



**SNOWY VALLEYS ORDINARY-POLICY &  
STRATEGY MEETING  
BUSINESS PAPER  
29 OCTOBER 2020**

THE MEETING WILL BE HELD AT 2.00PM  
VIA VIDEO LINK

## **Disclosure of Pecuniary Interests at meetings (extract from the Code of Conduct – Section 4)**

**4.28** Councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

**4.29** The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:

- (a) at any time during which the matter is being considered or discussed by the council or committee, or
- (b) at any time during which the council or committee is voting on any question in relation to the matter.

**4.30** In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.

**4.31** Disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.

## **Disclosure of Political Donations and Gifts**

The *Environmental Planning and Assessment Act 1979* places obligations on Councillors, staff, applicants and any person who makes a public submission, to disclose information relating to political donations and gifts during the environmental plan making or development assessment process.

The fact that political donations or gifts have been made by applicants / proponents of a planning application should not affect whether an application is approved or refused. Political donations or gifts should not be relevant in making a determination. The matter should be determined on its merits. Nor do they provide grounds for challenging the determination of any applications.

For further information, visit [www.planning.nsw.gov.au/donations](http://www.planning.nsw.gov.au/donations)

Furthermore, for each planning decision made at a Council or Committee Meeting, the names of Councillors who supported the decision and those that oppose the decision must be recorded. (*Sec. 375A of the Local Government Act 1993*)

## **Use of mobile phones and the unauthorised recording of meetings (extract from the Code of Meeting Practice – Section 15)**

**15.21** Councillors, council staff and members of the public must ensure that mobile phones

are turned to silent during meetings of the council and committees of the council.

**15.22** A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.

**15.23** Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.

**15.24** If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

### **Livestreaming of Meetings**

#### **(extract from the Code of Meeting Practice – Section 5)**

This meeting is live streamed on Council's website to allow the community to follow Council debates and decisions without the need to attend meetings in person. Members of the public attending or speaking at a meeting agree to have their image, voice and personal information (including name and address) recorded and publicly broadcast. Snowy Valleys Council does not accept liability for any defamatory remarks or inappropriate comments that are made during the course of a meeting. Any part of the meeting that is held in closed session will not be streamed.

**5.19** All meetings of the council and committees of the council are to be webcast on the council's website.

### **Photography**

Flash photography is not permitted at a meeting of the Council or a Committee of the council without the consent of the Chief Executive Officer.

### **Public Forum**

#### **(extract from the Code of Meeting Practice – Section 4)**

**4.1** The Council may hold a public forum prior to each Ordinary Council meeting for the purpose of hearing oral submissions on items of business to be considered at the meeting.

**4.2** Public forums are to be chaired by the mayor or their nominee.

Those attending must comply with the terms and conditions of the Code of Meeting Practice which can be viewed on Council's website;

<http://www.snowyvalleys.nsw.gov.au/Council/Governance/Policies>



Thursday 29 October 2020  
Snowy Valleys Council Chambers  
VIA VIDEO LINK

## AGENDA

### 1. ACKNOWLEDGEMENT OF COUNTRY

*We would like to acknowledge the traditional custodians of this land and pay respects to Elders past and present.*

### 2. APOLOGIES AND LEAVE OF ABSENCE

### 3. DECLARATIONS OF PECUNIARY INTEREST

*Pursuant to Section 4 of the Code of Conduct, Councillors are required to declare any direct or indirect pecuniary interest in any matters being considered by Council.*

### 4. CONFIRMATION OF MINUTES

*Minutes of meeting held 30 July 2020*

### 5. URGENT BUSINESS WITHOUT NOTICE

#### 6. Governance and Financial Reports

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**8. CONFIDENTIAL**

**9. MEETING CLOSURE**

**6. GOVERNANCE AND FINANCIAL REPORTS****6.1 DRAFT PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR MAYOR AND COUNCILLORS POLICY - FOR PUBLIC EXHIBITION**

**REPORT AUTHOR:** EXECUTIVE CHIEF OF STAFF  
**RESPONSIBLE DIRECTOR:** CHIEF EXECUTIVE OFFICER

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**EXECUTIVE SUMMARY:**

This report serves to inform Council of a review of the Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy, and to recommend that the revised policy be placed on public exhibition for a minimum of 28 days in accordance with Section 252 and 253 of the Local Government Act 1993 (the Act).

**RECOMMENDATION:****THAT COUNCIL:**

- 1. Receive the report on Draft Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy from the Executive Chief of Staff.**
- 2. Provide the community the opportunity to review and comment on the Draft Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy by placing the document on public exhibition for a period of 28 days.**
- 3. Note if submissions are received during the exhibition period, a further report will be provided to Council on the submissions and any proposed amendments to the policies.**
- 4. Adopt the policy if no submissions are received on the day after the completion of the public exhibition.**

**BACKGROUND:**

Council is required to adopt a policy that governs the payment of expenses and provision of facilities to the mayor, deputy mayor and other councillors that relate to the work undertaken as part of their civic duties.

Mayors and councillors can only be reimbursed for expenses and provided with facilities in accordance with this policy.

This policy has been reviewed in line with legislative requirements as well as updated guidelines and circulars published from the NSW Office of Local Government (OLG).

The updated policy is required under the Act to be placed on public exhibition for 28 days to allow the community to respond and provide feedback.

**REPORT:**

In accordance with Section 439 of the Local Government Act 1993, Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions under this Act or any other Act.

The purpose of the Policy is to:

- ensure that the Councillors would not be financially or otherwise advantaged or disadvantaged in undertaking their civic responsibilities;
- ensure accountability and transparency in the reimbursement of expenses incurred by Councillors; and
- avoid unnecessary imposition of administrative burden on both Councillors and staff.

Councillor expenses and facilities policies must include all of the specific expenses for which councillors are entitled to receive reimbursement and all of the specific facilities councillors are entitled to use. Councillors can only receive reimbursement for expenses and the use of facilities when these are clearly identified in the policy.

The overriding principle addressed in the policy is that the details and range of expenses paid and facilities provided to councillors by the council must be clearly and specifically stated and be fully transparent and acceptable to the local community.

To this end, the policy has been updated to reflect the provisions contained in the OLG template policy (attached) and includes clear limits and processes for approval, reconciliation and reimbursement for all expenses and facilities to maximise accountability and transparency.

Given the significant reformatting of the existing policy, both the revised policy and the current policy are attached to this report to enable Council and the community to review and compare the changes.

## **LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**

### **Integrated Planning and Reporting Framework:**

#### **CSP Outcome 2028**

Theme 4: Communication & Engagement

#### **Delivery Outcomes**

4.3 Council has sound organisational health and has a culture which promotes action, innovation, accountability and transparency

## **SUSTAINABILITY ASSESSMENT:**

	<b>Positive</b>	<b>Negative</b>
Social	Provides transparency and accountability	Some residents may not agree with Councillor budgets or spending
Environmental	Nil	Nil
Economic	Reduces the risk of overspending the budget	Nil
Governance	Ensures Council are operating within the relevant statutory requirements	Nil

### **Financial and Resources Implications**

The annual budget has provision for councillor expenses and the provision of facilities for the Mayor and Councillors. This amount is set each year.

### **Policy, Legal and Statutory Implications:**

The preparation and review of this policy is in accordance with S.252 and S.253 of the Act:

**s252 Payment of expenses and provision of facilities**

*(1) Within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.*

*(2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.*

*(3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.*

*(4) A council may from time to time amend a policy under this section.*

*(5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.*

**253 Requirements before policy concerning expenses and facilities can be adopted or amended**

*(1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*

*(2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.*

*(3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.*

*(5) A council must comply with this section when proposing to adopt a policy in accordance with section 252(1) even if the council proposes to adopt a policy that is the same as its existing policy.*

**RISK MANAGEMENT – BUSINESS RISK/WH/PUBLIC:**

Sound processes around the use of Council funds ensures that Council is able to make the best possible, informed decisions.

<b>Risk Management Category</b>	<b>Risk Assessment and Description</b>
Corporate Governance and Compliance	Moderate – should Council fail to adhere to the requirements of the Act, this constitutes a serious breach of compliance obligations.  Public exhibition and adoption effectively mitigate this risk to Council.
Environmental & Public Health	Nil
Financial	Minor – adoption and implementation of the policy and the budget effectively mitigate financial risks related to Councillor expenses and facility provision
Human Resources	Minor – adoption and implementation of the policy enables councillors to effectively discharge their civic duties without personal disadvantage
Information Technology	Minor – the policy governs the provision of information technology equipment to councillors



Risk Management Category	Risk Assessment and Description
Projects	Nil
Reputation	<p>Moderate – the payment of expenses and provision of facilities policy may generate adverse community sentiment which is reported through the media.</p> <p>The public exhibition process effectively mitigates this risk, allowing community to provide feedback on the policy.</p>
Service Delivery	Nil
Stakeholders & Political	Minor – the exhibition of this policy may garner the interest of political community groups.
Work Health & Safety	Minor – the policy provides for appropriate measures to ensure councillors can participate in meetings and discharge their civic duties without personal disadvantage e.g. overnight accommodation where meetings finish late in the night

**OPTIONS:**

Nil – Council is obligated under the Act to place the reviewed and updated policy on public exhibition.

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

Internal

The Executive Lead Team have provided feedback on the draft policy and its provisions.

All staff will have the opportunity to provide feedback during the public exhibition period.

External

The opportunity for feedback from the community is provided through the public exhibition period.

**Attachments**

- 1 DRAFT - Updated Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy - for public exhibition (under separate cover) [⇒](#)
- 2 Payment of Expenses and Facilities to Mayors Councillors Policy - SVC-CLR-PO-002-03 - Adopted by Council 21022019 (under separate cover) [⇒](#)
- 3 NSW OLG Councillor-Expenses-and-Facilities-Policy-Suggested-Template (under separate cover) [⇒](#)

**6. GOVERNANCE AND FINANCIAL REPORTS****6.2 ENDORSEMENT OF COMMUNICATION AND ENGAGEMENT POLICIES FOR PUBLIC EXHIBITION**

**REPORT AUTHOR:** EXECUTIVE CHIEF OF STAFF  
**RESPONSIBLE DIRECTOR:** CHIEF EXECUTIVE OFFICER

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**EXECUTIVE SUMMARY:**

This report requests that Council considers the draft Community Engagement, Media and Media for Mayor and Councillors Policies and provides the opportunity for community feedback through a public exhibition period of 28 days.

**RECOMMENDATION:****THAT COUNCIL:**

1. **Receive the report on Communication and Engagement Policies from the Executive Chief of Staff**
2. **Endorse the following policies for Public Exhibition for a period of no less than 28 days:**
  - **Draft Community Engagement Policy - SVC-EXE-PO-017**
  - **Draft Media Policy - SVC-COR-PO-024-01**
  - **Draft Media for Mayor and Councillors Policy - SVC-COR-PO-028-01**
3. **Note that if submissions are received during the public exhibition period, a further report will be provided to Council on the submissions and any proposed amendments to the policies**
4. **Adopt the policies if no submissions are received on the day after the completion of the public exhibition**

**BACKGROUND:**

Communication and Engagement is a key strategic theme in the *Snowy Valleys 2028 Community Strategic Plan*, and hence a major strategic focus area for Council.

The draft Community Engagement, Media and Media for Mayor and Councillors Policies provide an appropriate framework for council as an organisation and councillors as elected representatives to engage with community and media in a consistent and well-managed manner.

**REPORT:**

The updated engagement and media policies reflect the principles of Council's Community Engagement Framework.

Council's endorsement of the draft policies will reinforce Council's commitment to proactive communication with our community and media partners, along with clarifying the roles and responsibilities of the various parties to media relations.

The primary updates in each of the policies are:

Media Policy and Media Policy for Mayor and Councillors

- Changes of titles to reflect new organisational structure

- Update Aim to reflect what is within control of the Policy (as opposed to potential outcomes)
- Updated Guiding Principles
- Increased information relating to Councillor's personal use of Social Media
- Reflecting current practice, increased ability of Executive Directors to act as spokespeople for areas within their operational remit, and to delegate media comment about operational and technical information to staff:
- Executive Directors are the primary spokespeople for matters that fall within their operational area and may provide comment on matters of fact and other matters not involving interpretation of Council policy, or making predictions as to future Council actions.
- Executive Directors can nominate specialist members of staff to respond to technical questions on operational matters only.
- Expanded responsibility from 'Communications Officer' to 'Communications and Engagement Team' where appropriate.

#### Community Engagement Policy

- Updated Titles to reflect changes in the organisational structure
- Included Community Participation Plan as reference document where required
- Updated section: 'Who is responsible for implementing this Policy' to include detailed responsibilities for Elected Council, Chief Executive Officer and Executive Directors, Managers/Coordinators and Communications and Engagement Team
- Updated Legislation reference

### **LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**

#### **Integrated Planning and Reporting Framework:**

##### **CSP Outcome 2028**

Theme 4: Communication & Engagement

#### **Delivery Outcomes**

4.2 Deliver a communication strategy which ensures the community receives information in a timely and convenient manner

#### **Operational Actions**

4.2.2 Clearly communicate information about Council's services, projects and events using traditional communication channels

### **SUSTAINABILITY ASSESSMENT:**

	<b>Positive</b>	<b>Negative</b>
Social	Provides transparency and accountability	Council and councillors may receive negative comments in media and through planned and unplanned engagement with community
Environmental	Nil	Nil
Economic	Nil	Nil
Governance	Ensures Council are operating within the relevant	Nil

	<b>Positive</b>	<b>Negative</b>
	statutory requirements including the Code of Conduct	

### Financial and Resources Implications

The implementation of these policies may incur associated expenses including training, which are covered by an annual provision in the adopted budget.

### Policy, Legal and Statutory Implications:

A clear and consistent framework for interaction with the community and media aligns with Council's adopted Code of Conduct.

### RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Sound processes for staff and councillor interaction with community and media ensures that Council is able to make the best possible, informed decisions and maintain high levels of integrity and transparency.

<b>Risk Management Category</b>	<b>Risk Assessment and Description</b>
Corporate Governance and Compliance	Moderate – should Council staff or councillors fail to adhere to the requirements of the policies, this constitutes a breach of policy obligations and potentially Code of Conduct.
Environmental & Public Health	Nil
Financial	Minor – contravention of policies could result in Code of Conduct complaints for which investigation costs are incurred.
Human Resources	Minor – adoption and implementation of the policy enables councillors and staff to effectively discharge their responsibilities to community and media appropriately
Information Technology	Minor – the policy governs the online engagement through social media
Projects	Nil
Reputation	Major – unsanctioned or mismanaged media statements and interactions could result in adverse media, political and public interest for an extended period of time
Service Delivery	Nil
Stakeholders & Political	Moderate – mismanaged communications with the public or media may result in significant levels of complaints from multiple stakeholders
Work Health & Safety	Minor – adverse media attention and personal attacks from community have a toll on councillor and staff mental health and wellbeing.

**OPTIONS:**

Nil

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**Internal

The Executive Lead Team has provided feedback on the draft policy and its provisions.

All staff will have the opportunity to provide feedback during the public exhibition period.

External

The opportunity for feedback from the community is provided through the public exhibition period.

Attachments

- 1 Draft Community Engagement Policy - SVC-EXE-PO-017-01 (under separate cover) [⇒](#)
- 2 Draft Media Policy - SVC-COR-PO-024-01 (under separate cover) [⇒](#)
- 3 Draft Media for Mayor and Councillors Policy - SVC-COR-PO-028-01 (under separate cover) [⇒](#)

**7. MANAGEMENT REPORTS****7.1 NSW BUSHFIRE COMMUNITY AND RESILIENCE FUND (BCRRF) STREAM 2 - POTENTIAL PROJECTS FOR APPLICATION FOR FUNDING**

**REPORT AUTHOR:** EXECUTIVE CHIEF OF STAFF  
**RESPONSIBLE DIRECTOR:** CHIEF EXECUTIVE OFFICER

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**EXECUTIVE SUMMARY:**

The Bushfire Community Recovery and Resilience Fund (BCRRF) is administered by Resilience NSW in consultation with the National Bushfire Recovery Agency and Emergency Management Australia.

Phase 2 of the Bushfire Community Recovery and Resilience Fund (BCRRF) has been announced and is geared to funding community programs that promote community well-being, social and broader recovery and future disaster resilience.

