



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Minutes**

**Ordinary Council Meeting**

**7 February 2019**



**ORDINARY COUNCIL MEETING  
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630  
ON THURSDAY 7 FEBRUARY 2019**

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

**ON THURSDAY, 7 FEBRUARY 2019  
COMMENCING AT 5.00PM**

**PRESENT:** Mayor John Rooney  
Councillor John Castellari  
Councillor James Ewart  
Councillor Rogan Corbett  
Councillor Sue Haslingden  
Councillor Anne Maslin  
Councillor Bob Stewart

**APOLOGIES:** Councillor Peter Beer  
Councillor Brian Old  
Deputy Mayor Linley Miners  
Councillor John Last

**Staff:** Peter Bascomb, Acting 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  
Tarang Kamath, Senior Internal Auditor

**Notes:** *The Mayor opened the meeting at 5.04PM, Group Manager Governance was absent from the meeting from 6.15pm during Item 12.2 No Stopping Zones Along the Jindabyne Lake Foreshores - Review of the 2018 Winter Traffic / Camping Management Operation returning at 6.19pm during the same item, The Senior Internal Auditor was absent from the meeting from 6.32pm during Item 15.2 Clr John Castellari - Support JERCs Approach to Snowy Hydro to Rezone Land returning at 6.34pm during same Item, At 6.43pm the meeting adjourned for dinner, The meeting resumed at 7.14pm, At 7.32 pm the meeting was closed to the press and public, At 7.43 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 7.43pm.*

The Mayor opened the meeting at 5.04PM

## 1. APOLOGIES

### Note 1: Leave Previously Granted Clr Beer

Councillor Beer was absent from this meeting with leave of absence previously granted at the Council Meeting held 17 January 2019.

### Note 2: Leave Previously Granted Clr Old

Councillor Old was absent from this meeting with leave of absence previously granted at the Council Meeting held 17 January 2019.

<b>COUNCIL RESOLUTION</b>	<b>21/19</b>
That the apology from Clr Last and Clr Miners be accepted and leave of absence be granted.	
<b>Moved Mayor Rooney</b>	<b>Seconded Councillor Corbett</b>
	<b>CARRIED</b>

## 2. CITIZENSHIP CEREMONY

Nil

## 3. PRESENTATIONS

<b>COUNCIL RESOLUTION</b>	<b>22/19</b>
That members of the public be granted permission to address Council.	
<b>Moved Mayor Rooney</b>	<b>Seconded Councillor Corbett</b>
	<b>CARRIED</b>

### 3.1 MICK PETTITT, NPWS

Mr Mick Pettitt, Director Southern Regions Branch NSW NPWS, presented to Council an overview of the operations of NPWS and the relationships NPWS has with major organisation in the region. Mr Pettitt discussed working with Council to increase visitors to the region and develop an understanding between all of the visitors centres in the area.

## 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.)

<b>COUNCIL RESOLUTION</b>	<b>23/19</b>
That members of the public be granted permission to address Council.	
<b>Moved Mayor Rooney</b>	<b>Seconded Councillor Corbett</b>
	<b>CARRIED</b>

### 4.1 JOHN HARRINGTON - NIMMITY BELL

John Harrington, President of the Nimmitabel Lions Club and Bell Committee, addressed Council on some matters that have been raised with him regarding the DA for the Nimmity Bell.

#### 4.2 PAUL MACKAY - ELM TREES ON AMOS STREET

Paul Mackey, resident of Cooma, addressed Council on the Council motion to remove the Elm trees on Amos Street. Mr Mackey asked Council to rescind their motion to remove the trees.

#### 4.3 VICKI POLLARD - NIMMITY BELL

Vicki Pollard, a resident of Nimmitabel, addressed Council with her concerns on the placement of the Nimmity Bell. Ms Pollard was not against the bell itself but the placement of the bell in the current DA.

#### 4.4 DAVID WICKS - FISHING ON LAKE WALLACE

David Wicks, a member of the Nimmitabel Advancement Group, addressed Council about the proposal to allow fishing on Lake Wallace. Mr Wicks major concerns where for the filtration and conditioning of the water to ensure quality water is delivered to Nimmitabel.

