with, the conditions of any AHIP.

- The applicant must submit an Aboriginal Heritage Impact Permit (AHIP) application to OEH for the Alpine Sands Stage 4 residential subdivision development. The application must include;
 - a) An updated Aboriginal Cultural Heritage Assessment Report that is specific to the Alpine Sands Stage 4 residential subdivision development area;
 - b) A description of the Aboriginal consultation undertaken in accordance with OEH requirements;
 - c) A Management Plan (The Plan) which outlines the conservation of part of site J/ES1 (AHIMS 62-1-0064). The Plan must detail proposed authorised harm to Aboriginal objects and include measures to prevent harm to Aboriginal objects. The Registered Aboriginal Parties must be consulted on the Plan. The Plan must consider or include the following:
 - i. A map clearly outlining that part of J/ES1 (AHIMS 62-1-0064) that will form the conservation area;
 - ii. How the conservation area will be managed during development to prevent unauthorized harm to Aboriginal objects;
 - iii. A description of allowable impacts in the conservation area following the completion of development. This could include works such as, fencing, hand removal of vegetation, mowing, revegetation of the area by hand, and drainage or erosional control works.
 - iv. Include provisions for occasional vehicle access.
 - v. Consideration of the installation of visual markers (such as bollards or rocks) to clearly indicate the conservation area.
 - vi. Detail any other ongoing land management measures, such as weed control.
 - d) The provision of a surface collection methodology for those Aboriginal objects that have been recommended for surface collection.
 - e) Detail on the long-term management of any salvaged objects. This will need to include a Care Agreement application, to be submitted with the AHIP application. If the Care Agreement application is not submitted with the AHIP application, evidence that that the discussion has substantially commenced with the Registered Aboriginal Party who will take on the Care Agreement must be submitted;
 - f) An outline of the process that will be followed for continuing consultation with the registered Aboriginal parties and OEH, where required; and
 - g) An outline of how the conditions of the AHIP will be managed and adhered to during the operational life of the proposed activities.

Bushfire Safety Authority

39. The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the

'Environmental Planning and Assessment Act 1979', and a Bush Fire Safety Authority, under Section 100B of the 'Rural Fires Act 1997', are now issued subject to the following conditions:

1. At the issue of a Subdivision Certificate, a suitably worded legal mechanism (such as an instrument created pursuant to section 88 of the 'Conveyancing Act 1919') shall be created on proposed Lots 8 and 9 which provides for the following:
 - prohibits the construction of a residential dwelling building outside the identified building envelopes as illustrated on Figure 2 in the Bushfire Protection Assessment prepared by Eco Logical Australia Pty Ltd, Ref 16CAN_5887, dated 23 January 2019; and
 - requires future residential dwelling buildings within the proposed lots to be designed and constructed in accordance with section 3 and section 7 (BAL 29) Australian Standard AS39592009 'Construction of buildings in bush fire prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

2. Prior to the issue of a Subdivision Certificate, and in perpetuity, the land within the proposed lots shall be managed as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones' as follows:
 - Lots 1 to 7 & Lot 10: All land within the proposed lots shall be managed as an Inner Protection Area (IPA);
 - Lot 8: The property around the identified building envelope as illustrated on Figure 2 in the Bushfire Protection Assessment prepared by Eco Logical Australia Pty Ltd (Ref 16CAN_5887, dated 23 January 2019) to a distance of 17 metres, or to the property boundary (whichever comes first), shall be managed as an IPA; and
 - Lot 9: The property around the identified building envelope as illustrated on Figure 2 in the Bushfire Protection Assessment prepared by Eco Logical Australia Pty Ltd (Ref 16CAN_5887, dated 23 January 2019) to a distance of 21 metres, or to the property boundary (whichever comes first), shall be managed as an IPA.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

3. The provision of all water, electricity, and gas services shall comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

4. Excluding the requirement for through road access, the proposed new public road shall be designed and constructed to comply with section 4.1.3(1) of 'Planning for Bush Fire Protection 2006'.

Landscaping

5. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

Works within Riparian Zones

40. No vegetation clearance, landscape modification or development activities are to be undertaken on waterfront land (within 40m of river banks) without having obtained a Controlled Activity Permit from NSW Department of Industry Water.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Storm Water Drainage – Stormwater Management Plan

41. The developer shall submit plans of the stormwater drainage systems, prepared by a qualified practicing Civil Engineer, in accordance with the requirements of Snowy River Shire Council DCP 2013, Council's Development Design and Construction Specifications and have them approved by Council prior to issue of a Construction Certificate.

The hydrology and hydraulic calculations will be based on models described in the current edition of Australian Rainfall and Runoff. The Construction Certificate Application must include a detailed stormwater management plan (SWMP) for the occupational (or use) stage of the development, prepared in accordance with the Snowy River Shire Council DCP 2013 and Council's Development Design and construction Specifications.

Appropriate mitigation measures shall be implemented prior to discharge to Lake Jindabyne to the satisfaction of Council and Snowy Hydro Ltd for any storm water discharge to the Lake Jindabyne foreshore.

SUBDIVISION ENGINEERING

Construction Certificate

42. Construction of subdivision works (including clearing, earthworks, demolition or other works) must not commence until a Construction Certificate for those works has been issued in conformity with the relevant provisions of the Environmental Planning and Assessment Act and related Regulations.

Pre-commencement Meeting

43. Prior to the commencement of subdivision works for each stage of development, the developer and contractor shall meet on site with Council's representative to review the scope of works, soil and water management

control measures and the inspection and testing regime. The developer or his representative shall make arrangements with Council for this meeting not less than seven days in advance.

Compliance Certificate Inspections (For information only - this is NOT a condition of consent)

The developer must obtain a Compliance Certificate, either from Council to demonstrate that all subdivision works have been completed. The subdivision works must be inspected by Council's inspector at each of the following stages of construction to confirm compliance with the standards set out in Council's Development Design and Construction Specifications.

- (a) After placement of all signs in accordance in with the approved Traffic Control Plan.
- (b) After stripping of topsoil from roads and fill areas, all Soil and Water Management Plan controls shall be in place at this stage.
- (c) After completion of road subgrade.
- (d) During field density testing, string line checking and proof rolling of the finished subgrade.
- (e) After placement of water service conduits prior to backfilling.
- (f) After placement and compaction of each layer of gravel pavement material.
- (g) During field density testing, string line checking and proof rolling of each finished gravel pavement layer.
- (h) During application of bitumen seal or asphaltic concrete wearing surface.
- (i) Prior to concrete pour and after boxing and placement of reinforcement has been completed of all concrete driveways including battle-axe driveways within properties.
- (j) After laying and jointing of all storm water pipelines prior to backfilling.
- (k) After completion of all storm water pits.
- (l) After laying and jointing of all water supply pipelines prior to backfilling and after installation of all water meters.
- (m) After laying and jointing of all sewerage pipelines prior to backfilling.
- (n) During pressure testing of all water supply pipelines.
- (o) During pressure testing of all sewerage pipelines.
- (p) During testing of all sewer manholes.
- (q) After completion of works prior to acceptance and commencement of "on-maintenance" period.
- (r) During the "off-maintenance" period inspection.
- (s) As otherwise required to confirm that the works are satisfactorily executed and in conformity with environmental controls.

It should be noted that Council charges fees for inspections and Compliance

Certificates. These fees must be paid prior to the endorsement of a Subdivision Certificate.

Traffic Control

44. The developer shall ensure that traffic control measures are implemented for all works within public roads in conformity with Traffic Control Plans prepared and approved by a competent person accredited by Roads and Maritime Services. A traffic control plan prepared and approved by a competent person accredited by the Roads and Maritime Services must be submitted to Council for each stage of development if working on a public road prior to the issue of an approved construction certificate.

Water Servicing

45. The developer shall provide all necessary water reticulation works, property connections and associated facilities to service every lot in conformity with Council's Development Design and Construction Specifications.

Electricity Servicing

46. Each allotment in the proposed subdivision shall be serviced with underground electricity at no cost to Council. A letter (Notice of Arrangement) from Essential Energy advising that its requirements have been met (eg each proposed lot in the subdivision will be provided with an electricity connection at no cost to Council and no cost to the future lot owner) shall be sufficient to establish compliance with this condition.