This funding initiative is divided into two streams:

Stream 1: Short-term projects for high and moderate socially impacted local government areas that were disaster-declared during the 2019-20 bushfires. Payments of \$250,000 or \$100,000 are available to eligible councils only. Snowy Valleys Council has been advised that it is eligible for the \$250,000 payment and is awaiting a funding agreement from Resilience NSW.

Stream 2: This is for the broader community and is a grants program for organisations in bushfire-affected Local Government Areas, including community groups, councils, joint organisations, NGOs, and not-for-profits. It is for social recovery and preparedness projects between \$20,000 and \$300,000. Grants will be assessed with a regional lens to maximise the recovery support to communities across local government boundaries.

This report tables a recommended set of projects and initiatives for endorsement by council for application to Stream 2 of this funding program, with applications closing midday on Tuesday 10 November 2020.

This report proposes a series of joint projects in partnership with Bega, Shoalhaven, Snowy Monaro, Eurobodalla, Wingecarribee, Queanbeyan Palerang Regional and Bega Valley Councils that will deliver recovery benefits to fire impacted communities in the wider South East region.

**RECOMMENDATION:****THAT COUNCIL:**

- 1. Receive the report on NSW Bushfire Community and Resilience Fund (BCRRF) Stream 2 – potential projects for application for funding.**
- 2. Note the funding stream guidelines, eligibility criteria and closing dates for applications**
- 3. Endorse application for funding under Stream 2 of the BCRRF for the following eligible joint Council recovery projects:**
  - a) Locally informed, regionally connected LGA Recovery Plans**
  - a) Building up our community leaders**
  - b) Building the resilience of our most vulnerable**
  - c) Landscape rehabilitation education for rural land holder’s impacted by fire**

**BACKGROUND:**

Community wellbeing, connectedness, social recovery, and future disaster resilience is a focus for the Bushfire community recovery and resilience fund administered through Resilience NSW.

To apply for a grant, Local Government Areas that were disaster-declared during the 2019-20 bushfires can submit a funding application for medium and long-term projects that support community recovery and help build resilience and hope for the future.

The support will be delivered through two funding streams with eligibility criteria for each stream.

This report makes recommendations to Council on eligible projects for Stream 2 of this funding program for approval and application.

Through its recovery, Snowy Valleys Council officers and executive are working with partner councils also impacted by the 2019-20 bushfires in NSW to share ideas, support each other and explore collaborative opportunities to deliver good outcomes to impacted communities.

**REPORT:**

Phase Two of the Bushfire Community Recovery and Resilience Fund (BCRRF) will support community recovery by funding \$25 million worth of projects that will promote community wellbeing, social and broader recovery and future disaster resilience following the bushfires. The Fund is broken into two Streams. Stream 1 involves allocation of funds to local councils for smaller-scale, short term community projects. Stream 2 will involve allocation of grants to medium and long-term community projects.

Stream 2 will allocate funding aligned with the bushfire declared Local Government Areas (LGAs) in the form of a competitive grants program. Funding is available for approved projects with a value of no less than \$20,000 and no more than \$300,000. Stream 2 funding is focused on delivering projects that support sustained community recovery and improved community resilience in bushfire impacted areas. Projects can be aligned to local, regional or across multiple Local Government Areas.

The funding stream guidelines describe the following factors that will be taken into consideration when determining priority projects:

- identified need and level of community support for the delivery of the project,
- engagement reach within those communities
- how the project supports the local area's and/or region's social, community and broader recovery,
- how the project will improve the community resilience to future natural disasters,
- the project meets a local recovery need not covered by existing programs,
- whether the project aligns with existing government commitments and priorities,
- how the project result in ongoing and sustainable benefit to the community,
- alignment to one or more of the Disaster Recovery Outcomes,
- the value for money that the project provides,
- the consideration of evaluation in the project's design and delivery

Applications are due 10 November 2020.

It is important to note that projects that involve building new assets or infrastructure capital works are deemed to be not eligible under this funding program.

The jointly proposed projects are:

## 1. Locally informed, regionally connected Local Government Area (LGA) Recovery Plans

### Project Concept

- Engage an expert in recovery plan development to work with each Council to assist them to develop local recovery plans that suit their LGA and are community informed and owned
- Tailor each Recovery plan to suit each LGA but to have similar concepts that allow all LGA Recovery Plans to be connected at a regional level
- Work with LGAs to design an appropriate community consultation process to ensure that Recovery Plans are locally informed and owned
- Work with LGAs to include all relevant disaster related agencies, NGO's, organisations and relevant stakeholders

### Project Budget Estimate

- Budget ~ \$250,000 to cover consultant costs, project management (Led Council contractor), Councils provide meeting spaces for community consultation in-kind.

### Project Delivery Timeline

- Project to run from January 2021 to May 2022

### Project Governance/Management Model

- One Council to be lead applicant with other Councils as partner applicants

### Disaster Recovery Outcome Alignment

This project will directly contribute to the following Disaster Recovery Outcome:

- Government, private sector, civil society and organisations are engaged in plans for preparedness and management of the recovery

## 2. Building up our Community Leaders

### Project Overview

- Project focused on building the capacity of existing and emerging community leaders, individuals and community organisations
- Utilising and building on the successful model developed for the 2018 Tathra Bushfire community recovery, develop a series of capacity building workshops, mentoring and skills exchange activities that focus specifically on capacity building, and knowledge building and sharing within the LGA and across LGA's
- Potential workshop presenters Peter Kenyon Asset Based Community Development
- Creating Community leader Mentoring networks across the region

### Project Budget/Estimate

- Budget ~ \$200,000 to cover consultant costs, project management (Led Council contractor), Councils provide meeting spaces for community consultation in-kind.

### Project Delivery Timeline

- Project to run from February 2021 to February 2022



### Project Governance/Management Model

- One Council to be lead applicant with other Councils as partner applicants

### Disaster Recovery Outcome Alignment

This project will directly contribute to the following Disaster Recovery Outcomes:

- The community has improved capacity and capability to respond to future disasters

### 3. Building the resilience of our most vulnerable

#### Project Overview

- Education series to build the capacity of vulnerable groups in each LGA to absorb shock in times of disasters
- Programs tailored to each LGA's vulnerable groups needs with common topics and learnings to be shared across the region
- Educations sessions/workshops to include topics such as financial decision making, holistic financial management, financial literacy, understanding insurance
- Connecting community with local stories and case studies within communities and sharing their pathways through disasters and shocks

#### Project Budget/Estimate

- Budget ~ \$150,000 to cover consultant costs, project management (Led Council contractor), Councils provide meeting spaces for community consultation in-kind

#### Project Delivery Timeline

- Project to run from February 2021 to May 2022

### Project Governance/Management Model

- One Council to be lead applicant with other Councils as partner applicants

### Disaster Recovery Outcome Alignment

This project will directly contribute to the following Disaster Recovery Outcomes:

- The needs of vulnerable groups are addressed in disaster recovery
- The community is aware of the disaster recovery processes
- The community has improved capacity and capability to respond to future disasters

### 4. Landscape rehabilitation education for rural land holder's impacted by fire

#### Project Overview

- Educations sessions/workshops for landscape regeneration for rural landholders to assist
- Topics to include, soil stabilisation options, best practice waterway protection for fire impacted land, revegetation plant selection
- Programs tailored to each LGA's vulnerable groups needs with common topics and learnings to be shared across the region
- Workshops/education linked to local landcare and/or LLS

### Project Budget/Estimate

- Budget ~ \$150,000 to cover workshop trainer costs, project management (Led Council contractor), Councils provide meeting spaces for community consultation in-kind

### Project Delivery Timeline

- Project to run from February 2021 to May 2022

### Project Governance/Management Model

- One Council to be lead applicant with other Councils as partner applicants

### Disaster Recovery Outcome Alignment

This project will directly contribute to the following Disaster Recovery Outcomes:

- The needs of vulnerable groups are addressed in disaster recovery
- The community is aware of the disaster recovery processes
- The community has improved capacity and capability to respond to future disasters

## **LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**

### **Integrated Planning and Reporting Framework:**

#### **CSP Outcome 2028**

Theme 4: Communication & Engagement

#### **Delivery Outcomes**

4.6 Council builds strong relationships with other organisations to advocate for our communities

#### **Operational Actions**

4.6.5 Continue to advocate to government on priority critical incidents recovery actions

## **SUSTAINABILITY ASSESSMENT:**

### **Financial and Resources Implications**

If successful, resourcing these projects through the project lifecycle will have resource implications for council staff.

A co-contribution in cash is not required for these grants.

As capital works and new assets are ineligible under this funding program, whole of life cost analysis is not required for these projects.

### **Policy, Legal and Statutory Implications:**

Successful applications will be subject to an executed funding deed, the conditions of which will need to be adhered to for compliance.

All grant funded projects will be subject to Council's project management policy and framework.

The partnership arrangement for successful projects under the funding will require a Memorandum of Understanding or similar agreement to be developed between participating councils to ensure roles and responsibilities are clearly defined and agreed.

**RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:**

Should Council not agree to the proposed collaborative funding application and projects, there is a risk that the community could perceive this as Council withdrawing its support for medium to longer term recovery initiatives?

**OPTIONS:**

Council can elect to support all, some or none of the proposed partnership projects.

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

The projects in the attached list are informed by engagement with impacted residents, communities, Recovery Committee and Sub-Committee, partner councils and service providers through the current recovery work being undertaken in the Snowy Valleys LGA.

Attachments

- 1 Bushfire Community Recovery and Resilience Fund Phase 2 Stream 2 Guidelines (under separate cover) [⇒](#)

**7. MANAGEMENT REPORTS****7.2 NSW REGIONAL ROAD TRANSFER AND ROAD CLASSIFICATION**

**REPORT AUTHOR:** EXECUTIVE DIRECTOR INFRASTRUCTURE  
**RESPONSIBLE DIRECTOR:** EXECUTIVE DIRECTOR INFRASTRUCTURE

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**EXECUTIVE SUMMARY:**

This report provides a summary of the announcement from the NSW Government to transfer the management of 15,000 kilometres of Regional Roads from Local Government to the State.

At the same time, the NSW Government also announced the initiation of a Road Classification Review as part of an initiative to update the road network.

This report seeks the acknowledgement of Council that no roads within the Snowy Valleys Local Government area were nominated for transfer or reclassification, noting that Regional Roads also provide local access and should be managed locally. Managing Regional Roads locally also supports local jobs and local suppliers.

**RECOMMENDATION:****THAT COUNCIL:**

- 1. Receive this report on the announcement from the NSW Government to undertake a Road Classification Review and transfer the management of 15,000 kilometres of Regional Roads from Local Government to the State**
- 2. Acknowledge that no roads within the Snowy Valleys Local Government Area were nominated for transfer or reclassification**
- 3. Acknowledge and advocate for a review of the funding model for Regional Roads to ensure that they can be maintained to the appropriate standard**

**BACKGROUND:**

Roads in NSW are grouped into a three-tier administrative classification of State, Regional and Local Roads:

- **State Roads** - are major arterial links throughout the State and within major urban areas which are the responsibility of the State Government to fund and prioritise, due to their significance in the network.
- **Regional Roads** - are routes of secondary importance between State Roads and Local Roads. It is ultimately the responsibility of Councils to fund, prioritise and carry out works on Regional Roads, noting that they are eligible for funding assistance from the State Government in recognition of their importance to the network.
- **Local Roads** - are the Council controlled roads which provide for local circulation and access.

The State Roads located within the Snowy Valleys Local Government Area are shown in table 1 below:

**Table 1 - State Roads**

<b>State Roads</b>	<b>Maintenance Arrangements</b>
Gocup Road	Owned and maintained by the State
Snowy Mountains Highway	Owned and maintained by the State
Batlow Road	Owned by the State and maintained with the assistance of Council under a road maintenance contract with the State
Tumbarumba Road	Owned by the State and maintained with the assistance of Council under a road maintenance contract with the State
Jingellic Road	Owned by the State and maintained with the assistance of Council under a road maintenance contract with the State
Alpine Way from Khancoban	Owned by the State and maintained with the assistance of Council under a road maintenance contract with the State

Overall, Council maintains around 700 kilometres of sealed roads and 475 kilometres of unsealed roads across the Local Government Area. This includes approximately 168 kilometres of Regional Roads as listed in table 2 below.

**Table 2 – Regional Roads**

<b>Regional Roads</b>	<b>Maintenance Arrangements</b>
Wee Jasper Road	Council managed road with funding assistance provided through the State Governments Regional Road Block Grant Funding
Wondalga Road	Council managed road with funding assistance provided through the State Governments Regional Road Block Grant Funding
Broadleaf Park	Council managed road with funding assistance provided through the State Governments Regional Road Block Grant Funding
Tooma Road	Council managed road with funding assistance provided through the State Governments Regional Road Block Grant Funding
Elliot Way (Part)	Council managed road with funding assistance provided through the State Governments Regional Road Block Grant Funding
Khancoban to Cabramurra Road	Council managed road with funding assistance provided through the State Governments Regional Road Block Grant Funding
Alpine Road from border (Bingenbrong to Khancoban)	Council managed road with funding assistance provided through the State Governments Regional Road Block Grant Funding

Overall, Council receives around \$3.5 million per annum in grants for road maintenance and construction from the State and Federal Governments. This includes approximately \$1.2 million in Regional Road Block Grant funding

The Regional Road Block Grant funding is paid quarterly by the State Government and is provided to assist Council with the cost of works on Regional Roads.

Typically, Council spends around \$3.1 million per annum on the maintenance of roads including, but not limited to, the repair of potholes, grading unsealed roads and controlling vegetation based on priority and risk. A further \$4.5 million per annum is spent on renewing roads and new construction. These works are prioritised based on road safety and avoiding premature failure, particularly by resealing and resurfacing sealed roads.

As described in the attachment to this report, in February 2019 the NSW Government announced the initiation of a Road Classification Review to ensure that roads across NSW are appropriately classified.

This is an initiative of the State Governments 'Future Transport 2056 Master Plan' which identifies the NSW Road Classification Review to update the road network to align with the 'Hub and Spoke' Transport Network Model and the 'Movement and Place' Framework.

Also in February 2019, the Government announced that up to 15,000 kilometres of Council managed Regional Roads would be returned to State management as part of a broader package of support for local councils to better manage and maintain the rural road network.

To make recommendations for the consideration of the NSW Government on the transfer of Council owned regional roads and the classification review; an independent panel has been established.

Nominations were received until 25 September 2020 from Councils nominating roads for reclassification and/or transfer.

## **REPORT:**

As discussed with Councillors at the workshop held on the 17 September 2020 it was proposed that no roads within the Snowy Valleys Local Government area be nominated for transfer or reclassification. Noting this, the following submission was made for the consideration of the Government appointed panel on behalf of Council:

### ***Submission***

#### ***Name of person making submission***

*Heinz Kausche*

#### ***Position of person making submission***

*Director Infrastructure*

#### ***Organisation***

*Snowy Valleys Council*

#### ***Contact email address of person making submission***

[\*hkausche@svc.nsw.gov.au\*](mailto:hkausche@svc.nsw.gov.au)

#### ***Contact number for person making submission***

*0448862102*

#### ***Is this application authorised by the General Manager or other authorised representative?***

*Yes*

#### ***Name, position and contact details of authorised representative***

*Matt Hyde CEO*

#### ***Is this a joint submission?***

*No*

#### ***Is the road the subject of a Government commitment?***

*No*

#### ***Is this a priority nomination?***

*No*

#### ***Does the road include bridge assets?***

*No*

#### ***Any other comments***

*Snowy Valleys Council does not wish to nominate any regional roads for reclassification or transfer at this time. Council considers it is important that these roads are managed locally noting that they also provide local access. Managing regional roads locally also supports local jobs and local suppliers. Council submits that the funding model for regional roads should be reviewed.*

***Would you like to add another road?****No****If desired, provide a brief summary of this nomination***

*Snowy Valleys Council does not wish to nominate any regional roads for reclassification or transfer at this time. Council considers it is important that these roads are managed locally noting that they also provide local access. Managing regional roads locally also supports local jobs and local suppliers. Council submits that the funding model for regional roads should be reviewed.*

This submission recognises that whilst the management of regional roads places a significant financial and resource burden on Council, transferring the management of Regional Roads to the State, may result in:

- the management of Regional Roads being contracted out to larger organisations outside of the Local Government Area
- no and/or limited local input or control on how Regional Roads are managed or works prioritised on these roads
- levels of service applied to the management of Regional Roads may be reduced
- loss of local jobs and suppliers
- reduced State funding for the management of roads
- local community needs not considered in respect to the management of Regional Roads

Noting the above, this report seeks the acknowledgement of Council that it does not wish to nominate any Regional Roads within the Local Government Area for reclassification or transfer.

**LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:****Integrated Planning and Reporting Framework:****CSP Outcome 2028**

Theme 5: Our Infrastructure

**Delivery Outcomes**

5.3 Provide and partner with other agencies to deliver an effective, safe local transport network

**SUSTAINABILITY ASSESSMENT:**

	<b>Positive</b>	<b>Negative</b>
Social	Regional Roads also provide local access and managing these roads locally helps to ensure that community needs are considered in respect to the maintenance of these roads.	Noting that Regional Roads cross Local Government Boundaries, managing these roads locally could result in a disjointed approach to their management.
Environmental	Nil	Nil
Economic	Overall, Council receives around \$1.2million in Regional Road Block Grant funding for works on Regional Roads.	The management of roads across the Local Government Area places a significant financial and resource burden on Council.

	<b>Positive</b>	<b>Negative</b>
		<p>Not nominating Roads for reclassification or transfer to the State may be viewed as not taking the opportunity to reduce the financial burden imposed on Council related to the management of Regional Roads.</p> <p>The NSW Government have referred to the transfer of up to 15,000 kilometres of regional roads to the State as part of a broader package of support for local councils to better manage and maintain the rural road network.</p>
Governance	Nil	Nil

### Financial and Resources Implications

Overall, Council receives around \$3.5 million per annum in grants for road maintenance and construction from the State and Federal Governments. This includes approximately \$1.2 million in Regional Road Block Grant funding

The Regional Road Block Grant funding is paid quarterly by the State Government and is provided to assist Council with the cost of works on Regional Roads.

### Costs and Benefits:

<b>Financial Costs</b>	<b>Financial Benefits</b>	<b>Benefits</b>	<b>Opportunities</b>
Council receives approximately \$1.2 million per annum for works on Regional Roads	This funding is used to undertake works on approximately 168 kilometres of Regional Roads within the Snowy Valleys Council Local Government Area	Regional Roads are managed locally to help ensure the needs of the Community are met, noting that Regional Roads also provide local access.	The funding model for Regional Roads be reviewed to ensure it is sufficient to maintain these roads to the appropriate standard.

### Policy, Legal and Statutory Implications:

The State Governments 'Future Transport 2056' Master Plan identifies the NSW Road Classification Review as a key initiative to make adjustments to the classification policy framework and update the road network to align with the 'Hub and Spoke' Transport Network Model and the 'Movement and Place' Framework.

### RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Not nominating Regional Roads for reclassification or transfer to the State may be viewed as not taking the opportunity to reduce the financial burden imposed on Council related to the management of Regional Roads.



The NSW Government have referred to the transfer of up to 15,000 kilometres of Regional Roads to the State as part of a broader package of support for local councils to better manage and maintain the rural road network.

**OPTIONS:**

Council may:

- endorse the recommendations made in this report and not nominate any Regional Roads for reclassification or transfer
- endorse the recommendations made in this report with amendments to nominate some or all Regional Roads within the Snowy Valleys Local Government Area for reclassification and/or transfer
- chose to defer or not proceed with this report and seek further information

**COUNCIL SEAL REQUIRED:**

Not required.

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

The State Government has consulted extensively on the Regional Road Transfer and NSW Road Classification Review.

<https://yoursay.transport.nsw.gov.au/regional-road-transfer-and-road-classification-review>

**Attachments**

- 1 NSW Road Classification Review and Transfer Information Paper 2020 (under separate cover) [⇒](#)

**7. MANAGEMENT REPORTS****7.3 PUBLIC GRIDS AND GATES POLICY PUBLIC FEEDBACK**

**REPORT AUTHOR:** MANAGER TECHNICAL SERVICES  
**RESPONSIBLE DIRECTOR:** EXECUTIVE DIRECTOR INFRASTRUCTURE

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**EXECUTIVE SUMMARY:**

Snowy Valleys Council exhibited the Draft Public Grids and Gates Policy, with thirty two submissions being received.

These submissions were reviewed and in part, implemented into the policy.

This report seeks the adoption of the amended Public Grids and Gates Policy as attached to the report.

**RECOMMENDATION:****THAT COUNCIL:**

- 1. Receive this report on the Public Grids and Gates Policy - feedback from public exhibition.**
- 2. Note the thirty two submissions received on the Public Grids and Gates Policy**
- 3. Adopt the Public Grids and Gates Policy (SVC-ENG-PO-012-01) with changes as attached to this report**
- 4. Write to the submitters, thanking them for their input and advising them of the outcome to their submission**

**BACKGROUND:**

The Stock Grids and Gates Policy provides guidance for land owners, the community and Council across the entire Local Government Area on the management of gates and grids located on roads owned and managed by Council.

The policy also ensures compliance with the NSW Roads Act 1993.

**REPORT:**

Council resolved at its meeting held on the 30 July 2020, to put the Draft Stock Grids and Gates Policy on public exhibition for a minimum of 28 days.

At the end of the public exhibition period thirty two submissions were received to the policy.

Table 1 below provides a summary of the submissions and amendments made to the policy.

Copies of the submissions are also attached to this report noting that the names and personal details of the submitters have been redacted for reasons of privacy.

Some of the key themes referred to in the submissions included:

- **Fencing of Road Corridors** – the draft policy has been amended to clarify that gates and grids are required on some Council road corridors to manage stock and traffic where it is not practical or feasible for the road corridor to be fenced. Council do not intend for these road corridors to be fenced, unless required due to development or upgrade of the roadway.

- **Signage and access around grids** - Section 133 of the NSW Roads Act 1993, outlines the requirements for a bypass and a road gate to maintain access around a grid if needed. The signage is required to provide adequate warning of the structures across the roadway for reasons of road user safety. No amendments were made to the draft policy in respect to signage and access around grids.
- **Public Liability** – Noting that the gates and grids are privately owned, property owners are advised in the policy of the requirement for public liability insurance cover of \$20 million to protect themselves, Council and the community. The policy has been amended to clarify that separate public liability insurance cover is not required for each gate and grid, but can be covered as a whole.
- **Communication** – The placing of the draft policy on public exhibition was communicated through newspaper advertisements and social media and received significant follow up media. Thirty two submissions were received indicating that the policy was well communicated.

**Table 1 – Summary of Submissions**

Submission number	Submission Summary	Comments
3061239	Communication with community and Cost Implications	Communication on the policy included newspaper and social media advertisements along with follow ups.  The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3061191	Compulsory Fencing of Public Roadways	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3061190	Additional cost to landowners for fencing of road corridor	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3061189	Current service levels for Council assets and cost for those responsible for multiple ramps	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3061188	Additional cost to landowners for fencing of road corridor, animal welfare if no access to water and shade in fenced area and implications for management of properties	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3061187	Unspecified	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3060847	Policy is not practical	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.

Submission number	Submission Summary	Comments
3060848	Aim for no gates or grids on public roads with most occurring with limited traffic and cost implications of fencing	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3060774	Cost of fencing road corridors	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3060706	Access restrictions	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3060705	Unspecified	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3060589	Concern over wandering stock	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3062035	Hinder our operations extensively and cause a very big outlay for extra fencing	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3062431	Communication with community and Cost Implications, biosecurity risk, safety concern	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3062544	Access restrictions, financial implications/costs, safety concerns, RFS restricted management and red tape issues	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3062360	Unspecified	Note amendments to policy
3062147	Financial implications/costs, public safety concerns, livestock and fence issues/safety, water supply restrictions – livestock	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3061771	Communication with community and Cost Implications	<p>Communication on the policy included newspaper and social media advertisements along with follow ups.</p> <p>The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.</p>
3062751	Concerns over financial implications for landholders and that the current system is working	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3062750	Concerns over financial implications for landholders including access to water and that	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be

Submission number	Submission Summary	Comments
	the current system is working and that signage would be sufficient	removed.
3062818	Concerns over financial implications for landholders and that the current system is working and grids decrease the speed of traffic	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3062847	Concerns over the addition of more rules	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3062848	Concerns over financial implications for landholders and that the current system is working	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3063163	Concerns over financial implications for landholders and that the current system is working	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3063477	Concerns over financial implications for landholders and that the current system is working	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3062747	Concerns over financial implications for landholders and that the current system is working and grids decrease the speed of traffic and believed excessive requirements for signage	<p>The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.</p> <p>The signage is required to provide adequate warning of the structures across the roadway for reasons of road user safety.</p>
3062781	<p>Concerns over financial implications for landholders and that the current system is working</p> <p>Concern over the requirement for a permit as has not been in place previously and the one size fits all approach</p> <p>Concerns over engagement options</p>	<p>Permits are required to ensure all the legislative and safety requirements are met.</p> <p>The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.</p> <p>Communication on the policy included newspaper and social media advertisements along with follow ups</p>
3062746	No present issue with livestock and people driving on public roads	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3062749	Concerns over financial implications for landholders and that the current system is working	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be

Submission number	Submission Summary	Comments
	Suggestion for a one off permit	removed.  Separate permits are required to ensure each crossing is managed individually based on merit.
3062748	Concerns over financial implications for landholders and that the current system is working and grids and requesting Council to pay for signage	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.  Noting that the gates and grids are privately structures the cost of signage should be the responsibility of the owner.
3062752	Disruption to farming enterprises and public access	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.
3061593	RFS restricted management - high fuel loads, safety concerns, financial implications/expense, water supply restrictions - livestock	The policy has been amended to clarify that it will not be a general requirement for roadways to be fenced and grids to be removed.

#### LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

#### Integrated Planning and Reporting Framework:

#### CSP Outcome 2028

Theme 5: Our Infrastructure

#### Delivery Outcomes

5.3 Provide and partner with other agencies to deliver an effective, safe local transport network

#### SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	This policy is intended to ensure that stock grids and gates do not impede on the safe and efficient passage of road users.	Some landholders may chose not to comply with this policy impacting on the accessibility of public roads.
Environmental	Nil	Nil
Economic	Landowners are responsible for the costs associated with the installation, maintenance and removal of stock grids and gates.	Council may incur costs to make safe if the landholder fails to make sure stock grids and gates located on public roads are safe.
Governance	This policy is consistent with the requirements of the Roads Act which requires the application of a permit system for the monitoring and maintenance of stock gates and grids	No foreseen impact

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### **Financial and Resources Implications**

The development and implementation of a new Stock Grid and Gates Policy does not have any direct impact on budgets for the organisation.

There may be cost implications for landholders to ensure that their stock gates and grids are compliant.

The cost of inspection and stock gates and grids is covered in the operations budget.

### **Policy, Legal and Statutory Implications:**

This policy complies with the following legislation, including specific subsections, as appropriate:

- Local Government Act 1993;
- Local Government (General) Regulation 2005;

The Roads Act 1993 also informs the Stock Grid and Gates Policy and procedure.

Failure to comply with these documents could present legal and statutory issues for Council.

### **RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:**

Failure to comply with the requirements of the Roads Act in respect to permission and management of grids and gates within the road corridor could pose reputational and business risk for council.

These assets present a public risk for road users unfamiliar with them. If unmaintained and without proper inspection regimes or appropriate maintenance, these structures can become a liability for Council and the benefitting landholders.

### **OPTIONS:**

Council may choose to:

- Adopt the proposed Stock Grid and Gates Policy, without further amendments.
- Adopt the proposed Stock Grid and Gates Policy, with amendments
- Require further changes to the policy and protocols presented and relevant feedback and request that the policy be resubmitted for consideration at a future meeting.

### **COUNCIL SEAL REQUIRED:**

Not required.

### **COMMUNITY ENGAGEMENT AND COMMUNICATION:**

The Policy was placed on public exhibition for a minimum of 28 days for public feedback.

All relevant and applicable feedback was collated as described in this report.

The placing of the draft policy on public exhibition was communicated through newspaper advertisements and social media and received significant follow up media. Thirty two submissions were received indicating that the policy was well communicated.

## Attachments

- 1 Proposed Policy with Changes [↓](#)
- 2 Online Submissions Received [↓](#)
- 3 Link One Submission [↓](#)
- 4 Link Two Submission [↓](#)
- 5 Link Three Submission [↓](#)
- 6 Link Four Submission [↓](#)
- 7 Link Five Submission [↓](#)
- 8 Link Six Submission [↓](#)
- 9 Link Seven Submission [↓](#)
- 10 Link Eight Submission [↓](#)





<b>Policy Title</b>	Public Gates and Grids Policy
<b>Policy Category</b>	Public
<b>Number &amp; Version</b>	SVC-ENG-PO-012-01
<b>Policy Owner</b>	Survey and Design
<b>Approval by</b>	Council
<b>Effective date</b>	
<b>Date for review</b>	September 2020

## 1. STRATEGIC PURPOSE

The purpose of this policy is to ensure the safety of Snowy Valleys Council's (Council) road network, by setting out the responsibilities and roles for landowners/occupiers and Council in relation to the installation, maintenance and removal of public gates and grids. It also sets out the situations under which a permit may be issued for installation of grids or gates on public roads under Council's control.

~~Council's long term intention is to not have any gates and grids at all and for all road corridors to be fenced.~~

## 2. POLICY STATEMENT

As a general principle, all Council Public Roads should remain unrestricted and accessible to the public at all times unless otherwise intended by the local road authority (Snowy Valleys Council).

This policy applies to all public gates and grids located on public roads within the Snowy Valleys Council Local Government area.

The Roads Act 1993 requires that any grid and gate on a public road must have a permit from the Road Authority.

Stock grids and gates are structures constructed on a road for the purpose of controlling stock movements and as such are only of benefit to the landowner. They serve no other purpose than to control stock. They have the potential to impact upon the safe and efficient passage of the road user. It is therefore preferable to not have grids or gates on public roads however in some instances this is not practical.

Being a structure across a road, grids and gates come under the regulatory control of the Council and as such must be of a standard acceptable to Council.

Ownership and responsibility of the structure and all associated items, including approaches and signs, shall be vested in the landowner or his successor in title, as per Roads Act 1993 part 9 Division 2. Should no owner of a structure be identified, Council shall be entitled to remove the structure.

### 3. DEFINITIONS

**Road** – The portion of land between property boundaries including the roadway and footpaths.

**Gate** - A structure that can be swung, drawn or lowered to block an entrance or a passageway.

**Grid** - A bridge, usually of parallel metal bars, set at ground level in a road or gateway as a barrier to livestock while allowing the passage of vehicles and pedestrians.

### 4. CONTENT

#### 4.1 PERMITS

The Roads Act 1993 requires that any grid and gate on a public road must have a written permit from the road authority.

Owners of existing grids and gates must apply for a permit from Council. A fee is payable to Council for the application and an annual fee may be payable to Council for inspection. The fees will be published in Council's Schedule of Fees and Charges.

Where a grid and/or a gate is/are situated on the boundary between two properties where the road reserve is unfenced, a joint application should be made by the owners of the two properties. The standard annual fee shall apply to joint applications. Alternatively if the grid only benefits one of the properties the application should be made by the landholder of the benefitting property.

Where Council does not grant a permit for an existing grid or gate due to refusal of an application for a permit, or no application being submitted, Council may order the removal of the existing grid or gate.

Council may require existing grids and gates to be upgraded to comply with the Council's specification before granting a permit. Where Council grants a permit without requiring upgrading of an existing grid and gate, the owner remains responsible to ensure the grid and gate comply with Council's standards.

#### 4.2 New and Existing Public gates

Due to the inconvenience of gates, Council will not consider permitting new public gates unless at the boundary of a property where there are no other landowners beyond that point. All other gates must be removed.

If fencing is not practical a grid may be permitted in accordance with this policy.

Existing gates must comply with this clause also an application must be made for a permit, and a permit will normally only be issued if the gate complies with the first paragraph above.

