



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

21 March 2019

**ORDINARY COUNCIL MEETING
HELD IN JINDABYNE MEMORIAL HALL, THREDBO TERRACE, JINDABYNE NSW 2627
ON THURSDAY 21 MARCH 2019**

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**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN JINDABYNE MEMORIAL HALL, THREDBO TERRACE, JINDABYNE NSW 2627**

**ON THURSDAY, 21 MARCH 2019
COMMENCING AT 5.00PM**

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

APOLOGIES: Peter Smith, Director Environment & Sustainability

Staff: Peter Bascomb, General Manager
Suneil Adhikari, Director Operations & Infrastructure
Peter Cannizzaro, Director Corporate & Community Services
Mark Adams, Acting Director Environment & Sustainability
Amanda Shepherd, Secretary Council and Committees
Nola Brady, Group Manager Governance left meeting at 9:30pm
Linda Nicholson, Group Manager Asset Management & Engineering left meeting at 9:30pm
Nathan Thompson, Communications Officer left meeting at 7.15pm
Gina McConkey, Group Manager Environmental Management left meeting at 9:30pm
Brett Jones, Parks & Gardens CBD Crew left meeting at 9:30pm
Rahul Patel, Senior Project Officer left meeting at 9:30pm

Notes: *The Mayor opened the meeting at 5.00PM, At 5.14pm the meeting adjourned for Presentations and Public Forum, The meeting resumed at 6.28pm, Group Manager Governance was absent from the meeting from 6.54pm during Item 8.2 DA10.2018.1290.1 Installation of "The Nimmity Bell", returning at 6.56pm during same item, At 7.05pm the meeting adjourned for a dinner break, The meeting resumed at 7.33pm, Communications Officer departed the meeting at 7:15pm for the duration of the meeting, Councillor Haslingden was absent from the meeting from 7:33pm during Item 9.2.5 Proposed Acquisition of Crown Land – Part Lot 209 DP729704 returning at 7:36 during same item, Clr Old was absent from the meeting from 8.49pm during Item 11.2 Notice of Motion – Clr Old returning at 8.52pm during same item, At 8:55pm the meeting was closed to the press and public, Secretary Council and Committees was absent from the meeting from 9:30pm during Item 13.5 – Organisation Structure Proposal returning at 9:55 at conclusion of item, Group Manager Governance departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting, Director Corporate & Community Services departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting, Group Manager Economic Development & Tourism departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting, Director Operations & Infrastructure departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting, Senior Project Officer departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting, Group Manager Environmental Management departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting, Parks & Gardens CBD Crew departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting, At 10:00 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 10:01pm.*

1. OPENING MEETING

The Mayor opened the meeting at 5.00PM

2. ACKNOWLEDGEMENT OF COUNTRY

3. CITIZENSHIP CEREMONIES

- 3.1 Morne Johann Ferreira
- 3.2 Sandra Owen
- 3.3 Sonia Woolford

Note 1: Adjournment of Meeting

At 5.14pm the meeting adjourned for Presentations and Public Forum

Note 2: Resumption of Meeting

The meeting resumed at 6.28pm

4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil.

3. DISCLOSURE OF INTEREST

3.1 COUNCILLOR BEER

Councillor Beer declared an interest in Item 13.2 as he has a conflict of interest in this item due to "Director for Southern Cross Housing Company". Councillor Beer left the meeting at 9:00pm and returned at 9:10pm. Councillor Beer did not take part in discussion or voting on this item.

4. 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

101/19

- 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- Minutes of Ordinary Council Meeting held on 7 March 2019;
 - 7.2- Minutes of Closed Session of the Ordinary Council Meeting held on 7 March 2019;
 - 9.1.1- Minutes of the Cemetery Advisory Committee Meeting Dated 4 February 2019;
 - 9.1.2- Monthly Funds Management Report – February 2019;
 - 9.1.3- Lease Agreement Renewal – Renee Yvonne Pirozzi, Jeremy Christopher Fernando, Naomi June White and Adam John Woolacott trading as Snowy Mountains Physiotherapy;
 - 9.1.4- Bombala Health Funding Agreement;
 - 9.2.1- Business Connect Bus Visit;
 - 9.2.2- Commercial Harvesting of Wild Deer;
 - 9.2.3- Monaro Rail Trail Feasibility Study;
 - 9.2.4- Update on Implementation of Regional Economic Development Strategy (REDs);
 - 9.3.1- Minutes of the Biosecurity Weeds Advisory Committee Meeting Dated 21 February 2019;

9.3.2- Stronger Communities Fund Major Project Program – Status Update;		
9.4.3- 2019 ANZAC Day Support;		
9.4.3- Public WiFi; and		
13.4- Confidential Item – Corporate Information System Project Report.		
B. That the Officer’s Recommendations in the reports listed above are hereby adopted.		
Moved Councillor Castellari	Seconded Councillor Corbett	CARRIED

5. CONFIRMATION OF MINUTES

5.1 ORDINARY COUNCIL MEETING 7 MARCH 2019

COUNCIL RESOLUTION	102/19	
THAT the minutes of the Ordinary Council Meeting held on 07 March 2019 are confirmed as a true and accurate record of proceedings.		
Moved Councillor Castellari	Seconded Councillor Corbett	CARRIED

Note 3: Motions Without Debate

The above officer’s recommendation became a resolution of Council as a result of resolution 101/19 above as there was no challenge by Councillors.

5.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 7 MARCH 2019

COUNCIL RESOLUTION	103/19	
THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 07 March 2019 are confirmed as a true and accurate record of proceedings.		
Moved Councillor Castellari	Seconded Councillor Corbett	CARRIED

Note 4: MOTIONS WITHOUT DEBATE

THE ABOVE OFFICER’S RECOMMENDATION BECAME A RESOLUTION OF COUNCIL AS A RESULT OF RESOLUTION 101/19 ABOVE AS THERE WAS NO CHALLENGE BY COUNCILLORS.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 DA4107/2018 NBN TELECOMMUNICATIONS FACILITY

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Manager Development Assessment
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.1 Plan for rural, urban and industrial development that is sensitive to the region’s natural environment and heritage
Delivery Program Objectives:	8.1.3 Development assessment processes are streamlined to support regional development and growth
Attachments:	<ol style="list-style-type: none">1. Response to Additional Consultation (<i>Under Separate Cover</i>)2. Letter to neighbour regarding alternative site (<i>Under Separate Cover</i>)3. Draft Conditions of Consent (<i>Under Separate Cover</i>)4. Revised Planning Report - 40m tower (<i>Under Separate Cover</i>)5. Photomontages - 60m tower (<i>Under Separate Cover</i>)

6. Full Construction Plans *(Under Separate Cover)*
7. Objections 1 & 2 *(Under Separate Cover)*
8. Objection 3 *(Under Separate Cover)*
9. Objections 4 & 5 *(Under Separate Cover)*
10. Submissions in favour of development *(Under Separate Cover)*
11. Applicants Response to Submissions *(Under Separate Cover)*
12. Vegetation Assessment *(Under Separate Cover)*
13. CASA Response *(Under Separate Cover)*
14. Application Form *(Under Separate Cover)*

Further Operational Plan Actions:

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

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

INTRODUCTION

This application was presented to the Council meeting of 6 December 2018. At that meeting Council resolved to defer the determination, Resolution 551/18 being:

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

Ericsson Australia (on behalf NBN Co) has undertaken further consultation and a report as to the outcome has been provided to Council (refer attachments 1 and 2).

