



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

17 January 2019

**ORDINARY COUNCIL MEETING
HELD IN BOMBALA COMMUNITY CENTRE, 163 MAYBE STREET, BOMBALA NSW 2623
ON THURSDAY 17 JANUARY 2019**

MINUTES

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**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN BOMBALA COMMUNITY CENTRE, 163 MAYBE STREET, BOMBALA NSW 2623**

**ON THURSDAY, 17 JANUARY 2019
COMMENCING AT 5.00PM**

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

APOLOGIES: Councillor James Ewart

Staff: Peter Bascomb, General Manager
Suneil Adhikari, Director Operations & Infrastructure
Peter Smith, Director Environment & Sustainability
Peter Cannizzaro, Director Corporate & Community Services
Erin Donnelly, Secretary Council and Committees
Nola Brady, Group Manager Governance
Gnai Ahamat, Group Manager Water and Wastewater Services
Tarang Kamath, Senior Internal Auditor

Notes: *The Mayor opened the meeting at 5.04PM, The General Manager was absent from the meeting from 6.00pm during Item 8 Delegate's Report returning at 6.05pm during same Item, Councillor Last was absent from the meeting from 6.20pm during Item 12.3 Formation of a Water and Sewer Committee and Status of Water and Sewer Operations returning at 6.24pm during same Item, The Group Manager Water and Wastewater Services was absent from the meeting from 6.26pm during Item 13.4 Minutes of the Audit, Risk and Improvement Committee Meeting held 05 December 2018 returning at 6.29pm during Item 18 Questions Taken on Notice, At 6.41 pm the meeting was closed to the press and public, At 7.03 pm the Closed Session ended and the Council meeting continued in Open Session, There being no further business the Mayor declared the meeting closed at 7.04pm.*

The Mayor opened the meeting at 5.04PM

1. APOLOGIES

Note 1: Leave Previously Granted

Councillor Ewart was absent from this meeting with leave of absence previously granted at the Council Meeting held 1 November 2018.

COUNCIL RESOLUTION

1/19

That the apology from Clr Old be accepted and leave of absence be granted for the 7 and 21 February and 7 March 2019 meetings; and

That the apology from Clr Beer be accepted and leave of absence be granted for the 7 February 2019 meeting.

Moved Mayor Rooney

Seconded Councillor Corbett

CARRIED

2. CITIZENSHIP CEREMONY

Nil.

3. PRESENTATIONS

Nil

4. PUBLIC FORUM

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

COUNCIL RESOLUTION

2/19

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

Moved Mayor Rooney

Seconded Councillor Corbett

CARRIED

4.1 SHANE TRENGOVE - SNOWY HYDRO LAND RELEASE IN JINDABYNE

Mr Shane Trengove, Resident of East Jindabyne, presented to Council the Snowy Hydro release of land around Lake Jindabyne and Go Jindabyne. Mr Trengove informed Council of some current planning issues, in particular with restricted access to the lake and the lack of public space in current developments. Mr Trengove would like Council to discuss land use with Snowy hydro.

4.2 MARNIE DAVIS - DA4193/2018 HIGHVIEW

Mrs Marnie Davis, resident of Jindabyne, spoke to Council about DA4193/2018. Mrs Davis expressed a number of concerns herself and residents have with the development including; noise, vehicle access and parking overflow onto the road, already limited access for garbage trucks and emergency services. Mrs Davis asked Council to consider the development as tourist accommodation and acknowledge that it does not consider the unique needs of Jindabyne, and to take this opportunity to plan for the town.

4.3 IAN HAMPTON - SMEC FLUID LABORATORIES

Mr Ian Hampton, representative for the SMCE Technical Working Group, presented to Council the history and background of a proposal to develop and operate the SMEC fluid mechanics laboratory as a technological and heritage museum. Mr Hampton believes, if done well, the proposed museum has the potential to become an important primary attraction for Cooma and the region, and requested to have further discussion with Council and SMEC to discuss the program.

4.4 JACKIE MELLON - PROPOSAL FOR YOUTH CENTRE IN BOMBALA

Mrs Jackie Mellon presented a business plan to Council for a youth hub in Bombala. Mrs Mellon gave Council an overview of the research conducted, discussion with councils youth development officers, and what the plan intends to provide. Mrs Mellon asked Council for support with funding the program.

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

3/19

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:

- 9.1 Bombala Racecourse and Recreation Ground Section 355 Committee Minutes
- 10.1 Monthly Funds Management Report – December 2018
- 12.1 Opening a Section of Crown Reserve Road – Towrang Vale Road
- 13.2 Answers to Questions Without Notice
- 13.3 Resolution Action Sheet Update

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

Moved Mayor Rooney

Seconded Councillor Corbett

CARRIED

7. ADOPTION OF MINUTES OF PREVIOUS MEETING

7.1 ORDINARY COUNCIL MEETING 20 DECEMBER 2018

COUNCIL RESOLUTION

4/19

THAT the minutes of the Ordinary Council Meeting held on 20 December 2018 are confirmed as a true and accurate record of proceedings, pending the following amendments:

Page 35 Item Adjournment of Meeting

Insert:

Note: Councillor Called to Order

The Mayor called Clr Last to order and asked him to retract his previous statement and inappropriate remarks. Clr Last refused to apologise.

Note: Act of Disorder

The Mayor directed Clr Last to leave the meeting for 10 minutes, Clr Last refused to leave the meeting. Upon Clr Last refusal the Mayor called for a vote to expel Clr Last from the meeting for 10 minutes, the vote was lost.