The holder of a public gate permit must ensure that the road approaches to the gate are maintained in good condition for such distance (not exceeding 20 metres) from each side of the gate, and for such width, as Council may determine when granting the permit. (S71, Roads Regulation 2018)

Permit holders must ensure that the gate is maintained to the required standard and in good and useable condition at all times.

#### 4.2.1 New Grids

Grids have the potential to impact upon the safe and efficient passage of the road user and also result in higher road maintenance requirements. It is therefore preferable to not have grids on public roads.

Fencing out of the road corridor is preferred where practical, but instead fence out the road corridor from the surrounding property. This removes the need for grids, separates stock from road users and reduces the damage to the road by stock. However it is recognised that in some instances fencing the road is not practical, due the length involved.

Installation of new grids will only be considered where the cost of fencing is impractical, substantially more than the cost of installing a new grid. Grids will not be considered on any sealed road or Class 1 unsealed road.

The current cost of grids constructed to 'public road standard' together with associated bypass track and signage is normally high compared to the cost of fencing. Grids also reduce safety to members of the public. For these reasons, grids will only be permitted where fencing is impractical, the total length of road boundary fencing associated with each structure is greater than 1200m.

#### 4.2.2 Existing Grids – Standards, Repairs and Replacement

To be consistent with the Roads Regulation 2018, part 6, Council requires the property owner or his/her successor in title to keep in a good state of repair, any ramp/stock grid structure installed on public roads, including up to twenty (20) metres of roadway either side of the grid and associated fencing including gates within the road reserve.

All maintenance of the grid and associated items is the responsibility of the landholder. This includes contacting Council or an approved contractor if repairs are required.

The owner can request Council to undertake repairs and/or replacement of a grid subject to an agreement being entered into by the applicant and Council. All costs of repair/ replacement will be the responsibility of the owner.

If a road inspection by Council identifies that works are required to the grid, Council will notify the owner in writing and the owner shall rectify any problems immediately using Council staff or an authorised contractor. If the works are not carried out within thirty (30) days of the date of the letter then Council may perform the works or remove the grid and bill the owner.

Where an existing grid is, in the opinion of the Executive Director Infrastructure, in such a state of disrepair as to constitute a danger to traffic, it is to be removed or repaired immediately.

Grids of a standard less than that specified in this policy may be permitted after consideration of location (i.e. Sight distance and road alignment) and the traffic count on the road and any other obstructions on the road (i.e. narrow bridges). Any relaxing of these conditions will be at the discretion of the Executive Director Infrastructure and in writing.

#### 4.3 Routine Road Maintenance

When Council carries out routine road grading, the approaches to grids will be graded as part of the roadway. All other maintenance work at grids remains the responsibility of the grid owners.

#### 4.4 Roadworks

In the event of Council performing road construction at a grid location, the grid will be upgraded to meet Council specifications. The responsibilities in such case are as follows:

##### 4.4.1 Owner

- To pay Council for the purchase of a grid and associated items that meet Council's approval, and for grid signage and installation as per specification, as required:
- Where applicable, supply of materials and installation of any gates and fencing
- Maintenance of grid

##### 4.4.2 Council

- Where applicable remove the existing grid and abutments and deliver to a mutually agreeable location.  
In respect of any structure which is relocated by the Council under the terms of this policy, the landowner/s concerned shall be responsible for all subsequent maintenance, including replacement when necessary as funds permit.

#### 4.5 Removal of Grids

Where the landholder opts to fence out the road reserve and remove an existing grid on a road, Council will, in this instance, remove the existing grid free of charge and undertake all works to repair the road pavement.

#### 4.6 Standards

Minimum Acceptable Standard for Public Gates and Stock Grids:

##### 4.6.1 Public Gates

- Minimum clear opening of 3.5 metres
- Adequate sight distance must be available along each direction of approach
- Gate and approaches must be arranged to allow practical use by stock and heavy vehicles
- Gate must not be locked at any time
- Gate must be painted white (required by Roads Regulation 2018)
- Reflectors shall be provided on each side of the gate, showing red on the left hand side and white on the right hand side for approaching traffic
- A notice must be attached to both sides of the gate bearing the words "PUBLIC GATE" in letters at least 75mm high

##### 4.6.2 Stock Grid (Motor Bypass) and Warning Sign specifications

- Minimum clear width of 3.5 metres
- Adequate sight distance must be available along each direction of approach
- The grid must be certified as capable of carrying traffic with loadings of 14 tonnes per axle.
- The grid shall be located on a straight length of road, with the level of the top of the grid matching the level of the adjacent road pavement
- The cavity under the grid shall be drained
- Reflectors shall be provided on each side of the grid, showing red on the left hand side and white on the right hand side for approaching traffic
- A notice must be clearly displayed at each end of the stock grid bearing the words "MAX. AXLE LOAD 14 TONNES" in letters at least 75mm high
- The notices shall also state the Council permit number and grid owner's name in letters at least 75mm high
- Standard "Grid" warning signs (W5-16B) and "One Lane" signs (W8-16B) shall be erected on galvanised steel posts at a distance of 100 metres from the grid on each approach. These signs shall be erected to that the bottom of the sign is 1.5 metres above the adjacent road centreline. Grid must have a bypass gate and track with a minimum width 3.5m and of gravel construction allowing 2WD and heavy vehicle all weather access, also subject to Council approval.
- Attached sketch shows grid layout (excluding all signs)

#### 4.7 Warning Signs

Warning signs and associated measures to increase the visibility of structures across public roads shall be erected on each approach in such position as to be readily seen from a vehicle approaching the structure. Such safety measures shall be of the materials, height, size, design and appearance prescribed in AS1742.1.

Maintenance will be at full cost to the permit holder.

#### 4.8 Indemnity

The landowner shall indemnify and keep indemnified the Council from and against all claims and demands, however and whenever arising through any act or omission on the part of the occupant in and about the construction, reconstruction, repairs or failure to repair the said structure, gate/gates, fencing, or other associated items, whether arising out of any action or direction of the Council, or its agents or otherwise.

The landowner shall at all times maintain public liability insurance cover over their grids each grid in an amount of not less than \$20 million. This policy must mention Snowy Valleys Council ~~Tumbarumba Shire Council~~ as an interested party and a copy provided to Council at annual inspection time.

#### 4.9 Revocation of Permission

Council at any time may revoke any permission granted by it under this policy for private structures on public roads and the person by whom the structure was erected or his successor in title shall within the time specified in the notice of revocation served on him by the Council remove the structure and warning signs displayed in connection therewith and take such steps as the Council may require to ensure the safety of persons using the road.

#### 4.10 Work on Public Roads

To address public and workplace safety issues, all maintenance and construction works at grids and gates on public roads shall only be performed by contractors approved by the Council for that work or by Council's workforce as private works jobs at the landowner's expense.

#### 4.11 Subdivisions

Where rural properties are subdivided to create any additional lots that may contain dwellings, Council will may require the removal of existing public gates and grids within the land being subdivided. Council will may require road reserves in rural subdivisions to be fenced to control livestock.

In areas subject to significant subdivision development Council may require sub-dividers to remove existing grids on roads leading to their subdivisions as part of providing an adequate standard of road access.

Council does not provide financial assistance for boundary fencing or grid and gate removal in association with subdivisions.

## 5 RESPONSIBILITIES

### Council – Elected members of Council

Elected members of Council are responsible for the adoption of this Council policy and the consideration of resources towards the implementation of this policy.

### Chief Executive Officer

The Chief Executive Officer is generally responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the council.

### Directors and Managers

Are responsible for

- The implementation of the policy and procedures in their work area.
- The monitoring of implementation and compliance with the policy and associated procedure.

To ensure a register of all grids and public gates is prepared and an annual inspection undertaken

### Supervisors

To undertake annual inspections as directed and to report any defect identified at any time in writing to their Manager / Director

### Employees

To notify their supervisor of any grid / gate defects identified in performance of their day to day duties.

## 6 ASSOCIATED LEGISLATION

The Roads Act 1993 and Roads Regulation 2018.

## 7 ASSOCIATED COUNCIL DOCUMENTS

Key Performance Indicators  
AS1742.1 - Manual of Uniform Traffic Control Devices

## 8 HISTORY

Date	Action	Name	Policy Number	Resolution Date	Resolution Number
	Superseded	Stock Grid Formerly Tumut	Roads.08		
	Superseded	Public Gates and Grid Policy Formerly Tumbarumba	TSC-ENG-PO-062		

SVC-ENG-PO-02.01  
Public Gates and Grids Policy

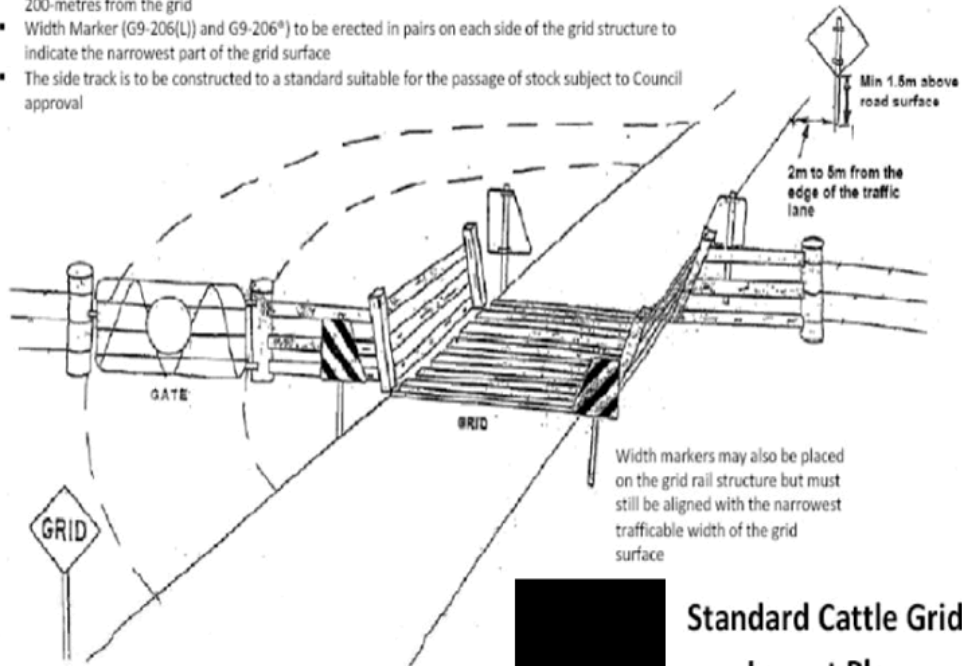
Page 7 of 8

Adopted:  
Reviewed:

**Attachment 1**

**Notes:**

- Grid surface to be at a width specified by Council and a minimum of 2.1-metres along road
- Grid to have at least 300mm clearance underneath the entire grid
- Where possible, the roadside drainage should be directed under the grid to aid in self cleaning
- 'GRID' (W5-16) 750mm x 750mm signs to be erected on both approaches to the grid 50-metres to 200-metres from the grid
- Width Marker (G9-206(L) and G9-206<sup>R</sup>) to be erected in pairs on each side of the grid structure to indicate the narrowest part of the grid surface
- The side track is to be constructed to a standard suitable for the passage of stock subject to Council approval



**Standard Cattle Grid  
Layout Plan**

Not to Scale  
Size A4



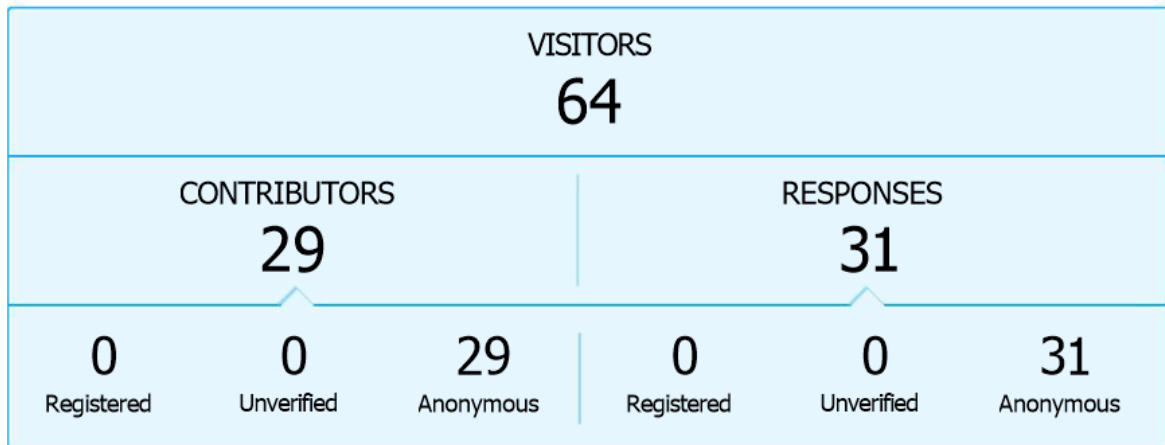
## Survey Responses

02 October 2018 - 14 October 2020

# Draft Public Gates and Grids Policy - Feedback Form

## Your Voice Snowy Valleys

Project: Draft Public Gates and Grids Policy





**Respondent No:** 1  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Aug 19, 2020 21:34:26 pm  
**Last Seen:** Aug 19, 2020 21:34:26 pm  
**IP Address:** n/a

**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode** 2653

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**Q4. What is your feedback?**

I find this policy thoughtless at best. It smells of bureaucrats who have no idea or consideration of routine farm practices but rather their own personal amenity. Is the main inconvenience to the town occupier going for a Sunday drive? Fences and grids at boundaries on rural roads offer farmers a second line in case of sub-divisional fence failure and can mean the difference between stock being on a high speed(100km/hr) sealed road or wondering a dirt laneway where motorists are travelling at lessor speeds. Rural crime in general, be it illegal hunting, stock theft, trespass or the like however deliberate or incidental is also a real issue in remote rural areas and additional gates/grids delineate and deter/prevent this. Some roads are not even maintained by council and as such these roads are subject to erosion etc making fencing the road impractical and ineffective.

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 2  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Aug 21, 2020 13:44:23 pm  
**Last Seen:** Aug 21, 2020 13:44:23 pm  
**IP Address:** n/a

**Q1. Full Name**

---

**Q2. Email**

---

**Q3. Postcode**

2729

---

**Q4. What is your feedback?**

I appose this draft in the strongest possible way! It is a disgrace. Please stop the lunacy. Do NOT do this to us! This policy will have an extremely negative effect on farming, fighting fires, controlling live stock, wildlife, financial burden on farmers, mental well being, etc, etc. We're still recovering from the bush fires, & in the middle of a pandemic. The timing is terrible! Why is this being done in such an underhanded way? Please stop this immediatly. We do not consent to this policy. We appose it completely.

---

**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

---

**Respondent No:** 3**Login:** Anonymous**Email:** n/a**Responded At:** Aug 21, 2020 13:58:49 pm**Last Seen:** Aug 21, 2020 13:58:49 pm**IP Address:** n/a**Q1. Full Name**

---

**Q2. Email**

---

**Q3. Postcode**2729

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**Q4. What is your feedback?**

I very strongly oppose against this policy. Do not let this go ahead!!! It will only devastate our crippled farmers. They work for us  
- help them DO NOT LET THIS POLICY GO THROUGH!! STOP IT NOW!!!

---

**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 4  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Aug 21, 2020 14:37:44 pm  
**Last Seen:** Aug 21, 2020 14:37:44 pm  
**IP Address:** n/a

**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**

2729

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**Q4. What is your feedback?**

To impose this cost on landholders that have recently been impacted by bushfires and covid 19 is so inconsiderate. Resources are already stretched due to recent events in 2020, finding suitable contractors, labour and resources to do this may be difficult. Our road is a disgrace. The maintenance and upkeep of our roads that we pay rates on makes you wonder where our rate money goes. These gates and grids are for farm biosecurity and to deter people from entering private property. It will also pose a biosecurity risk and animal health risk to animals if they get out of their paddock as there will be no grids or gates to prevent them from getting onto major roads. Who is going to maintain the sides of these roadways for weeds etc? I'm sure the maintenance will be minimal, like that on our road!

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 5  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Aug 21, 2020 15:06:44 pm  
**Last Seen:** Aug 21, 2020 15:06:44 pm  
**IP Address:** n/a

**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode** 2720

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**Q4. What is your feedback?**

This is a crazy scenario as it will cost farmers thousands of dollars to find other ways to keep stock from escaping.