Telecommunication Servicing

47. Prior to the issue of the Subdivision or Construction Certificate in connection with a development, the developer is to provide evidence satisfactory to the Certifying Authority that arrangements have been made for:
- (i) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose. and
 - (ii) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

The provision of these services is to be at no cost to Council or to the future land owner.

(Note real estate development project has the meanings given in section 372Q of the Telecommunications Act).

Tree Removal and protection during construction

48. The developer shall provide to the PCA prior to the commencement of works a plan indicating the trees to be removed to allow for the construction of the subdivision infrastructure (including roads, pathways and water reticulation

system) and compliance with the requirements of the Bushfire Safety Authority. These trees are to be marked to ensure only those approved can be removed. Tree removal shall be carried out in accordance with the provisions of the approved flora and fauna assessment.

Any tree that is not approved for removal but which may be in danger of damage during subdivision works shall be noted on the plan and protected using protection measures determined under the guidance of a suitability qualified arborist.

49. No tree other than that which has been approved for removal and marked as such can be removed during construction.

Soil and Water Management

50. The developer shall prepare and implement an effective Soil and Water Management Plan in conformity with Council's Development Design and Construction Specifications prior to the commencement of any works on site and shall maintain the control measures until after the effective stabilisation and revegetation of the site.

No Construction Certificate shall be issued for this development until the certifying authority (Council or accredited certifier) is satisfied that the Soil and Water Management Plan satisfies this condition.

Owners Consent - Neighbouring Properties

51. Evidence of owners consent shall be submitted to Council prior to the issue of a Construction Certificate for any works proposed on any lot not part of this application.

Completion of Engineering Works

52. The developer shall complete all engineering works in accordance with the conditions of this consent together with any necessary work to make the construction effective. The costs of all engineering works shall be fully borne by the applicant/developer and any damage to Council's assets shall be made good, prior to the issue of the Subdivision Certificate or commencement of the development.

Road construction– Community Title Private Road Standard

53. The private road (Road 2 of Lot Layout Plan drawing no C100 Rev D, dated 17/1/19) shall be constructed to a 5.5m wide bitumen sealed or reinforced concrete pavement in accordance with Council's Development Design and Construction Specifications, to include the following:
- a) A concrete edge strip on each side of the bitumen sealed road (not applicable for reinforced concrete ridged pavement)
 - b) Constructed stormwater drainage
 - c) Installation of guideposts, protection fencing, pavement markings and signposting, to the standards specified in Austroads Guide to Road Design.
 - d) Erection of road name signs. The road name must be approved by Council in advance and must be shown on the final plan of subdivision.
 - e) Road design speed of not less than 50 km/hr.
 - f) A suitable (minimum 10m radius) bitumen sealed vehicle turning facility

at the end of the road.

Concrete vehicular entrance

54. The developer shall construct a concrete paved vehicular footpath crossing between the kerb and gutter and the property boundary in conformity with Council's standard drawing no. SD80a to service each lot.

Concrete footpath

55. The developer shall construct a concrete footpath within community land (between the side boundaries of proposed Lots 7 and 8) and from the end of the cul-de-sac to the north western side of the development boundary. Design and construction shall be in conformity with the standards specified in Council's Development Design and Construction Specifications to include the following:
- a) Concrete pavement not less than 1.2 metres wide.
 - b) Minimum concrete thickness 100 mm.
 - c) Minimum concrete strength grade 25 MPa.
 - d) Minimum reinforcement SL82 mesh.

Use of Power Tools - Residential and Village Areas

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

Mon - Fri	8.00am to 6.00pm
Saturday	8.00am to 1.00pm

No work to occur on Sundays or Public Holidays

Public Access and Site Security

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

Dust Control Measures

58. Adequate measures will be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:
- (a) Physical barriers will be erected at right angles to the prevailing wind direction or will be placed around or over dust sources to prevent wind or activity from generating dust emissions,
 - (b) Earthworks and scheduling activities will be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed,
 - (c) All materials will be stored or stockpiled at the best locations,
 - (d) The surface should be dampened slightly to prevent dust from becoming

- airborne but should not be wet to the extent that run-off occurs,
- (e) All vehicles carrying spoil or rubble to or from the site will at all times be covered to prevent the escape of dust or other material,
- (f) All equipment wheels will be washed before exiting the site using manual or automated sprayers and drive-through washing bays,
- (g) Gates will be closed between vehicle movements and will be fitted with shade cloth, and
- (h) Cleaning of footpaths and roadways will be carried out regularly.

Environmental Protection Measures During Construction

27.

The developer shall ensure that the following environmental protection measures are put in place and enforced during the construction phase of the development:

- a) Relocate any coarse woody debris or rock outcrops which are designated for removal into the nearest retained vegetation or conservation area.
- b) Unavoidable clearance of hollow-bearing trees within the high constraint areas shall be supervised by an ecologist
- c) Ensure appropriate sediment control measures are put in place to prevent sediment laden stormwater run-off from impacting native waterways via eutrophication.
- d) When undertaking weed control activities adjacent to waterways, ensure herbicide label conditions are adhered to or use mechanical means of control.
- e) Determine in consultation with Council/OEH if additional hygiene controls are required in relation to the regional dieback of Ribbon Gum *E. viminalis* in the Monaro region associated *Eucalyptus* weevil.
- f) Ensure machinery access is limited to the direct impact zone of the study area only and minimise entry and exit points with machinery and vehicles over the duration of the project.
- g) Ensure all priority weeds within the direct impact zone of the study area are treated according to instructions within the NSW DPI Weed Control Handbook (DPI 2018) or removed from site and disposed of at the nearest registered green waste facility along with other green waste.
- h) Undertake construction works in low rainfall periods. Install appropriate erosion and sediment control measures as outlined above to ensure run-off during construction does not result in indirect impacts to native plant communities.
- i) Ensure water quality doesn't exceed background water quality levels (e.g. for turbidity, pH) – in line with Clause 7.3 and 7.4 of the Snowy River LEP 2013. Ensure that all vehicle tyres, undercarriages and the soles of shoes are free of mud and soil before entering the study area if travelling from a site known to harbour chytrid fungus and/or soil borne pathogens in accordance with the Hygiene Protocol for the Control of Disease in Frogs (DECC 2008).
- j) Ensure 'Environmental Exclusion' zones are installed and signage displayed in accordance with the measures outlined above.

Building Envelopes on all lots

28. Notwithstanding the requirement of the Bushfire Safety Authority with respect to building envelopes on lots 8 & 9. The developer shall ensure that the final plan of subdivision shall include building envelopes in accordance with the approved subdivision plans on all lots within the subdivision.

A Section 88B instrument shall be prepared to reflect this requirement and submitted for the approval of both Council prior to the release of the subdivision certificate.

Community Land Landscaping

29. **The developer shall ensure that** Landscaping for the subdivision to be restricted largely to the planting of native species endemic to Lake Jindabyne and ideally to the EEC floristics.

Conservation Areas and retention of Vegetation

30. The developer shall establish conservation reserves in the gully lines and these shall form part of the community management statement for the land.
31. The developer shall ensure that treed vegetation, particularly along ridgelines where the vegetation provides visual amenity and screening is retained.

Restrictive Covenants on all lots

32. The plan of subdivision and Section 88B instrument shall establish the following restrictive covenants; with the Council having the benefit of these covenants and having sole authority to release, vary or modify these covenants. Wherever possible the extent of the land affected by these covenants shall be defined by bearings and distances shown on the plan of subdivision.
- A. No clearing of native vegetation is permitted within the boundary of any lots outside of the area of the building envelope and that required to meet the requirements of the Rural Fire Service with respect to clearing for Asset Protection Zones under Bushfire Safety Authority D17/3941 dated 20/3/19.
 - B. No ground disturbance is permitted outside of the building envelope.
 - C. No structure shall be permitted to be erected outside of the approved building envelopes.
 - D. All on site waste water management systems are to have secondary wastewater treatment with subsurface irrigation.
 - E. The size, type and site of each wastewater management system and effluent disposal is to be approved by Snowy Monaro Regional Council.
 - F. All onsite waste water management systems and subsequent subsurface irrigation disposal areas are to be located wholly within the nominated building envelope for each lot.