Moved Councillor Last

Seconded Councillor Stewart

CARRIED

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 20 DECEMBER 2018

COUNCIL RESOLUTION

5/19

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 20 December 2018 are confirmed as a true and accurate record of proceedings.

Moved Councillor Old

Seconded Councillor Haslingden

CARRIED

8. DELEGATE'S REPORT (IF ANY)

8.1 COUNCILLOR BRIAN OLD

Councillor Brian Old attended the Water Ski Race held in Jindabyne. Clr Old informed Council the event was well attended and well received within the community and brings a lot of visitors to the area.

8.2 MAYOR JOHN ROONEY

Mayor John Rooney attended the Strategic Planning day for the Country University Centre. Mayor Rooney informed Council the day was productive and the Chair was pleased with the session.

Mayor Rooney had a meeting with Kay Anderson, Chair of the Country Women's Association (CWA) to discuss the issues with Yallambee Lodge Mrs Anderson has offered to act as a 'bridge' between residents families and the centre to establish trust.

COUNCIL RESOLUTION

6/19

That Council receive and note Delegate's Report.

Moved Mayor Rooney

Seconded Deputy Mayor Miners

CARRIED

Note 2: Attendance of General Manager

The General Manager was absent from the meeting from 6.00pm during Item 8 Delegate's Report returning at 6.05pm during same Item.

9. ADOPTION OF COMMITTEE MINUTES/RECOMMENDATIONS

9.1 BOMBALA RACECOURSE AND RECREATION GROUND SECTION 355 COMMITTEE MINUTES.

Responsible Officer:	Director Corporate and Community Services
Author:	Group Manager Governance
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:	<ol style="list-style-type: none">1. AGM Minutes for BRRGC 26 Nov 20182. Draft General Meeting minutes for BRRGC Dec 3 20183. Draft Charter for Bombala Racecourse and Recreation Ground Section 355 Committee4. Charter Appendix 1 - Bombala Racecourse and Recreation Ground S355 Committee Map

EXECUTIVE SUMMARY

Bombala Racecourse and Recreation Ground Section 355 Committee held the Annual General Meeting on Monday 26 November 2018, followed by a General meeting on Monday 3 December 2018.

The minutes from both meetings are attached to this report, in addition to the revised draft Charter and Appendix 1 defining the changes to the area under management by the Committee.

Council's Governance and Facilities departments had requested the Committee amend the area under management by the committee and also relinquish the leasing agreements of the grazing reserve and caretakers facility to comply with Council property leasing requirements.

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

COUNCIL RESOLUTION

7/19

That Council:

- A. Receive and note the minutes of the Bombala Racecourse and Recreation Ground Section 355 Committee Annual General Meeting and draft minutes of the General Meeting; and
- B. Approve the adoption of the revised Charter reflecting the changes to the area under management; and
- C. Authorise the allocation from Council's Facilities operational expenditure budget of \$10,100 per annum from the 2020 financial year and beyond, for the management of the racecourse and associated buildings, in lieu of the income previously received from the lease of the land and the caretaker facility by the committee.

Moved Mayor Rooney

Seconded Councillor Corbett

CARRIED

Note 3: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 3/19 above as there was no challenge by Councillors.

10. CORPORATE BUSINESS - KEY THEME 1. COMMUNITY

10.1 MONTHLY FUNDS MANAGEMENT REPORT - DECEMBER 2018

Record No:

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

EXECUTIVE SUMMARY

The following report details the funds management position for the reporting period ending 31 December 2018.

Cash and Investments are \$86,196,466.

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	8/19
That Council	
A. Receive and note the report indicating Council’s cash and investments position as at 31 December 2018; and	
B. Receive and note the Certificate of the Responsible Accounting Officer.	
Moved Mayor Rooney	Seconded Councillor Corbett
	CARRIED

Note 4: Motions Without Debate

The above officer’s recommendation became a resolution of Council as a result of resolution 3/19 above as there was no challenge by Councillors.

11. CORPORATE BUSINESS - KEY THEME 2. ECONOMY

Nil

12. CORPORATE BUSINESS - KEY THEME 3. ENVIRONMENT

12.1 OPENING OF A SECTION OF CROWN RESERVE ROAD - TOWRANG VALE ROAD

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:	1. Section of Towrang Vale Road to be Transferred to Council (marked in yellow).
Cost Centre	1830 – Unsealed Rural Roads - Local

EXECUTIVE SUMMARY

On 4 October 2018, Council considered and approved D/A 10.2018.1222.1 for an 11 lot subdivision on Towrang Vale Road Cooma.

Condition 9 of the consent required the developer to construct part of a Crown reserve road at the end of Towrang Vale Road and to have a section of the Crown reserve road (marked yellow on the map attached to this report) transferred to Council as a Council public road.

Only Council can apply to have a Crown reserve road transferred to Council as a Council public road under Part 10 Division 1A Section 152I of the Roads Act 1993.

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

COUNCIL RESOLUTION

9/19

That Council

- A. Approve the application to the Crown to have a section of Towrang Vale Road as outlined in the plan attached to this report, transferred to Council as a Council public road; and
- B. Require the developer to agree to be responsible for all the costs associated with the transfer of the portion of crown public road to Council.

Moved Mayor Rooney

Seconded Councillor Corbett

CARRIED

Note 5: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 3/19 above as there was no challenge by Councillors.

