

**THE MINUTES OF THE COUNCIL MEETING HELD IN THE TUMUT ROOM 76 CAPPER STREET TUMUT, ON THURSDAY 15 AUGUST 2019 COMMENCING AT 2:00 PM.**

**PRESENT:**

Mayor James Hayes (Chair), Councillor Andrianna Benjamin, Councillor Cate Cross, Councillor Julia Ham, Councillor Margaret Isselmann, Councillor John Larter, Councillor Cor Smit and Councillor Bruce Wright.

**IN ATTENDANCE:**

General Manager Matthew Hyde, Acting Director Assets and Infrastructure Heinz Kausche, Acting Director Internal Services Shelley Jones, Acting Director Strategy, Community and Development Phil Stone and Executive Assistant Susan Ivill.

**1. ACKNOWLEDGEMENT OF COUNTRY**

An acknowledgement of the traditional custodians of the land was delivered by the Mayor James Hayes.

**2. APOLOGIES**

**M203/19 RESOLVED** that the request for leave of absence from Councillor Geoff Pritchard be received and granted.

Cr John Larter/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**3. DECLARATIONS OF INTEREST**

Cr Margaret Isselmann declared a non-pecuniary interest in relation to report 12.1 Snowy Valleys Council Community Grants due to holding the position of Secretary of the Rotary Club of Batlow and will leave the room during discussion.

Cr Andrianna Benjamin declared a pecuniary interest in relation to report 10.14 DA No. 2019/00075 33 Merivale Street Tumut being the General Manager of the Head office and company and will leave the room during discussion.

Cr Andrianna Benjamin declared an pecuniary interest in relation to report 10.9 Tumut CBD Accessibility and Amenity Project - Scope Definition being the Project Manager of 71 Wynyard Street and will leave the room during discussion.

Cr Andrianna Benjamin declared a pecuniary interest in relation to report 10.9 Tumut CBD Accessibility and Amenity Project – Scope Definition being the lessee of 57 Russell Street Tumut and will leave the room during discussion.

Cr Andrianna Benjamin declared a non-pecuniary interest in relation to report 12.1 Snowy Valleys Council Community Grants due to the Tumut Cycle Classic looking after finances and will leave the room during discussion.

General Manager Matt Hyde declared a non-significant Pecuniary Interest in relation to report 10.9 Tumut CBD Accessibility and Amenity Project – Scope Definition due to his partner having a leased premises in Tumut CBD and will leave the room during discussion.

#### **4. PUBLIC FORUM**

Martin Brown addressed Council in relation to Report 10.11 Disability Inclusion Access Reference Group and Community Welfare Committee.

Cr Andrianna Benjamin left the meeting, the time being 02:07 PM.

The General Manager Matt Hyde left the meeting, the time being 02:07 PM.

Hansie Armour addressed Council in relation to Report 10.9 Tumut CBD Accessibility and Amenity Project – Scope Definition.

Cr Andrianna Benjamin returned to the meeting, at 02:13 PM.

The General Manager Matt Hyde returned to the meeting, at 02:13 PM.

#### **5. CONFIRMATION OF MINUTES**

##### **M204/19 RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 18 July 2019 be received.

Cr John Larter/Cr Bruce Wright

#### **5.1 BUSINESS ARISING**

Nil

#### **6. CORRESPONDENCE/PETITIONS**

Nil

#### **7. NOTICE OF MOTION/NOTICE OF RESCISSION**

Nil

#### **8. MAYORAL MINUTE**

Nil

**9. GOVERNANCE AND FINANCIAL REPORTS****9.1 SNOWY REGION CONSTRUCTION & DEVELOPMENT CONFERENCE - 18TH - 19TH NOVEMBER 2019 - SNOWY 2.0 - FROM THE MONARO TO THE NATION****M205/19 RESOLVED:**  
THAT COUNCIL:

1. Receive the report on the Snowy Region Construction and Development Conference being held 18<sup>th</sup> – 19<sup>th</sup> November 2019.
2. Council approve the attendance of the Mayor and Councillors nominating to attend the conference.

Cr Margaret Isselmann/Cr Julia Ham

**CARRIED UNANIMOUSLY****9.2 LGNSW LIFE AFTER AMALGAMATION FORUM 16TH - 17TH SEPTEMBER 2019, TERRIGAL NSW****M206/19 RESOLVED:**  
THAT COUNCIL:

1. Receive the report on LGNSW "Life after Amalgamation" Forum organised for 16<sup>th</sup> and 17<sup>th</sup> September 2019.
2. Council approve the attendance of the Mayor and the General Manager at the Forum.

Cr Julia Ham/Cr Margaret Isselmann

**CARRIED UNANIMOUSLY****9.3 RATES HARMONISATION****M207/19 RESOLVED:**  
THAT COUNCIL:

1. Receive the report on rate harmonisation.
2. Defer rate harmonisation until July 2021.

Cr Margaret Isselmann/Cr John Larter

**CARRIED UNANIMOUSLY**

**9.4 REVIEW CARRY OVERS FOR 2018/19****M208/19 RESOLVED:**

That Council:

1. Approves the 2018/19 carry overs as reported and endorse for expenditure in 2019/20.

Cr Julia Ham/Cr John Larter

**CARRIED UNANIMOUSLY**

**9.5 NCIF, SCIF, SCF QUARTERLY REPORT - AUGUST 2019****M209/19 RESOLVED:**

THAT COUNCIL:

1. Receive the report on the expenditure of the New Council Implementation Fund (Rounds 1 and 2), Stronger Communities Infrastructure Fund and Stronger Communities Fund (Rounds 1 and 2) for period ending 30<sup>th</sup> June 2019.
2. Commit to a greater emphasis on community engagement for beautification and other projects that impact on the aesthetics of towns and villages.