Entrance Statement

33. The developer shall ensure that the entrance gate and signage are in

conformity with the approved plans and that any lighting of the entrance signage is to be directed not to cause nuisance to surrounding residences and those using public roads.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

Monetary Contributions

34. Pursuant to Section 7.11 of the Environmental Planning and Assessment Act, 1979 and Council's adopted Contributions plans, the following contributions apply to the development: The developer must, pursuant to Section 7.11 of the Environmental Planning and Assessment Act, 1979 and Council's Contributions Plans, pay to Council the above monetary contributions. The contributions are to be paid prior to release of the Construction Certificate for each nominated stage of the development:

Jindabyne Area Shared Trails	\$5814
Community Services and Facilities	\$5472
Regional Waste	\$6579
Open Space and Public Art	\$1323
Sports field and Recreation Facilities	\$909
Jindabyne Area Shared Pathways	\$801
Bushfire Services	\$1593
Total	\$22491

The above contributions are based on an additional **nine (9)** residential allotments.

Note: The above-specified Contribution Plans may be inspected at Council's offices at Berridale and Jindabyne. The contributions stated in this consent are calculated on the basis of the s7.11 contribution rates determined in accordance with plan in force for the 2019/20 financial year. The contributions required will be those applicable at the time of payment. If the contributions are not paid within the quarter in which the consent is granted, they may be subject to an increase by CPI.

Where the development is to be connected to Councils water and/or sewage system a certificate of compliance under Section 64 of the Local Government Act (1993) must be obtained from the Council.

This may involve payment of a charge authorised under Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 to recover costs of works constructed to serve the development.

Certificate of Compliance under the s307 of the Water Management Act 2000

35. A subdivision certificate must not be issued until the developer obtains a certificate of compliance under s307 of the Water Management Act 2000 from the Council (the Water Supply Authority).

Note - This condition relates to the payment of Sewer and Water Contributions

for information regarding the certificate of compliance please contact Councils
Department of Water and Waste Services.

Water Mains Testing

36. Prior to the release of the subdivision certificate for each stage of the development all sewer mains are to be tested and all water mains are to be tested and disinfected in accordance with Council's Development Design and Construction Specifications and to the satisfaction of Council.

Bushfire Compliance Inspection

37. Prior to the issue of the subdivision certificate an inspection is to be carried out by a suitably qualified consultant demonstrating compliance with the Bushfire Safety Authority as described in condition 7.

Boundary and inter-allotment fencing

38. The developer shall ensure that each lot is fenced to prior to the issue of the subdivision certificate. The type of fencing shall be rural post and wire/wire link fencing

Community Management Statement

39. The developer shall prepare a community management statement to the satisfaction of Council that is approved by Council prior to the release of the subdivision certificate.
40. The community management statement must include (but not be limited to the following requirements):
- a) A restriction on the use of areas outside of the building envelopes to ensure no clearing, building or ground disturbance occurs in these exclusion areas.
 - b) Includes provisions for the ongoing management of noxious weeds on site and the protection and management of the water course on site.
 - c) That no planting of exotic trees occurs within the development.
 - d) No removal of treed vegetation is permitted without Council approval.
 - e) conservation reserves are to be established in the gully lines and managed by the community association.

Subdivision Certificate Application

41. The developer is to submit to Council a completed Subdivision Certificate application form together with:
- a) The original linen plan/s and six (6) copies;
 - b) Community Plan is to comply with clause 2 "Requirements for all plans", schedule 1 of the *Community Land Development Act 1989*;
 - c) Community Management Statement is to comply with schedule 3 and any other relevant clause or schedule of the *Community Land Development Act 1989*;
 - d) Subdivision Certificate application form fully completed and accompanied with a fee pursuant to Council's Schedule of Fees & Charges.
 - e) Inspection fee pursuant to Council's Schedule of Fees & Charges – One

- Subdivision Certificate inspection shall be required to ensure full compliance with conditions of development consent. Any non-conforming issues may incur an addition inspection fee payable prior to the release of subdivision certificate;
- f) Certificate from Snowy Monaro Regional Council certifying that all necessary and appropriate weed control work has been completed on all lots in the subdivision.
 - g) Any required or relevant Section 88B instrument under the Conveyancing Act 1919;
 - h) d) Certificate from a recognised telecommunications carrier certifying that telecommunications connections have been provided to each lot in the stage;
 - i) Certificate from a recognised power authority certifying that electricity connections have been provided to each lot in the stage
 - j) A location map of all water meters on in the stage; and
 - k) Details on all water meters on the newly created lots in the stage.

Property Numbers/House Numbers

42. Prior to the submission of the application for the Subdivision Certificate, the developer shall obtain and pay the relevant fee for a house number for each lot from Council in conformity with Council's numbering system

Note – street numbers are to be shown on the deposited plan administration sheet at the time of lodgement with Council for the subdivision certificate

Works-as-executed Plan

43. Upon completion of the subdivision works, the developer shall provide Council with a complete set of plans of the works as constructed, detailing all variations from the approved plans and to the acceptance of the Council's Director Service Delivery or his nominee.

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

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

Completion of Engineering Works

44. The developer shall complete all engineering works in accordance with the conditions of this consent together with any necessary work to make the construction effective. The costs of all engineering works shall be fully borne by the applicant/developer and any damage to Council's assets shall be made good, prior to the issue of the Subdivision Certificate/Occupation Certificate or commencement of the development.

Maintenance Period for Subdivision Works

45. The developer shall carry out any maintenance works required to the completed subdivision works and shall rectify any defects becoming apparent within a period of twelve months after the date that Council accepts that the works have reached practical completion.

Prior to the release of the Subdivision Certificate, the developer shall provide Council with financial security (cash bond or unconditional bank guarantee) for compliance with this condition in an amount of five percent of the value of the subdivision works.

The developer shall pay to Council a Bond Administration Fee in accordance with Council's Fees and Charges.

Performance, Safety and Restoration Bond (Major Works)

46. The provision of a Performance, Safety and Restoration Bond to Council to the value of 5% of the cost of the engineering construction or a minimum of \$5,000.00 (plus non-refundable administration charge) whichever is the greater, prior to the release of the Subdivision Certificate, in order to guarantee the protection of public assets, and performance of any work or use in the road reserve during construction and rectification of any defects in public works for twelve (12) months after construction (i.e. after construction is completed to Council's satisfaction). This bond may be in the form of a cash bond or unconditional bank guarantee and is refundable upon written application and subject to an inspection, 12 months after certified completion of the works.

Note: The Bank Guarantee: will only be accepted direct from the issuing bank; must have no expiry date; must quote Council's reference number. Should any restoration works exceed the value of the bond held, Council will undertake the works and issue an invoice for the recovery of these costs.

8.3 PLANNING PROPOSAL - 218 BARRY WAY, JINDABYNE

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Senior Strategic Land Use Planner
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage
Delivery Program Objectives:	8.1.2 Land use is optimised to meet the social, environment and economic needs of the region
Attachments:	1. Planning Proposal - 218 Barry Way, Jindabyne (<i>Under Separate Cover</i>) 2. Agency advice NSW Government Office of Environment and Heritage (<i>Under Separate Cover</i>) 3. Response from proponent (<i>Under Separate Cover</i>)

Cost Centre 8010 Strategic Planning
Project Planning Proposal to amend the Snowy River Local Environmental Plan 2013 by rezoning and amending the minimum lot size, height of buildings & land release area maps for lot 192 DP 1019526, lots 14 & 123 DP 756686

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The purpose of this report is to notify Council of a planning proposal and to provide recommendations on how Council should proceed. The planning proposal is for the rezoning of lots 14 & 123 of DP 756686 and Lot 192 of DP 1019526. The proposal also seeks to amend the Lot Size, Height of Building and Land Release Area Maps this can only be achieved by amending the *Snowy River Local Environmental Plan (SR LEP) 2013*.