The result of their further consideration is that the existing proposed site (the subject of this application) is the most desirable from the applicant’s point of view.

The reasons provided by Ericsson are listed in attachment 1, and summarised as follows:

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

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

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

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

As such the following report refers to the location of the tower as originally proposed by the applicant. The report content is unchanged from that as submitted to Council on 6 December 2018, other than the inclusion of new attachments 1 and 2.

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

EXECUTIVE SUMMARY

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

The application was notified and advertised and five (5) objections were received from owners and

prospective purchases of land surrounding the tower. In addition to the five (5) objections Council received ten (10) submissions in support of the development.

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

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

COUNCIL RESOLUTION	104/19
That Council	
A. Defer DA4107/2018B Telecommunications to the earliest possible meeting, pending further information on the current house sites, both future and present, a clear explanation on the EME Reports, and the effect on adjoining properties.	
B. A site visit be organised for interested Councillors.	
Moved Councillor Beer	Seconded Councillor Haslingden
	CARRIED

Note 5: Record of Voting

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

Councillors Against: Councillor Ewart.

Note 6: Amendment to Original Motion

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

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

“That

A. Pursuant to section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) it is recommended that the consent for Telecommunications facility on Lot 11 DP 245722 Thredbo, is granted subject to conditions attached.

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

Note 7: Draft Conditions of Consent

Reasons for Decision

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

The reasons for the decision were:

1. The proposal adequately satisfies the application provisions and objectives of the Snowy River LEP 2013 and the Snowy River DCP 2013
2. The proposed development adequately satisfies the relevant State Environment Planning Policies including SEPP (Infrastructure) 2007
3. The proposed development, subject to the conditions below, will have no unacceptable adverse impacts on the natural or built environments. Further it is considered that developments of the subject site does not prevent future reasonable development of adjoining allotments

4. The application was notified to adjoining landowners and publicly advertised in accordance with the Snowy River DCP 2013 and the relevant statutory regulations. The proposal received five (5) objections and ten (10) positive submissions.
5. In consideration of conclusions 1 – 4 above it is considered the proposed development is a suitable and planned use of the site and approval of the proposal is in the public interest.

Conditions

ADMINISTRATIVE CONDITIONS

Approved Plans and Documentation

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

Reference/Dwg No	Title/Description	Prepared By	Date/s
SK1 – DA4107/2018	Planning Report	Vision Stream	30.11.17
	Vegetation and Preliminary Arboricultural Assessment	Ironbark Environmental Arboriculture	9.11.2018
	Responses to Submissions	Vision Stream	2/5/2018 & 14/09/2018
2COM-51-CRAC-T1 REV A	Cover Sheet	Ericsson	30.08.18
2COM-51-CRAC-T2 REV A	Reference Documents	Ericsson	30.08.18
2COM-51-CRAC-C1 REV A	Site Specific Notes	Ericsson	30.08.18
2COM-51-CRAC-C2 REV A	Overall Site Plan	Ericsson	30.08.18
2COM-51-CRAC-C3 REV A	Site Set out Plan	Ericsson	30.08.18
2COM-51-CRAC-C4 REV A	North East Elevation	Ericsson	30.08.18
2COM-51-CRAC-C5 REV A	Allotment Plan	Ericsson	30.08.18
2COM-51-CRAC-C6 REV A	Asset Protection Zone	Ericsson	30.08.18
2COM-51-CRAC-C7 REV A	Site Civil Plan	Ericsson	30.08.18

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

Inconsistency between documents

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

Prescribed Conditions

3. The developer shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 80A(11) of the Environmental Planning and Assessment Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

- The work must be carried out in accordance with the requirements of the Building Code of Australia
- A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

(a) showing the name, address and telephone number of the principal certifying authority for the work, and

(b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and

(c) stating that unauthorised entry to the work site is prohibited.

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

PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE

Payment of Levy Fee

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

Airspace

5. The Council must, prior to the release of the Construction Certificate, be given a report:

(1) showing compliance with any relevant site and height requirements specified by the Civil Aviation Regulations 1988 and the Airports (Protection of Airspace) Regulations 1996 of the Commonwealth, and

(2) showing that it does not penetrate any obstacle limitation surface shown on any relevant Obstacle Limitation Surface Plan that has been prepared by the operator of an aerodrome or airport operating within 30 kilometres of the proposed development and reported to the Civil Aviation Safety Authority Australia.

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

Offset Planting

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

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

PRIOR TO THE COMMENCEMENT OF WORKS

External Finishes

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

Construction Certificate

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

Appointment of Principal Certifying Authority and Notice of Commencement

9. The developer is to ensure no site works, construction or building works are to commence without first obtaining a Construction Certificate.
At least 48 hours prior to the commencement of any works on the site, a “Notice of Commencement of Work and Appointment of PCA Form” will be submitted to Council. This includes that prior to the commencement of works the Applicant will submit to Council:
 - (a) A construction certificate for the building work which has been issued by the Certifying Authority (i.e. Council or Accredited Certifier); and,
 - (b) Evidence that the person having the benefit of the development consent has:
 - (i) Appointed a Principal Certifying Authority (PCA) and notified Council in writing of the appointment, irrespective of whether Council or an accredited private certifier is appointed;
 - (ii) notified the PCA that the person will carry out the building work as an owner-builder, if that is the case; and,
 - (c) Evidence that the principal PCA has, no later than 2 days before the building work commences:
 - (i) notified the consent authority and the Council of his or her

appointment, and;

- (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work; and,

(d) Evidence that the person having the benefit of the development consent, if not carrying out the work as an owner-builder has:

- (i) notified the Certifying Authority (i.e. Council or Accredited Certifier) of any such appointment; and,
- (ii) unless that person is the principal contractor, notified the principal contractor of any critical state inspection and other inspections that are to be carried out in respect of the building work.