Cr John Larter/Cr Andrianna Benjamin

**CARRIED UNANIMOUSLY**

**M210/19 RESOLVED** that Council move into Committee of the Whole.

Cr Julia Ham/Cr Margaret Isselmann

**CARRIED UNANIMOUSLY**

**M211/19 RESOLVED** that Council move out Committee of the Whole.

Cr Margaret Isselmann/Cr Cor Smit

**CARRIED UNANIMOUSLY**

**9.6 STATEMENT OF INVESTMENTS - JULY 2019****M212/19 RESOLVED:**

THAT COUNCIL:

1. Receive the Statement of Investments as at 31 July 2019

Cr John Larter/Cr Cate Cross

**CARRIED UNANIMOUSLY**

**10. MANAGEMENT REPORTS****10.1 HEALTH SUMMIT REPORT****M213/19 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on the Health Summit held on 23 July 2019
2. Note and support the actions of:
  - a) Collaboration, escalation and advocacy of issues and solutions to State and Federal levels of government by Local Members, the NSW Rural Doctors Network and the Mayor
  - b) Full endorsement of the Murrumbidgee Rural Training and Workforce Support Program
  - c) Lobbying to change the Distribution Priority Area status to include Tumut
  - d) The Local Health District and Tumut Community Association will work together regarding the appointment of doctors at the Tumut Hospital
  - e) All will focus on positively supporting existing and future workforce
3. Commit to engaging in ongoing positive and constructive relationships with agencies to contribute to the provision of appropriate health services across our region
4. Develop a policy and procedure with a ceiling limit of funds and criteria to provide in-kind and financial support to new doctors who commit to living and working in SVC
5. Continue to lobby the federal government for funds to develop an Aboriginal Health and Wellbeing Centre at the new Tumut Hospital in consultation with the Aboriginal Community.

Cr Cate Cross/Cr John Larter

**CARRIED UNANIMOUSLY**

**10.2 NAMING OF THE ADELONG CREEK PATHWAY****M214/19 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on the naming of the Adelong Creek pathway from Division Manager Asset Planning and Design.
2. Agree to name the walkway the 'Adelong Falls Walk'.

3. Approve to dedicate a sign along the pathway to recognise the original Adelong community members who formed the walk and contributed to its formation as a part of the SCF-2 Adelong Creek Walk Signage funding.

Cr Bruce Wright/Cr Cor Smit

**CARRIED UNANIMOUSLY**

**10.3 WOLTER'S COTTAGES - PROPOSED USE BY THE TOOMAROOMBA KUNAMA NAMADGI INDIGENOUS CORPORATION**

**M215/19 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on Wolter's Cottages – proposed use by Toomaroomba Kunama Namadgi Indigenous Corporation by the Division Manager Asset Planning and Design
2. Authorise the General Manager to enter negotiations with the Toomaroomba Kunama Namadgi Indigenous Corporation for the purpose of entering into a lease for the new building, with the lease fee to be reflective of a commercial rate
3. Authorise the General Manager and Mayor to execute and affix the Council seal to all associated lease documentation

Cr Bruce Wright/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**10.4 DONATION OF SCULPTURE**

**M216/19 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on Donation of Sculpture from the Division Manager Asset Planning and Design.
2. Donate the horse and stockman sculpture to the Tumbarumba Equine Club for location at the Tumbarumba Race Course

Cr Bruce Wright/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**10.5 ZERO WASTE STRATEGY**

**M217/19 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on Zero Waste Strategy from the Waste Management and Strategy Officer

2. Place the draft Zero Waste Strategy on public exhibition for a period of no less than 28 days.

Cr Cate Cross/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**M218/19 RESOLVED** that Council move into Committee of the Whole.

Cr Julia Ham/Cr Andrianna Benjamin

**CARRIED UNANIMOUSLY**

**M219/19 RESOLVED** that Council move out of Committee of the Whole.

Cr Cate Cross/Cr John Larter

**CARRIED UNANIMOUSLY**

**10.6 DRINKING WATER QUALITY POLICY - FOR PUBLIC EXHIBITION**

**M220/19 RESOLVED:**  
THAT COUNCIL:

1. Receive the report on the draft Drinking Water Quality Policy from the Coordinator Water and Wastewater.
2. Place the Drinking Water Quality Policy on public exhibition for a period of no less than 28 days.

Cr Margaret Isselmann/Cr Cor Smit

**CARRIED UNANIMOUSLY**

**10.7 HOME DIALYSIS REBATE POLICY - FOR PUBLIC EXHIBITION**

**M221/19 RESOLVED:**  
THAT COUNCIL:

1. Receive the report on the draft Home Dialysis Rebate Policy to the 15 August 2019 meeting from the Director Assets and Infrastructure.
2. Place the draft Home Dialysis Rebate Policy on public exhibition for a period of no less than 28 days.