12.2 DA4193/2018 - PROPOSED EIGHT (8) SERVICED APARTMENTS & STRATA SUBDIVISION OVER LOTS 21 & 22 DP1227047

Record No:

Responsible Officer: Group Manager Development & Building Certification
 Author: Town Planner
 Key Theme: 3. Environment Outcomes
 CSP Community Strategy: 8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage
 Delivery Program Objectives: 8.1.1 New development and land use is facilitated in appropriate locations with areas of environmental value protected
 Attachments: 1. Draft Conditions of Consent
 2. Statement of Environmental Effects
 3. Plan Set
 4. BASIX Certificate
 5. Submissions
 6. Development Application Form

Further Operational Plan Actions:

Applicant Number:	DA4193/2018
Applicant:	Asy Investments Pty Ltd
Owner:	Asy Investments Pty Ltd
DA Registered:	7/06/2018
Property Description:	Lot 21 & 22 DP1227047
Property Number:	108689
Area:	Jindabyne
Zone:	R1- General Residential
Current Use:	Vacant Land
Proposed Use:	8 Serviced Apartments
Permitted in Zone:	yes
Recommendation:	approved

EXPLANATION OF ACTIONS FOLLOWING 6 DECEMBER 2018 COUNCIL MEETING

At the Council meeting on 6 December 2018, Council resolved (Resolution 550/18) *"to defer consideration of this matter pending further consultation."*

Following that resolution, clarification was sought from the mover and seconder of the motion (Councillors Old and Castellari) as to what was intended by the request for "further consultation". It was agreed to arrange a meeting with the two parties who had lodged formal submissions regarding the DA, and with the parties that had made personal representations to Cllr Old prior to the 6 December Council meeting. That advice was provided to all Councillors via email on 13 December 2018.

A copy of correspondence from the applicant's architect was also provided to Councillors at that time.

This meeting was held in the Jindabyne office on 20 December 2018. Councillors Old, Castellari and Beer were in attendance, with 2 staff members and 11 community members.

It was clarified to the attendees that the meeting was an opportunity for them to further explain their views to the Councillors, with staff present to provide advice regarding the Development Application process, the LEP and DCP requirements.

It was further advised that the Council resolution (550/18) was to defer consideration of the report presented to the 6 December 2018 meeting, to enable Councillors to have further consultation, and that the report would be resubmitted to Council's meeting of 17 January 2019 without change, apart from an explanation of actions following the 6 December meeting.

Staff contacted the architect following the meeting to provide an update of actions, and to advise that the report would be resubmitted to Council's meeting of 17 January 2019.

The report is resubmitted to Council for determination.

EXECUTIVE SUMMARY

The application seeks approval for the construction of a serviced apartment development comprising of eight (8) apartments for tourist and visitor accommodation over two (2) allotments in the recently subdivided street of Jagungal Close in the High View Estate, Jindabyne.

The development is proposed on lot 21 & 22 DP 1227047 within stage 5B of the estate with both lots being Torrens Title. The proposal seeks approval to consolidate the lots and strata subdivide into eight (8) lots with common property.

The units have been designed to be complimentary to the topography of the site. Given that they are spaced across the allotment, the bulk and mass of the development is minimized ensuring that visual and acoustic amenity is maintained.

The application received two objections during the submission period and a consideration of the issues raised is included in the report.

It considered that the development complies with the provisions of the Snowy River Local Environmental Plan and Development Control Plan 2013 and it is recommended that it be approved with conditions.

COUNCIL RESOLUTION

10/19

That Council approve the proposed development of eight (8) serviced apartments at Lot 21 & 22 DP 1227047, Jagungal Close, Jindabyne.

- A. Pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that approval to DA 4193/2019 for 8 Serviced Apartments and strata Subdivision, is granted subject to the conditions attached with amendments to condition 1 to refer to the updated plan DA.3b, and condition 76 to reflect the occupancy of unit 7 as 5 person; and
- B. Any person who made a submission is notified according to the regulations.

Moved Councillor Old

Seconded Councillor Corbett

CARRIED

Record of Voting

Councillors For: Councillor Beer , Councillor Last, Councillor Maslin, Deputy Mayor Miners, Mayor Rooney and Councillor Stewart.

Councillors Against: Councillor Castellari, Councillor Corbett, Councillor Haslingden and Councillor Old.

Note 6: Draft conditions of Consent and Statement of Reasons DA4193/2018

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 The proposed development, subject to the conditions below, will have no unacceptable adverse impacts on the natural or built environments including the nearby local heritage items, the 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
3. The application was notified to adjoining landowners and/or publicly advertised in accordance with the Snowy River DCP 2013 and the relevant statutory regulations. The proposal received 2 submissions.
4. In consideration of conclusions 1 – 3 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 DA4193/2018 as submitted to Council on the 7/06/2018 4:31:41 PM with supporting documentation including, but not limited to the development plans being:

Reference/Dwg No	Title/Description	Prepared By	Date/s
N/A	Title Sheet	Jeff Robinson Architect	29/05/2018
DA.1	Streetscape Views	Jeff Robinson Architect	29/05/2018
DA.2	Site Analysis	Jeff Robinson Architect	29/05/2018
DA.3b	Ground Floor Site Plan	Jeff Robinson Architect	20/12/2018
DA.4a	First Floor Site Plan	Jeff Robinson Architect	06/08/2018
DA.5a	Site Elevations	Jeff Robinson Architect	06/08/2018
DA.6	Sectional Elevations	Jeff Robinson Architect	29/05/2018
DA.7a	Open Space & Roof Areas	Jeff Robinson Architect	22/06/2018
DA.8a	Concept Landscaping Plan	Jeff Robinson Architect	22/06/2018
DA.11	Draft Subdivision Plan	Jeff Robinson Architect	29/05/2018
DA.12	Windows & Ext. Doors Schedule	Jeff Robinson Architect	29/05/2018
C050 Job No. 182028	Stormwater Works	Northrop Architect: Jeff Robinson Architect	23/10/2018
Certificate No. 925452M	BASIX Certificate	Eco Certificates Pty Ltd	15 May, 2018
SK1-DA4193/2018	Statement of Environmental Effects	PLANSIGHT PTY LTD	May 2018

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

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

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

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

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

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

- A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.