#### 4.5 JEFF BOWLAND - MICHELAGO MASTER PLAN

Jeff Bowland, local business owner and member of the Cooma Monaro Progress Association, along with Mr Vabu, graduate from the University of NSW, addressed Council on the importance of addressing planning issues in Michelago now and not in the future.

### 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

24/19

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 Minutes held 17 January 2019
- 7.2 Closed Session of the Ordinary Council Meeting held on 17 January 2019
- 9.1 Minutes – Residential Aged Care Advisory Committee 26 November 2018
- 10.1 Draft Library Strategy and Community Transport Strategy
- 11.1 Snowy Monaro Draft Destination Management Plan
- 12.1 Snowy Monaro Planning and Land Use Discussion Paper
- 12.3 Myack St Berridale Intersection Upgrade
- 13.1 Snowy Monaro Regional Council Contract for Provision of Street, Shopping Centre & Toilet Cleaning at Jindabyne Town Centre
- 13.3 Change to Meeting Location
- 19.1 Legacy Landfill Sites

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

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED



## 7. ADOPTION OF MINUTES OF PREVIOUS MEETING

### 7.1 ORDINARY COUNCIL MEETING 17 JANUARY 2019

#### COUNCIL RESOLUTION

25/19

THAT the minutes of the Ordinary Council Meeting held on 17 January 2019 are confirmed as a true and accurate record of proceedings.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

#### Note 3: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 24/19 above as there was no challenge by Councillors.

### 7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 17 JANUARY 2019

#### COUNCIL RESOLUTION

26/19

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 17 January 2019 are confirmed as a true and accurate record of proceedings.

Moved Councillor Castellari

Seconded Councillor Ewart

CARRIED

#### Note 4: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 24/19 above as there was no challenge by Councillors.

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

### 8.1 CLR JOHN CASTELLARI

Councillor John Castellari attended the Bundian Way Advisory Committee meeting, which discussed available money for many aspects of the Bundian Way.

### 8.2 CLR JAMES EWART

Councillor James Ewart attended the Youth Council meeting on Tuesday. The Youth Council had full attendance and moved their first motion, this will come to Council in the minutes.

**Note 5: Mayoral Minute**

Mayor Rooney proposed Council consider a Mayoral Minute for the funding of a Michelago Master Plan as a matter of urgency.

Upon a request from Councillors consideration of the Mayoral Minute was deferred for consideration to after the dinner break.

**COUNCIL RESOLUTION**

**27/19**

That Council defer consideration of the Mayoral Minute – Funding for Michelago Master Plan to after the dinner break.

**Moved Councillor Haslingden**

**Seconded Councillor Stewart**

**CARRIED**

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

**9.1 MINUTES - RESIDENTIAL AGED CARE ADVISORY COMMITTEE 26 NOVEMBER 2018**

Record No:

Responsible Officer: Director Corporate and Community Services

Author: Executive Assistant to Director Corporate and Community Services

Attachments: 1. Minutes - Residential Aged Care Advisory Committee - 26 November 2018

**EXECUTIVE SUMMARY**

The Residential Aged Care Advisory Committee was held on 26 November 2018 in Cooma. The Minutes are presented for Council's information.

**COUNCIL RESOLUTION**

**28/19**

That Council receive and note the Minutes of the Residential Aged Care Advisory Committee held on 26 November 2018.

**Moved Councillor Corbett**

**Seconded Councillor Ewart**

**CARRIED**

**Note 6: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 24/19 above as there was no challenge by Councillors.

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

**10.1 DRAFT LIBRARY STRATEGY AND COMMUNITY TRANSPORT STRATEGY**

Record No:

Responsible Officer: Director Corporate and Community Services

Author: Group Manager Community Support Services and Aged Care  
Key Theme: 1. Community Outcomes  
CSP Community Strategy: 1.2 High quality community support and residential aged care services are available and accessible to residents across the region  
Delivery Program Objectives: 1.2.1 Competitive cost effective aged care and community support services are available within the region  
Attachments: 1. DRAFT Library Strategy 2018 - 2021  
2. DRAFT Community Transport Strategy 2018 - 2021  
Cost Centre  
Project  
Further Operational Plan Actions:

### EXECUTIVE SUMMARY

As part of Council's Delivery Program 2018-2021 and Operational Plan 2019, a Library Strategy 2018-2021 and a Community Transport Strategy 2018-2021 are to be drafted. These two draft strategies require endorsement by Council to be placed on Public Exhibition for a period of 28 days commencing 13 February 2019.