Cr Cate Cross/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**10.8 TREE MANAGEMENT POLICY - FOR PUBLIC EXHIBITION****M222/19 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on the Draft Tree Management Policy from Director Assets and Infrastructure.
2. Place the draft Tree Management Policy on public exhibition for a period of no less than 28 days.

Cr Cor Smit/Cr Bruce Wright

**CARRIED UNANIMOUSLY**

Cr Andrianna Benjamin left the meeting, the time being 03:16 PM.

General Manager Matt Hyde left the meeting, the time being 03:16 PM.

**10.9 TUMUT CBD ACCESSIBILITY AND AMENITY PROJECT – SCOPE DEFINITION****M223/19 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on Tumut CBD Accessibility and Amenity Project – Scope Definition, from Acting Director Strategy, Community & Development
2. Confirm that the scope of the Tumut CBD Accessibility and Amenity Project is to upgrade the streetscape of Wynyard St, including roundabouts, between Capper and Fitzroy Streets, Tumut, within the budget of \$1.76m, consisting of the following objectives:
  - a. Incorporating new paving with aesthetic themed design, ensuring pavers are hard wearing, stain resistant, non-slip and suitable for the expected weight/vehicle use in all areas such as driveways
  - b. Additional plantings and landscaping
  - c. Upgraded and new street furniture, including seating and tree surrounds; upgraded and new rubbish bins including recycling options; new bike racks, tree surrounds and repainted bollards and light poles
  - d. Upgraded pedestrian crossing
  - e. Review of loading zones, noting issues raised by the Tumut Chamber of Commerce in respect to the limited loading areas currently available in the CBD;
  - f. Limiting disruption to retailers by undertaking the works outside of the main Christmas trading period in consultation with the businesses, and in small sections, maintaining entrances to enable customer, disabled and pram access



- g. Ensuring appropriate signage and advertising during the construction process, notifying shoppers that Tumut CBD is "open for business."
3. Endorse progressing with consolidating the designs, construction methodology, construction timelines and cost plan for the delivery of Tumut CBD Accessibility and Amenity Project.
4. Receive a further report on progressing this project to the construction phase.
5. Continue to advocate to government for additional funding to complete the project.

Cr John Larter/Cr Cate Cross

**CARRIED UNANIMOUSLY**

**M224/19 RESOLVED** that Council move into Committee of the Whole.

Cr Margaret Isselmann/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**M225/19 RESOLVED** that Council move out of Committee of the Whole.

Cr Margaret Isselmann/Cr Bruce Wright

**CARRIED UNANIMOUSLY**

Cr Andrianna Benjamin returned to the meeting, at 03:30 PM.

General Manager Matt Hyde returned to the meeting at 03:30 PM.

**10.10 END OF YEAR OPERATIONAL PLAN UPDATE REPORT 30 JUNE 2019**

**M226/19 RESOLVED:**  
THAT COUNCIL:

1. Receive the Report on End of Year Operational Plan Update from the Acting Director, Strategy, Community and Development
2. Notes the End of Year Operational Plan Update Report as at 30 June 2019

Cr John Larter/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**10.11 DISABILITY INCLUSION ACCESS REFERENCE GROUP AND COMMUNITY WELFARE COMMITTEE****M227/19 RESOLVED:**

1. Receive and note the report on the Disability Inclusion Access Reference Group (DIARG) and Community Welfare Committee (CWC) from Division Manager Community Services.
2. Create the Disability Inclusion Access Reference Group (DIARG) as an internal advisory Committee.
3. Disband the Community Welfare Committee (CWC) in its current form.
4. Invite the Community Welfare Committee (CWC) to join the Disability Inclusion Access Reference Group (DIARG) as a Sub-Committee, reporting to the Disability Inclusion Access Reference Group (DIARG).
5. Appoint a Councillor delegate to the Disability Inclusion Access Reference Group (DIARG).
6. The General Manager be authorised to select a councillor in consultation with the Mayor to sit on the committee.

Cr Julia Ham/Cr Andrianna Benjamin

**CARRIED UNANIMOUSLY****10.12 SERVICE NSW – EASY TO DO BUSINESS PROGRAM****M228/19 RESOLVED:  
THAT COUNCIL:**

1. Receive the Report on the Easy To Do Business Program
2. Delegate authority to the General Manager to enter into a contract at no cost with Service NSW for the Easy to do Business initiative
3. Authorise the use of the Common Seal of Council to execute any necessary documents required to enact the agreement with Service NSW

Cr Julia Ham/Cr Cate Cross

**CARRIED UNANIMOUSLY****10.13 AUSTRALIA DAY CELEBRATIONS AND PROCEDURES****RECOMMENDATION:  
THAT COUNCIL:**

1. That the report on the Australia Day Celebrations and Procedures from Coordinator Community Development be received.

2. That the Council support the proposal for future management of Australia Day awards voting procedures and ceremonies, in particular that-
  - (a) Council consolidate the event, award selection management processes and the award certificates of both regions into one systematic approach.
  - (b) That Council retain key events in Tumut and Tumbarumba, while still supporting the various village events indirectly.
  - (c) that there is a plan to transition to one SVC event, rotated between Tumut and Tumbarumba annually in year 2 (2021 Australia Day), under one committee and that this is communicated as part of the change process for this year

Cr Julia Ham/Cr Margaret Isselmann

**M229/19 RESOLVED** that Council move into Committee of the Whole.

Cr Margaret Isselmann/Cr Bruce Wright

Heinz Kausche left the meeting, the time being 03:18 PM.