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

Disability Discrimination

4. Your development may be affected by the New Premises Standards. It is the applicants responsibility to ensure the development complies. The current Australian Standard AS1428.1 - Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.

OTHER APPROVALS

Separate Section 138 Permit - Roads Act 1993

5. 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) and prior to the issue of either an interim occupation certificate or a final occupation certificate. 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.

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

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

PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE

Monetary Contributions

7. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 and Council's adopted Contributions plans, the following contributions apply to the development:

Community Services & Facilities \$3350

Regional Waste Management \$4028

Bushfire Services	\$ 975
Open Space & Public Art	\$ 843
Sport & Recreation Facilities	\$ 623
Jindabyne Shared Pathways	\$ 386
Jindabyne Area Shared Trails	\$3559
TOTAL = \$13,764	

The abovementioned contributions are based on 19 bedrooms at 0.29ET (Equivalent Tenements) total = 5.51. (Serviced Apartments)

The developer must, pursuant to Section 94 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.

Heating Appliances

8. The developer shall submit to the Certifying Authority (i.e. Council or Accredited Certifier) full details on the heating appliance/s to be installed within the development prior to the release of the Construction Certificate. The details are include the location and type of appliance and the manufactures installation specifications.

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

9. A construction 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.

PRIOR TO THE COMMENCEMENT OF WORKS

Construction Certificate

10. 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

11. At least 48 hours prior to the commencement of any works on the site, a "Notice of Commencement of Work and Appointment of PCA Form" will be submitted to Council. This includes that prior to the commencement of works the Applicant will submit to Council:
- (a) A construction certificate for the building work which has been issued by the Certifying Authority (i.e. Council or Accredited Certifier); and,
 - (b) Evidence that the person having the benefit of the development consent has:
 - (i) Appointed a Principal Certifying Authority (PCA) and notified Council in writing of the appointment, irrespective of whether Council or an accredited private certifier is appointed;
 - (ii) notified the PCA that the person will carry out the building work as an owner-builder, if that is the case; and,
 - (c) Evidence that the principal PCA has, no later than 2 days before the building work commences:
 - (i) notified the consent authority and the Council of his or her appointment, and;
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work; and,
 - (d) Evidence that the person having the benefit of the development consent, if not carrying out the work as an owner-builder has:
 - (i) notified the Certifying Authority (i.e. Council or Accredited Certifier) of any such appointment; and,
 - (ii) unless that person is the principal contractor, notified the principal contractor of any critical state inspection and other inspections that are to be carried out in respect of the building work.

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

12.

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

- a) in the case of work to be done by a licensee under that Act:
 - i. has been informed in writing of the licensee's name, contractor license number and contact address details (in the case of building work undertaken by a contractor under the Home Building Act 1989); and
 - ii. is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989; or
- b) in the case of work to be done by any other person:
 - i. has been informed in writing of the persons name, contact address details and owner-builder permit number; and has been given a

declaration signed by the property owner(s) of the land that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989 and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs. **Note:** A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the specific person or licensed contractor is the holder of an insurance policy issued for the purposes of that Part of the Act is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part of the Act

Easements

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

Temporary Benchmark

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

Site Notice

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

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

Temporary Sanitary Facilities

16. Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be: a standard flushing toilet; and connected to either: an accredited sewage management facility or an approved chemical closet. The toilet facilities shall be provided on-site, prior to the commencement of any works.

Enclosure of the Site

17. 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.

Termite Control

18. Prior to the commencement of works, the Applicant will submit to the satisfaction of the PCA (i.e. Council or Private Certifier) documentation confirming the building will be protected from termite attack in accordance with the provisions of Australian Standard AS 3660.1. The submitted documentation will include:
- (a) details of the proposed methods to be used; and
 - (b) certification of works performed;
19. A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:
- (a) the method of protection;
 - (b) the date of installation;
 - (c) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and.
 - (d) the need to maintain and inspect the system on a regular basis.

NOTE: Under slab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building.

Master Water Meter

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

DURING WORKS

Approved Plans to be On-site

21. 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

22. 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.
23. 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".
24. The developer shall ensure that erosion and siltation control measures shall be undertaken in accordance with the approved *Erosion and Sediment Control Plan* in respect to any part of the land where the natural surface is disturbed or earthworks are carried out.
25. The developer is to ensure that all works proposed must be designed, constructed and operated to minimise sedimentation, erosion and scour of the banks or bed of the watercourse and to minimise adverse impacts on aquatic and riparian environments.

All-weather Access

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

Site Management

27. 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.

Trade Waste

28. The applicant must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction
- (a) Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.
 - (b) The burning of builders waste on site by open fire is prohibited.

Use of Explosives

29. 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.

Use of Power Tools - Residential and Village Areas

30. The developer is to ensure that work on the development site by all persons using power tools and equipment is limited to the following hours:
- | | |
|-----------|------------------|
| Mon - Fri | 7.00am to 6.00pm |
| Saturday | 8.00am to 5.00pm |
- No work to occur on Sundays or Public Holidays

Inspection Notification

31. 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

32. 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

33. 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.
34. 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.
35. The developer is to ensure that if an excavation associated with the development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must:
- (a) preserve and protect the adjoining building from damage, and if necessary, underpin and support the building in an approved manner; and
 - (b) at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
36. 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.
37. The developer is to ensure that the toe of any embankment to a site excavation is a minimum 900mm from the external walls and graded to drain all surface water away from the building. The ground level adjacent to the building is to be no less than 150mm below the top of the reinforced concrete floor slab.