Site Notice

10. Before commencement of any work, site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details. The notice(s) is to satisfy all but not be limited to, the following requirements:

- (1) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (3) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and

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

Enclosure of the Site

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

Construction Management - Contact Telephone Number

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

Compliance Report

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

DURING WORKS

Approved Plans to be On-site

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

Erosion & Sediment Control

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

Site Management

17. The developer is to ensure that all builder' sheds, including temporary sanitary closets, must at all times be: located wholly within the site; properly constructed and maintained to industry standards; securely anchored to the ground, and removed upon completion of the project.

Contact Telephone Number

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

Use of Explosives

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

Hours of Work

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

Works may be undertaken outside these hours where:

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

Inspection Notification

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

Public Access and Site Security

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

Excavation

23. The developer is to ensure that at all times all excavations and backfilling associated with the development is executed safely and in accordance with professional standards.
24. The developer is to ensure that all excavations are properly guarded and protected at all times to prevent them from being a danger to life or property.
25. The owner of the adjoining allotment of land is not liable for any part of the cost of the work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. An **allotment of land** includes a public road and any other public place.

Revegetation Works

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

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

27. If any previously unidentified archaeological relics are uncovered during the course of the work, then all works shall cease immediately in that area and the Heritage Branch of the Department of Planning must be contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the *NSW Heritage Act 1977* may be required for further works can be

considered in that area. Works shall not recommence until the applicant receives written authorisation from the Heritage Branch.

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

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

PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Occupation Certificates

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

Road Damage

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

Electromagnetic Emissions

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

Completion of Offset and Screen Planting

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

8.2 DA10.2018.1290.1 INSTALLATION OF 'THE NIMMITY BELL'

Record No:

Responsible Officer: Group Manager Economic Development and Tourism
 Author: Manager Development Assessment
 Key Theme: 3. Environment Outcomes
 CSP Community Strategy: 8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage
 Delivery Program Objectives: 8.1.3 Development assessment processes are streamlined to support regional development and growth
 Attachments: 1. Draft Conditions of Consent (*Under Separate Cover*)
 2. Elevations (*Under Separate Cover*)
 3. Plans (*Under Separate Cover*)
 4. Statement of Environmental Effects (*Under Separate Cover*)
 5. Submissions (*Under Separate Cover*)
 6. Application Form (*Under Separate Cover*)

Application Number :	10.2018.1290.1
Applicant:	Nimmitabel Lions Club C/- 570 Bega Road Nimmitabel NSW 2631
Owner:	Geldmacher House Trust C/- "Curry Flat" Rydale Road NSW 2631
DA Registered:	5/12/2018
Property Description:	Lot: 6 Sec: 42 DP: 758776 39 Bombala Street NIMMITABEL 2631
Zone:	RU5 – Village
Current Use:	Historic Site – Community Facility
Proposed Use:	'The Nimmity Bell' – Ancillary to use of the site for a community facility
Type of Development	Local – no integrated or concurrence referrals required
Cost of Works:	\$30,000
Permitted in Zone:	Yes
Recommendation:	That the application be approved with conditions
Internal Referrals	The application internally referred to the following staff: <ul style="list-style-type: none"> • Heritage advisor • Heath and Building Surveyor The application was referred to the following external agencies: <ul style="list-style-type: none"> • Roads and Maritime Authority

	No objections were raised by the referrals to the proposed location of the bell and associated structure.
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EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the installation of the “Nimmity Bell” (the bell) within the grounds of the Geldmacher museum site. The bell and associated structure are ancillary to the use of the land as a community facility. The proposal to site the “Nimmity Bell” at the Geldmacher property in central Nimmitabel is in response to the previous site (within Councils road reserve on Clarke Street) being refused by Council in 2016. The applicant (the Lions Club of Nimmitabel) sought an alternate site through consultation with Council’s heritage advisor and after community meetings, this site was determined to be the preferred location for the bell.

The application was notified to surrounding land owners and Council received 53 submissions (being 26 objections, 26 letters of support, one of which was a petition with 210 signatures supporting the proposed location and one submission which did not specifically object to the application but raised concerns with insurance implications for the site). The concerns raised in the objections included the bell and associated structure having a negative impact on the heritage listed Geldmacher building and streetscape and the noise impacts of a large bell including nuisance ringing. The objections proposed an alternative site for the bell being at Lake Williams, however this is not the location subject to this application and cannot be considered as part of this development application. The development in its proposed location at the Geldmacher site must be determined on its merits.

The concerns raised in the objections have been considered along with the impacts of the development on the heritage values of the site and the noise generated by the bell. It is considered that there are mitigation measures that can be put in place to minimise the impact and that coupled with the structure’s design, siting and limited ringing timeframe the development is recommended for approval with conditions.

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

COUNCIL RESOLUTION	105/19
That	
A. Pursuant to section 4.16(1)(a) of the <i>Environmental Planning and Assessment Act 1979 (as amended)</i> consent be granted for the installation of the “Nimmity Bell” (ancillary structure to the use of land for a community facility) in accordance with DA10.2018.1290.1 on Lot: 6 Sec: 42 DP: 758776, 39 Bombala Street NIMMITABEL subject to the conditions attached;	
B. Any person who made a submission is notified according to the Regulations.	
Moved Councillor Last	Seconded Councillor Maslin
	CARRIED

Note 8: Record of Voting

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

Councillors Against: Nil.

Note 9: Lost Motion

A amendment moved Clr Castellari and seconded Clr Corbett was put to the vote and LOST. The lost motion was in the following terms:

“That

- A. *Pursuant to section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) consent be granted for the installation of the “Nimmity Bell” (ancillary structure to the use of land for a community facility) in accordance with DA10.2018.1290.1 on Lot: 6 Sec: 42 DP: 758776, 39 Bombala Street NIMMITABEL subject to the conditions attached;*
- B. *Any person who made a submission is notified according to the Regulations.*
- C. *Amend condition 4 in the recommendation to a trial period of 3 months, followed by community consultation.*

Note 10: Record of Voting

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

Note 11: Lost Motion

An amendment moved Clr Corbett and seconded Clr Beer was put to the vote and LOST. The lost motion was in the following terms:

“That

- A. *Pursuant to section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) consent be granted for the installation of the “Nimmity Bell” (ancillary structure to the use of land for a community facility) in accordance with DA10.2018.1290.1 on Lot: 6 Sec: 42 DP: 758776, 39 Bombala Street NIMMITABEL subject to the conditions attached;*
- B. *Any person who made a submission is notified according to the Regulations.*
- C. *That the bell be rung only on special occasions with a suitable bung installed when not in use, And council be notified five days in advance before the occasion.”*

Note 12: Record of Voting

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

Note 13: Draft Conditions of Consent

Draft Conditions of Consent 10.2018.1290.1

ADMINISTRATIVE CONDITIONS

Approved Plans and Documentation

1. The developer is to ensure that the development complies fully with 10.2018.1290.1 as submitted to Council on the 5TH December 2018 with supporting documentation including, but not limited to the development plans being:

Reference/Dwg No	Title/Description	Prepared By	Date/s
20180711	Proposed site plan for new Bell Tower	G.O Engineering Consultants	23.07.2018
20180711	Nimmity Bell Plan	G.O Engineering Consultants	23.07.2018
20180711	Monaro Highway Elevation	G.O Engineering Consultants	23.07.2018
20180711	Clarke Street Elevation	G.O Engineering Consultants	23.07.2018
20180711	Section East West	G.O Engineering Consultants	23.07.2018

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 4.17(11) of the Environmental Planning and Assessment Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:
 - The work must be carried out in accordance with the requirements of the Building Code of Australia
 - A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.