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

#### COUNCIL RESOLUTION

29/19

That Council endorse the Draft Library Strategy and Community Transport Strategy to be placed on Public Exhibition for a period of 28 days commencing 13 February 2019.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

#### Note 7: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 24/19 above as there was no challenge by Councillors.

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

### 11.1 SNOWY MONARO DRAFT DESTINATION MANAGEMENT PLAN

Record No:

Responsible Officer: Director Environment & Sustainability  
Author: Group Manager Economic Development and Tourism  
Key Theme: 2. Economy Outcomes  
CSP Community Strategy: 6.1 The Snowy Monaro region is a destination that offers a variety of quintessential year – round experiences, attractions and events  
Delivery Program Objectives: 6.1.1 Promote tourism and enhance the Snowy Monaro Region as a year

round destination of choice through a collaborative approach between all stakeholders and interest groups

Attachments: 1. Draft Snowy Monaro Destination Management Plan  
2. Snowy Monaro Draft Destination Analysis Report

Cost Centre 7030

Project

Further Operational Plan Actions:

## EXECUTIVE SUMMARY

In September 2018 Council appointed TRC Consulting to prepare a Snowy Monaro Destination Management Plan (DMP) on behalf of the Council. TRC commenced a process which involved research, targeted stakeholder consultation throughout the region and included a workshop with Councillors on 6 December 2018.

TRC have now completed a Draft DMP which has been reviewed by the Group Manager – Economic Development and Tourism and the Manager – Tourism and Events along with the Department of Premier and Cabinet – Regional who have funded the project. The Draft DMP is considered ready for general public exhibition and wider review.

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

### COUNCIL RESOLUTION

30/19

That Council

- A. Receive this report presenting the draft Snowy Monaro Destination Management Plan (DMP)
- B. Endorse commencement of the general public exhibition of the draft DMP for a period of four weeks.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

### Note 8: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 24/19 above as there was no challenge by Councillors.

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

### 12.1 SNOWY MONARO PLANNING AND LAND USE DISCUSSION PAPER

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 and Land Use Discussion Paper  
2. Consultation Framework
- Cost Centre 10-8010-1001-68018 Strategic Planning
- Project Planning and Land Use Discussion Paper
- Further Operational Plan Actions: 8.1.1 New development and land use is facilitated in appropriate locations with areas of environmental value protected  
8.3.1 Planning policies facilitate options for a range of housing types  
10.1.1 Council has a transparent and bold growth objective which provides a framework for decision making

### EXECUTIVE SUMMARY

This report is to brief Councillors on the purpose and status of the Planning and Land Use Discussion Paper for the Snowy Monaro region. The Economic Development and Tourism Unit have been preparing a Planning and Land Use Discussion Paper which highlights some of the key planning issues the region faces. This discussion paper is designed to stimulate important community and industry discussion which will help inform Councils land use strategies.

This report seeks Council endorsement of the draft discussion paper and the accompanying consultation plan.

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

### COUNCIL RESOLUTION

31/19

That Council:

- A. Receives the report from the Senior Strategic Land Use Planner.
- B. Endorses the draft Snowy Monaro Planning and Land Use Discussion Paper (Attachment 1) to be placed on public exhibition for 8 weeks.
- C. Endorses the proposed community consultation framework (Attachment 2).