Plumbing & Draining

38. The developer is to ensure that prior to any plumbing work being commenced the licensed plumber / drainer must lodge with Council a Notice of Work two (2) working days prior to commencement of the work. A sewer service diagram.

AND

- Prior to covering any new Plumbing & Drainage work arrange for the work to be inspected by Council Officers by phoning the Jindabyne Council Office on 02 64511550 and paying the appropriate inspection fee. (An additional inspection fee will apply for all work required to be re-inspected)

AND

- Within two (2) working days of the final inspection being completed the Licensed Plumber & Drainer is to provide to the Council and the property owner:-

- (a) A Certificate of Compliance to AS3500.
- (b) A dimensioned schematic layout of the sanitary drainage lines.

Notes:-

- The Plumbing and Drainage Act 2011 has substantial fines for non-compliance.
- Documentation submitted will incur an administrative fee for lodgement.

Eg:- Lodge 1 or more documents together = 1 fee

Lodge documents separately = 1 fee for each lodgement

- 39. All plumbing and drainage work is to be installed by a Licensed Plumber & Drainer in accordance with the Australian Standard 3500 and the provisions of the Plumbing and Drainage Act 2011 and BASIX requirements.
- 40. The developer shall ensure that a licensed plumber and drainer undertakes the connection to Council sewer system. The sewer riser is to be flush with the finished surface levels of the land and provided with a cap and concrete collar.

Hot Water Installation

- 41. All new heated water installations shall deliver heated water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-
 - (a) 45°C for aged, the sick, children or people with disabilities in healthcare or aged care buildings, early childcare centres, primary & secondary schools & nursing homes or similar facilities for the aged, the sick, children or people with disabilities.
 - and
 - (b) 50°C for all other situations.

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

Back Flow

- 42. Back flow prevention devices will be installed wherever cross connection occurs or is likely to occur. The type of device will be determined in accordance with AS3500.1 and will be maintained in working order and inspection for operational function at intervals not exceeding 12 months.

Retaining Walls

- 43. All retaining walls in excess of 1.0 metres in height must be certified by a qualified structural engineer. In this regard, a engineer must also verify the structural

integrity of the retaining wall after construction and a copy of this certification is provided to Council prior to release of Occupancy Certificate.

Car Park Runoff

44. All surface water collected from hard stand parking areas to be directed to Council approved pre-treatment facilities before discharge to approved discharge locations. Stormwater from covered or enclosed car park areas will not be discharged to the public sewer unless approved treatment facilities have been provided.

Revegetation Works

45. 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.

Water Supply (8 Serviced Apartments)

46. The developer shall make arrangements with Council for the provision of a 20mm metered water service to each serviced apartment. This is to be carried out through a s68 Ancillary Application.

Sewerage Connection

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

PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Occupation Certificates

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

BASIX Certificate

49. A BASIX certificate is to be submitted with the application for occupation certificate (For complying development, this is the BASIX Certificate applicable

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

Landscaping Plan

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

Road Damage

51. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be repaired to the satisfaction of the Director of Technical Services and Operations and to be met in full by the applicant prior to the issue of an Occupation Certificate.

Occupation Certificate

52. A final inspection must be carried out by Council prior to the use of the building for the purpose of a *serviced apartment*. An occupation certificate for change of use will be issued when Council is satisfied that all conditions of consent have been complied with.

USE OF SITE

Stormwater Management Plan

53. The developer shall ensure that all on-site stormwater is treated in accordance with the approved Stormwater Management Plan by Northrop as approved under this consent (Drawing No. C050 Revision 1).

Roof Water

54. The developer shall ensure that all stormwater is directed from the roof to rainwater storage tanks.

Rainwater Tanks

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

56. The developer shall ensure that rainwater tanks are de-sludged every three years.
57. For Non Charged Systems The developer shall ensure that rainwater tanks are fitted with a first flush device and filter sock to prevent potential contaminants from entering the tank. Or For Charged Systems The developer shall ensure that the charged line has a flush out drain point.
58. The developer shall ensure that rainwater tanks are fitted with the following: Impervious covers and all access points, except for inlet and overflow, are fitted with close fitting lids. The inlet and overflow shall incorporate a mesh covering and/or strainer.
59. The tank is enclosed and inlets screened, so as to prevent the entry of foreign matter and to prevent mosquito breeding.
60. The developer shall ensure that the roof catchment area is kept clear of overhanging vegetation.
61. Pumps are to be covered or screened to avoid noise nuisances to neighbouring properties.
62. The developer shall ensure that all storm water that is not collected by the tank is directed away from tank foundations, buildings or other structures onto gardens or into rubble pits or directly to the road drainage system such that it does not cause nuisance to neighbouring properties.

Rainwater Tanks - Mains Top Up

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

Garbage Disposal - Commercial

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

the development.

Maintenance of Garbage Bins

65. The developer shall ensure that the garbage bin/s are: maintained in good order and healthy state at all times; and only for the purpose of storage and collection of garbage.

External Finishes

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

Services

67. The developer shall ensure that all service pipes and vents are enclosed in suitable ducts so that no plumbing or other fittings are exposed. Access panels must be provided as required by the relevant authority.

Amenity

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

Storage of Goods and Materials

69. All goods, materials and equipment shall be stored within the building and no part of the land shall be used for purposes of storage.