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 6**Login:** Anonymous**Email:** n/a**Responded At:** Aug 21, 2020 15:43:32 pm**Last Seen:** Aug 21, 2020 15:43:32 pm**IP Address:** n/a**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**2729

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**Q4. What is your feedback?**

I am struggling to understand why the council would state that they aim to not have any grids or gates on public roads. Most grids and gates are in locations that have very limited traffic, most of it local for farmers in the area. Releasing the draft policy within the environment where farmers are recovering from bushfires seems to lack any thought. The gates and grids that I drive through/over have never caused a problem or inconvenience. In some instances to fence a road would result in kilometres of fencing, high cost to the farmer and provide no public benefit. I would consider this policy to be one of the lowest priorities for rate payers that I am wondering why anyone has had the time to draft it. As a council the focus needs to be on basics - roads, rubbish, water- and then all about growth - small business, jobs for youth, supporting sustainable developments not standing in their way.

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 7

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 21, 2020 15:54:18 pm

**Last Seen:** Aug 21, 2020 15:54:18 pm

**IP Address:** n/a

**Q1. Full Name**

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**Q2. Email**

---

**Q3. Postcode** 2729

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**Q4. What is your feedback?**

I oppose this draft and do not agree with it. It is not practical.

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 8  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Aug 21, 2020 19:19:29 pm  
**Last Seen:** Aug 21, 2020 19:19:29 pm  
**IP Address:** n/a

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**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**

2729

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**Q4. What is your feedback?**

I think this proposal is unworkable on most farms. If you are lucky enough not to have a council road running through your farm that's not fenced then it's a worry to think about what's next. My farm will impacted but not to the extent of most of my next door neighbors. On there farms it will involve refencing tens of kms of fence at \$15 a meter. Doesn't take long to run into the hundreds of thousands of dollars!! The other issue is water. If a paddock is split in two, most of the time the water will be on one side and not the other. You can't run stock with no water at any time of the year. To rectify this problem water will have to be piped under the council road, again not cheap. Could be more than the fencing. The lack of shade trees on one side of the road and not the other is something to consider as well. Shade trees take year to establish and stock can't be in paddocks without it in summer. Other things would be needed to investigated like access to yards and stock movements but the water and fencing would be the biggest concerns. I hope that the council's involved in the decision making process please consider all these implications. Maybe if council money was available to pay this would help. I would hate to think of the butchers bill but!!!! I hope that someone reads this. Lach

---

**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

**Respondent No:** 9**Login:** Anonymous**Email:** n/a**Responded At:** Aug 21, 2020 20:15:15 pm**Last Seen:** Aug 21, 2020 20:15:15 pm**IP Address:** n/a**Q1. Full Name**

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**Q2. Email**

---

**Q3. Postcode**2729

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**Q4. What is your feedback?**

This is a morally wrong idea because it is placing an additional cost labour on landowners, who are ratepayers, at a time when they have already been adversely impacted by drought, bushfires and the COVID-19 pandemic. The council should be working in a pro-active way to support landowners to ensure their agricultural businesses can be viable and continue to contribute to our community. The cost in both permits for existing structures, and the that of fencing materials and construction is prohibitive in the current agricultural financial climate and will detrimentally impact financial, physical and mental health of these families. The proposers and supporters of this policy are obviously completely disconnected from the rural community in which they live and the members of which effectively contribute to their wage.

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 10  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Aug 21, 2020 20:30:02 pm  
**Last Seen:** Aug 21, 2020 20:30:02 pm  
**IP Address:** n/a

**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode** 2653

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**Q4. What is your feedback?**

I find the compulsory fencing of public roads, removal of grids and gates an impost on small business at time when can least afford such an expense. The council needs to improve its engagement with its constituents and forcing this upon the shire after the fires of the past summer is hardly endearing and will create anger. Council please reconsider your position  
Regards Andrew Street

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 11**Login:** Anonymous**Email:** n/a**Responded At:** Aug 22, 2020 08:48:29 am**Last Seen:** Aug 22, 2020 08:48:29 am**IP Address:** n/a**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**2729

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**Q4. What is your feedback?**

I strongly disagree with this proposal and cannot fathom who would ever dream up something so stupid. This is not a positive for anyone anywhere. Once again a waste of time and energy with nothing to gain by council.

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 12  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Aug 24, 2020 13:28:56 pm  
**Last Seen:** Aug 24, 2020 13:28:56 pm  
**IP Address:** n/a

**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**

2720

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**Q4. What is your feedback?**

To whom it may concern, As a landholder with several ramps on shire roads I am just want to lodge my extreme objections to this proposal! If it is not bad enough, in our case, living in Adjungbilly where SVC do a minimal job on their roads, compared with neighbouring Gundagai, they are now also coming up with this ridiculous idea? What could they possibly have to gain from this? Who has got time to sit down and come up with such ridiculous suggestions in a shire that needs so many other things being attended too? We get very little in return for our land rates in our area and for most part we don't make much noise about it but I guarantee we will be very vocal if this moronic plan gets any moment. Regards, concerned Adjungbilly landholder, Jock Mason.

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 13**Login:** Anonymous**Email:** n/a**Responded At:** Aug 25, 2020 12:28:19 pm**Last Seen:** Aug 25, 2020 12:28:19 pm**IP Address:** n/a**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**2720

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**Q4. What is your feedback?**

Proposed intended changes should be communicated with the community in much more open way. The costs to people involved will be huge and will have a negative impact. Why change something that worked well for a very long time? Why so secretive about it?

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 14  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Aug 26, 2020 08:22:09 am  
**Last Seen:** Aug 26, 2020 08:22:09 am  
**IP Address:** n/a

**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode** 2729

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**Q4. What is your feedback?**

Please see attached file

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)**

[https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/5cca32d0e96fb76caf371fe9d6ea97758897f960/original/1598394116/CCF\\_000087.pdf\\_fe07c6c75b0a8bed2a2bc744a03dde6f?1598394116](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/5cca32d0e96fb76caf371fe9d6ea97758897f960/original/1598394116/CCF_000087.pdf_fe07c6c75b0a8bed2a2bc744a03dde6f?1598394116)

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**Respondent No:** 15  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Aug 27, 2020 12:42:52 pm  
**Last Seen:** Aug 27, 2020 12:42:52 pm  
**IP Address:** n/a

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**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**

2640

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**Q4. What is your feedback?**

It is really bad timing that this policy has arisen for review now, when the farming community in this Shire are trying to recover from a bush fire. The tone of the policy is very aggressive and mandatory, which no one is in the mood for at the moment. We all have enough on our plate with fire recovery. I find it hard to believe that this is so important. I don't know of anyone being killed or injured (thankfully) on these roads. What percentage of the public actually drive on these roads with gates/grids? This particularly applies to dinky little no through roads that don't go anywhere. The definition of "road" is too wide. It seems to include every goat track in the Shire. Not every road carries a lot of traffic. A lot of roads are used by residents and their invitees only. If grids and gates must be removed, do it on roads that are through roads, that carry a minimum of traffic that is not just the residents and their invitees. There should be a "minimum use" test applied to the road, it must be a through road ie go somewhere and not be a dead end. There should be exemptions for roads that are not through roads (albeit that they are not designated as such). If no member of the public actually uses the road because it is a no through road, then that road should be exempt. We own the land on both sides of the road on 97 percent of Mannus West Road. It is a dead end/ dinky little no through road although not designated officially as such. Yet it is indicated by a very big sign on Tumbarumba-Jingellic Road. This has led to a B-double log truck, under the illusion that Mannus West Road was a through road to the forest to the west, going down that road and being unable to turn around when the driver realised the road went nowhere. It is fenced on both sides. But for the fact we have a turning circle at the end of the Mannus West Road which is our cattle yards, that truckie would have been really stuck. It is unfair on the public, to be given the illusion that a road goes somewhere when it doesn't. It is a significant waste of time, and possibly dangerous. That road is not passable all year around- you need 4 wheel drive in the Winter. We maintain the Mannus West Road ourselves and have done so for nearly 40 years. Dinky little No through roads such as this which are used only by a very few and their invitees should be exempt from this policy. Anyone else actually has no business using that road. The Shire needs to consider that applying this policy and enforcing it on every goat track in the shire is unnecessary, impractical and expensive. Aren't there more important issues to be dealt with? How many people are actually effected by the gates and grids on Mannus West Road? Or East Ournie Creek Road? What percentage of the driving public? We need a reality check here. This is not that important and does not deserve this level of attention.

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered





**Respondent No:** 16  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Aug 31, 2020 18:51:16 pm  
**Last Seen:** Aug 31, 2020 18:51:16 pm  
**IP Address:** n/a

**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode** 2729

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**Q4. What is your feedback?**

Please refer to attached PDF document

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** [https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/8cb1cacc473eb2b908adb7b74b1ecf1386d744ce/original/1598863854/Feedback\\_on\\_Draft\\_Public\\_Gates\\_and\\_Grids\\_Policy.pdf\\_7a00dded10e6a0c1e5e97cfe509b1cb7?1598863854](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/8cb1cacc473eb2b908adb7b74b1ecf1386d744ce/original/1598863854/Feedback_on_Draft_Public_Gates_and_Grids_Policy.pdf_7a00dded10e6a0c1e5e97cfe509b1cb7?1598863854)

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**Respondent No:** 17**Login:** Anonymous**Email:** n/a**Responded At:** Sep 01, 2020 15:51:32 pm**Last Seen:** Sep 01, 2020 15:51:32 pm**IP Address:** n/a**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**2729

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**Q4. What is your feedback?**

I think is the most stupid idea from the SVC Paying rates now especially in Adelong Some of the gravelled roads are a disgrace Can't get any roadworks done and now you want to make it worse by fencing roads Just had the worst fire season and to come up with this idea is utterly stupid

---

**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 18**Login:** Anonymous**Email:** n/a**Responded At:** Sep 02, 2020 11:14:51 am**Last Seen:** Sep 02, 2020 11:14:51 am**IP Address:** n/a**Q1. Full Name****Q2. Email****Q3. Postcode**

2642

**Q4. What is your feedback?**

see file attached

**Q5. You can also choose to upload a pre-prepared submission document here (optional)**

[https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/85a93883ce4d8fca73df3eb7e82034a4a004c32d/original/1599008401/Submission\\_regarding\\_SVC\\_Gates\\_and\\_Grids\\_Policy.docx\\_2079d2fa4a4502c33de8ecfe7c7fe4b1?1599008401](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/85a93883ce4d8fca73df3eb7e82034a4a004c32d/original/1599008401/Submission_regarding_SVC_Gates_and_Grids_Policy.docx_2079d2fa4a4502c33de8ecfe7c7fe4b1?1599008401)

**Respondent No:** 19**Login:** Anonymous**Email:** n/a**Responded At:** Sep 02, 2020 14:38:49 pm**Last Seen:** Sep 02, 2020 14:38:49 pm**IP Address:** n/a**Q1. Full Name****Q2. Email****Q3. Postcode**

2642

**Q4. What is your feedback?**

See attached- edited resubmission

**Q5. You can also choose to upload a pre-prepared submission document here (optional)**

[https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/85a93883ce4d8fca73df3eb7e82034a4a004c32d/original/1599021521/Submission\\_regarding\\_SVC\\_Gates\\_and\\_Grids\\_Policy.docx\\_d82f16aebddd2de2b80633da446171971599021521](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/85a93883ce4d8fca73df3eb7e82034a4a004c32d/original/1599021521/Submission_regarding_SVC_Gates_and_Grids_Policy.docx_d82f16aebddd2de2b80633da446171971599021521)



**Respondent No:** 20  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Sep 02, 2020 15:20:28 pm  
**Last Seen:** Sep 02, 2020 15:20:28 pm  
**IP Address:** n/a

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**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**

2611

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**Q4. What is your feedback?**

I fully support the argument/approach of Andrew MacDougall's submission whom has very succinctly provided sensible and valid reasons for retaining grids and gates under current arrangements, they are still needed for many of our remote rural location in the shire and we don't need further cost imposts. Obviously, if a region changes from primarily rural to more density of population, with better roads, higher traffic speeds, etc, then removal of grids and gates is inevitable for safety reasons. This isn't the case for all of our SVC shire. At Brindabella for example it is exclusively rural having substandard roads essentially unchanged in over 100 years. It is imperative that we don't hinder/compromise access from many of the dirt roads (read tracks) so as to impede ready access for firefighting appliances as Brindabella is very hilly with limited (at times impossible) access for fire fighting appliances should properties be fully fenced, it would be detrimental, the local roads see very little traffic, it remains very much a rural environment where a good common sense rural approach is required which includes fire hazard reduction via maximum grazing along the slender valley, this being the only place that provides some area of personnel and stock refuge in the case of wild fire. Recent studies by RFS specialists have reinforced the importance of managing the valleys non forested areas as we are surrounded by National Parks, Reserves and State Forest which have not provided adequate fire management control for many decades. We expect SVC to apply sound logic to the planning process, It is not rational to make planning decisions based on developed regional or city requirements when the shire is substantially 'Farmland' (except the vast tracts of government owned estate). In the case of Brindabella, the status quo should remain until there is significant change to the demography. The status quo also means that there should not be yet more red tape, levies, taxes, fees and charges just to go about our farming activities.

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

**Respondent No:** 21**Login:** Anonymous**Email:** n/a**Responded At:** Sep 02, 2020 18:18:44 pm**Last Seen:** Sep 02, 2020 18:18:44 pm**IP Address:** n/a**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**2729

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**Q4. What is your feedback?**

Dear Snowy Valleys Council, Unfenced public roads have been around for a long time. There is no substantial evidence that they are a safety problem. Most people who drive on public roads through rural properties are aware that livestock is present and will take care. Therefore, this policy is unnecessary and I urge the Council to abandon it. Thank you.

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 22  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Sep 02, 2020 19:57:02 pm  
**Last Seen:** Sep 02, 2020 19:57:02 pm  
**IP Address:** n/a

**Q1. Full Name**

**Q2. Email**

**Q3. Postcode**

2729

**Q4. What is your feedback?**

Landholders should not bear the brunt of the costs of Council deciding to upgrade rural roads by fencing and removal of grids and gates. Please see my attached letter.

**Q5. You can also choose to upload a pre-prepared submission document here (optional)**

[https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/54b2679c8329dfcb9aa15beef5ebfde4eb27afc2/original/1599040612/Grids\\_Gate\\_Response.docx\\_5d73dbbd8ec870a20362596534938fc6?1599040612](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/54b2679c8329dfcb9aa15beef5ebfde4eb27afc2/original/1599040612/Grids_Gate_Response.docx_5d73dbbd8ec870a20362596534938fc6?1599040612)

**Respondent No:** 23**Login:** Anonymous**Email:** n/a**Responded At:** Sep 02, 2020 21:35:59 pm**Last Seen:** Sep 02, 2020 21:35:59 pm**IP Address:** n/a**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**2729

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**Q4. What is your feedback?**

This proposal is outrageous and has very little logic that i can see. It is disruptive and impractical to any farming enterprise that has a public access road through it. I am disappointed that an elected councilor would waste time even considering the draft. If there are issues with an unsafe, non compliant cattle grid, then maybe that could be addressed without penalising the majority. The local rural community have been through enough this year. Give us a break and let commonsense prevail !

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 24**Login:** Anonymous**Email:** n/a**Responded At:** Sep 02, 2020 22:08:23 pm**Last Seen:** Sep 02, 2020 22:08:23 pm**IP Address:** n/a**Q1. Full Name****Q2. Email****Q3. Postcode**

2729

**Q4. What is your feedback?**

Strongly oppose, seperate document attached.