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

### Note 9: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 24/19 above as there was no challenge by Councillors.

**12.2 NO STOPPING ZONES ALONG THE JINDABYNE LAKE FORESHORES - REVIEW OF THE 2018 WINTER TRAFFIC / CAMPING MANAGEMENT OPERATION.**

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Ranger
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	7.1 Protect, value and enhance the existing natural environment
Delivery Program Objectives:	7.1.1 The Region's natural environment remains protected through delivery of a range of Council programs and regulatory compliance
Attachments:	Nil
Cost Centre	1130
Project	Installation and patrolling of 'NO STOPPING' zones along the Council controlled foreshores of Lake Jindabyne.
Further Operational Plan Actions:	NIL - This Operation was only for the 2018 Winter season

**EXECUTIVE SUMMARY**

This Operation was instigated to address the increasing number of winter visitors to Jindabyne expecting and using the foreshore areas for "free" unauthorised overnight camping, parking and partying resulting in an increase in the number of complaints, anti-social behaviour, littering and rubbish dumping.

The objective of the operation was to reduce the prevalence of uncontrolled winter parking overnight along the lake foreshore, thus reducing the number of "negative incidents".

Council's Ranger Services are tasked with patrolling and policing the foreshore areas around Jindabyne. Previous year's experiences have shown that controlling visitor behaviour by way of signage placed under the Local Government Act is both cumbersome and ineffective to apply.

To be effective, Ranger Services devised a short term strategy to Install 'NO STOPPING' zones along the foreshore and in conjunction with the use of **educational** means (advertising, press release, social media, on site information brochures and Ranger warnings) and **punitive** measures (penalty infringement Notices), stop and /or minimise the number of visitors parking/camping overnight along the foreshores.

The operation is considered to have been successful when measured by the following –

1. Feedback from NSW Police is that the number of law and order incidents in the operational area was down compared to 2017 and the Strategy greatly assisted its officers in managing any incidents that did arise.
2. Council received NIL complaints from local community / the public in regard to negative incidents in the operation area.
3. Advice from Council's Resource and Waste Management Group indicates that waste and environmental matters in the operational area were not an issue for the 2018 winter.

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

**COUNCIL RESOLUTION**

**32/19**

That Council

- A. Note the successful outcome of the trial “NO STOPPING” operation;
- B. Note that Ranger Services does not have the resources to repeat this operation;
- C. Note that the demand for “free” parking, both in summer and winter, is increasing as tourist and visitor numbers coming to Jindabyne and the Snowy Monaro Region is growing annually;
- D. that the recently announced *Jindabyne 2036 Masterplan* and/or a review of Council’s *Lake Jindabyne Southern Foreshore Management Plan 2005* would be the appropriate instruments to facilitate the development of a long term solution to meet the increasing visitor demand for “free” parking/camping – (noting that there is now no such thing as “free” parking); and
- E. Support funding an additional Ranger on a casual basis for the winter season “no stopping” patrols during 2019.

**Moved Councillor Castellari**

**Seconded Councillor Haslingden**

**CARRIED**

**Note 10: Attendance of Group Manager Governance**

Group Manager Governance was absent from the meeting from 6.15pm during Item 12.2 No Stopping Zones Along the Jindabyne Lake Foreshores - Review of the 2018 Winter Traffic / Camping Management Operation returning at 6.19pm during the same item.

**12.3 MYACK ST BERRIDALE INTERSECTION UPGRADE**

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Group Manager Asset Management & Engineering
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:	8.2.3 Stronger Communities fund project delivers improved community infrastructure and assets through the Major Projects Program (MPP)
Attachments:	Nil
Cost Centre	
Project	SCF Major Project Program PP-155 Myack Street Intersection upgrade
Further Operational Plan Actions:	

**EXECUTIVE SUMMARY**

The purpose of this report is to inform Council and the community of the current status of the project and the options considered during the design of the project.

The intent of the upgrade to the Myack St Intersection in Berridale was to improve the intersection, upgrade the area to meet the needs of heavy vehicles and to reduce the impact of flooding during rain

events.

The outcome of the final design solution shows significant improvement to this road during flood events but does not provide protection for inundation in a 1 in 100 year flood event.