Heinz Kausche returned to the meeting at 03:21 PM.

**M230/19 RESOLVED** that Council move out of Committee of the Whole.

Cr Margaret Isselmann/Cr John Larter

#### **AMENDMENT PUT AND CARRIED**

**The Amendment became the Motion, the Motion was put and carried, therefore;**

**M231/19 RESOLVED**

THAT COUNCIL:

1. Receive the report on the Australia Day Celebrations and Procedures from Coordinator Community Development.
2. Consolidate the Australia Day Awards Ceremony into one event annually in Tumut, starting in 2020 and including:
  - a. The consolidation of award nominations and voting procedures and the management of this under one committee
  - b. The committee having increased membership of community representatives from across the council area
3. Encourage and provide support to the individual Australia Day events each year to local communities and community groups to conduct local

community Australia Day celebrations to recognise people in their communities as they wish with historical support.

Cr Margaret Isselmann/Cr John Larter

**FOR:** Cr Larter, Cr Cross, Cr Benjamin, Cr Isselmann, Cr Cor Smit,

**AGAINST:** Cr Bruce Wright, Cr Julia Ham, Cr James Hayes

**Cr Julia Ham Foreshadowed an Amendment**

THAT COUNCIL:

1. Receive the report on the Australia Day Celebrations and Procedures from Coordinator Community Development.
2. Consolidate the Australia Day Awards Ceremony into one event rotated annually between Tumut and Tumbarumba, starting in 2020 and including:
  - a. The consolidation of award nominations and voting procedures and the management of this under one committee, and
  - b. The committee having increased membership of community representatives from across the council area,
3. Encourage and provide support to the individual Australia Day events each year to local communities and community groups to conduct local community Australia Day celebrations to recognise people in their communities as they wish with historical support.

**The Foreshadowed Amendment lapsed**

Cr Andrianna Benjamin left the meeting, the time being 04:08 PM.

Cr Margaret Isselmann left the meeting, the time being 04:09 PM.

Cr Margaret Isselmann returned to the meeting at 4:12 PM.

**10.14 DA NO.2019/0075 – 33 MERIVALE STREET TUMUT – CONVERSION OF BEDROOM TO PROFESSIONAL ROOM – ADDITIONAL CAR PARKING**

**M232/19 RESOLVED:**  
THAT COUNCIL:

1. Receive the report on Development Application No. 2019/0075 - Conversion of a bedroom to professional consulting room at 33 Merivale Street, TUMUT from the Division Manager Development and Environment
2. Determine the development application by consent subject to the following:

## Conditions of Consent

### General

- The development shall be in accordance with the plans, specifications and Statement of Environmental Effects bearing the Snowy Valleys Council approval stamp and any amendments marked in red or otherwise modified by conditions of consent. The plans referenced by this approval are as follows:

Sheet Description	Number	Date	Revision
Site Plan	02	15/07/19	4
Existing and proposed floor Plan dwelling	03	15/07/19	3
Accessible Facilities Plans	05	28/03/19	2
Alterations to existing front building plan	04	28/03/19	2
Statement of Effects		15/07/19	

The Development Application has been determined by the granting of consent subject to and as amended by the conditions of development consent specified below. In the event of any inconsistency between the consent documentation and the consent conditions, the conditions of this consent prevail.

**REASON:** It is in the public interest that work is carried out in accordance with the approved plans. Section 4.15(1) (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- Pursuant to Clause 93 and/or 94 of the Environmental Planning and Assessment Regulation 2000, the existing building must be brought into partial conformity with the Building Code of Australia in respect to the provisions of:
  - Access for people with Disabilities in accordance with AS1428.1 (2011) to the public areas of the building the subject of this consent.
  - As the improvements to the building are not required by state regulations and are a voluntary upgrade, Council will allow a shared path from the accessible parking to the entrance to both of the public areas of the buildings on the site.
  - The additional consulting room within the secondary dwelling is to be provided with a smoke detector fitted in accordance with National Construction Code Volume 2 – 2019 Part 3.7.5.2 and interlinked with the existing smoke alarms within the building so that if one alarm activates all alarms activate.

**REASON:** To ensure that the building has adequate amenity, structural integrity and life safety appropriate to the use of the premises.

### During Construction

3. The permitted construction must not cause noise or permit a power tool to be used on premises in such a manner that the noise that can be heard within a habitable room in any other residential premises (regardless of whether any door or window to that room is open):
- a) before 9 am or after 8 pm on any Sunday or public holiday, or
  - b) before 7 am or after 8 pm on any other day.

**REASON:** To ensure building works do not have adverse effects on the amenity of the area. In accordance with the *Protection of the Environment Operations (Noise Control) Regulation 2008*

### Prescribed Conditions

4. All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant Construction Certificate or Complying Development Certificate was made).

**REASON -** To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 4.17(11) of the *Environmental Planning and Assessment Act 1979*

5. Prior to works commencing, a sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- a) That unauthorised entry to the site is prohibited, and
  - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside work hours
  - c) the development consent or complying development consent number, the name and contact details of the Principal Certifying Authority

Any sign must be removed when the work has been completed.

NOTE: This condition does not apply to:

- a) building work carried out inside an existing building, or
- b) building work carried out on premises that must be occupied continuously (both during and outside work hours) while the work is being carried out.