**Q5. You can also choose to upload a pre-prepared submission document here (optional)**

[https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/ff648e1951543776f7916a409e927c71fd02f783/original/1599048444/svc\\_grid\\_gate\\_policy.docx\\_ee8f94c2586babec1a93c4a2f90d5e9e?1599048444](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/ff648e1951543776f7916a409e927c71fd02f783/original/1599048444/svc_grid_gate_policy.docx_ee8f94c2586babec1a93c4a2f90d5e9e?1599048444)



**Respondent No:** 25  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Sep 02, 2020 22:50:25 pm  
**Last Seen:** Sep 02, 2020 22:50:25 pm  
**IP Address:** n/a

**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**

2729

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**Q4. What is your feedback?**

I am very concerned about this proposed new policy and I urge all councillors to vote against its implementation. This new policy is very different from the existing policy for the Tumut area, which currently allows for suitable grids to be used on roads in rural areas and does not require landowners to pay permit fees, remove their grids, pay for annual inspection, fence in roads, etc. I think it is wrong that such a significant change of policy can be proposed without many people knowing about it. Although the draft is one of a number currently displayed on the Snowy Valleys Council website, you will all understand that many farmers are very busy outside and do not spend much time browsing the Council website to check if there is anything new. Proposals for significant change like this should be sent out to potentially affected land owners just like DA proposals are sent to people likely to be affected. The current system of grids and gates has been in existence for many years and is an accepted part of country life - why the need to change it now? Although I believe there would be negative impacts across the area if this draft policy was introduced, the roads of personal concern to me and with which I am most familiar are the roads that run through the Westwood valley. Only three families live along the Westwood Road and its offshoots, and none of the roads are subject to heavy traffic. Apart from the residents, some days there may be no vehicles at all on many or all of these roads. So few vehicles do not warrant such drastic and expensive changes. The draft policy is not clear about which roads it would apply to. For example, what is a class 1 unsealed Road? Which roads are included under the term public road? If the Westwood Road, Sharps Road (not Sharps Creek Road), Millers Road and the road up along the Darlow Creek are included in the new proposed requirement, this would mean at least 11km of road to be fenced. Financially this would be an enormous burden, with fencing costs currently being over \$5000 per km. With fencing on both sides, the cost would be at least  $2 \times 11\text{km} \times \$5000 = \$110,000.00$ . This is an unreasonable expectation on anyone, let alone people who have already suffered huge losses in the recent Dunn's Road bushfires. Fencing off the roads would also result in paddocks being cut into smaller, non viable areas and also cutting off stock from existing water sources. Fencing along roads will also make it more challenging when there is a fire, as tankers and other vehicles will be unable to drive across paddocks to fight or escape from the fire. Or in the event of another bush fire, there will be more fences cut in more places and more fences flattened by bull dozers, all adding to the work, cost and distress for the land owners. The Westwood valley was settled many years ago and some of the roads have been in existence for over 100 years. Many of the existing paddocks have been designed around the location of the road as it currently exists, which would make cause a negative impact and additional, if road corridor fencing of the road was required. Paying for annual permits and annual inspections for 10 grids and three gates would also add considerably to costs and would be another financial burden. Likewise, having to purchase, erect and maintain warning signs, notices, only lane signed, reflectors, etc, would also be another additional cost along such lengthY stretches of road. Signs may be pushed over by cattle, shot at or vandalised Stock grids / ramps are a traditional feature of our rural area and are a cost effective, low maintenance method of allowing free vehicle traffic across properties. The new Draft Policy rationale for grid removal is safety, but I am not aware of evidence that demonstrates that roads with grids are more dangerous than other roads without grids - I would suggest that there are more vehicle accidents on roads that are fenced of and have no grids. The draft policy also states: "As a general principle, all Council Public Roads should remain unrestricted and accessible to the public at all times unless otherwise intended by the local road authority (Snowy Valleys Council)." I fail to see how maintained grids and unlocked gates in any way restrict or make public dirt roads inaccessible to the public. I am also concerned about this section of the draft policy, which states: In the event of Council performing road construction at a grid location, the grid will be upgraded to meet Council specifications. The responsibilities in such case are as follows:

4.4.1 Owner To pay Council for the purchase of a grid and associated items that meet Council's approval, and for grid signage and installation as per specification, as required: Where applicable, supply of materials and installation of any gates and fencing Maintenance of grid I am not sure what constitutes the stated road works that would trigger this clause, but I think it is wrong that the owner would have to pay Council to undertake the works if the owner was prepared to undertake the work themselves. The cost is clearly going to be much higher if Council undertook the work. I also find the draft policy to be unclear and difficult to follow. It contains many vague and non-specific terms and statements such as: It is therefore preferable to not have grids or gates on public roads however in some instances this is not practical. - preferable? Not practical? All other gates must be removed. - by when? If fencing is not practical a grid may be permitted in accordance with this policy. - what is not practical and who decides this - policy must mention Tumbarumba Shire Council I feel strongly that the draft policy should not be adopted, please consider all these concerns.

**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 26**Login:** Anonymous**Email:** n/a**Responded At:** Sep 03, 2020 08:01:28 am**Last Seen:** Sep 03, 2020 08:01:28 am**IP Address:** n/a**Q1. Full Name****Q2. Email****Q3. Postcode**

2729

**Q4. What is your feedback?**

See attached file

**Q5. You can also choose to upload a pre-prepared submission document here (optional)**

[https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/d1b5d05fc6f5c91c6d3630381ec6e705d679cc6/original/1599084060/Snowy\\_Valley\\_Gates.pdf\\_d82d9c9fe3a47d04f13e8297cfa089ac71599084060](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/d1b5d05fc6f5c91c6d3630381ec6e705d679cc6/original/1599084060/Snowy_Valley_Gates.pdf_d82d9c9fe3a47d04f13e8297cfa089ac71599084060)



**Respondent No:** 27  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Sep 03, 2020 09:30:28 am  
**Last Seen:** Sep 03, 2020 09:30:28 am  
**IP Address:** n/a

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**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**

2729

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**Q4. What is your feedback?**

I am totally amazed that this draft policy is on the table at this time when farmers and rural landowners are completely consumed with the enormous fire recovery, coping with the Covid19 virus implications, following on from several drought years. It is hurtful and extremely inconsiderate. At any point in time the expected road fencing would add huge cost to the landholder, would need years of planning for budgeting, for paddock reconfiguration, for access to water, new water systems and or yard facilities, and access to homesteads. Surely signage is sufficient. Maybe a speed limit could be introduced as in School Zones. Cannot the users of these roads continue to use their respectful courtesy with caution when driving. Another issue of vital importance is the fire risk from the build up of vegetation and weeds and the weeds invading into the grazing paddocks. More 'red tape' is not what any farmer needs. SVC works with and for the betterment of the community for which we are grateful. However aggravating the hard working rate paying food producers in the Council with this draft policy at this time is detrimental. Thank you for reading my submission.

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

**Respondent No:** 28**Login:** Anonymous**Email:** n/a**Responded At:** Sep 03, 2020 12:08:21 pm**Last Seen:** Sep 03, 2020 12:08:21 pm**IP Address:** n/a**Q1. Full Name****Q2. Email****Q3. Postcode**

2729

**Q4. What is your feedback?**

Please see attached.

**Q5. You can also choose to upload a pre-prepared submission document here (optional)**

[https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/ea943b0749117385604a99d72e6b7048831f3a53/original/1599098899/Draft\\_Public\\_Gates\\_and\\_Grids\\_Policy\\_Letter.pdf\\_fce2f96ff07384373aefd2e5dd147574?1599098899](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/ea943b0749117385604a99d72e6b7048831f3a53/original/1599098899/Draft_Public_Gates_and_Grids_Policy_Letter.pdf_fce2f96ff07384373aefd2e5dd147574?1599098899)



**Respondent No:** 29  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Sep 03, 2020 14:01:04 pm  
**Last Seen:** Sep 03, 2020 14:01:04 pm  
**IP Address:** n/a

**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode** 2729

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**Q4. What is your feedback?**

see attached file

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** [https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/f2420ca72cfe49e443210a5040c7f7503313d018/original/1599105574/FEEDBACK\\_RE\\_STOCKGRID\\_POLICY.docx\\_c33c6f5079bf573719903c3d1c01dfa9?1599105574](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/f2420ca72cfe49e443210a5040c7f7503313d018/original/1599105574/FEEDBACK_RE_STOCKGRID_POLICY.docx_c33c6f5079bf573719903c3d1c01dfa9?1599105574)

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**Respondent No:** 30  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Sep 03, 2020 16:54:28 pm  
**Last Seen:** Sep 03, 2020 16:54:28 pm  
**IP Address:** n/a

**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode**

2650

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**Q4. What is your feedback?**

This is perhaps the most poorly drafted piece of governance I have seen. It is Inaccurate, Unbalanced and frankly reflects questionable competence. Seriously. Have you got nothing better to do with your time but heap more arbitrary compliance and cost on a community (that you are supposed to serve) that is already struggling to recover from the adversity of recent fires and now Covid?

1. Strategic purpose. "...is to ensure the safety of Snowy Valleys Councils road network" - Grids may contribute to the safety of the road network but to portray grids as the sole or even principal issue to be addressed that would ensure safety is laughable. Does this reflect the level of council understanding of the range of factors that actually do materially contribute to safety? Such as road design, road construction and road maintenance. All actually core responsibilities of Council. "Councils long term intention is to not have any grids at all and for road corridors to be fenced" - Why? Who actually wants this? On what basis is this proclamation made. Where is the evidence of net benefit of this change to either the rate payer or public?

2. Policy statement "Stock grids...as such only benefit the landholder." Garbage. Landholders of unfenced roads manage the land area in a way that benefits both the council and the road user. By grazing the land up to the road edge the landholder assumes custodianship of that land and therefore saves the council from needing to: a) spray the verge free of vegetation b) spray weeds on the wider land area c) remove (grade) excessive vegetation from the road drains that impedes their efficacy d) address the issue of excessive bushfire fuel load e) In many cases the landholder will keep drains clean by a timely shovel out and cut up and remove fallen timber also (you can expect all these services done under goodwill for the benefit of the community to cease with the adoption of this adversarial fenced road policy) The road user benefits by actually having all the above maintenance services done on an ongoing basis which does contribute to their safety.

3. Definitions Road "that portion of land between property boundaries..." Does the Council not realize how vast a proportion of their roads where not actually built within the surveyed area and its implication? If so what is being done to address this?

4. Permits. "owners of existing grids and gates must apply for a permit from Council" What functionary within council is responsible for this approval and what is the hearing and appeals process?

4.2.1 "Grids have the potential to impact upon the safe and efficient passage of the road user..." - equally so does the inadequately maintained fenced road area which is common in the absence of landholder custodianship as outlined in section 2 "also result in higher road maintenance" Really ??? Road surface maintenance minus the cost of the road side maintenance provided at no cost by the landholder as outlined in section 2 "grids will only be considered where the cost of fencing is substantially more than the cost of fencing" - it has been stated elsewhere that fencing and/or grids are all at the landowners cost so how is that councils decision? "grids will only be permitted where the total length of road boundary fencing associated with each structure is greater than 1200m" This is completely arbitrary- where does 1200m come from? On what basis can that be justified when no consideration is being given to the difficulty of fencing - ie terrain, slope, course of fencing requiring multiple end assemblies, flood gates through major waterways etc etc And NO consideration has been given to the possible balancing public benefit - ie traffic count Does the council not realize that fencing roads will necessitate the creation of many more property access points off that road and may actually increase the total number grids required within a given road length just so landholders can access their property off the fenced road.

4.11 "where rural properties are subdivided to create any additional lots that may contain dwellings, council will require the removal of existing gates and grids..." Clearly this is calculated to exploit Councils opportunity to exercise arbitrary power at the point of DA. Again NO consideration has been given to the possible balancing public benefit - ie traffic count. Grids might be deemed fine to serve say 10 houses on one road and then on another road an increase from 1 house to 2 is unacceptable to Council?

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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**Respondent No:** 31  
**Login:** Anonymous  
**Email:** n/a

**Responded At:** Sep 03, 2020 23:31:05 pm  
**Last Seen:** Sep 03, 2020 23:31:05 pm  
**IP Address:** n/a

**Q1. Full Name**

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**Q2. Email**

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**Q3. Postcode** 2720

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**Q4. What is your feedback?**

The first thing that came to mind is who or what caused this to be put forward into a policy. Has there been a problem with the current situation? Why add more "rules".

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**Q5. You can also choose to upload a pre-prepared submission document here (optional)** not answered

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Dear Snowy Valleys Council,

I am writing to you in relation to the draft policy for Public Gates & Grids.

Firstly I would like to bring to your attention as an affected landholder within the SVC that we have not received any notification about this policy. This in itself is unfair and of questionable transparency.

I am strongly opposed to the policy for many reasons which I will cover below.

Firstly in relation to safety on roads I would like to bring to your attention far more pressing safety issues, other than gates and grids, that are council's responsibilities which have been neglected for years.

1. Severely eroded gutters considerably narrowing the road and making moving over to pass another vehicle extremely dangerous.
2. Blocked culverts. A large number of culverts are blocked and have been for years. Many do not have a head wall allowing for erosion into the pipe causing silting of the pipe and narrowing the road to a dangerous width. There are no warning signs for many of these culverts. There is water permanently flowing across the road in places where culverts are blocked or need to be installed, once again there are no warning signs.
3. Gravel road surfaces are poor in many places where the sheeting has been graded off to expose red clay which is very slippery in wet conditions.

In light of the recent devastating fire season within the SVC I cannot comprehend council wanting to fence these country roads. This will lead to unnecessary corridors of high fuel loads throughout our community. Currently livestock graze to the roads edge removing fuel loads. Access on and off fenced roads to fires is far more difficult and dangerous than it is from an unfenced road. Safe access to private water sources is also vital in bushfire situations; the fencing of roads will impede this access. Before further consideration of this policy you must make yourself aware of the findings from the NSW bushfire inquiry. The Gates & Grids policy will fail in many areas when it comes to protecting our local community. It is a big report to get through but I bring to your attention recommendations 20, 24 & 32 for starters.

The council will need to factor in the added massive expense of controlling weeds such as Blackberry, Briars, St Barnaby's Thistle, Bathurst Burr and Serrated Tussock just to mention a few, on the additional fenced roads where landholders are currently doing the job with no expense to council. Another expense council will need to consider is the removal of debris following storms and the filling in of potholes. Currently most of this is done by the landholders; this will no longer be the case on fenced roads council will be expected to deal with the problems.

Many of these roads are not within the surveyed boundary. I would imagine council will have to realign these roads to be back within their surveyed boundaries to implement the policy.

In many cases, fencing the road will cut off stock from access to water.

Not every road in Australia needs to be of a highway standard. Australians for generations have been used to dirt country roads with grids and gates and have largely accepted them for what they are. In fact many people like to get out of the cities onto these roads to see the real rural Australia. By far the majority of landholders are concerned about safety on these roads and are very willing to repair or replace grids and gates as required. A friendly discussion with council should be all that is needed, not an aggressive policy being thrown at them. There is far too much red tape within this country, let's not create more where it is not necessary.

As a farmer within the SVC paying just under \$20 000 pa. in rates I request that our rate money is spent wisely. This policy is unfair and has been drafted by someone who doesn't understand our local community. As a council your responsibility is to manage the affairs of our SVC region, I ask that you do so in an open and fair manner.

Our community is currently suffering from the long term effects of the recent bushfires as well as coronavirus and other issues such as Trans grid. Mental health and financial stress as a result of the fires should be of your highest priority. Implementing this policy will only add to the pressure. The expenditure involved to implement it will not be of any benefit to the greater local economy. Money spent on permits and unnecessary fencing etc. is less money available to be spent within local businesses.

I ask that council condemn this policy in the best interests of the community.

Regards

### **Feedback on Draft Public Gates and Grids Policy**

I would like to express my concern and dismay that Council would even contemplate implementing the Draft Grids and Gates Policy.

This policy defies any common sense or logic, and serves no purpose other than causing considerable cost and increased disruption to farming practices.

Given that cattle grids/ramps have been used successfully and safely for many decades all over the world, why are they suddenly considered a safety concern in this area ?

The policy document is ill-conceived and has no consideration for those land-holders (i.e. the rate payers) who rely on cattle-grids and gates to manage their operation, when most of the gates and cattle grids are only on minor gravel roads which usually only carry local traffic.

There are many flaws in the policy document, such as:

- "livestock cause damage to roadways" - this is a ridiculous statement, as it is motor traffic, erosion and general weather-based wear and tear that cause the damage to gravel roads.
- "fencing is a lower cost than cattle grids" - another untruth, given that a high-standard cattle grid can cost maybe \$3,000 to \$5,000, whereas costs of fencing are currently estimated at around \$10,000 per km by the insurance companies.
- "Grids reduce safety to the public" - in most instances the landowners maintain their cattle grids to ensure they are safe for everyone. Since the grids are generally on gravel roads, used for local traffic, why are these grids now a safety hazard where that's never been an issue in the past ?
- "Permits and signage required on approved grids" - this does not make sense, other than being unnecessary bureaucracy and another revenue-raiser for Council.