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

Operational Review Period

4. The developer is to review with Council after a period of six (6) months the operation of the Bell including the sound level, any potential nuisance ringing and mitigation measures. Should Council not be satisfied with the operation of the Bell during this trial period changes to the volume of ringing and ringing frequencies may be imposed.

PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE

Design Requirements

5. Prior to issue of a Construction Certificate for the development the applicant will engage a suitably qualified and experienced specialist firm to design the mounting and automated operating system of the Bell to ensure it meets relevant noise control guidelines. This design shall be provided to Council for approval prior to the issue of the construction certificate.
6. The developer shall ensure that the design and installation of the Bell mounting is to include an integrated protection against the Bell being able to be opportunistically rung in order to protect the amenity of the immediate area. Prior to the release of the construction certificate the applicant shall provide to Council details of such design specifications for approval.

PRIOR TO THE COMMENCEMENT OF WORKS

Construction Certificate

7. 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

8. 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.

Commencement of Works Notice

9. At least 2 days prior to commencement of works on-site, a notice of commencement (refer attached form) is to be submitted to Council in accordance with the provisions of section 81(2)(c) of the Environmental Planning & Assessment Act 1979. Failure to notify Council prior to commencement may lead to the instigation of legal action.

DURING WORKS

Approved Plans to be On-site

10. 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

11. 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".

Trade Waste

12. 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

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.

The burning of builders waste on site is prohibited.

Use of Power Tools - Residential and Village Areas

13. 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

14. 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

15. 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

16. 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.
17. 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.

18. 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.

19. 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.

20. 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.

Potential Site contamination

21. If any contaminated soil (e.g. hydrocarbon, asbestos) is uncovered during the course of the work:
- 1. All work must cease immediately in that area, and
 - 2. The developer shall prepare a site contamination audit report (prepared by a suitably qualified and experienced site contamination expert) which identifies the exact nature, degree and extent of any contamination within the soil strata and/or groundwater table (if any) and what remediation measures are necessary to address such identified contamination impacts. The report shall be undertaken in accordance with the requirements of *State Environmental Planning Policy No 55 – Remediation of Land* and the associated Guidelines and the *NSW Contaminated Land Management Act 1997*. This report shall be submitted to the Principal Certifying Authority for endorsement prior to the recommencement of works.

Bell Design

22. The design, installation and operation of the Bell's mounting and operating

systems will be undertaken in consultation with the Council.

PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Occupation Certificates

23. 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.

USE OF SITE

External Finishes

24. Any outbuildings or other ancillary structures are to be finished in colours and materials of natural earthy tones and low reflective quality to blend with the surroundings.

Frequency of Ringing

25. This consent allows for the following ringing frequency:
- Once daily at 12.00 midday for twelve (12) rings
 - The ringing time shall not exceed sixty (60) seconds

Should the Bell be proposed to be rung at times other than that which has been approved further written approval of Council will be required.

Note 14: Attendance of Group Manager Governance

Group Manager Governance was absent from the meeting from 6.54pm during Item 8.2 DA10.2018.1290.1 Installation of "The Nimmity Bell", returning at 6.56pm during same item.

Note 15: Adjournment of Meeting

At 7.05pm the meeting adjourned for a dinner break.

Note 16: Resumption of Meeting

The meeting resumed at 7.33pm.

Note 17: Attendance of Communications Officer

Communications Officer departed the meeting at 7:15pm for the duration of the meeting.

9. OTHER REPORTS TO COUNCIL

9.1 KEY THEME 1. COMMUNITY

9.1.1 MINUTES OF THE CEMETERY ADVISORY COMMITTEE MEETING DATED 4 FEBRUARY 2019

Record No:

Responsible Officer: Director Environment & Sustainability
Author: Group Manager Environmental Management
Attachments: 1. Minutes of the Cemetery Advisory Committee Dated 4 February 2019

EXECUTIVE SUMMARY

The Cemetery Advisory Committee met on 4 February 2019 in Cooma. The Committee's recommendations are presented for Council's consideration and adoption.

COUNCIL RESOLUTION

106/19

That the recommendations of the meeting of the Cemetery Advisory Committee held on 4 February 2019 be adopted.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Note 18: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 101/19 above as there was no challenge by Councillors.

9.1.2 MONTHLY FUNDS MANAGEMENT REPORT - FEBRUARY 2019

Record No:

Responsible Officer: Director Corporate and Community Services
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:
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 28 February 2019.

Cash and Investments are \$84,829,851.

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

107/19

That Council

- A. Receive and note the report indicating Council's cash and investments position as at 28 February 2019; and
- B. Receive and note the Certificate of the Responsible Accounting Officer.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Note 19: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 101/19 above as there was no challenge by Councillors.

9.1.3 LEASE AGREEMENT RENEWAL - RENEE YVONNE PIROZZI, JEREMY CHRISTOPHER FERNANDO, NAOMI JUNE WHITE AND ADAM JOHN WOOLACOTT TRADING AS SNOWY MOUNTAINS PHYSIOTHERAPY

Record No:

Responsible Officer:	Group Manager Facilities
Author:	Administration Manager
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. Email to Snowy Mountains Physiotherapy regarding CPI Rental Increase for 2018 (<i>Under Separate Cover</i>) - Confidential 2. Lease for Snowy Mountains Physiotherapy (<i>Under Separate Cover</i>) - Confidential
Cost Centre	150277 Snowy River Health Centre
Project	PJ300046 Leases and Licences
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

On 9 June 2019 the lease at Snowy River Health Centre for Snowy Mountains Physiotherapy will terminate. The previous lease commenced on 10 June 2014 but did not have an option to renew.

Snowy Mountains Physiotherapy have advised that they would like to renew the Lease. It is proposed to offer them a further lease of five years with a two year option.

Snowy Mountains Physiotherapy have always followed the requirements of the Lease and paid their rental fee on time.