**REASON:** To ensure the development complies with the requirements imposed under Clause 98 of the *Environmental Planning and Assessment Regulations 2000*, as amended, and Section 4.17(11) of the *Environmental Planning and Assessment Act 1979*.

### Ongoing Use

6. The proposed use of the secondary dwelling consulting room must be limited to one consulting room only and shall not operate outside the following hours:  
8am to 7pm Monday to Friday  
9am till 1pm Saturdays

**REASON:** To protect the amenity of the neighbourhood.

Cr John Larter/Cr Julia Ham

### CARRIED UNANIMOUSLY

Cr Andrianna Benjamin returned to the meeting, at 04:20 PM.

### 10.15 DEVELOPMENT APPLICATION NO. 2019/0107 – CONSTRUCTION OF BATLOW COMMUNITY LIBRARY. VARIATION TO DCP CONTROL FOR ON SITE CAR PARKING - PREMISES: LOT 20 DP 1253251 NO 45 PIONEER STREET BATLOW

#### M233/19 RESOLVED: THAT COUNCIL:

1. Receive the report from the Division Manager Development and Environment
2. Approve a variation to the existing and exhibited Development Control Plans from 4 required car parking spaces to the provision of none at premises Lot 4, 45 Pioneer Street, BATLOW.
3. Determine the application by Approval subject to standard conditions of development consent. Draft conditions of consent in Appendix A.

#### APPENDIX A

#### CONDITIONS: General

1. The development shall be in accordance with the plans, specifications and Statement of Environmental Effects bearing the Snowy Valleys Council approval stamp and any amendments marked in red or otherwise modified by conditions of consent. The plans referenced by this approval are as follows:

Sheet Description	Number	Date	Revision
Site Plan	DA-100	17/7/19	B
Roof Plan	DA-102	17/7/19	B
Ground Floor Plan	DA-103	17/7/19	B
Landscape Concept Plan	DA-104	17/7/19	B

Landscape Schedule	DA-105	17/7/19	A
Section-AA + BB	DA-200	17/7/19	B
Elevations East + West	DA-300	17/7/19	B
Elevation North + South	DA-301	17/7/19	B
Schedule of External Finishes	DA-400	4/7/19	A
Schedule of External Finishes	DA-401	4/7/19	A
Schedule of External Finishes	DA-402	4/7/19	A
Window Schedule	DA-403	17/7/19	A
Statement of Environmental Effects – Batlow Community Library - 45 Pioneer Street Batlow	-	July 2019	-
Heritage Impact Statement - Community Library Batlow NSW	-	July 2019	-

The Development Application has been determined by the granting of consent subject to and as amended by the conditions of development consent specified below. In the event of any inconsistency between the consent documentation and the consent conditions, the conditions of this consent prevail.

**REASON:** It is in the public interest that work is carried out in accordance with the approved plans. Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

2. A Construction Certificate must be obtained pursuant to Section 6.3 of the *Environmental Planning and Assessment Act 1979*, as amended from either Council or an accredited certifying authority certifying that the proposed works are in accordance with the Building Code of Australia prior to any works commencing.

**NOTE 1:** No building, engineering, excavation work or food premises fit out must be carried out in relation to this development until the necessary Construction Certificate has been obtained.

**NOTE 2:** You must not commence work until you have received the Construction Certificate, even if you made an application for a construction Certificate at the same time as you lodged this Development Application.

**NOTE 3:** It is the responsibility of the applicant to ensure that the development complies with the provision of the Building Code of Australia in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

**NOTE 4:** Engineer designs must include snow loading considerations for this proposed development.

**REASON:** To ensure the design of the proposed work may be assessed in detail before construction commences and because it is in the public interest that the development complies with the appropriate construction standards. Section 4.15(1) (e) of the *Environmental Planning and Assessment Act*



1979, as amended.

3. Provision must be made in the building and on the site for:
- a) access to the building for people with disabilities in accordance with the Building Code of Australia; In this regard, the path at the entrance of the building will be required to be paved to meet the accessibility requirements.
  - b) toilet facilities for people with disabilities in accordance with the Building Code of Australia, and such toilet facilities must be accessible to all persons working in, or using, the building; and

**NOTE:** These matters must be addressed in the plans and specifications submitted with the application for a Construction Certificate.

**REASON:** To provide for the use of the development by people with disabilities. Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*.

4. Under section 9 of the Plumbing and Drainage Act 2011, the prescribed fee shall be paid and a related Notice of Work shall be submitted for the required plumbing/sanitary drainage works. This notification shall be lodged a minimum of forty-eight (48) hours prior to starting any plumbing/drainage works. Plumbing and drainage shall be carried out by a Licensed Plumber and Drainer and be in accordance with the National Plumbing and Drainage Code.

**REASON:** To ensure that all plumbing and drainage work is carried out in accordance with the requirements of the *Local Government General Regulation 2005*. Section 4.12(4) of the *Environmental Planning and Assessment Act, 1979*.

5. An Occupation Certificate, pursuant to Section 6.9 of the Environmental Planning and Assessment Act 1979, must be obtained from Council, prior to occupation of the building.

In order to obtain the Occupation Certificate, it will be necessary to:

- 1) Ensure that the building is suitable for occupation and use in accordance with its classification under the Building Code of Australia and as required under Section 6.9 of the Environmental Planning and Assessment Act 1979.
- 2) Complete the —Final Occupation Certificate form and submit it to Council with all required documentation
- 3) Contact Council to arrange the required Occupation Certificate inspection.