Property Number

70. The developer shall attach to the front of the development the following house number that is clearly visible from the street frontage of the property: 4-6

Consolidation of Land

71. All lots or parcels comprising the total property must be consolidated into a single title.

SERVICED APARTMENTS

Use of Building (as serviced apartment)

72. The developer is to ensure that at all times the building is being used only for the purpose of a *serviced apartment* as defined in the Snowy River Shire Local Environmental Plan.
73. The *serviced apartment* is used wholly and primarily for short-term accommodation (maximum 3 months) for tourists or visitors on a commercial basis and is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents. The maximum

Property Manager

74. The name and contact details of the property manager must be displayed at the rear of the main entry door at all times. Council is to be informed if the property manager changes.

Waste Management

75. The property manager is to ensure that garbage bins are placed on the kerbside in time for collection and removed after collection.

Occupancy Rates

76. The developer is to ensure that each bedroom in the *serviced apartment* is to be occupied by the number of persons not exceeding the number listed in the following schedule:

Unit	Bedrooms
1	Bedroom 1 = 3 persons Bedroom 2 = 3 persons Bedroom 3 = 2 persons TOTAL = 8 persons
2	Bedroom 1 = 3 persons Bedroom 2 = 2 persons Bedroom 3 = 3 persons TOTAL = 8 persons
3	Bedroom 1 = 3 persons Bedroom 2 = 3 persons TOTAL = 6 persons
4	Bedroom 1 = 3 persons

	Bedroom 2 = 3 persons Total = 6 persons
5	Bedroom 1 = 3 persons Bedroom 2 = 3 persons TOTAL = 6 persons
6	Bedroom 1 = 3 persons Bedroom 2 = 3 persons Bedroom 3 = 2 persons TOTAL = 8 persons
7	Bedroom 1 = 3 persons Bedroom 2 = 2 persons TOTAL = 5 persons Loft storage space above- not to be used for habitable purposes
8	Bedroom 1 = 3 persons Bedroom 2 = 3 persons Total = 6 persons

77. The developer shall ensure that a sign shall be erected on the back of the main entrance door(s) into the *serviced apartment* stating the following: **“The maximum number of persons permitted to be accommodated in the serviced apartment is”**

Note: The developer may obtain the abovementioned sign (i.e. sticker) from Council. Please contact Councils Department of Environmental Services on (02) 6451 1550

Sofa Beds

78. The developer shall ensure that any sofa bed in the unit is locked/adjusted so it cannot be used for the sleeping accommodation of persons using the serviced apartment.

Fire Safety Dwelling Houses

79. The developer is to ensure that an automatic fire detection or smoke detection system connected to mains power with battery back up (to AS3786) is on or near the ceiling in every storey of the building.
80. That, to help ensure compliance with relevant BCA standards, the owner of the building shall furnish Council with the following certificates: Installation of automatic fire detection system to AS3786 (internal)

Advertising Sign

81. The developer is to ensure that no advertising signs and structures are

displayed or erected on the development without the further consent of Council.

PRIOR TO ISSUE OF STRATA SUBDIVISION CERTIFICATE

Subdivision Certificate Application

82. The developer is to submit to Council a completed Subdivision Certificate application form together with:
- a) The original linen plan/s and six (6) copies;
 - b) Any required or relevant Section 88B instrument under the Conveyancing Act 1919;
 - c) Subdivision Certificate application form fully completed and accompanied with the applicable fee;
 - d) Certificate from a recognised telecommunications carrier certifying that telephone connection has been provided to the site;
 - e) Certificate from a recognised power authority certifying that electricity connection has been provided to the site;
 - f) A location map of all water meters on the site; and
 - g) Details on all water meters on the newly created lots.

Consolidation of Titles

83. Prior to the occupation of the serviced apartments, the developer shall provide written documentation to Council confirming the registration by the NSW Land Registry Services of a plan of consolidation of lots 21 & 22 DP1227047.

12.3 FORMATION OF A WATER AND SEWER COMMITTEE AND STATUS OF WATER AND SEWER OPERATIONS.

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:	Nil

Cost Centre 2010 Water Management / 2110 Sewer Management

Project Various

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Several water and sewer issues have been raised frequently at Council meetings.

Water and sewer services are governed by multiple Acts, Regulations and Guidelines. The implementation of the requirements of these have sometimes caused angst and controversies.

The establishment of a Committee of Council will allow robust discussions, better understanding of the requirements under the Act and improved communication involving water/sewer related issues.

The report also highlights progress on the water and sewer tasks over the past six months.

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

COUNCIL RESOLUTION

11/19

That Council

- A. Agree to form a Water and Sewer Committee of Council;
- B. Agree the frequency of meetings and terms of reference to be determined by the committee at its inaugural meeting;
- C. Receive and note the progress and status of water and sewer operations; and
- D. Confirm Clr Beer, Clr Miners, Clr Maslin and Mayor Rooney as the Council representatives on the Water and Sewer Committee.

Moved Councillor Beer

Seconded Deputy Mayor Miners

CARRIED

Note 7: Attendance of Councillor Last

Councillor Last was absent from the meeting from 6.20pm during Item 12.3 Formation of a Water and Sewer Committee and Status of Water and Sewer Operations returning at 6.24pm during same Item.

13. CORPORATE BUSINESS - KEY THEME 4. LEADERSHIP

13.1 SNOWY MONARO REGIONAL COUNCIL CONTRACT FOR PROVISION OF STREET, SHOPPING CENTRE & TOILET CLEANING AT JINDABYNE TOWN CENTRE

Record No:

Responsible Officer: Director Operations & Infrastructure

Author: Property 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. Draft Contract for Provision of Street Shopping Centre & Toilet Cleaning Jindabyne Town Centre
2. Location Map for Cleaning Area Jindabyne Town Centre
3. Confidential Economic Information (*Under Separate Cover*) -
Confidential

Cost Centre 15510

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Contract for street, shopping centre and public toilet cleaning in Jindabyne is due to expire on 28 February 2019.