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

COUNCIL RESOLUTION

108/19

That Council

- A. Approve the renewal of a five year Lease with a two year option to Renee Yvonne Pirozzi, Jeremy Christopher Fernando, Naomi June White and Adam John Woolacott trading as Snowy Mountains Physiotherapy; and
- B. Authorise the General Manager and Mayor to execute and Affix the Council Seal to the Lease.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Note 20: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 101/19 above as there was no challenge by Councillors

9.1.4 BOMBALA HEALTH FUNDING AGREEMENT

Record No:

Responsible Officer: Director Operations & Infrastructure
Author: Property Officer
Key Theme: 1. Community Outcomes
CSP Community Strategy: 1.1 Quality health and well-being services that support the changing needs of the community through all stages of the lifecycle are provided through government and non-government organisations
Delivery Program Objectives: 1.1.1 Regional health and wellbeing services have been planned through community consultation and partnerships with other levels of government
Attachments: 1. Funding Agreement (*Under Separate Cover*) - **Confidential**
2. Copy of Deed of Licence (*Under Separate Cover*) - **Confidential**
3. Image_Sandy Crossing
Cost Centre
Project 150240
Further Operational Plan Actions:

EXECUTIVE SUMMARY

Council has been advised by NSW Health that they have secured a full time Doctor for Bombala with the contract to be in place until 30/06/2021. Accordingly they have expressed interest in the Council owned property at 52 Sandy Crossing Road, Bombala. This property was purchased by the former Bombala Shire Council (BSC) and funded by the then Commonwealth Department of Health and Ageing under "Securing the Health of Bombala Project. The attached Funding Agreement between former BSC and the

Commonwealth details the specifics of this agreement. This agreement is due to expire in August 2019.

In order to secure a full time Doctor, NSW Health have requested from Council staff that the conditions under the existing Funding agreement, namely provision of the property to a Doctor rent free, be extended by Council through to 30th June 2021 in line with the proposed Doctors contract.

A Deed of Agreement could be prepared by Council's Solicitor to formalise the Agreement for the Doctor utilising the premises rent free but not including the utilities or immediate yard maintenance of the property.

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

COUNCIL RESOLUTION

109/19

That Council

- A. Approve the use of the Sandy Creek Crossing Property rent free for the full time Doctor excluding utilities and immediate lawn and garden maintenance; and
- B. Approve a Deed of Agreement be prepared by Council's Solicitor expiring 30/06/2021.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Note 21: MOTIONS WITHOUT DEBATE

THE ABOVE OFFICER'S RECOMMENDATION BECAME A RESOLUTION OF COUNCIL AS A RESULT OF RESOLUTION 101/19 ABOVE AS THERE WAS NO CHALLENGE BY COUNCILLORS

9.2 KEY THEME 2. ECONOMY

9.2.1 BUSINESS CONNECT BUS VISIT

Record No:

Responsible Officer:	Director Operations & Infrastructure
Author:	Roads Safety Officer
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	4.1 Attract diverse businesses and industries to the region, supporting their establishment and retention
Delivery Program Objectives:	4.1.4 Strategic projects undertaken that grow the local economy continue to develop and deliver a viable, efficient and accessible community transport service.
Attachments:	1. Business Connect Bus 2. Business Bus Locations
Cost Centre	1602 Transport Infrastructure (Operations)
Project	Snowy Monaro Local Traffic Committee

EXECUTIVE SUMMARY

The Business Connect Bus will be visiting the Snowy Monaro Regional Council area again this year. Unfortunately, the original request was sent to a Council Officer who was on leave and so it missed the last Local Traffic Committee meeting. The request has been put to the LTC representatives from NSW

RMS and NSW Police. Neither of them have any objection to the proposed visit.

The Business Bus visits regional communities across NSW, connecting small businesses to their local Business Connect service and provides information and referrals to other programs and services for small businesses.

Business Connect is a dedicated and personalised NSW Government program that provides trusted advice to help you start or grow your small business.

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

COUNCIL RESOLUTION

110/19

That Council approve the visit of the Business Connect Bus to the following locations:

- A. Cooma – outside the Visitors' Centre in Sharp Street, 19 March 2019;
- B. Jindabyne – Outside the Post Office in Gippsland Street, 21 March 2019; and
- C. Bombala – Corner of Forbes Street and Maybe Street, 20 March 2019.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Note 22: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 101/19 above as there was no challenge by Councillors

9.2.2 COMMERCIAL HARVESTING OF WILD DEER

Record No:

Responsible Officer: Group Manager Economic Development and Tourism
Author: Economic Development Officer
Key Theme: 2. Economy Outcomes
CSP Community Strategy: 4.1 Attract diverse businesses and industries to the region, supporting their establishment and retention
Delivery Program Objectives: 4.1.1 Council's Regional Economic Development Strategy provides a framework that fosters and grows the Region's diverse businesses
Attachments: Nil
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

There are members of our community who are strongly encouraging Council to investigate the viability of a Venison product export market from our region.

Whilst we acknowledge that the Council has an important role in encouraging and supporting new industry and business, there are already commercial solutions that would address the issue by actively

harvesting and processing wild deer for domestic and international markets.
The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

111/19

That Council:

- A. Receive and note the information in the report Commercial Harvest of Wild Deer; and
- B. Given the findings and discussions to-date, support the commercial deer harvesting industry and future growth opportunities in the region.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Note 23: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 101/19 above as there was no challenge by Councillors

9.2.3 MONARO RAIL TRAIL FEASIBILITY STUDY

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Environment and Recreation Coordinator
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 RFQ Monaro Rail Trail Feasibility Study Brief
Cost Centre	7020
Project	Monaro Rail Trail Feasibility Study
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

At the Councillor workshop held on 17 January 2019 in Bombala, Councillors were updated on the Monaro Rail Trail feasibility study project. The draft brief was presented to Council in preparation for seeking quotes from external consultations to complete the study. The concept vision encompasses the full length of the proposed track from Queanbeyan through to Bombala. This is the route recommended in the Pre-feasibility report completed by TRC Tourism for the Monaro Rail Trail Committee.

At the Councillor workshop in January there was discussion with regard to the exclusion of the Queanbeyan to Michelago component. This is this due to the potential challenges involved with working outside the Snowy Monaro LGA. Staff have since met with representatives of the Monaro Rail Trail Committee to get their views on this issue. It is recommended that Council take into consideration the Canberra market and the advantages this may have to the overall feasibility of the project.

This report seeks Council's endorsement to proceed with the inclusion of the full concept from

Queanbeyan to Bombala. The feasibility study brief has been amended to require the successful contractor to consider the advantages and disadvantages of two potential northern starting locations, namely Queanbeyan and Michelago.