**REASON:** It is in the public interest that an Occupation Certificate be issued prior to occupation of the building. Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*.

**Prior to Commencement**

6. At least 2 days prior to any work commencing on site Council must be informed, by the submission of a Notice of Commencement in accordance with Section 81A of Environmental Planning & Assessment Act 1979 of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence. The required form may be completed online at Council's website ([www.snowyvalleys.nsw.gov.au](http://www.snowyvalleys.nsw.gov.au)) hardcopies may be obtained from Council.

**REASON:** To ensure compliance with the requirements of the *Environmental Planning & Assessment Act 1979*.

7. Roof-water shall be connected to a rainwater tank. Overflow from the tank shall be disposed of by piping to the street gutter in accordance with AS/NZS- 3500.3 - 2015.

NOTE 1: The rainwater tank should be maintained and protected against mosquito infestation.

NOTE 2: NSW Health does not recommend the use of tank rainwater for drinking, showering and/or eating utensils.

NOTE 3: If a pump is required, it must be located and operated so as not to cause a noise nuisance to adjoining properties.

**REASON:** To ensure that no nuisance is created by the disposal of the stormwater. Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*.

**Prescribed Conditions**

8. All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant Construction Certificate or Complying Development Certificate was made).

**REASON** - To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 4.17(11) of the *Environmental Planning and Assessment Act 1979*

9. Prior to works commencing, a sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- stating that unauthorised entry to the site is prohibited, and
  - showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside work hours

- c) the development consent or complying development consent number, the name and contact details of the Principal Certifying Authority.  
Any sign must be removed when the work has been completed.

NOTE: This condition does not apply to:

- a) building work carried out inside an existing building, or  
b) building work carried out on premises that must be occupied continuously (both during and outside work hours) while the work is being carried out.

**REASON:** To ensure the development complies with the requirements imposed under Clause 98 of the *Environmental Planning and Assessment Regulations 2000*, as amended, and Section 4.17(11) of the *Environmental Planning and Assessment Act 1979*.

10. An interim occupation certificate may be issued prior to the completion of the building work on receipt of an application for an interim occupation certificate provided that part of the development is safe and suitable for occupation, and an agreement regarding the process for completion of the project is entered into between the applicant and Council.

Final Occupation Certificate shall not be issued until such time as an application for Occupation Certificate is made and all conditions of this consent have been satisfied, and the development is constructed in accordance with the plans, specifications and Statement of Environmental Effects as approved under this development consent.

**REASON:** To ensure that the building project is safe and suitable for occupation.

11. An Occupation Certificate, must be obtained pursuant to Section 6.4 of the *Environmental Planning and Assessment Act 1979*, from either Council or an accredited certifying authority, prior to occupation of the building.

In order to obtain this, the Final Occupation Certificate form must be completed and submitted to Council with all required attachments - failure to submit the completed Occupation Certificate Application form will result in an inability for Council to book and subsequently undertake Occupation Certificate inspection.

NOTE: The issuing of an Occupation Certificate does not necessarily indicate that all conditions of development consent have been complied with. The applicant is responsible for ensuring that all conditions of development consent are complied with.

**REASON:** It is in the public interest that an Occupation Certificate be issued prior to occupation of the building. Section 4.15(1) (e) of the *Environmental Planning and Assessment Act 1979*.

**RIGHT OF APPEAL:**

If you are dissatisfied with the decision Sections 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

Section 8.10 of the *Environmental Planning and Assessment Act 1979* provides objectors who are dissatisfied with the determination of a consent authority to grant consent to a development application for designated development, the entitlement to appeal the determination to the Land and Environment Court. The appeal must be made within 28 days after the date on which notice of the determination was given.

**RIGHT OF REVIEW:**

Section 8.2 of the *Environmental Planning & Assessment Act 1979* gives you the right to request the Council to review the determination, other than a complying development certificate, designated development, integrated development or a determination in respect of an application by the Crown, within six (6) months after the date on which you receive this notice. The prescribed fee must be paid in connection with a request for a review.

Cr Margaret Isselmann/Cr Cor Smit

**CARRIED UNANIMOUSLY****10.16 RURAL FIRE SERVICE REQUEST FOR LEVELLING AIRCRAFT MOVEMENT AREA – LATE REPORT****M234/19 RESOLVED:  
THAT COUNCIL:**

1. Receive this report on Rural Fire Service request for levelling the aircraft movement area adjacent to the RFS shed from the Director Assets and Infrastructure
2. Endorse proceeding with the levelling work as recommended in this report
3. Endorse funding the levelling works from the aerodrome reserve
4. Endorse that Council seek additional funding opportunities for future upgrades of the Aerodrome and its facilities.

Cr John Larter/Cr Bruce Wright

**CARRIED UNANIMOUSLY**

**11. MINUTES OF COMMITTEE MEETINGS****11.1 MINUTES - LOCAL TRAFFIC COMMITTEE MEETING - 3 JULY 2019****M235/19 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on the Local Traffic Committee meeting from the Road Safety Officer
2. Note the Minutes of the Local Traffic Committee meeting held on 3 July 2019.

Adopt the following recommendation from the LTC Meeting 3/7/2019:

**3. Speed Zone Request – Tooma Road, Tooma**

Note the Committee's discussion and that further discussion will be undertaken at the next meeting following additional traffic data.