Looking at the bigger picture, if cattle grids were removed completely, then that leaves a large corridor for any livestock to travel unchecked, if an animal were to straddle a fence (which inevitably can happen with a large animal such as an unsettled bull). Surely this is a greater risk to the public. And for those land-owners who have to cross a roadway to move between paddocks or to yards - that's now a task which requires additional manpower to prevent livestock escaping in either direction on the road corridor when moving stock across the road.

And what about those paddocks that span a roadway, but only have the water supply on one side of the roadway. Suddenly that makes one paddock useless if it's fenced-off, as it may not contain a water supply for livestock.

Also consider the number of grids throughout the state forests and national parks in the Council area. How likely is it that these large organisations would be willing to conform to such a Policy ?

Lastly, please consider just how much our locals have been through in the last 9 months, and the amount of time and money already spent on replacing burnt fencing. No-one wants to, nor should they have to be burdened with the huge cost of even more fencing.

If this policy were to be taken any further, you can be sure the backlash will be unprecedented.

## Submission regarding SVC Gates and Grids Policy

Firstly, we would like to express how disappointing it is that this policy is being brought up at the back of a crisis primary producers have experience being that of the recent fires.

Having to potentially needing to reassess fencing could pose further stress not to mention unnecessary financial strain.

If the roads are fenced off there are extra costs to council, in that:

- implementing the policy itself
- policing and managing this policy
- fire risk
- weed management
- extra road maintenance- including drainage
- reduced access to the roadsides, e.g, tree felling

It is imperative to be realistic about the amount of use by the public these roads have- majority would be leading nowhere significant for a traveler and most of the buildings and sheds would only require access to by the owners of the properties sharing the road boundaries.

Easier access would only encourage unnecessary through traffic creating a biosecurity issues and increasing the risk of illegal hunting.

Fenced off roads will make access far more difficult for services such as Telstra, RFS, Essential Energy, not to mention, the landholder.

Lack of gates will increase traffic speed – a far more serious safety issue. Also, grazing on roadsides would be reduced with the potential result being higher weed infestation and increased fire risk.

We are certain there are far more pressing and important issues council could expend their time and finances on- from what we can ascertain there is no precedence of issues leading to the tightening of these policy items.

Primary production in the SVC provides significant financial support to local businesses, not to mention employment especially in the current pandemic crisis. Rates are extremely expensive with little in return; we feel it is the council's best interest to support the industry not put on further pressure with unnecessary policies.

1/9/2020

Snowy Valley Shire

Dear Sir/Madam,

RE: Grids and Gates Policy Draft

We have read the draft policy from the Shire. We feel that the Agricultural Landholders in this district are left relegated to a revenue raising tool rather than a beneficial group to the Shire. We have been hit hard by the 2020 bushfires, many with farms burnt out. We pay high rates. We are responsible for many things on our properties that many people in town never even have to consider. Now with the gates and grids policy we are responsible for the road surface on which they may sometimes drive. Currently we have grids and gate access for stock control purposes. We would argue that roads are safer if drivers slow down. If we fence all these roads and remove grids public road users will drive faster as road surfaces improve. If stock then get onto these areas it is more dangerous as stock can be hit or driven at faster speeds onto more dangerous heavier used roads. Even with great fencing stock can still get out and be hit. Agriculture in this region should be encouraged not burdened by legislation such as this. Council should be assisting graziers and growers to develop their businesses, not hamper them with additional costs. When the draft policy is reviewed I feel that these things should be considered as part of going forward in the region.

The Snowy Valley Shire is an area that is steeped in history of agriculture and forestry. To say that the areas long term goal is to fence all road corridors and to have no gates and grids does not sit comfortably in this context. The overall purpose of this policy of gates and grids should be to create a safe and useful system of roads and road networks that suit the purpose and needs of the predominant groups of businesses in the Shire. Many of our roads were gazetted and have been established over a long period. As local land use has changed so should the nature and network of our roads. A blanket policy of no grids and gates doesn't suit the purpose of the land in the area.

An overall birds eye view of our systems should see where traffic flows. Roads on differing levels should have differing requirements. Areas that a predominantly and primarily primary industries shouldn't have thoroughfares that are suitable for general traffic. Developing traffic flow plans whereby local traffic entering areas with stock, grids and gates goes hand in hand with the industry. It is not only a stock management tool but surely these grids and gates slow down cars, trucks and other vehicles. If many areas are to be fenced on existing unsealed roadways it will mean traffic will just increase in speed. Subsequently becoming more dangerous to the drivers and landholders using the roadways for machinery and also for stock movement.

We live on Ellerslie Road. If we fenced our section of Ellerslie Road it would become more dangerous for us. Our house is on one side of the road and our yards and shearing shed etc are on the other – moving stock across a fenced area with faster moving vehicles would be incredibly dangerous. Also if stock do get through a fence – as they inevitably do no matter how good the fence is, it will become more dangerous as stock will be able to easily make their way onto the Snowy Mountains Highway and therefore increase the likelihood of accidents. The cost to the landholder of fencing large stretches of road is very expensive. Post fire damage in 2020 we couldn't afford to do this. Also if the Shire wishes the landholder to be responsible for the cost of meeting the upgrade of existing facilities, it will be impossible for us to do so under the financial strain of bush fire recovery. The Council should upgrade and bear the cost of such grids particularly where there is a change of use ie: allowing forestry to grow into areas that means a large change of use of the existing roadways. We all have to work together to make our environment as safe as possible.

Further to these issues if we fence off all roads we create more arteries that are not grazed and will build material/fuel loads. Leading to higher fire risk. Also if roads are fenced off how do we then manage the possibility of drovers coming through our areas and profiting from grass that is technically on our land?

This is how we feel that the policy should read:



Strategic Purpose:

The Council's long term intention should be to have a policy that creates the best and safest roads that includes the use of tools such as gates and grids to best suit the purpose of the roads, the road users and the community.

Policy Statement:

Roads Act of 1993 requires permits for stock grids and gates and that these only serve a purpose of controlling stock. In a shire that has large areas with grazing and agricultural roads should be developed with their intention in mind. They should include the use of stock grids and gates to assist in moving stock safely around these areas. The safe passage of the road user will be ensured with the use of all tools such as grids and gates to allow for safe travel at safe speeds in areas where stock may be traversing.

Ownership and responsibility of grids and gates should be co-owned by the Council and Landholders. Council should assist landholders to install grids and gates of a high standards to assist drivers safe passage through areas that are public roads. If existing grids can be replaced by safely fencing out small areas it should be considered. Otherwise safe grids and signage can be installed by Council approved installers and managed by Council.

4.1 – Existing grids should be exempt from requiring purchase of permits. The Council should bear the cost of annual inspections and completed at the same time as the inspection of the road surface.

4.2.1 - Any new grids requiring instalment should go through a one off permit process with Council. Subsequently Council should oversee the maintenance of the grids.

4.2.2 – Costs should be to Council if more than the landholder access the property via grids.

4.3 – Council should maintain grids after grading road surfaces. Currently many grids can easily be filled with material spilling into the grids after grading.

4.4.1 – Council should purchase a new grid if they specify the existing grid does not comply. This should be negotiated with the landowner.

4.6 – Maintenance costs should fall to council if many road users use the road.

Signage – to make for consistent signage after Council has provided consistent approaches and compliant grids and gates – the council should provided signage and install the signage so that it is installed correctly and in the most visible places for road users. It will therefore be consistent to all areas in the shire and drivers will subsequently be appropriately advised for safe use of the road.

Insurance for landholders is very expensive – public liability insurance is essential but specifying the insurance premiums shouldn't be dictated to landholders. The shire should also bear part of this cost.

There are many onerous costs falling on landholders. There should be financial support from the Shire to improve the roadways for safety to all road users and to assist landholders.

We thank you for your time in reading our contribution to this policy. It needs to be fair and not fall entirely on the landholder.

We look forward to hearing your response.

Yours sincerely

We refer to the proposed policy for gates & grids to which we oppose.

We travel more on the old Tumut Shire roads than Tumba shire roads with articulated vehicles for Stock & rural needs.

I feel most grids are up to standard & those that are not are given a fair time scope to replace them due to fires & drought.

Andrew MacDougall's comments in Tumut & Adelong Times for mind are 100% correct.

I must say the timing of this by SVC seems heartless with what the landowners have endured, the worst fires experienced by everybody, our senior graziers included.

Farmers have had to replace many kilometres of fencing lost to the January fires & now on top of that, corridors to be fenced, you don't think they've had enough of the pliers & fencing wire !!

Do you not think there would be a huge fire risk with metre high dry grass, 20mts wide in these corridors?

Its absolutely ridiculous that we're supposed to get rid of fuel load not increase it. Then there's the issue of noxious weeds.

Will SVC spray broad leaf – various thistle, cape weed, Patterson curse in Autumn & then blackberry, St Johns Wort & briars at other times ? At what cost ??

Our residence is on a public road & for forty years we have sprayed the wort not shire. For the rates that landholders pay, road maintenance is all they receive..

It seems excessive to stipulate a 14-ton axle weight when RMS maximum axle weights are 6-ton steer & 8-ton dual wheel for heavy vehicles.

It is very generous of SVC to give farmers reflectors whilst farmers are to pay for all the signage & maintenance.

SVC, tell us why tar & dirt roads can't have grids when for sake of argument, the main road between West Wyalong & Cobar have them !!

May I suggest if a driver cannot see cattle grids then they should not be driving.

Also, for safety reflectors, perhaps paint white side panels & as for the remaining signage I think a bit excessive. These roads are only local traffic, not main roads or highways.

Another theory to ponder, three property owners all along same road, 1<sup>st</sup> owner has 5 kms of road to be fenced off, 2<sup>nd</sup> owner has 5 kms of road to be fenced off, then the 3<sup>rd</sup> owner at the end of the road doesn't have to contribute. Now where is that fair?

This seems to be a huge cost for farmers & not to mention the ongoing permit costs.

### Snowy Valley Gates/Grids Policy

I strongly oppose the draft policy for a number of reasons.

The current system works well. Stock grids have been used since pre Roman times and are used around the world. Your policy states that “grids also reduce safety to members of the public”, however, a quick google search of the safety of stock grids brings up no relevant incidents.

I am city born and once had very little rural experience, however, I encountered my first stock grid as an adolescent and managed with common sense to slow down and negotiate it with ease.

The recent bushfires which we personally endured would have been significantly worse if the roads were fenced and had not been grazed. It would have sent the fire closer to my house and spread faster through our property to neighbouring ones and on and on. Not only would the extra fuel loads have been devastating there would have been poor access for the fire units. As it was, units were able to exit the road into the paddock to access the fire and water sources. This access was not, “only of benefit to the landowner” as the policy states but to State Forests and the whole community.

Many of the roads are not within the surveyed boundary, some are considerably out which means that many of the grids (and bridges) are actually located on private land.

We pay a huge amount of rates for very little return. I think signage paid for by the council may be a good idea. You would also need signage indicating that many roads are only wide enough for one car. On our road for example cars need to move into the paddock for another car to pass with no warnings signs and in places roads are so badly repaired it is dangerous to do so. While they are adding signs they can place one at the bridge through our property which was built in 1988 which still doesn't have a single lane warning sign. Nor does it have “adequate sight distance”.

We write in relation to the **Draft Public Gates and Grids Policy** as advertised on the Snowy Valleys Council website.

As a landholder that has a public road running through the middle of our property, the changes made from the previous Tumut Shire Council Stock Grid Policy are very concerning.

Whilst the document states that “Grids have the potential to impact upon the safe and efficient passage of the road user” it does not acknowledge that fencing stock off roads also has its own potential to impact on the safe and efficient passage of the road user.

Fencing out road corridors creates bulks of feed and long grass on the roadside, which is often not possible to be mown or slashed. Long grass on the side of the road creates visual cover for native animals and livestock to be concealed from drivers, which only appear when they are scared by the approaching vehicle and dash onto the road. Rural fencing cannot be 100% effective at all times and livestock will always get out onto roads, particularly when there is long grass on the roadside enticing them. It is our experience that the road fenced gives drivers a false sense of security that animals will not be on the road or on the roadside, when they should actually be more vigilant in these areas. It is our personal experience that, in this area, all accidents involving stock have been on roads that are fenced out.

During the summer months, bulks of feed on the side of fenced out roads become a fire hazard and create an ignition point for a bushfire. Additionally, fencing also makes bushfire fighting vastly more difficult and dangerous. Being able to cut off the road and drive through a paddock whenever you need to is a significant advantage to fire fighting. Whilst fencing can be cut, when you are driving along a road and there is long grass on the side of the road, navigating a vehicle safely across the long grass before cutting a fence is not possible.

During the summer of 2020 the volunteers for the Rural Fire Service defended along the edge of the NSW State Forest Boundary and did much of this accessing Council roads. Any volunteer would agree that during this time, every fence in your path was a hindrance to your safety and your ability to fight a fire. At times it was a matter of minutes in the difference between an outbreak being contained and getting out of control. Looking for gateways along these roads could be the difference between a fire being contained and a fire impacting a town.

Based on the above reasoning, and additional reasonings listed below, we believe the following changes should be made to the document:

The initial statement in *Section 1, Paragraph 2* is unreasonable and should be removed entirely. It sets the tone for the entire document and gives the impression that Snowy Valleys Council intend to make it as difficult as possible to maintain grids on their property.

*Section 2, Paragraph 4 – Remove highlighted:*

Stock grids and gates are structures constructed on a road for the purpose of controlling stock movements and as such are only of benefit to the landowner. They serve no other purpose than to control stock. They have the potential to impact upon the safe and efficient passage of the road use. It is therefore preferable to not have grids or gates on public roads however in some instances this is not practical.

**Reason:**

Possibly the explanation of what a stock grid and gate are could be included in the strategic purpose. However, given that roads are built for the benefit of landowners it is extraneous to include to identify stock grids in this purpose.

**Section 4.1, Paragraph 2:**

The previous policy did not require owners of existing gates or grids to apply for a permit nor pay a fee for the application and a following annual fee for inspection.

It would be acceptable for council to request that owners of existing gates and grids advise council of their location, in a similar manner to the swimming pools register, although we suspect Council would already have this information. A fee to obtain a permit for a grid or gate that is already in place is unreasonable and would appear to be blatant revenue raising. There is also no time frame on this, how will landholders know when they are required to submit application for permits?

Secondly given that there has been no process for inspected grids and gates in the past, requiring land holders to pay an annual fee for this is unreasonable. There would be no reason for gates and grids to be inspected annually.

**Section 4.2.1, Paragraph 1 – Remove**

Is there any evidence that confirms that livestock damage the road? More so, is there any evidence, perhaps from insurance agencies that on minor local roads there are more accidents?

The paragraph says that in some instances that fencing the road is not practical due to the length involved. Actually, our personal experience is that the greatest limitation to fencing out roads is livestock management, pasture management and stock access to water. This policy includes a lot of information about the negative impacts of grids and gates, to random road users, when in fact, local landholders are the majority users of these roads. We are also running a business from these properties and making economic decisions based on the ensuring our livestock are safe, have access to feed and water and we are best utilising our pastures for grazing management.

**Section 4.2.2**

Whilst we appreciate the need for time frames on works to be carried out, thirty (30) days is not a reasonable amount of time to have a contractor to undertake work. We appreciate the need to undertake work as soon as possible and the need for the Policy to have time frames on this. But as Council would be well aware, repairs can often take months for suitable conditions and machinery to be available. We would suggest that a time limit be placed on the engagement of a contractor to complete the works, which could even be (14) fourteen days. But a more reasonable amount of time is required to complete the work.

**Section 4.6.2**

A one size fits all is not appropriate for cattle grids. The load capacity and width of the grid should have consideration for the local users and requirements of the landholders. In particular, roads that are not suitable and not maintained to be suitable for heavy vehicles should not require a grid that is above the capacity of the road.

Additionally, whilst we acknowledge the need to have set specifications for new grids and for grids that have been deemed unsafe. If a current grid is in situ and has been meeting the requirements of the local traffic, there needs to be some concession to allow the grids to be left as they are.