Analysis of the area shows that additional works in the upstream catchment would reduce the flood flow in this area and hence the design solution would eventually provide this level of protection (close to a 1 in 100 year event). The project will proceed with Option 2 (Amenity Balance) now as Stage 1 works and as Council's operational budget allows, complete the additional stages of work that will improve the flood water management of the area.

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

**COUNCIL RESOLUTION**

**33/19**

That Council

- A. Receive and note the report on SCF Major Project Program PP-155 Myack Street Intersection upgrade.
- B. Approve the re-allocation of \$57,100 from former Snowy River Balancing Project PP 222 Upgrade to Jindabyne Clay Pits area at lake Jindabyne Foreshore (Balancing Project) to the PP-155 Myack Street Intersection Project.

**Moved Councillor Corbett**

**Seconded Councillor Ewart**

**CARRIED**

**Note 11: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 24/19 above as there was no challenge by Councillors.

**12.1 SCFMPP STREETScape PACKAGE 1 - TENDER REPORT**

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Project Manager
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:	8.2.3 Stronger Communities fund project delivers improved community infrastructure and assets through the Major Projects Program (MPP)
Attachments:	1. Tender Evaluation Report - <b>Confidential</b> 2. Attachment A - Evaluation Schedule - <b>Confidential</b> 3. Attachment B - Clarifications - <b>Confidential</b>
Cost Centre	SCFMPP 224 Adaminaby PJ100136 SCFMPP 227 Bredbo PJ100151 SCFMPP 228 Cathcart PJ100146



SCFMPP 229 Dalgety PJ100147

SCFMPP 235 Bibbenluke PJ100141

Project Streetscape Package 1

Further Operational Plan Actions:

### EXECUTIVE SUMMARY

The SCFMPP - Streetscape program of works was set up to allow SMRC to develop plans and designs and implement streetscape changes following consultation with local community, improve the visual amenity of the area and create consistency in townships across the region.

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

### COUNCIL RESOLUTION

34/19

That Council:

- A. Receive and note the Tender Evaluation Report for Contract 001/2019 Streetscape Package 1 Project;
- B. Award the contract Streetscape Package 1 to McMahons Earthmoving Pty Ltd for \$168,741 (incl GST); and
- C. Authorise the General Manager to execute the contract with McMahons Earthmoving Pty Ltd as per the Tender Evaluation Report.

Moved Councillor Maslin

Seconded Councillor Stewart

CARRIED

## 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 at Jindabyne Town Centre  
2. Confidential Economic Information - **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

35/19

That Council

- A. Approve the advertising of the Contract for the Provision of Street, Shopping Centre and Toilet Cleaning Services, Jindabyne Town Centre for Tender; and
- B. That a further report be brought to Council to endorse the successful Tenderer.
- C. Approve the temporary extension of the current Contract with Crystal Lake Cleaning for street, shopping centre and public toilets in Jindabyne until 30<sup>th</sup> June 2019.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

### Note 12: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 24/19 above as there was no challenge by Councillors.

## 13.2 NOMINATION OF A COUNCIL REPRESENTATIVE FOR THE AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC)

Record No:

Responsible Officer:	General Manager
Author:	Senior Internal Auditor
Key Direction:	4. Leadership Outcomes
Delivery Plan Strategy:	10.2 Sound governance practices direct Council business and decision making
Operational Plan Action:	10.2.1 Independent audit and risk framework drives accountability
Attachments:	1. Audit, Risk and Improvement Committee Charter 2. OLG Internal Audit Guidelines, September 2010

## EXECUTIVE SUMMARY

On 3 January 2019, Councillor Castellari informed the Chair of the Audit, Risk and Improvement Committee (ARIC) of his resignation as the Council representative on the ARIC. Further, Councillor appreciated ARIC's role in Council's operations and suggested that the Mayor should be the Council representative on the ARIC, as the Mayoral role is an executive function with a direct link to the General Manager and the administration.

The ARIC, in line with the Charter, requires a Councillor to be nominated as a voting representative to the Committee. The Office of Local Government (OLG) Internal Audit Guidelines (Section 4.3) suggests that the Mayor should not be a Council representative on the Committee.