Council now needs to advertise the Contract for Tender. The Contract will be for a two (2) year period and commence as per Schedule One of the contract with a once only extension of two (2) years.

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

COUNCIL RESOLUTION

12/19

That Council defer the report Snowy Monaro Regional Council Contract for Provision of Street, Shopping Centre & Toilet Cleaning at Jindabyne Town Centre to the next Council meeting.

Moved Councillor Beer

Seconded Councillor Haslingden

CARRIED

13.2 ANSWERS TO QUESTIONS WITHOUT NOTICE

Record No:

Responsible Officer: Director Corporate and Community Services

Author: Governance Administration Support

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. 17 January 2019 In Progress QWN

Cost Centre

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 6 December 2018.

Please note; due to the Christmas closures, updates on Councillor questions asked at the 20 December 2018 Council meeting will be reported to the 7 February 2019 Council meeting.

SMRC Councillors' Questions – In Progress is attached to this report

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

COUNCIL RESOLUTION

13/19

That Council receive and note SMRC Councillors' Questions – In Progress.

Moved Mayor Rooney

Seconded Councillor Corbett

CARRIED

Note 8: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 3/19 above as there was no challenge by Councillors.

13.3 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer: Director Corporate and Community Services
Author: Governance Administration Support
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. 17 Januray 2019 - In Progress Actions.pdf
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 6 December 2018.

Please note; due to the Christmas closures, updates on actions from the 20 December 2018 Council meeting will be reported to the 7 February 2019 Council meeting.

SMRC Resolution Action Sheet – In Progress is attached to this report.

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

COUNCIL RESOLUTION

14/19

That Council receive and note the SMRC Resolution Action Sheet – In Progress.

Moved Mayor Rooney

Seconded Councillor Corbett

CARRIED

Note 9: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 3/19 above as there was no challenge by Councillors.

**13.4 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 05
DECEMBER 2018**

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. Minutes of ARIC Meeting held on 05 December 2018 2. Chair's Discussion Summary to be Read in Conjunction with the Minutes of ARIC Meeting held on 05 December 2018
Cost Centre	3136 - Internal Audit

EXECUTIVE SUMMARY

The Audit, Risk and Improvement Committee met on 05 December 2018 in Unit 7, Level 2 Meeting Room, Cooma. The minutes of meeting and Chair's discussion summary are presented for Council's information.

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

COUNCIL RESOLUTION

15/19

That Council receive and note the information in the minutes and Chair's discussion summary of the meeting of the Audit, Risk and Improvement Committee held on 05 December 2018.

Moved Councillor Castellari

Seconded Councillor Stewart

CARRIED

Note 10: Attendance of Group Manager Water and Wastewater Services

The Group Manager Water and Wastewater Services was absent from the meeting from 6.26pm during Item 13.4 Minutes of the Audit, Risk and Improvement Committee Meeting held 05 December 2018 returning at 6.29pm during Item 18 Questions Taken on Notice.

13.5 SNOWY MONARO REGIONAL COUNCIL SUBMISSION TO REMUNERATION TRIBUNAL.

Record No:

Responsible Officer:	Director Corporate and Community Services
Author:	Group Manager Governance
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. Remuneration_Tribunal_2018-Annual_Determination 2. 2019 letter to Councils seeking submissions
Cost Centre	3120

EXECUTIVE SUMMARY

The Local Government Remuneration Tribunal has invited submissions from individual Councils by no later than 30 January 2019, in the event a Council believes that it has a strong case for re-categorisation based on the criteria published on pages 20 to 23 of the attached document titled 'Remuneration_Tribunal_2018-Annual_Determination'.

Snowy Monaro Regional Council is currently categorised as a Regional Rural Council.

The Governance team has reviewed the criteria and has formed the view that a submission should not be made on the basis that Snowy Monaro Regional Council does not meet the criteria of an alternate Council category.

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

COUNCIL RESOLUTION

16/19

That Council:

- A. Receive and note the report Snowy Monaro Regional Council submission to Remuneration Tribunal; and
- B. Supports the recommendation that there is no strong case for Snowy Monaro Regional Council in 2019 to provide a submission to seek a categorisation change from its current category of Regional Rural.

Moved Councillor Beer

Seconded Councillor Haslingden

CARRIED

14. REPORTS BY GENERAL MANAGER

Nil

15. NOTICE OF MOTION

Nil

16. MOTIONS OF URGENCY

Nil

17. QUESTIONS WITH NOTICE

Nil.

18. QUESTIONS TAKEN ON NOTICE

18.1 RATE NOTICE FOR PERIOD 1 JULY 2018 TO 30 JUNE 2019

Councillor Peter Beer

Question:

- A. Why are rate notices delivered a week after the due date?
- B. Are the interest charges going to be charged?
- C. How long has this situation been going on?
- D. How will Council inform rate payers if interest charges are or not going to be charged?

History:

- Issue date of above was 23/10/2018. Due date was 30/11/2018.
- Notice arrived in mail on 8/12/2018 (over one week after the due date).
- Charges of 7.50% statement for overdue payments will be incurred.

Answer: Taken on Notice.

18.2 STREET CORNERS, COOMA

Councillor John Last

Question: Why is it that the street corners have not been completed, even though it appears the masonry work has been completed?