The subject planning proposal is to amend the SR LEP, 2013 by rezoning of lots 14 & 123 of DP 756686 and Lot 192 of DP 1019526 from zone RU1 Primary Production to zones IN1 General Industrial, E4 Environmental Living, E3 Environmental Management, R5 Large Lot Residential and maintain a residual RU1 Primary Production zoning around the Leesville Hotel Local Heritage Item.

The proposal also seeks to reduce the minimum lot size from 40Ha to 'Nil' for land proposed zone IN1 General Industrial, 3000sqm for the land proposed as zone R5 Large Lot Residential, 1 Ha for Land proposed as zone E4 Environmental Living and 5 Ha for land proposed as zone E3 Environmental Management. The proposal also includes a reduction in the Height of Building map for land proposed as zone IN1 General Industrial from 9m to 8m and introduces a Land Release Area overlay for the site.

The western portion of the site is heavily constrained with biodiversity and slope while the eastern portion is considered inconsistent with the Jindabyne Growth Structure Plan.

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

COUNCIL RESOLUTION

139/19

That:

A. The report from the Senior Strategic Land Use Planner on the Planning Proposal at 218 Barry Way (Lot 192 DP 1019526 and Lots 14 & 123 DP 756686) be received.

B. Council defer the planning proposal at this time pending the outcome of the Go Jindabyne Masterplan.

Moved Councillor Stewart

Seconded Councillor Ewart

CARRIED

Note 14: RECORD OF VOTING

COUNCILLORS FOR: COUNCILLOR BEER, COUNCILLOR CORBETT, COUNCILLOR EWART, COUNCILLOR HASLINGDEN, DEPUTY MAYOR MINERS, COUNCILLOR OLD, MAYOR ROONEY AND COUNCILLOR STEWART.

COUNCILLORS AGAINST: COUNCILLOR CASTELLARI, COUNCILLOR LAST AND COUNCILLOR MASLIN.

Note 15: ATTENDANCE OF GROUP MANAGER GOVERNANCE

GROUP MANAGER GOVERNANCE WAS ABSENT FROM THE MEETING FROM 7.17PM DURING ITEM 8.3 - DA4191/2017 10 LOT COMMUNITY TITLE SUBDIVISION EAST JINDABYNE RETURNING AT 7.19PM DURING SAME ITEM

Note 16: ADJOURNMENT OF MEETING

AT 7.20PM THE MEETING ADJOURNED FOR A DINNER BREAK

Note 17: RESUMPTION OF MEETING

THE MEETING RESUMED AT 7.50PM

9 KEY THEME 1. COMMUNITY

9.1.1 SNOWY MONARO YOUTH CREW (SMYC) APPAREL UPDATE

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Youth Development Officer
Key Theme:	1. Community Outcomes
CSP Community Strategy:	1.4 Youth in the region are supported to reach their maximum potential
Delivery Program Objectives:	1.4.1 Youth of the region are engaged, supported, mentored and trained to be the leaders of tomorrow
Attachments:	1. Flow Chart 2. ACCC Model policy for display
Cost Centre	2910
Project	SMYC Apparel
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Snowy Monaro Youth Crew (SMYC) Apparel is a youth led social enterprise that aims to create a united and vibrant youth culture in the Snowy Monaro Region. The project will be facilitated by the Youth Development Officers in collaboration with the Youth Council. SMYC will provide young people with access to training and development opportunities while also increasing the Youth budget. The additional income will be reinvested in youth specific projects, activities and events across the Region. Over time this will enable Council to deliver more for the region's youth without necessarily requiring additional budget allocations. Before the project is officially launched and widespread promotion begins, Council's endorsement is sought.

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

COUNCIL RESOLUTION

140/19

That Council

- A. Receive and note the information in the report on the SMYC Apparel, noting that individual item prices have been included in the draft Fees and Charges for 2019-20;
- B. Endorse the launch of the project and commencement of retail sales from 1 July 2019;
- C. Endorse the use of a refunds and returns policy for the apparel which is in accordance with the Australian Competition and Consumer Commission (ACCC) guidelines and model policy.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 18: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.1.2 MONTHLY FUNDS MANAGEMENT REPORT - MARCH 2019

Record No:

Responsible Officer: Director Corporate and Community Services
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy: DP7.6 Increase and improve Council's financial sustainability.
Operational Plan Action: OP7.18 Effective management of Council funds to ensure financial sustainability.
Attachments:
Cost Centre 4010 Financial Services
Project Funds Management
Further Operational Plan Actions: OP7.2 Completion of reporting requirements in accordance with legislation.

EXECUTIVE SUMMARY

The following report details the funds management position for the reporting period ending 31 March 2019.

Cash and Investments are \$84,922,183.

Certification

I, Matt Payne, Responsible Accounting Officer of Snowy Monaro Regional Council hereby certify, as required by Regulation 212 of the Local Government (General) Regulation 2005, that investments as detailed in this report have been invested in accordance with Section 625 of the Local Government Act 1993, the Regulations and Council's Investment Policy.

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

COUNCIL RESOLUTION

141/19

That Council

- A. Receive and note the report indicating Council's cash and investments position as at 31 March 2019.
- B. Receive and note the Certificate of the Responsible Accounting Officer.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 19: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.1.3 NON RENEWAL OF LEASE - STARR ALPINE INVESTMENTS

Record No:

Responsible Officer: Director Operations & Infrastructure
Author: Facilities Officer
Key Theme: 4. Leadership Outcomes
CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives: 10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments: 1. Lease - Starr Alpine Investments (*Under Separate Cover*) - **Confidential**
Cost Centre 150277 Snowy River Health Centre
Project PJ300046 Leases and Licences
Further Operational Plan Actions:

EXECUTIVE SUMMARY

On 25 May 2019 the lease at Snowy River Health Centre for Starr Alpine Investments will terminate. The previous lease commenced on 25 May 2014 with an option to renew for a further period of five (5) years.

Starr Alpine Investments has advised that they would not be taking up the option to renew the Lease.

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

COUNCIL RESOLUTION

142/19

That Council

- A. Approve the advertising for use of the space to a suitable health practitioner; and
- B. Authorise the General Manager and Mayor to execute and Affix the Council Seal to the Lease when a suitable tenant is found.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 20: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.1.4 EXTENSION TO CONTRACT FOR CLEANING JINDABYNE COUNCIL OFFICES, JINDABYNE MEMORIAL HALL AND LEVEL 1, JINDABYNE GP SUPER CLINIC - EXTENSION TO CONTRACT FOR CLEANING OF BERRIDALE FACILITIES - EXTENSION TO CONTRACT FOR CLEANING OF COUNCIL BUILDINGS COOMA

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Property Officer
Key Theme:	1. Community Outcomes
CSP Community Strategy:	3.1 Develop, maintain and promote safe spaces and facilities that are enabling, accessible and inclusive for all
Delivery Program Objectives:	3.1.1 Public and community spaces are regulated and managed to be safe and equitable for all abilities
Attachments:	1. Cleaning Contract for Jindabyne Areas (<i>Under Separate Cover</i>) - Confidential 2. Cleaning Contract for Berridale Area (<i>Under Separate Cover</i>) - Confidential 3. Cleaning Contract for Cooma Areas (<i>Under Separate Cover</i>) - Confidential
Cost Centre	61127 Contracts Cleaning
Project	150235 - 150236 - 150233
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The contract for Cleaning Jindabyne Council Offices, Jindabyne Memorial Hall and Level 1, Snowy River Health Centre Jindabyne and the contract for cleaning of Berridale facilities along with the Cleaning Contract for Council Buildings Cooma are all due to expire on 8 June 2019 (attached under separate confidential item).

To allow a review into the current contract requirements, it is proposed to seek Council consideration to extend the current contracts until 30 October 2019 which will take the contracts through the winter period and will avoid any unnecessary changes during this busy period.

During the extended contract period, a review and update of the current contracts will be undertaken to ensure the new contracts fully cover the requirements of Snowy Monaro Regional Council and will allow time to advertise for tenders and engage suitable contractors.