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

COUNCIL RESOLUTION

112/19

That Council

- A. Receive and note the report Monaro Rail Trail Feasibility Study; and
- B. Endorse the draft Contract Brief for this project, noting that it includes consideration of the full track route concept from Queanbeyan through to Bombala, but will also look at the advantages and disadvantages of the track beginning at Queanbeyan or Michelago; and
- C. Endorse staff proceeding to seek quotes from potential contractors and appointment of a successful contractor as per normal procurement and project procedures.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Note 24: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 101/19 above as there was no challenge by Councillors

9.2.4 UPDATE ON IMPLEMENTATION OF REGIONAL ECONOMIC DEVELOPMENT STRATEGY (REDS)

Record No:

Responsible Officer:	Director Environment & Sustainability
Author:	Economic Development Officer
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	4.1 Attract diverse businesses and industries to the region, supporting their establishment and retention
Delivery Program Objectives:	4.1.1 Council's Regional Economic Development Strategy provides a framework that fosters and grows the Region's diverse businesses
Attachments:	Nil

EXECUTIVE SUMMARY

This report is for information only regarding the status of action items in the Regional Economic Development Strategy (REDS). Several actions have been commenced, and actions to be addressed in 2019-2020 have been identified.

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

COUNCIL RESOLUTION

113/19

That Council receive and note the information in this report on implementation of the Regional Economic Development Strategy (REDS).

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Note 25: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 101/19 above as there was no challenge by Councillors.

9.2.5 PROPOSED ACQUISITION OF CROWN LAND - PART LOT 209 DP 729704

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. Survey plan - Proposed Acquisition of land for road - Bungarra Lane
Cost Centre	1826 – Sealed Rural Roads: Regional

EXECUTIVE SUMMARY

Bungarra Lane intersects The Barry Way at the top of Cobbon Hill (approx. 3 km from the roundabout on Kosciuszko Road). Bungarra Lane is a private bitumen sealed road which provides access to a number of properties including the Bungarra Alpine Centre (accommodation for up to 200 people), and SCEGGS Redlands Limited (a high country campus for schoolchildren from years 7-10) as well as a number of rural residential properties.

The first section of Bungarra Lane was constructed over a Crown reserve for travelling stock and the developer/landowner has exhausted all avenues to formalise his access over the Crown through creation of an easement for access. Bungarra Lane was constructed in a different location from the plan of subdivision with Council's consent due to road compaction issues.

It is proposed to acquire approximately 3210m² of lot 209 DP 729704 for the purpose of road.

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

COUNCIL RESOLUTION

114/19

That Council

- A. Acquire 3210m² of lot 209 DP 729704 by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Roads Act 1993 for the purpose of road;
- B. Include minerals in this acquisition;
- C. Make the necessary applications to the Minister for Local Government and the Governor
- D. Affix the Common Seal to all documentation required to be sealed to give effect to this resolution; and
- E. Request the owner of lot 6 DP 709106 to enter into a Deed of Agreement with Council requiring the owner of that land to be responsible for all costs associated with the acquisition, survey, transfer fees, solicitors fees and LRS fees etc. prior to commencing the process.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Note 26: Attendance of Councillor Maslin

Attendance of Councillor M Councillor Maslin was absent from the meeting from 7:33pm during Item 9.2.5 Proposed Acquisition of Crown Land – Part Lot 209 DP729704 returning at 7:36 during same item.

Note 27: Attendance of Councillor Haslingden

Councillor Haslingden was absent from the meeting from 7:33pm during Item 9.2.5 Proposed Acquisition of Crown Land – Part Lot 209 DP729704 returning at 7:36 during same item.

9.3 KEY THEME 3. ENVIRONMENT

9.3.1 MINUTES OF THE BIOSECURITY WEEDS ADVISORY COMMITTEE MEETING DATED 21 FEBRUARY 2019

Record No:

Responsible Officer: Director Environment & Sustainability
Author: Group Manager Environmental Management
Attachments: 1. Minutes of the Biosecurity Weeds Advisory Committee Meeting Dated 21 February 2019

EXECUTIVE SUMMARY

The Snowy Monaro Region Biosecurity (Weeds) Advisory Committee met on 21 February 2019 in Cooma. The Committee's recommendations are presented for Council's consideration and adoption.

COUNCIL RESOLUTION

115/19

That the recommendations of the meeting of the Snowy Monaro Region Biosecurity (Weeds) Advisory Committee held on 21 February 2019 be adopted.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Note 28: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 101/19 above as there was no challenge by Councillors

9.3.2 STRONGER COMMUNITIES FUND MAJOR PROJECT PROGRAM - STATUS UPDATE

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: 1. SCFMPP Status Report - March 2019
Cost Centre
Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The purpose of this report is to provide Council and the community with a status update on the delivery of all the projects under the Stronger Communities Fund Major Project Program (SCFMPP) as at 7 March 2019.

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

COUNCIL RESOLUTION	116/19
That Council receive and note the SCFMPP progress report to 7 March 2019.	
Moved Councillor Castellari	Seconded Councillor Corbett
	CARRIED

Note 29: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 101/19 above as there was no challenge by Councillors

9.3.3 ADOPTION OF THE SNOWY MONARO REGIONAL COUNCIL LIQUID TRADE WASTE POLICY

Record No:

Responsible Officer: Director Operations & Infrastructure
Author: Group Manager Water & Wastewater Services
Key Theme: 3. Environment Outcomes
CSP Community Strategy: 7.2 Water, waste, sewer and stormwater management practices are contemporary and efficient
Delivery Program Objectives: 7.2.1 Water and sewer management services and operations meet legislative and quality requirements
Attachments: 1. Liquid Trade Waste Policy for adoption
2. Media Release for the exhibition of the LTW policy for public comments
3. Comments received on the Draft LTW policy
Cost Centre 2170 – Liquid Trade Waste
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

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

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

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

COUNCIL RESOLUTION

117/19

That Council defer item 9.3.3 Adoption of the Snowy Monaro Regional Council Liquid Trade Waste Policy to the next Council Meeting in April 2019.

Moved Councillor Beer

Seconded Councillor Corbett

CARRIED

9.4 KEY THEME 4. LEADERSHIP

9.4.1 ANSWERS TO QUESTIONS WITHOUT NOTICE

Record No:

Responsible Officer: Director Corporate and Community Services
Author: Secretary Council and Committees
Key Theme: 4. Leadership Outcomes
CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives: 10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments: 1. Master Working Copy - In Progress Councillor Questions 21 March Council Meeting
Cost Centre 3120 Governance
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

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

Master Working Copy - In Progress Councillor Questions 21 March Council Meeting is attached to this report

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

COUNCIL RESOLUTION

118/19

That Council receive and note the In Progress Councillor Questions 21 March Council Meeting – In Progress for the period ending February 2019.

Moved Councillor Beer

Seconded Councillor Castellari

CARRIED

9.4.2 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer: Director Corporate and Community Services

Author: Secretary Council and Committees
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy: DP7.1.1.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.
Operational Plan Action: OP7.7 Provide timely, accurate and relevant information to Council to enable informed decision making.
Attachments: 1. In Progress Actions - 21 March Council Meeting
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 February 2019.

In Progress Actions - 21 March Council Meeting is attached to this report.