To ensure that ARIC has a quorum at the next meeting on 6 March 2019 there is a requirement for a Councillor to be nominated to the committee at the Ordinary Council meeting of SMRC on 7 February 2019.

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

**COUNCIL RESOLUTION**

**36/19**

That Council defer the report Nomination of a Council representative for the Audit, Risk and Improvement Committee (ARIC) to the meeting on 21 Feb.

**Moved Councillor Castellari**

**Seconded Councillor Stewart**

**CARRIED**

**13.3 CHANGE TO MEETING LOCATION**

Record No:

Responsible Officer: Director Corporate and Community Services  
Author: Secretary Council & 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: Nil  
Cost Centre Council Meetings - 63464  
Project Operational Activity  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

Due to the NSW Electoral Commission booking the Jindabyne Memorial hall to conduct the State Election, Council is required to select another location for its meeting on the 21 March 2019.

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

**COUNCIL RESOLUTION**

**37/19**

That Council agree to hold the 21 March 2019 meeting in the Cooma Council Chambers and reschedule the 20 June 2019 meeting to be held in the Jindabyne Hall.

**Moved Councillor Corbett**

**Seconded Councillor Ewart**

**CARRIED**

**Note 13: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 24/19 above as there was no challenge by Councillors.

## 14. REPORTS BY GENERAL MANAGER

Nil

## 15. NOTICE OF MOTION

### 15.1 NOTICE OF MOTION - CR HASLINGDEN PLAYGROUND MOTION

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 7 February 2019, she will move the following motion.

#### COUNCIL RESOLUTION

38/19

That Council allocate an amount of \$300,000 from the Bombala Reserves, to be spent on the Stage 2 playground upgrades in Bombala, in accordance with the playground strategy being developed.

Moved Councillor Haslingden

Seconded Councillor Stewart

CARRIED

### 15.2 CLR JOHN CASTELLARI - SUPPORT JERCS APPROACH TO SNOWY HYDRO TO REZONE LAND

Record No:

Responsible Officer: General Manager  
Author: Councillor John Castellari  
Attachments: Nil

Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 7 February 2019, he will move the following motion.

#### COUNCIL RESOLUTION

39/19

That Council actively support through written submission and face to face meetings as appropriate, the proposal to Snowy Hydro being put forward by the Jindabyne East Residents' Committee (JERCs) concerning the future use of the Old Kosciusko Road land release, as detailed below.

Moved Councillor Castellari

Seconded Councillor Maslin

CARRIED

**Note 14: Attendance of Senior Internal Auditor**

The Senior Internal Auditor was absent from the meeting from 6.32pm during Item 15.2 Clr John Castellari - Support JERCs Approach to Snowy Hydro to Rezone Land returning at 6.34pm during same Item.

**Note 15: Adjournment of Meeting**

At 6.43pm the meeting adjourned for dinner.

**Note 16: Resumption of Meeting**

The meeting resumed at 7.14pm.

**Note 17: Urgent Business Not On Agenda**

The attention of the Council was drawn to one matter not listed on the Council agenda and business paper concerning Funding for Michelago Master Plan the Mayor requested that Council consider the late item as matters of urgency.

**Procedural Motion**

**MOTION**

**COUNCIL RESOLUTION**

**40/19**

That in accordance with Council's Code of Meeting Practice Council consider the following as matters of urgency:

Mayoral Minute – Funding for Michelago Master Plan.

**Moved Mayor Rooney**

**Seconded Councillor Stewart**

**CARRIED**

**MAYORAL MINUTE**

**COUNCIL RESOLUTION**

**41/19**

That Council write to NSW Planning Minister, Anthony Roberts, requesting funding for the development of a Michelago Master Plan along the lines proposed by the General Manager in his letter to the Deputy Premier on 11 December 2018.

**Moved Mayor Rooney**

**CARRIED**

**16. MOTIONS OF URGENCY**

Nil

**17. QUESTIONS WITH NOTICE**

Nil

**18. QUESTIONS TAKEN ON NOTICE**

### 18.1 ALCOHOL FREE ZONES IN COOMA

Councillor Rogan Corbett

Question: The Alcohol free signs in Cooma say 2018, are they coming down, or do we have to reapply to renew it?