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

COUNCIL RESOLUTION

143/19

That Council

- A. Extend the Contract for Cleaning Jindabyne Council Offices, Jindabyne Memorial Hall and Level 1, Snowy River Health Centre Jindabyne to 30 October 2019;
B. Extend the Contract for cleaning of Berridale facilities to 30 October 2019; and
C. Extend the Contract for cleaning of Council Buildings Cooma to 30 October 2019.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 21: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.1.5 COOMA TOWN CLOCK - OUTCOMES OF THE COMMUNITY CONSULTATION PROCESS AND POTENTIAL IMPACTS OF SNOWY 2.0 HEAVY TRAFFIC

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Group Manager Transport Infrastructure (Operations)
Key Theme:	1. Community Outcomes
CSP Community Strategy:	2.2 Support and promote the arts recognising the broad and diverse contribution it makes to community identity and wellbeing
Delivery Program Objectives:	2.2.2 Facilities for the provision of arts and cultural activities have been planned for in partnership with other government agencies and the community
Attachments:	1. Community Comments CONFIDENTIAL
Cost Centre	
Project	Cooma Town Clock
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

At a meeting of Council held in Cooma on 6 December 2018, Councillors considered a report into the Cooma Town Clock proposal and supported a recommendation to undertake public consultation to determine whether the community supported a plan to construct a town clock on Sharp/Vale Street Roundabout.

The consultation process consisted of the following initiatives in an attempt to encourage responses from a broad section of the community:

- Councillors and Staff manning a Street Stall on the corner of Sharp & Vale Street;
- Council on-line "Your Say" survey;
- Email and Letter communication; and
- Council Facebook page.

In addition, the Monaro Post ran a survey on their Facebook page which prompted over 100 comments from the community.

However, during the consultation process and when writing this report, an initial meeting was held with

Snowy Hydro representatives (Friday 29 March 2019) to discuss potential traffic issues arising from the Snowy 2.0 project. Snowy Hydro confirmed that although a contractor had now been engaged the quantity, size, weight and width of vehicles transporting equipment and materials to the Snowy 2.0 project site had not yet been finalised. This detail is critical in determining potential problems and possible solutions for heavy transport through Cooma CBD, which may impact on the existing roundabouts.

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

COUNCIL RESOLUTION

144/19

That Council

A. Receive and Note the report into the outcomes of community consultation in relation to the Cooma Town Clock proposal.

B. Defer any decision on the Cooma Town Clock until the impacts of Snowy 2.0 Heavy Traffic, through Cooma CBD are better understood.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 22: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

**9.1.6 MINUTES OF THE SMITHS ROAD HALL AND FIRE SHED MANAGEMENT S355 COMMITTEE
MEETING HELD 16 MARCH 2019**

Record No:

Responsible Officer: Director Corporate and Community Services
Author: Governance Officer
Key Theme: 1. Community Outcomes
CSP Community Strategy: 3.1 Develop, maintain and promote safe spaces and facilities that are enabling, accessible and inclusive for all
Delivery Program Objectives: 3.1.1 Public and community spaces are regulated and managed to be safe and equitable for all abilities
Attachments: 1. Minutes of the Smiths Road Hall and Fire Shed Section 355 Committee meeting held 16 March 2019
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Smiths Road Hall and Fire Shed Section 355 Committee held a meeting on the 16 March 2019, to address membership matters, the minutes of this meeting are attached for Councils consideration.

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

COUNCIL RESOLUTION

145/19

That Council

- A. Receive and note the minutes of the Smiths Rd Hall and Fire Shed Management s355 Committee meeting held 16 March 2019;
- B. Accept the resignation of the two members; and
- C. Accept the nomination of the new committee members.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 23: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.1.7 PROPOSAL TO RE-ESTABLISH ALCOHOL FREE ZONES AND ALCOHOL PROHIBITED AREAS IN COOMA AND JINDABYNE

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Community Service Officer
Key Theme:	1. Community Outcomes
CSP Community Strategy:	3.2 Positive social behaviours (including law and order) are fostered and encouraged to maintain our safe, healthy and connected communities
Delivery Program Objectives:	3.2.2 Council supports and encourages safety initiatives to promote our connected communities
Attachments:	1. Jindabyne Alcohol Free Zones Map 1 2. Jindabyne Alcohol Free Zones Map 2 3. Cooma Alcohol Free Zones Map
Cost Centre	2420 – Community Development
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The potential to re-establish previously declared Alcohol Free Zones and Alcohol Prohibited Areas in Cooma and Jindabyne has arisen following the expiry of the zoning.

The *Local Government Act 1993*, outlines that the process to re-establish Alcohol Free Zones and Alcohol Prohibited Areas includes a public consultation component.

Should Council resolve not to initiate a public consultation process on the potential re-establishment of Alcohol Free Zones and Alcohol Prohibited Areas, the previously declared areas will be considered expired and the existing signage will be removed.

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

COUNCIL RESOLUTION

146/19

That Council commence a public consultation process regarding the re-establishment of Alcohol Free Zones and Alcohol Prohibited Areas in Cooma and Jindabyne, by placing the proposal on public exhibition for a period of 30 days.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 24: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.1.8 LEARN TO RIDE CENTRE - COOMA

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Project Specialist Innovation & Business Development
Key Theme:	1. Community Outcomes
CSP Community Strategy:	1.3 Recreation, sporting and leisure facilities encourage all ages to live in an active and healthy lifestyle
Delivery Program Objectives:	1.3.3 Council's recreational facilities, parks and public open spaces are safe, well managed and accessible
Attachments:	1. Community Consultation and Feedback (<i>Under Separate Cover</i>) - Confidential 2. Barrack St - Road Speed Data 3. Cooma-Monaro Bicycle Plan 2012 4. Letter of Support- Snowy Monaro Youth Council 5. Current Design Sketch
Cost Centre	C PP-025 Nijong Oval Improvements (PJ100108)
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

As part of the Stronger Communities Fund Major Projects Program (SCFMPP), the Learn to Ride Centre project was included for delivery within the package, PP-025 Nijong Oval Improvements. Additional grant funding was provided through Stronger Countries Communities Fund (SCCF).

This report has been prepared to provide Council a Consultation Report in response to the Council Resolution (57/19).

The majority of the community support the proposed design and location for the Learn to Ride Centre at the Nijong Oval Sporting Precinct. Some additional features have been added to the design to address some of the communities concerns and improve the overall safety of the area.

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

COUNCIL RESOLUTION

147/19

That Council:

- A. Receive and note the Consultation Report.
- B. Endorse staff to proceed to the construction phase of the Learn to Ride Centre based on the current design, and located at the Nijong Sporting Precinct.
- C. Authorise the necessitated boundary adjustment to Lot 4 DP32321.

Moved Councillor Ewart

Seconded Councillor Corbett

CARRIED

Note 25: Vote Against Committee Recommendation

Clr Last, Clr Haslingden and Clr Stewart requested that their vote against the committee recommendation 146/19 be recorded in the minutes.

Note 26: Attendance of Group Manager Governance

Group Manager Governance was absent from the meeting from 7.51PM during Item 9.1.8 – Learn to Ride Centre – Cooma, returning at 7.58PM during same item.

Note 27: Point of Order

Clr Last raised a point of order on the basis that Council is not qualified to make engineering opinions, when Clr Ewart was giving his right of reply, and discussing how the bike park would be built.

The Mayor responded to the point of order raised by Clr Last, however, the Mayor advised he will rule against the point of order made by Clr Last. The Mayor then allowed Clr Ewart to continue with his right of reply.

9.1.9 LOCAL TRAFFIC COMMITTEE

Record No:

Responsible Officer: Director Operations & Infrastructure

Author: Roads Safety Officer

Attachments: Nil

EXECUTIVE SUMMARY

The Local Traffic Committee met on 27 March 2019 in Vin Good Room Monaro Regional Library Cooma. The Committee's recommendations are presented for Council's consideration and adoption.

COUNCIL RESOLUTION

148/19

That the recommendations of the meeting of the Local Traffic Committee held on 27 March 2019 be adopted.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 28: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.1.10 MINUTES OF THE RECREATIONAL FACILITIES COMMITTEE MEETING HELD ON 18 MARCH

2019

Record No:

Responsible Officer: Director Operations & Infrastructure
Author: Open Space & Recreation Manager
Attachments: 1. Minutes Recreational Facilities Committee 18 March 2019

EXECUTIVE SUMMARY

The Recreational Facilities Committee meeting was held on the 18 March 2019 in the Cooma Council Chambers. The Committee's minutes and recommendations are presented for Council's consideration.