**4. Speed Zone Request – Miles Franklin Drive, Talbingo**

- a. Request Transport for NSW to install more prominent Speed Limit signs.
- b. Share the data with the residents of Talbingo at the Talbingo Progress Association.

**5. Rural Bus Stop Application – Hussell (N2452) – 519 Tooma Road, Burra**

- a. Not approve the rural school bus stop situated at 519 Tooma Road, Burra, until such time as a formal set down bay be constructed at the location
- b. Consider at future budget review the allocation of funding to construction a set down bay at 519 Tooma Road, Burra, and approve the rural school bus stop once the layby should the layby be constructed

**6. Rural School Bus Stop Application – (N2452) Hussell – 1236 Tooma Road, Burra**

- a. Not approve the rural school bus stop situated at 1236 Tooma Road, Burra, until such time as a formal set down bay be constructed at the location
- b. Consider at future budget review the allocation of funding to construction a set down bay at 1236 Tooma Road, Burra, and approve the rural school bus stop once the layby should the layby be constructed

7. Request for Pedestrian Facility – Batlow Road, Batlow – Linking (21-23 Selwyn Street to West Batlow)

Seek approval from Transport for NSW to install a traffic facility across Batlow Road in the vicinity of the IGA and the Senior Citizens Village at Batlow.

8. Future Local traffic Committee Meeting Dates

Schedule meetings four times a year for future Local Traffic Committee based on the following dates:

Wednesday 25<sup>th</sup> September 2019 (Tumut)

Wednesday 27<sup>th</sup> November 2019 (Tumbarumba)

Wednesday 26<sup>th</sup> February 2020 (Tumut)

Wednesday 27<sup>th</sup> May 2020 (Tumbarumba)

Wednesday 26<sup>th</sup> August 2020 (Tumut)

Wednesday 25<sup>th</sup> November 2020 (Tumbarumba)

9. Refer the matter of the dangerous intersection of Capper Street and Snowy Mountains Highway to the next Traffic Committee.

Cr John Larter/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**M236/19 RESOLVED** that Council move into Committee of the Whole.

Cr Margaret Isselmann/Cr Cate Cross

**CARRIED UNANIMOUSLY**

**M237/19 RESOLVED** that Council move out of Committee of the Whole.

Cr Margaret Isselmann/Cr Bruce Wright

**CARRIED UNANIMOUSLY**

**11.2 MINUTES - TUMUT REGION SPORTS COMMITTEE MEETING - 23 JULY 2019**

**M238/19 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on the Tumut Region Sports Committee from Director Assets and Infrastructure.
2. Note the Minutes of the Tumut Region Sports Committee meeting held on 23 July 2019.

3. Approve the nominations for incoming members to the Tumut Region Sports Committee: Adelong Showground Trust; Tumut Rifle Club Inc.; Adelong Tennis Club; Tumut Eagles Football Club; Tumut Junior Cricket Association; Tumut Rugby League Club; James Hayes
4. Adopt the following recommendations from the Committee for the allocation of Sports Capital Grant funds noting that:
  - applications from Tumut and Adelong Junior Cricket Club and Tumut Basketball Association Inc. are not capital projects nevertheless recommended for consideration of funding
  - the amount requested from Adelong Showground Trust to extend and level the eastern field is in excess of total funding available therefore not recommended
  - the application from Adelong Showground Trust for cricket nets to only be granted if their other grant application is successful; if not, then the amount to be rolled over to next year
  - the remaining funds of \$909.00 be allocated to the Adelong Showground Trust towards cricket nets

No.	Applicant	Project Location	Brief Project Description	Funding Requested	Funding Allocation
1	Tumut and Adelong Junior Cricket Club	Sportsgrounds	Helmets	\$800.00	\$800.00
2	Adelong Tennis Club Inc.	Nellis Street Adelong	Nets & Lattice	\$1281.00	\$1281.00
3	South West Slopes Sporting Field Archers	Wee Jasper Road	Shipping Container	\$5840.00	\$5840.00
4	Tumut Rifle Club Inc.	Rifle Range Road	Secure Facility	\$4810.00	\$4810.00
5	Adelong Showground Trust	Showground	Extend and Level Eastern Field	\$44,500.00	\$0.00
6	Adelong Showground Trust	Showground	Cricket Nets	\$21,846.00	\$21,846.00 *\$909.00
7	Tumut Basketball Association Inc.	Basketball Stadium	Laptop & 4 iPads	\$4514.00	\$4514.00
			Total	\$83,591.00	\$40,000.00

Cr Andrianna Benjamin/Cr M Isselmann

**CARRIED UNANIMOUSLY**

**11.3 MINUTES - BATLOW DEVELOPMENT LEAGUE MEETING - 3 JULY 2019****M239/19 RESOLVED:**  
THAT COUNCIL:

1. Receive the report on the Batlow Development League Minutes from Coordinator Economic Development
2. Note the Minutes of the Batlow Development League meeting held on 3 July 2019
3. Staff will inspect the public toilets on Pioneer St, Batlow, as requested by Batlow Development League at item 6 of the minutes of 3 July 2019

Cr Cor Smit/Cr Margaret Isselmann

**CARRIED UNANIMOUSLY****11.4 MINUTES - FESTIVAL OF FALLING LEAF COMMITTEE AGM JULY 2019****M240/19 RESOLVED:**  
THAT COUNCIL:

1. Note the minutes of the Festival of the Falling Leaf Committee AGM held on 9 July 2019.
2. Adopt the following recommendation/s from the FOFL minutes:
  - a) That Council accepts committee's recommendation to Council, to accept the nominations of new committee members: Julie Camilleri – Margaret Hiller – Amanda Mullins – Sam Lucas – Amanda Withers – Lyndal Cass – Sam Phillips – Tracy Martin – Doris Crain – Roger Williams – Tracey Jones and Peter Jones

Cr John Larter/Cr Andrianna Benjamin

**CARRIED UNANIMOUSLY****11.5 MINUTES - KHANCOBAN COMMUNITY COMMITTEE MEETING - 3 JULY 2019****M241/19 RESOLVED:**  
THAT COUNCIL:

1. Receive the report on the Khancoban Community Committee
2. Note the Minutes of the Khancoban Community Committee meeting held on 3 July 2019
3. To change the name of the Khancoban United Volunteers Committee to Khancoban United Volunteers Association.

Cr Julia Ham/Cr Cor Smit

**CARRIED UNANIMOUSLY**



**12. CONFIDENTIAL****M242/19 RESOLVED:**

That Council move into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10(2) of the Local Government Act 1993 for the reasons specified.

**12.1 SNOWY VALLEYS COUNCIL COMMUNITY GRANTS**

*Item 12.1 is confidential under the Local Government Act 1993 Section 10A 2 (d)i as it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**12.2 BATLOW CANNERY DEVELOPMENT STEPS**

*Item 12.2 is confidential under the Local Government Act 1993 Section 10A 2 (d)i as it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

Cr Andrianna Benjamin/Cr Cate Cross

**CARRIED UNANIMOUSLY**

At this stage, the time being 4:45 PM Council went into Confidential.

Cr Andrianna Benjamin left the meeting, the time being 04:56 PM.

**12.1 SNOWY VALLEYS COUNCIL COMMUNITY GRANTS****M243/19 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on the SVC Community Grants from Coordinator, Community and Cultural Development.
2. Note the decisions of the Grant Assessment panel meeting held 5th July 2019.
3. Adopt the following recommendations from the Grant Assessment panel:
  - a) That Council endorse the funding of \$60,340 for the following Community Strengthening Grants:
    - a. Adelong Progress Association - \$5000
    - b. Batlow Apple Tree Learning Centre - \$5000
    - c. Batlow Women's Bowling Club - \$700
    - d. ~~Lions Club of Tumut - \$6000~~

- e. South West Slopes Sporting Field Archers – \$1360
- f. Tumut and District Historical Society - \$1000
- h. Tumut Regional Chamber of Commerce - \$5500
- i. Tumut Region Producers and Makers Cooperative - \$15000
- j. Tumut Schools as Communities Centre - \$1690
- k. Tumut Youth Council - \$4090
- l. Brungle Memorial Hall Committee - \$5000

b) Council defer consideration of item d. Lions Club of Tumut - \$6,000

Cr Gate Cross/Cr Julia Ham

**CARRIED UNANIMOUSLY**

Cr Margaret Isselmann left the meeting, the time being 05:03 PM.

Cr Benjamin returned to the meeting at 5:04 PM.

**M244/19 RESOLVED:**

- b) That Council endorse the funding of \$22,959 for the following Art and Cultural Development Grants:
  - a. Artists on Parade – \$2500
  - b. Festival of the Falling Leaf - \$4000
  - c. Franklin Public School - \$4000
  - d. Tumbarumba District Garden Club - \$700
  - e. Tumut & District Historical Society - \$1000
  - f. Tumut Golf Club - \$5000
  - g. Tumut Performing Arts Society - \$1000
  - h. Tumut Rock the Turf Committee - \$4000
  - i. Tumut Valley Country Music Club - \$759

4. That Council review the Grant Guidelines and Process to be more reflective of the One SVC philosophy.

Cr Julia Ham/Cr John Larter

**CARRIED UNANIMOUSLY**

Cr Margaret Isselmann returned to the meeting, at 05:04 PM.

**12.2 BATLOW CANNERY DEVELOPMENT STEPS**

**M245/19 RESOLVED:  
THAT COUNCIL:**

- 1. Receive the report on Batlow Cannery clean up and development investigations from the Acting Director, Strategy, Community and Development.

2. Write to respondents of the Expression of Interest (EOI) Process for the Batlow Cannery, thanking them for their participation and informing them that the EOI process is terminated
3. Proceed to tender for the targeted demolition & clean-up of the following on the Cannery Site:
  - a. Removal of above ground storage tank
  - b. Removal of asbestos debris on ground and floor surfaces
  - c. Demolition of Building E
  - d. Removal of a full bay from Building B, closest to Building A
  - e. Removal of Building G and deinstallation of weighbridge infrastructure to be returned to Forestry Corporation
  - f. Options for removal and sale of Building D
  - g. General clean-up of the site including removal of weeds, plants and debris.
  - h. Make safe Building A2 (Bow Truss building)
4. Proceed to develop the business case for the Batlow Cannery site, including site use opportunities by EOI submitters considering the three options provided for identifying or cultivating positive re-use of the site.

Cr Margaret Isselmann/Cr John Larter

**CARRIED UNANIMOUSLY**

There being no further business to discuss, the meeting closed at 5:18 PM.