Answer: Director Environment and Sustainability – Council resolution was to put the signs in place for a short period last year. A report will come to Council to commence the alcohol free zones, if Council wishes.

### 18.2 STORMWATER EROSION BOMBALA

Councillor Anne Maslin

Question: Given the current spate of heavy storms, could council consider as a matter of utmost urgency the torrent pose by the stormwater outlet on the Bombala riverbank?

This outlet threatens to cut through the popular walking path. Could council liaise closely with the Department of Infrastructure and Fisheries, to ensure that mitigate work is carried out by March 15 2019?

### 18.3 THERRY STREET DESIGN

Councillor Bob Stewart

Question: Could we please see a costing on the new Therry Street river design, and was the design sourced out of the area?

## 19. CONFIDENTIAL MATTERS

### COUNCIL RESOLUTION

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 Legacy landfill sites

Item 19.1 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.

#### 19.2 General Manager Contract

Item 19.2 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.

#### 19.3 Tropic Asphalts Pty Ltd legal cases and update

Item 19.3 is confidential in accordance with s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance,

contrary to the public interest.

**19.4 SCFMPP Bombala Amenities Building Contract Award - Tender Report**

Item 19.4 is confidential in accordance with s10(A)(2)(dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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 Mayor Rooney**

**Seconded Councillor Corbett**

**Note 18: 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 19: Confidential Session of Committee**

At 7.32 pm the meeting was closed to the press and public.

**Note 20: Resumption of Open Committee Meeting**

At 7.43 pm the Closed Session ended and the Council meeting continued in Open Session.

**20. REPORT FROM CONFIDENTIAL SESSION**

**19.1 LEGACY LANDFILL SITES**

**COUNCIL RESOLUTION**

**42/19**

That Council:

- A. Receive and note the report
- B. Consider the implications of funding legacy site improvements when adopting its fees and charges for 2019/20 and onwards
- C. Note that council will contact the New South Wales Environmental Protection Authority (EPA) to determine the extent of rehabilitation required for the legacy sites
- D. Note that the General Manager will investigate possible long term funding options required to rehabilitate waste facility sites for further consideration.

**Moved Councillor Corbett**

**Seconded Councillor Ewart**

**CARRIED**

## 19.2 GENERAL MANAGER CONTRACT

### COUNCIL RESOLUTION

43/19

That Council:

- (a) Defer consideration of option (a) Nominate a Councillor for the General Manager's Performance Review Panel (PRP) and invite the General Manager to nominate an additional Councillor prior to the first meeting of the PRP; and
- (b) Determine the General Manager's performance review cycle is to commence from the date of the General Manager's appointment as substantive GM.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

## 19.3 TROPIC ASPHALTS PTY LTD LEGAL CASES AND UPDATE

### COUNCIL RESOLUTION

44/19

That Council defer the report Tropic Asphalts Pty Ltd legal cases and update.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

## 19.4 SCFMPP BOMBALA AMENITIES BUILDING CONTRACT AWARD - TENDER REPORT

### COUNCIL RESOLUTION

45/19

That Council

- A. Receive and note the Tender Evaluation Report Bombala Amenities Building Contract.
- B. Award the contract for the construction of the Bombala Amenities Building to Full On Constructions Pty Ltd; and
- C. Authorise the General Manager to execute the contract with Full On Constructions Pty Ltd as per the Tender Evaluation Report. Subject to the Construction Cost Review and the Development Application and Construction Certificate approvals been received.
- D. Allocate an additional \$169,000 from the Bombala Heavy Vehicle Alternative Route Balancing Project toward the completion of the Amenities building.

Moved Councillor Stewart

Seconded Councillor Maslin

CARRIED



There being no further business the Mayor declared the meeting closed at 7.43pm

A handwritten signature in black ink that reads "John Rooney". The signature is written in a cursive style with a large initial 'J' and 'R'.

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CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 7 February 2019 were confirmed Council at a duly convened meeting on 21 February 2019 at which meeting the signature hereon was subscribed.