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

COUNCIL RESOLUTION	119/19
That Council receive and note the In Progress Actions - 21 March Council Meeting– In Progress for the period ending February 2019.	
Moved Councillor Castellari	Seconded Councillor Beer
	CARRIED

9.4.3 2019 ANZAC DAY SUPPORT

Record No:

Responsible Officer: Director Corporate and Community Services
Author: Manager Corporate Governance
Key Theme: 4. Leadership Outcomes
CSP Community Strategy: 12.3 Our community is empowered and supported in facilitating community outcomes
Delivery Program Objectives: 12.3.1 Community organisations and individuals have the capacity to apply for a range of grants funding opportunities
Attachments: 1. Attachment 1 - Cover Letter For Snowy River RSL Request
2. Attachment 2 Snowy River RSL Sub Brach Donation Request
Cost Centre 3120 and 3110

EXECUTIVE SUMMARY

Council resolved in February 2018 to change the Donations and Sponsorship processes moving forward and on 17 May 2018 adopted a new Policy and Procedure for Donation and Sponsorships.

As part of the February 2018 report it was included that support for ANZAC Memorial services across the region be continued through traffic control and signage, maintenance of the surrounding lawn areas, monuments and streetscape immediately prior to the event.

However fees and charges for associated applications and wreaths to be laid at services by Council were listed in the Budget separately.

2019FY Budget allocation for ANZAC Day Services is \$5,000 in account 10312010063159.

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

COUNCIL RESOLUTION

120/19

That Council

- A. Approve the contribution from Council in the form of 'In Kind' support to RSL Sub-Branches in the amount of \$3,558 to be drawn from the 2019 FY Budget accounts, as per the economic section of this report, for Traffic Control purposes
- B. Approve the amount of \$2,000 to be drawn from the 2019 FY Budget accounts, as per the economic section of this report, in the form of a donation request to Snowy River RSL Sub-Branch for 2019 ANZAC Day Service; and
- C. Support the full review for ANZAC Day Service Contributions from Council prior to the 2020 ANZAC day Services.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Note 30: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 101/19 above as there was no challenge by Councillors.

9.4.4 PUBLIC WIFI

Record No:

Responsible Officer: Director Corporate and Community Services
Author: Manager Information & Communications Technology
Key Theme: 2. Economy Outcomes
CSP Community Strategy: 5.2 Promote and provide access and spaces both physical, digital and mobile where people can learn and connect
Delivery Program Objectives: 5.2.1 Community infrastructure options are explored that facilitate the expansion, improvement and accessibility of life learning spaces across the region
Attachments: Nil
Cost Centre 5110

EXECUTIVE SUMMARY

This report provides a review on the facilitation of Public Wi-Fi in response to a Question Without Notice #47 from Councillor Corbett.

There have been advances in technology access, communications speed, changes in personal data plans

including reduction of data usage costs and the rapid increase in the adoption of mobile devices in the four years since implementing a public Wi-Fi service in Cooma in 2015. In addition there were several issues faced by Council with the provision of Public Wi-Fi, including misuse, it is proposed that Council should longer provide services for public Wi-Fi outside of specifically designated Council facilities.

The five year costs to establish a suitable public Wi-Fi service across the region are prohibitive at \$475,911 ex GST. Especially when the majority of tourists and locals have access to personal data plans.

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

COUNCIL RESOLUTION

121/19

That Council does not provide public Wi-Fi services outside of those provided by the public library services and visitor centres.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Note 31: MOTIONS WITHOUT DEBATE

THE ABOVE OFFICER'S RECOMMENDATION BECAME A RESOLUTION OF COUNCIL AS A RESULT OF RESOLUTION 101/19 ABOVE AS THERE WAS NO CHALLENGE BY COUNCILLORS

10. NOTICE OF MOTION

10.1 NOTICE OF MOTION CR CORBETT - ELM TREES

Record No:

Responsible Officer: General Manager
Author: Councillor Rogan Corbet
Attachments: Nil

Councillor Rogan Corbett has given notice that at the Ordinary Meeting of Council on 21 March 2019, he will move the following motion.

COUNCIL RESOLUTION

122/19

That Council:

- A. Rescind motion 264/18 of the Ordinary Council Meeting 2 August 2018 Confidential session; and
- B. Request the General Manager to arrange for an arborist's report on the future management of the trees on Council property, with a view to retaining the trees while minimising the risks of damage to neighbouring properties.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Note 32: Vote Against Committee Recommendation

Clr Last, Clr Miners and Clr Old requested that their vote against the committee recommendation 122/19 be recorded in the minutes.

11. MAYORAL MINUTES

11.1 GENERAL MANAGER - UNION PICNIC DAY

General Manager advised Councillors that the Unions whom represent staff requested (as required by the Award) have a Picnic Day on 18 April 2019. Staff that identify as Union Members will not be present on this day.

11.2 MAYOR ROONEY - ABC STATEMENT AND INFORMATION

On 7 March 2019, Council resolved that the Mayor should table evidence to support his statement that the Bombala Council would be bankrupt again if it were reinstated and failed to deliver a satisfactory standard of service. Mayor Rooney tabled a document with findings from the IPART review, from October 2015.

Note 33: Urgent Business Not On Agenda

The attention of the Council was drawn to 1 (one) late report not listed on the Council agenda and business paper concerning Motion of Urgency - 11.2 - Clr Haslingden and requested that Council consider the late reports as matters of urgency.

COUNCIL RESOLUTION

123/19

That in accordance with Clause 6(5)(1) of Council's Code of Meeting Practice, Council consider the following reports as matters of urgency:

- (11.2) Clr Haslingden – Motion of Urgency

Moved Councillor Corbett

Seconded Councillor Haslingden

CARRIED

11.2 CLR HASLINGDEN - MOTION OF URGENCY

Background:

There has been feedback from the community that further time is necessary to enable thorough consultation and opportunity for comment.

For example, NSW Farmers Bombala and Cooma branches are not meeting until March 26 in Nimmitabel to be introduced to this plan, let alone to then have time to discuss it. (Just to advise that this meeting has now been postponed!)

The download version is very large, which is an issue for many rural people to download and open.

As this document is all about 'starting a conversation with the community to see what direction the region should move in regarding planning, development and land use into the future', SMRC have provided little process on how the community can actually contribute other than attending pop up sessions.

A positive process that has been used by many communities is the Kitchen Table Conversation process: The kitchen table model is a process in which a volunteer host invites eight or nine people. They spend two or three hours in a discussion around either a general or specific question.

There are a few basic ground rules. Everyone gets to have their say and the group listens with respect, whatever their views on the subject. A scribe prepares a summary of the discussion, which is passed on to a co-ordinating group.

The conversations may take place in homes, cafes or clubs. They may be among neighbours, friends or acquaintances.