COUNCIL RESOLUTION

149/19

That Council receive and note the minutes of the meeting of the Recreational Facilities Committee held on 18 March 2019.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 29: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.2 KEY THEME 2. ECONOMY

9.2.1 2019 SNOWY MONARO BUSINESS AWARDS

Record No:

Responsible Officer: Group Manager Economic Development and Tourism
Author: Economic Development 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: 4.1.3 Council is an active community partner in supporting regional business initiatives
Attachments: 1. DRAFT Business Case - Jindabyne Air Strip (*Under Separate Cover*) - Confidential
Cost Centre: 7010
Project: Snowy Monaro Business Awards

EXECUTIVE SUMMARY

This year Council's Economic Development Officer is once again working with local Chambers of Commerce representatives to organise the Snowy Monaro Business Awards. The inaugural event in 2018 was widely acknowledged as a huge success and great for the region.

The Snowy Monaro Business Awards for 2019 are now open for nominations until Monday 6 May 2019.

This year includes 12 award categories, a people's choice, and a greater focus on Tourism in the region.

All Councillors are invited to attend the awards presentation dinner on Friday 31 May at the Perisher Station Resort, Jindabyne.

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

COUNCIL RESOLUTION

150/19

That Council receive and note the information in the report on the 2019 Snowy Monaro Business Awards and encourage local businesses to nominate themselves for relevant categories.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 30: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.2.2 CONSOLIDATION OF RESERVE NO. 530002 CENTENNIAL PARK AND LOT 6 DP 758280 COOMA VISITORS CENTRE AS ONE CROWN RESERVE FOR GENERAL COMMUNITY USE

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Land & Property Officer
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.2 Improve and maintain our public owned infrastructure and assets and facilities to a high standard
Delivery Program Objectives:	8.2.6 Council's infrastructure is maintained to meet compliance standards and to deliver high level services
Attachments:	Nil
Cost Centre	7040 – Cooma Visitors Centre
Project	PJ160207 – Cooma Centennial Park

EXECUTIVE SUMMARY

Cooma Visitors Centre is located on lot 6 DP 758280 and the property is licensed to Council from the Crown for \$8,365.50pa. The permitted use is for activities associated with and run by the Cooma-Monaro Shire Council only.

Centennial Park (Crown Reserve 530002) is vested in Council's Trusteeship and it is a Reserve for the purpose of public recreation. The Park is located on lot 701 DP 1023496.

It is proposed to request that Lot 6 (Visitors Centre) be added to Reserve 530002 in Council's Trusteeship and that the Purpose of the Reserve include the category of "General Community Use".

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

COUNCIL RESOLUTION

151/19

That Council

- A. Request that the Crown add lot 6 DP 758280 to Reserve 530002 comprising Centennial Park and add an additional purpose of "General Community Use" to the Reserve.
- B. Relinquish Licence LI 453017 for the use of the Cooma Visitors Centre when Lot 6 DP 758280 is added to Reserve 530002.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 31: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.3 KEY THEME 3. ENVIRONMENT

9.3.1 ADOPTION OF THE SNOWY MONARO REGIONAL COUNCIL LIQUID TRADE WASTE 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:	<ol style="list-style-type: none">1. Media Release for Draft Liquid Trade Waste Policy on Exhibition (<i>Under Separate Cover</i>)2. Draft Liquid Trade Waste Policy for adoption report (<i>Under Separate Cover</i>)3. Comments received on the Draft LTW policy (<i>Under Separate Cover</i>)
Cost Centre	2170 – Liquid Trade Waste
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

As reported to Council on 6 December 2018, the draft Liquid Trade Waste Policy was placed on public exhibition for a period of 28 days with submissions closing on Friday 8 February 2019.

Only two comments were received from internal staff. These comments have been incorporated into the policy and all relevant amendments have been made to the final policy for adoption.

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

COUNCIL RESOLUTION

152/19

That Council approve:

- A. Adoption of the Snowy Monaro Regional Council Liquid Trade Waste Policy, and
- B. The implementation of the Liquid Trade Waste regulation region wide as described in Table 1

Moved Councillor Beer

Seconded Councillor Old

CARRIED

Note 32: Point of Order

Mayor Rooney raised a point of order on the basis that there was some discussions around the table when the item was being discussed.

Mayor Rooney responded to the point of order by calling the Council to order so discussion could be continued.

Note 33: Record of Voting

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

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

9.3.2 REQUEST FOR LETTER OF SUPPORT: BEGA LOCAL ABORIGINAL LAND COUNCIL EPA GRANT APPLICATION

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Group Manager Resource & Waste Management
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	7.1 Protect, value and enhance the existing natural environment
Delivery Program Objectives:	7.1.3 Council delivers a range of initiatives to the Snowy Monaro community to enhance their awareness and engagement of sustaining our pristine natural environment
Attachments:	1. Request from Bega LALC for Support
Cost Centre	N/A
Project	N/A
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The Bega Local Aboriginal Land Council (LALC) have requested a letter of support from Snowy Monaro Regional Council for their NSW EPA Aboriginal Land Clean-Up Prevention Project grant funding application.

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

COUNCIL RESOLUTION

153/19

That Council provide a letter of support to the Bega Local Aboriginal Land Council for their NSW EPA Grant Funding application for the ALCUP project.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 34: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.3.3 TENDER - PARSONAGE CREEK BRIDGE REPLACEMENT

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Manager Construction
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	9.1 Transportation corridors throughout the region are improved and maintained
Delivery Program Objectives:	9.1.2 Our local road network is planned, built and repaired to improve movement across the region
Attachments:	1. Evaluation and Probity Form (<i>Under Separate Cover</i>) - Confidential 2. Tender Assessment (<i>Under Separate Cover</i>) - Confidential
Cost Centre	Bridges Sealed - 1850
Project	Parsonage Creek Bridge
Further Operational Plan Actions:	Nil

EXECUTIVE SUMMARY

Bridge replacement works on Parsonage Creek Bridge (Delegate Road, Bombala) is the culmination of a project commenced by the former Bombala Shire Council, under the Fixing Country Roads and the Federal Bridge Renewal Programs.

Currently the design of the replacement bridge has been completed by the Snowy Mountains Engineering Corporation (SMEC) and demolition of the bridge has commenced.

This report is seeking Council approval to award the Tender for the supply and construction of the bridge as designed by SMEC.

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

COUNCIL RESOLUTION

154/19

That Council approve the recommendation of the Tender Evaluation Committee for the tender

(VP139309) with a total contract price of \$666,900 (ex GST) over two financial years.

Moved Councillor Stewart

Seconded Councillor Haslingden

CARRIED

9.3.4 TENDER FOR OPTION ASSESSMENT AND DETAILED DESIGN OF THE TIMOR ST SEWAGE PUMPING STATION AND REALIGNMENT OF RISING MAIN AND SECTION OF GRAVITY MAIN.

Record No:

Responsible Officer: Director Operations & Infrastructure
 Author: Water and Waste Engineer
 Key Theme: 3. Environment Outcomes
 CSP Community Strategy: 7.2 Water, waste, sewer and stormwater management practices are contemporary and efficient
 Delivery Program Objectives: 7.2.2 Water and sewer infrastructure is maintained and improved to provide a quality service
 Attachments: 1. Tender Evaluation Plan for the option assessment and detailed design for the Timor St Sewage Pumping Station (*Under Separate Cover*) - **Confidential**
 Cost Centre 14-2130
 Project 260249
 Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Tender for the Options assessment and the detailed Design for the Timor St Sewage Pumping Station and Realignment of Rising main to the Bombala Sewage Treatment Plant and realignment of a section of gravity main was advertised on the Vendor Panel website. It was a public tender and was open to all through the Vendor Panel.

The tender closed on 14 March 2019. A total of 4 tenders were received and was first evaluated for the non-price criteria. All four tenders met the non-price criteria and was further evaluated to finalise the award of the tender.