Answer: Taken on Notice.

18.3 QUOTE FOR PLANTS, SHRUBS AND TREES

Councillor John Last

Question: Why is it that Cooma H Hardware have not been asked for a quote for plants and shrubs and trees?

Answer: Taken on Notice.

18.4 CONSULTANCY FEES

Councillor John Last

Question: Can Council provide a list that makes up the 7 million dollars spent on consultancy fees?

Answer: Taken on Notice.

18.5 REMONDIS DEPOT

Councillor John Last

Question: Is it the case that the Remondis contract states that Remondis is to establish a depot in Cooma? Has this happened, if not why not?

Answer: Taken on Notice.

18.6 SMRC BUDGET OUTLOOK AND DEFICIT

Councillor Anne Maslin

Question: How can Councillors effectively work together with the GM and staff to address the ongoing SMRC budget deficit of \$6 million?

Is a budget/finance workshop, involving Councillors and staff, in discussion with finance experts, the first step towards resolving the ongoing deficit, which is of major concern.

Answer: Taken on Notice.

18.7 FOOT RAMP AT BOMBALA VISITORS CENTRE

Councillor Anne Maslin

Question: Can council please provide a foot ramp across the deep drain at the front of Bombala Visitors Centre, by end of February 2019?

Several complaints have been received about the drain as a safety risk. The foot ramp could be the same as the one next door at the Lavender House.

Answer: Taken on Notice.

18.8 PARKING SIGNAGE AT BOMBALA VISITORS CENTRE

Councillor Anne Maslin

Question: Could council please provide signs directing tourist vehicles to the car park at the rear of the visitors centre, by end of March 2019?

An access Road, tree plantings and parking area have been provided but it is easy to miss, as there is no signage.

Answer: Taken on Notice.

18.9 CEMETARY CLOSURES

Councillor Lynley Miners

Question: Was there a Council Decision made to close cemetery's for burials over the Christmas and New Year period, if so what were the Closure dates?

Answer: General Manager - Council did approve a shutdown period for council offices and depots from 21 December 2018 to 2 January 2019.

18.10 PRESENTATION FROM BRIAN CURZON

Councillor Bob Stewart

Question: Has there been any further action following the presentation from Brian Curzon with regard to the 60km zone and the two bus shelters on Mittagang Road?

Answer: Taken on Notice.

Note 11: Tabling a letter in questions without notice

Clr Stewart tabled a letter from Dianne Ingram regarding Condition of the Bombala Cemetery and asked could it be forwarded to the appropriate officer for consideration.

Answer: Taken on Notice

18.11 NIMMITY BELL

Councillor Bob Stewart

Question: Can we get a report to the next Council meeting with information on the Nimmity Bell?

Answer: Director Environment and Sustainability – The DA for the Nimmity Bell was lodged and advertised before Christmas . A report will come to Council once all submissions have been assessed.

18.12 FREEDOM OF INFORMATION ACT

Councillor John Last

Question: What is council doing about the new changes to the GIPA Act in relation to DAs?

Answer: General Manager – Contact has been made with Bega Council, who have advised they are not sticking to the legislation and believe this risk is low. A report will come to Council, because we would be breaching legislation, with suggestions on how to process DA requests in relation to the GIPA Act.

Note 12: Request to Formally Thank Bruce Chadderton

Clr Anne Maslin requested that Council formally write to Bruce Chadderton, District Manager – Bombala of Forestry Corporation NSW, thanking him for the assistance removing the platypus viewing platform.

Note 13: Mayoral Minute

Upon Clr Maslin's request the Mayor moved a Mayoral minute in the following terms:

18.17 MAYORAL MINUTE - THANKYOU LETTER

COUNCIL RESOLUTION

17/19

That Council write to Bruce Chadderton, District Manager – Bombala of Forestry Corporation of NSW, thanking him for their assistance in removing the platypus viewing platform form the Bombala river bank.

Moved Mayor Rooney

CARRIED

19. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

18/19

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:

19.1 Legal Actions and Potential Claims Against SMRC as at 31 December 2018

Item 19.1 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.

19.2 Southern Lights Project

Item 19.2 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 (dii) of the Local Government Act because it contains and information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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 Haslingden

Seconded Councillor Beer

CARRIED

Note 14: 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 15: Confidential Session of Committee

At 6.41 pm the meeting was closed to the press and public.

Note 16: Resumption of Open Committee Meeting

At 7.03 pm the Closed Session ended and the Council meeting continued in Open Session.

20. REPORT FROM CONFIDENTIAL SESSION

19.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 31 DECEMBER 2018

COUNCIL RESOLUTION

19/19

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 31 December 2018 report.

Moved Councillor Last

Seconded Councillor Corbett

CARRIED

19.2 SOUTHERN LIGHTS PROJECT

COUNCIL RESOLUTION

20/19

That Council:

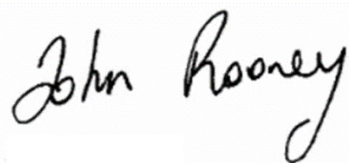
- A. Support the request for funding from the NSW State Government to the value of \$61.4M for the Southern Lights project - smart street lighting program
- B. Write to the local member seeking support for the Southern Lights project to be funded by the NSW State Government
- C. Support the rollout of LED lighting with smart technology capability for all street lights in the local government area.

Moved Councillor Maslin

Seconded Councillor Haslingden

CARRIED

There being no further business the Mayor declared the meeting closed at 7.04pm



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 17 January 2019 were confirmed by Council at a duly convened meeting on 7 February 2019 at which meeting the signature hereon was subscribed.