The discussion points in the Draft Discussion Paper, Snowy Monaro Planning and Land Use are quite involved, such as:

How much weight should be given to historical population trends given factors such as Snowy 2.0 and Canberra's growth?

Should Council support further development of the Canberra to Cooma corridor as a commuting corridor or try and encourage more self-sustainable communities?

These questions raise whether any future growth plan for Michelago should involve new employment lands, and if so, what kinds of industry, retail or commercial uses would benefit from being located there?

In regards to Zone RU1 Primary Production, where grazing livestock uses approximately 60% of the Council's 1 million hectares, there is a question whether this zoning is really needed over most of the LGA?

What is a suitable Minimum lot size for primary production land?

And, as Anne has raised, where does the potential Rail Trail fit within the plan?

And these are just a fraction of the discussions in the Draft Discussion Paper, Snowy Monaro Planning and Land Use.

As identified on page 82 of the Draft, that once the public consultation period closes:

Council will develop draft Settlement and Rural Land Use Strategies for the Region. This will be a more concrete direction which will provide strategic guidance for the development of the settlement areas over the coming 20 years. This will again be an opportunity for further public comment to be received ahead of the adoption of a final Settlement Strategy for the Shire. Once completed, these strategies will inform the Local Strategic Planning Statement, new Local Environmental Plan and a new development Control Plan for the region.

Due to the importance of this preliminary feedback, our community needs not only more time to discuss the Paper, but also further guidance on how to develop and contribute their submissions, so that the feedback received embraces the 'voice' of our communities and everyone can genuinely feel involved 'on the journey'. (as stated in the Last line of the discussion paper.

COUNCIL RESOLUTION

124/19

That Council extend the public consultation period for the Planning & Land Use Discussion Paper currently out on public exhibition, so that an extension for submissions be adopted with a deadline of April 18 2019

Moved Councillor Haslingden

Seconded Deputy Mayor Miners

CARRIED

Note 34: Vote Against Committee Recommendation

Clr Stewart and Clr Ewart requested that their vote against the committee recommendation 123/19 be recorded in the minutes

Note 35: Attendance of Councillor Old

Councillor Old was absent from the meeting from 8.49pm during Item 11.2 Notice of Motion – Clr Haslingden returning at 8.52pm during same item.

12. QUESTIONS WITH NOTICE

12.1 MONARO CANCER COUNCIL DONATION

Clr Old

Question: Would the Council consider sponsoring me in the Go-fund me page for Dance Spectacular?

Answer: Taken on Notice

12.2 SHARP STREET COOMA

Clr Last

Question: The access to 9 Sharp Street Cooma and other residences facing Sharp Street is in need of repair. On a recent visit I noticed as least 2 potholes. Can the appropriate department attend to the proper filling in of these potholes and perhaps other potholes that have appeared since my inspection?

Answer: Taken on Notice.

12.3 POTHOLES - SOUTH EAST RURAL

Clr Last

Question: There are potholes at the entrance to South East Rural. Can Council attend to the filling in of these potholes? South East Rural is at the northern end of Commissioner Street.

Answer: Taken on Notice.

Note 36: Tabling a letter in questions with notice

Clr Last tabled a letter from a member of the public regarding Perkins Road, Binjura and asked could it be forwarded to the appropriate officer for consideration.

Answer: Taken on Notice

Note 37: Tabling a letter in questions with notice

Clr Last tabled a letter from a member of the public regarding Road Works on Mittagong Road, and asked could it be forwarded to the appropriate officer for consideration.

Answer: Taken on Notice

13. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

125/19

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

13.1 Legal Actions and Potential Claims Against SMRC as at 28 February 2019

Item 13.1 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.

13.2 Delegate Disadvantaged Housing

Item 13.2 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.3 Buckley's Rural Services Weed Control Contract 2016-2019

Item 13.3 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.4 Corporate Information System Project Report

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

13.5 Organisation Structure Proposal

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

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

Moved Councillor Haslingden

Seconded Councillor Old

CARRIED

Note 38: 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 39: Confidential Session of Committee

At 8:55pm the meeting was closed to the press and public.

Note 40: Resumption of Open Committee Meeting

At 10:00 pm the Closed Session ended and the Council meeting continued in Open Session.

14. REPORT FROM CONFIDENTIAL SESSION

13.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 28 FEBRUARY 2019

COUNCIL RESOLUTION

126/19

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 28 February 2019 report.

Moved Councillor Maslin

Seconded Councillor Corbett

CARRIED

13.2 DELEGATE DISADVANTAGED HOUSING

COUNCIL RESOLUTION

127/19

That Council continue with the current arrangement of Facilities staff managing the tenants and maintenance on the properties pending community consultation, and bring a report back to Council.

Moved Councillor Stewart

Seconded Councillor Haslingden

CARRIED

13.3 BUCKLEY'S RURAL SERVICES WEED CONTROL CONTRACT 2016-2019

COUNCIL RESOLUTION

128/19

That Council does not approve the variation to the fixed price weed control contract for the land area within the former Snowy River Shire Council.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

13.4 CORPORATE INFORMATION SYSTEM PROJECT REPORT

COUNCIL RESOLUTION

129/19

That Council approve the recommendations in the body of the report Corporate Information System Project Report.

Moved Councillor Castellari

Seconded Councillor Corbett

CARRIED

Attendance of Secretary Council And Committees

Secretary Council and Committees was absent from the meeting from 9:30pm during Item 13.5 – Organisation Structure Proposal returning at 9:55 at conclusion of item.

Attendance of Group Manager Governance

Group Manager Governance departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting.

Attendance of Director Corporate & Community Services

Director Corporate & Community Services departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting

Attendance of Group Manager Economic Development & Tourism

Group Manager Economic Development & Tourism departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting

Attendance of Director Operations & Infrastructure

Director Operations & Infrastructure departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting

Attendance of Senior Project Officer

Senior Project Officer departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting

Attendance of Group Manager Environmental Management

Group Manager Environmental Management departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting

Attendance of Parks & Gardens CBD Crew

Parks & Gardens CBD Crew departed the meeting at 9:30pm during Item 13.5-Organisation Structure Proposal for the duration of the meeting

13.5 ORGANISATION STRUCTURE PROPOSAL

COUNCIL RESOLUTION	130/19
That Council	
A. Receive and note this report;	
B. Receive and note the report provided to Councillors under separate cover; and	
C. Authorise the General Manager to proceed to engage with an external service provider in accordance with Council’s Purchasing and Tendering Policy to carry out this proposed review.	
Moved Councillor Castellari	Seconded Councillor Ewart
	CARRIED

There being no further business the Mayor declared the meeting closed at 10.01pm



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 21 March 2019 were confirmed by Council at a duly convened meeting on 17 April 2019 at which meeting the signature hereon was subscribed.