The award of this tender is not to the lowest priced tender due to the higher score achieved through the non-price and price criteria assessment.

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

COUNCIL RESOLUTION

155/19

That Council approve to award the tender for a lump sum amount of \$154,000 (incl. GST) based on the tender evaluation recommendation.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 35: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.4 KEY THEME 4. LEADERSHIP

9.4.1 SMEC FLUID LAB BUILDING

Record No:

Responsible Officer:	Director Environment & Sustainability
Key Theme:	1. Community Outcomes
CSP Community Strategy:	2.2 Support and promote the arts recognising the broad and diverse contribution it makes to community identity and wellbeing
Delivery Program Objectives:	2.2.2 Facilities for the provision of arts and cultural activities have been planned for in partnership with other government agencies and the community
Attachments:	1. Report to Council 15 February 2018
Cost Centre	
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

At its meeting of 21 February 2019 Clr Haslingden submitted the following question:
Can Council bring a report to Council as mentioned in Part C of the resolution regarding the SMEC Fluid Lab on the 15 February 2018?

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

COUNCIL RESOLUTION	156/19
That Council receive and note the information.	
Moved Councillor Beer	Seconded Councillor Stewart
	CARRIED

Note 36: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.4.2 ANSWERS TO QUESTIONS WITHOUT NOTICE

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Secretary Council and Committees
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments:	1. In Progress Councillor Questions for Period Ending March 2019
Cost Centre	3120 Governance

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

In order to provide Councillors with updates on questions asked by Councillors, a report has been generated with a summary of questions that are current and have recently been completed, for the period ending March 2019.

Master Working Copy - In Progress Councillor Questions for the period ending March 2019 is attached to this report.

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

COUNCIL RESOLUTION

157/19

That Council receive and note In Progress Councillor Questions for the period ending March 2019.

Moved Councillor Maslin

Seconded Councillor Corbett

CARRIED

9.4.3 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer: Director Corporate and Community Services
Author: Secretary Council and Committees
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy: DP7.1.1.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.
Operational Plan Action: OP7.7 Provide timely, accurate and relevant information to Council to enable informed decision making.
Attachments: 1. In Progress Resolution Action Sheet for Period Ending March 2019
Cost Centre 3120 Governance
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

In order to provide Councillors with updates on resolutions of Council, a report has been generated with a summary of action that are current and have recently been completed, for the period ending March 2019.

The In Progress Resolution Action Sheet for period ending March 2019 is attached to this report.

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

COUNCIL RESOLUTION

158/19

That Council receive and note the In Progress Resolution Action Sheet Update for the period ending March 2019.

Moved Councillor Maslin

Seconded Councillor Beer

CARRIED

9.4.4 GRANT APPLICATIONS - ACTIVITY SYNOPSIS AS AT 31 MARCH 2019

Record No:

Responsible Officer: Director Corporate and Community Services

Author: Grants Officer

Key Theme: 4. Leadership Outcomes

CSP Community Strategy: 11.2 Council utilises sound fiscal management practices, pursues and attracts other sources of income

Delivery Program Objectives: 11.2.3 Alternative sources of revenue to rating income are identified and maximised

Attachments: Nil

Cost Centre 4010 – Finance (Grants Management)

EXECUTIVE SUMMARY

This report provides an update on Grants activity for the quarter ended 31 March 2019.

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

COUNCIL RESOLUTION

159/19

That Council receive and note the information related to Grants activity for the quarter ending 31 March 2019.

Moved Councillor Beer

Seconded Councillor Stewart

CARRIED

Note 37: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING AND CHARTER REVIEW

Record No:

Responsible Officer: General Manager

Author: Senior Internal Auditor

Key Theme: 4. Leadership Outcomes

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

Delivery Program Objectives: 10.2.1 Independent audit and risk framework drives accountability

Attachments:	1. Audit, Risk and Improvement Committee (ARIC) - Minutes of Meeting held on 6 March 2019 2. Audit, Risk and Improvement Committee (ARIC) - Chair's Discussion Summary of meeting held on 6 March 2019 3. Audit, Risk and Improvement Committee (ARIC) Charter
Cost Centre	3136 - Internal Audit

EXECUTIVE SUMMARY

The Audit, Risk and Improvement Committee met on 6 March 2019 in Council Chambers, Cooma. The minutes of meeting and Chair's discussion summary are presented for Council's information. The Committee recommended updates to its Charter which is attached to this report for Council's approval.

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

COUNCIL RESOLUTION	160/19
That Council	
A. Receive and note the minutes and Chair's discussion summary of the meeting of the Audit, Risk and Improvement Committee held on 6 March 2019.	
B. Approve the Audit, Risk and Improvement Committee Charter	
Moved Councillor Beer	Seconded Councillor Stewart
	CARRIED

Note 38: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

9.4.6 PUBLIC EXHIBITION OF THE DRAFT 2020 OPERATIONAL PLAN, FEES AND CHARGES AND REVENUE POLICY

Record No:

Responsible Officer:	Group Manager Governance
Author:	Governance Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.1 Planning and decision making is holistic and integrated and has due regard to the long term and cumulative effects
Delivery Program Objectives:	10.1.2 Integrated Planning and Reporting guides long term planning and organisational sustainability
Attachments:	1. SMRC Draft 2020 Operational Plan (<i>Under Separate Cover</i>) 2. 2020 Statement of Revenue Policy (<i>Under Separate Cover</i>) 3. Draft 2020 Operating Plan Budget (<i>Under Separate Cover</i>) 4. Draft 2020 Capital Works Program (<i>Under Separate Cover</i>) 5. Draft 2020 Fees and Charges (<i>Under Separate Cover</i>)
Cost Centre	Governance 3120
Project	Integrated Planning and Reporting

EXECUTIVE SUMMARY

Under the *Local Government Act 1993*, Section 405, Council must have an annual *Operational Plan*, incorporating *Revenue Policy* adopted before the beginning of each financial year, outlining the activities to be undertaken in that year, as part of the Delivery Program. As part of this process the *Draft 2020 Fees and Charges*, *Draft 2020 Statement of Revenue Policy*, *Draft 2020 Capital Works Program* and *Draft 2020 Operational Budget* have also been reviewed and updated.

These documents have been developed in consultation with Community, staff and Councillors. It is proposed to place the documents on public exhibition from 26 April to 23 May 2019. Following receipt of submissions the final documents will be presented to Council at the 20 June 2019 Council meeting for adoption.

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

COUNCIL RESOLUTION	161/19
That Council	
A. Resolve to place the <i>Draft 2020 Operational Plan</i> , incorporating the <i>Draft 2020 Fees and Charges</i> , <i>Draft 2020 Statement of Revenue Policy</i> , <i>Draft 2020 Capital Works Program</i> and <i>Draft 2020 Operational Budget</i> on public exhibition from 26 April to 23 May 2019 and invite written submissions,	
B. Receive a further report at the 20 June 2019 Council meeting to consider written submissions and to adopt the <i>2020 Operational Plan</i> , incorporating the <i>Draft 2020 Fees and Charges</i> , <i>Draft 2020 Statement of Revenue Policy</i> , <i>Draft 2020 Capital Works Program</i> and <i>Draft 2020 Operational Budget</i> .	
Moved Councillor Beer	Seconded Councillor Stewart CARRIED

Note 39: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 133/19 above as there was no challenge by Councillors

10. NOTICE OF MOTION

10.1 CLR LAST - NO CONFIDENCE MOTION

Record No:

Responsible Officer: General Manager
Author: Councillor John Last
Attachments: 1. Letter from Clr Last - No Confidence Motion

Councillor John Last has given notice that at the Ordinary Meeting of Council on 17 April 2019, he will move the following motion.

COUNCIL RESOLUTION	162/19
That Council no longer has confidence in Mayor Rooney.	
Moved Councillor Last	Seconded Councillor Stewart CARRIED

Note 40: Vote Against Committee Recommendation

Clr Corbett and Clr Ewart requested that their vote against the committee recommendation 162/19 be recorded in the minutes.

Note 41: Point of Order

Clr Stewart raised a point of order on the basis that he believed the Mayor was was going off the track of the motion of no confidence, and the motion was over several issues, not just the demerger of Bombala Council.

Mayor Rooney responded to the point of order from Clr Stewart was the point that he only raised the point regarding the Bombala Demerger. No further discussion on the point of order from Clr Stewart was discussed. Discussions continued.

Note 42: Point of Order

Clr Castellari raised a point of order, based on the arguments between Councillors were not progressing to a point where the conversation could move forward. Clr Castellari asked for the motion to be voted, and for Clrs to discuss the issue outside of the meeting.

Mayor Rooney put a motion forward to vote on the motion at that time, which was defeated. Discussion continued, and Mayor Rooney asked for Clr Last's right of reply. Discussion continued.

Note 43: Point of Order

Clr Last raised a point of order, when Mayor Rooney discussed a comment made about contempt for the Public. Mayor Rooney explained his statement and discussions continued.

Note 44: Point of Order

Clr Castellari raised a point of order, on the basis that arguments were still continuing on the issue. And again advised that Clr Last is allowed to have his right of reply, then the motion should be voted on.

Mayor Rooney advised his concern that the motion was about him, and that normal procedure was that he would not participate in debates, that he had no right of reply. Discussions continued.

Note 45: Point of Order

As discussion on Item 10.2 commenced, Mayor Rooney raised a point of order on the basis of Clr Last continuing discussions with Councillors regarding the notice of motion after the item had been put to a vote. Clr Last made the comment to Clr Ewart and Clr Corbett "you two next".

Mayor Rooney asked for a retraction and apology to both Councillors, and advised he was in breach of the Code of Meeting Practice. Clr Last retracted his statement and apologized. Councillors then continued with Item 10.2.

10.2 SMEC HYDRAULIC MUSEUM

Record No:

Responsible Officer:	General Manager
Author:	Councillor Sue Haslingden
Attachments:	Nil

Councillor Suzanne Haslingden has given notice that at the Ordinary Meeting of Council on 17 April 2019, she will move the following motion.

COUNCIL RESOLUTION

163/19

That Council

- A. Fully support the concept of the SMEC Hydraulic Museum
- B. Communicate to the current SMEC working party that Council at present is unable to assign resources to this project given the number of current projects already underway.

Moved Councillor Maslin

Seconded Councillor Beer

CARRIED

Record of Voting

Councillors For: Councillor Beer , Councillor Corbett, Councillor Ewart, Councillor Last, Councillor Maslin, Councillor Old and Mayor Rooney.

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

Note 46: Amendment to Original Motion

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

The original motion Moved: Clr Haslingden, Seconded: Clr Maslin was:

“That Council

A. Fully support to concept of the SMEC Hydraulic Museum

B. Form a working group to bring a report, business case and recommendations back to Council by 31 May 2019”

10.3 REMAINING FUNDS OF THE STRONGER COMMUNITIES BUDGET

Record No:

Responsible Officer: General Manager

Author: Councillor Anne Maslin

Attachments: Nil

Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 17 April 2019, she will move the following motion.

COUNCIL RESOLUTION

164/19

That Council retain in the same bucket, the unspent Stronger Communities Fund budget from the Therry Street and Bombala Main Street projects, in order that those funds be utilised for improvements in Bombala's central tourist and business precinct.

Moved Councillor Maslin

Seconded Councillor Stewart

CARRIED

11. MAYORAL MINUTES

12. QUESTIONS WITH NOTICE

12.1 BOMBALA MAIN STREET BOLLARDS

Councillor Sue Haslingden

Question: Why were the cement bollards put up where the Bombala amenities site is prior to Easter and Anzac Day?

These bollards have reduced parking during a very busy time for Bombala.

It is presumed no works will commence until after these holidays.

12.2 MOBILE PHONE COVERAGE - ANGLERS REACH

Councillor Lynley Miners

Question: I believe approximately 2 years ago Anglers Reach was promised to receive mobile coverage (Telstra).

Can Council shed some lights on this or an update?

12.3 A MAYORAL REPORT TO COUNCILLORS

Councillor Peter Beer

Question: Can the Mayor provide a 12 month report to Councillors on his role as Mayor? The report as set out in Section 226 (a) – (o) of the Local Government Act 1993.

13. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

165/19

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

13.1 Purchase of Part Lot 1 DP101714 and Part lot 1 DP 222016 in Commissioner Street Cooma - Flood Mitigation Works Stage 2

Item 13.1 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.2 Tender Approval for Contract for Provision of Street, Shopping Centre and Toilet Cleaning Services Jindabyne

Item 13.2 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.3 Legal Actions and Potential Claims Against SMRC as at 31 March 2019

Item 13.3 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.4 Consultancy Fees for the Year Ended 30 June 2018

Item 13.4 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter

in an open meeting would be, on balance, contrary to the public interest.

13.5 Approval to Write Off Excessive Water Usage Charges on Rural Water Service Connection

Item 13.5 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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

Moved Councillor Castellari

Seconded Councillor Ewart

CARRIED

Note 47: Invitation to Public

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

Note 48: Confidential Session of Committee

At 9.15PM pm the meeting was closed to the press and public.

Note 49: Resumption of Open Committee Meeting

At 9.38PM the Closed Session ended and the Council meeting continued in Open Session.

14. REPORT FROM CONFIDENTIAL SESSION

13.1 PURCHASE OF PART LOT 1 DP101714 AND PART LOT 1 DP 222016 IN COMMISSIONER STREET COOMA - FLOOD MITIGATION WORKS STAGE 2

COUNCIL RESOLUTION

166/19

That Council

- A. Rescind Resolution 39/14 of 10 February 2014;
- B. Offer to purchase lot 4 DP 1242464 \$9,650 ex GST;
- C. Offer to purchase lot 3 DP 1242464 for the sum of \$5,500 ex GST;
- D. Authorise the General Manager to negotiate with the owners of lots 3 and 4 to within 10% of the valuation;
- E. Calculate the apportionment of property rates from the date of registration of the plan of subdivision (17 December 2018);
- F. Classify both lots as operational land upon acquisition; and
- G. Authorise the expenditure and allocate an amount of \$21,450 ex GST in the 2019 Financial Year Budget with funding to be provided from other internal reserves.

Moved Councillor Beer	Seconded Councillor Stewart	CARRIED
------------------------------	------------------------------------	----------------

13.2 TENDER APPROVAL FOR CONTRACT FOR PROVISION OF STREET, SHOPPING CENTRE AND TOILET CLEANING SERVICES JINDABYNE

COUNCIL RESOLUTION	167/19	
That Council accept the Tender received for the Contract for the Provision of Street, Shopping Centre and Toilet Cleaning Services, Jindabyne Town Centre from Montane Properties for the amount of \$96,500.00 excluding GST.		
Moved Councillor Beer	Seconded Councillor Stewart	CARRIED

13.3 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 31 MARCH 2019

COUNCIL RESOLUTION	168/19	
That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 31 March 2019 report.		
Moved Councillor Stewart	Seconded Councillor Old	CARRIED

13.4 CONSULTANCY FEES FOR THE YEAR ENDED 30 JUNE 2018

COUNCIL RESOLUTION	169/19	
That Council receive and note the report and Attachment 1, detailing Consultancy Fees for the year ended 30 June 2018.		
Moved Councillor Stewart	Seconded Councillor Beer	CARRIED

13.5 APPROVAL TO WRITE OFF EXCESSIVE WATER USAGE CHARGES ON RURAL WATER SERVICE CONNECTION

COUNCIL RESOLUTION	170/19	
That Council approve the recommendations contained in the body of this report.		
Moved Councillor Beer	Seconded Councillor Stewart	CARRIED

13.6 MOTION OF URGENCY - ACQUISITION OF LAND IN BOMBALA

COUNCIL RESOLUTION

172/19

That Council authorize the General Manager to acquire land in Bombala as per the background to the report.

Moved Councillor Last

Seconded Councillor Maslin

CARRIED

There being no further business the Mayor declared the meeting closed at 9.40PM



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 17 April 2019 were confirmed by Council at a duly convened meeting on 16 May 2019 at which meeting the signature hereon was subscribed.