*Section 4.8*

Suggest changing from Tumbarumba Shire Council to Snowy Valleys Council.

In closing, we are also concerned about the process for ensuring landholders are aware of their obligations. Given the changes over time to media, advertising in the local paper is no longer a viable method of communicating with landholders. Given the current availability of social media and also the ability for Council to collect and have e-mailing lists, this would seem a more prudent method of communicating and advertising Policy and Procedure.

I thank you for your time and consideration of our concerns with the Draft Public Gates and Grids Policy.

Kind regards

## FEEDBACK RE STOCKGRID POLICY.

1. Who pays for the fencing? Many farmers in the SVC recently lost a lot of fencing in the Dunn's Road fire. Are they expected to cover the full cost of road fencing forced upon them by the council?
2. Fenced roads create a substantial fire hazard during the fire season due to the greatly increased fuel load compared to unfenced roads which are grazed as part of a paddock. The danger of areas fenced away from stock was recently demonstrated in the Dunn's Road fire. A section of the Yaven Creek fenced off from stock became an inferno, resulting in the direct loss of a dwelling.
3. Fenced roads with a lot of feed during times of feed shortage also become attractive to travelling stock, greatly threatening biosecurity requirements.
4. In some locations, fencing a road greatly affects paddock management – new paddocks created by the fencing may be too small to be useful or may not have a suitable water supply.
5. Stock grids often have the added bonus of being 'speed humps', limiting dangerous driving behaviour.
6. Ill will. A lot of rural rate payers already feel great ill will towards local government. Most rural rate-payers are probably paying in excess of ten times per person into the coffers of the council, for benefits that we basically share equally per person. Is that fair. A lot of farmers probably pay more in rates than they do in income tax, so they probably do not have the ability to pay ten times more than others. Adding more council costs onto rural ratepayers in the form of forced fencing or grid fees will lower the good will even further.
7. Council roads with little use. In my locality there are at least two council roads (Spring Creek Road, Dunn's Road through to Tarcutta) that are rarely used by the public, but they do have the right to use them. These roads are not maintained by council – they are council responsibility - ; are they exempt?

**7. MANAGEMENT REPORTS****7.4 RESCINDMENT OF POLICIES - COMMUNITY & CORPORATE**

**REPORT AUTHOR:** EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE  
**RESPONSIBLE DIRECTOR:** EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE

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**EXECUTIVE SUMMARY:**

This report seeks the determination of Council to rescind the policies listed in Table 1 below. These policies have been superseded due to their inclusion in newly developed policies.

**RECOMMENDATION:****THAT COUNCIL:**

1. **Receive the report on Rescindment of Polices – Community & Corporate.**
2. **Rescind the following policies:**
  - a) **Awnings over footpaths**
  - b) **Dining Areas and Display on Footpaths**
  - c) **Busking Policy**
  - d) **Street Stall and Fundraising on Footpaths Policy**
  - e) **Display of Private Second-Hand Vehicles for Sale**
  - f) **Enforcement Measures – Companion Animals Management**
  - g) **Leash free dog exercise area**

**BACKGROUND:**

The policy review and development of required policies was undertaken to achieve the SVC Community Services Policy Harmonisation.

The Draft policies are intended to establish sound practices that lead to clear, consistent and concise decision making when implementing community services in the Snowy Valleys LGA. These policies will enable the implementation of inclusive, resilient and equitable provision across all community services.

**REPORT:**

Through the review of policies and procedures undertaken to achieve policy harmonisation across the spectrum of SVC policies, a number of new policies were developed that have scope and breadth to include the matters addressed in a number of existing policies. The policies proposed to be rescinded in this report have been absorbed into two overarching policies; the Street Activities Policy (SVC-COR-PO-108-01) and the Companion Animals Policy (SVC-ENV-PO-107-01).



Table 1

<b>Policy Name</b>	<b>Internal or Public</b>	<b>Comment</b>
Awnings over footpaths	Public	Included in Street Activities Policy
Dining Areas and Displays on Footpaths	Public	Included in Street Activities Policy
Busking Policy	Public	Included in Street Activities Policy
Street Stall and Fundraising on Footpaths Policy	Public	Included in Street Activities Policy
Display of Private Second-Hand Vehicles for Sale	Public	Included in Street Activities Policy
Enforcement Measures – Companion Animals Management	Public	Including in the Companion Animals Policy
Leash free dog exercise area	Public	Including in the Companion Animals Policy

**LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:****Integrated Planning and Reporting Framework:****CSP Outcome 2028**

Theme 4: Communication &amp; Engagement

**Delivery Outcomes**

1.7 Manage Council's resources in a manner which is equitable and ensures organisational sustainability

**Operational Actions**

4.4.1 Provide quality customer service delivery and processes in line with the adopted Customer Service Framework, Service Deliverables and Customer Service Policy

**SUSTAINABILITY ASSESSMENT:**

Nil

**Financial and Resources Implications**

Nil

**Costs and Benefits:**

Nil

**Policy, Legal and Statutory Implications:****RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:**

Nil

**OPTIONS:**

Council may seek further information and refer this matter to a future meeting.

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

No

**ATTACHMENTS**

Nil

**7. MANAGEMENT REPORTS****7.5 ENFORCEMENT POLICY - FOR ADOPTION**

**REPORT AUTHOR:** EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE  
**RESPONSIBLE DIRECTOR:** CHIEF EXECUTIVE OFFICER

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**EXECUTIVE SUMMARY:**

To present to the Council the draft Enforcement Policy for adoption. No submissions were received for this policy.

**RECOMMENDATION:****THAT COUNCIL:**

- 1. Receive the report on Adoption of Draft Enforcement Policy**
- 2. Adopt the Enforcement Policy SVC-ENV-PO-077-01**

**BACKGROUND:**

The Enforcement Policy is to assist Council employees to act promptly, consistently and effectively in response to allegations of, or confirmed incidents of unlawful activity within the Snowy Valleys Council Local Government Area (LGA).

**REPORT:**

The principle objective of the Enforcement policy is to establish clear guidelines for the exercise of discretion in dealing with allegations of, or confirmed incidents of unlawful activity.

This policy aims to assist councils to engage more effectively with individuals and businesses who may be breaking the law.

The term 'enforcement' is used in these guidelines to mean both actions taken against parties in response to evidence of unlawful activity, and also to the processes preceding such action: responding to allegations of breaches, inspecting, assessing and investigating potential unlawful activity.

Enforcement also includes processes prior to making a decision not to enforce the law in particular circumstances, despite evidence or allegations of non-compliance.

Snowy Valleys exhibited the Draft Enforcement Policy for public exhibition from the 15 May to the 13 June 2020 and received no submissions.

**LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:****Integrated Planning and Reporting Framework:****CSP Outcome 2028**

Theme 5: Our Infrastructure

**Delivery Outcomes**

5.2 Provide well maintained safe, vibrant and accessible community spaces and facilities

**Operational Actions**

Choose Operational Plan Activity

**SUSTAINABILITY ASSESSMENT:**

	<b>Positive</b>	<b>Negative</b>
Social	Engagement of communities in the LGA through community groups	Nil
Environmental	Provide a vision for increased perception of safe and secure environment	Nil
Economic		
Governance	Nil	Nil

### **Financial and Resources Implications**

#### **Costs and Benefits:**

Nil

#### **Policy, Legal and Statutory Implications:**

Section 28 of the Local Government Act 1993

#### **RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:**

Nil

#### **OPTIONS:**

Nil

#### **COUNCIL SEAL REQUIRED:**

No

#### **COMMUNITY ENGAGEMENT AND COMMUNICATION:**

The formulation of this policy was in consultation with the public through:

- Media: newspaper, website, and libraries
- Exhibition opened: 15 May 2020
- Exhibition closed: 13 June 2020

#### Attachments

- 1 Draft Enforcement Policy (under separate cover) [⇒](#)

**7. MANAGEMENT REPORTS****7.6 ADOPTION OF CHILDREN'S SERVICES POLICIES**

**REPORT AUTHOR:** MANAGER COMMUNITY SERVICES  
**RESPONSIBLE DIRECTOR:** EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE

**EXECUTIVE SUMMARY:**

This report seeks the adoption by Council of the Draft Suite of Children Services Policies including the Children Services Handbook – SVC – ChildServ – F-163.

These policies have been on display for three months to enable feedback from all stakeholders.

**RECOMMENDATION:****THAT COUNCIL:**

- 1. Receive the report on the draft suite of Children's Services policies including the Children Services Handbook - SVC–ChildServ–F-163.**
- 2. Adopt the draft suite of Children's Services Policies including the Children's Services Handbook – SVC – ChildServ – F – 163 as listed in Table 1 of this report.**

**BACKGROUND:**

Under the Education and Care Services National Law and the Education and Care Services National Regulations 2011 Children's Services are required to have certain policies. The draft suite of policies addresses the National requirements for developed and implemented policies.

The Draft policies are intended to establish sound practices that lead to clear, consistent and concise decision making when delivering children's services in the Snowy Valleys LGA. These policies will enable the implementation of inclusive, resilient and equitable provision across all SVC children's services.

**REPORT:**

The SVC draft Children's Services policies and procedures were reviewed and updated to bring them into alignment under SVC policy harmonisation action.

There are 92 Children's Services draft policies and five procedures that have been available in both hardcopy and on the SVC website for feedback. These draft policies and procedures have been developed using the Childcare Centre Desktop, an online service subscribed to by Council to ensure that the latest Childcare legislation and amendments are addressed on a regular basis and implemented into the SVC policies in a timely manner.

**Table 1.****Children' Services Draft Policies and Procedures**

Quality Area 1 Educational Program and Practice	
Policy	Additional Needs
Policy	Celebrations
Policy	Early Childhood Intervention Practitioner Management
Policy	Educational Program
Policy	Multicultural
Policy	Technology
Quality Area 2 Health and Safety	
Policy	Acceptance and Refusal Authorisations
Policy	Administration of First Aid
Procedure	Administration of Medication
Policy	Adventurous Play
Policy	Managing an Aggressive Parent
Policy	Anaphylaxis Management
Policy	Arrival and Departure Policy
Policy	Asthma Management
Policy	Bottle Safety and Preparation
Policy	Breast Feeding
Policy	Bush Fire
Policy	Closed – Circuit Television System
Policy	Child Protection
Policy	Child Safe Environment
Policy	Children's Belongings
Procedure	Clean, Maintenance and Risk
Policy	Cyclone Management
Policy	Cystic Fibrosis Management
Policy	Clothing
Policy	Control of Infectious Diseases'
Policy	Unexpected Death of a Child at a Service
Policy	Cyber Safety
Policy	Dental Health
Policy	Diabetes Management
Policy	Earthquake Management
Policy	Eczema Management
Policy	Emergency Evacuation Management
Policy	Epilepsy Management
Policy	Excursion
Policy	Flood Management
Policy	Nursery Furniture and Equipment Safety
Policy	Handwashing
Policy	Head Lice
Policy	Health and Safety
Policy	Immunisation
Policy	Incident, Illness, Accident and Trauma
Policy	Lockdown
Policy	Medical Conditions
Policy	Nappy Change and Toileting Policy
Policy	Nutrition and Food Safety
Policy	Out of Hours Babysitting
Policy	Photograph
Policy	Physical Environment
Policy	Reportable Conduct Scheme
Policy	Safe Storage of Hazardous Chemicals
Policy	Sick Children
Policy	Sleeping and Rest Requirement
Policy	Sun Safe

## Children' Services Draft Policies and Procedures

<b>Quality Area 2 Health and Safety</b>	
Policy	Supervision
Policy	Termination of Enrolment
Policy	Unexpected Death of a Staff Member at a Service
Policy	Managing an Identified Dog
Policy	Water Safety
Policy	Work Health and Safety
Policy	Pregnancy in Early Childhood
Procedure	Illness Management
<b>Quality Area 3 Physical Environment</b>	
Policy	Animal and Pet Policy
Policy	Environmentally Responsible
Procedure	Organic 'Physical Environment and Parent Journey Audit' Cycle
<b>Quality Area 4 Staffing Arrangements</b>	
Policy	Bullying, Discrimination and Harassment
Policy	Code of Conduct
Policy	Staff Grievance
Policy	Grievance (General)
Policy	Pregnancy in Early Childhood
Policy	Responsible Person
Policy	Staff Wellness
Policy	Staffing Arrangement
<b>Quality Area 5 Relationships with Children</b>	
Policy	Anti-Bias and Inclusion
Policy	Behaviour Guidance Bullying
Policy	Gender Equity
Policy	Interactions with Children, Families and Staff
Policy	Respect
<b>Quality Area 6 Collaborative Partnerships with Families and Communities</b>	
Policy	Enrolment
Policy	Family Communication
Policy	Grievance (Families)
Policy	Grievance General
Policy	Non English-Speaking Background
Policy	Open Door
Policy	Transition to School
Policy	Orientation of Families
<b>Quality Area 7 Governance and Leadership</b>	
Policy	Child Care Subsidy Governance
Policy	Curriculum Pedagogy Educators Training
Policy	Governance
Policy	In-service and Staff Development
Policy	Payment of Fees
Policy	Privacy and Confidentiality
Policy	Record Keeping and Retention
Policy	Relief Staff
Policy	Social Media
Policy	Student and Volunteer
Policy	Withdrawal of a Child
Policy	Writing and Reviewing Policies
Procedure	Professional Development Cycle

**LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:****Integrated Planning and Reporting Framework:  
CSP Outcome 2028**

Theme 4: Communication &amp; Engagement

**Delivery Outcomes**

4.5 Council demonstrates strong leadership through a governance framework which drives progress towards achieving the community vision

**Operational Actions**

1.2.2 Exceed National Childcare Quality Standards across Children's Services outlets

**SUSTAINABILITY ASSESSMENT:**

	<b>Positive</b>	<b>Negative</b>
Social	Ensuring all services are provided without interruption	Nil
Environmental	Nil	Nil
Economic	Continue to provide all services and administration within the allocated budgets	Nil
Governance	Council provides and regulates all administration and services within the guidelines set out by the Local Government Act	Council breaches will result in penalties and loss of funding

**Financial and Resources Implications**

N/A

**Costs and Benefits:**

N/A

**Policy, Legal and Statutory Implications:**

In accordance with the Local Government Act 1993, failure to comply may constitute a breach of the Councils Code of Conduct and any other penalties imposed by the following legislation:

- Local Government Act 1993
- Work Health and Safety Act
- Education and Care Services National Law
- Education and Care Services National Regulations 2011, Division 2 Policies and procedures regulation 168 *Education and care services must have policies and procedures.*

**RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:**

To mitigate risk to Council and to ensure that the organisation is compliant with applicable legislation.

**OPTIONS:**

Council may endorse, amend or decline the recommendations made in this report.

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

Staff have had access to the draft policies for their feedback. SVC Children's Services staff have formed a Policy group to maintain the implementation and regular review of policies against current best practice and changes to legislation.

These policies were advertised for longer than the minimum of 28 days for public feedback.

Families using SVC Children's services were consulted and feedback was received from three families.

All three families were concerned about the 'Bottle Safety and Preparation' policy. Concern was in relation to the following point in the policy;

"Keep formula powder at the service so that the formula can be prepared as required. Formula must be in its original tin and must be clearly labelled with the child's name".

These concerns were taken up with families by the Children's Services Manager, who identified that the policy was misinterpreted. The health and safety issues associated with decanting formula from the original tin to a pre - used tin was explained.

After consultation with the Children's Services Manager, these families are happy with the alignment of the policy.

**Attachments**

- 1 Bottle Safety and Preparation Policy (under separate cover) [⇒](#)



**7. MANAGEMENT REPORTS****7.7 ADOPTION OF COMMUNITY SERVICES POLICIES**

**REPORT AUTHOR:** MANAGER COMMUNITY SERVICES  
**RESPONSIBLE DIRECTOR:** EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE

**EXECUTIVE SUMMARY:**

Snowy Valleys Council internally and externally exhibited the Draft Community Services policies in April 2020. These draft policies were displayed consistent with the requirements of Councils Community Engagement Strategy and Policy.

This report seeks the adoption of the Draft Provision of Community Services SVC–ComDev–PO–069, and the suite of Draft Multi Services Outlet Policies on public exhibition.

**RECOMMENDATION:****THAT COUNCIL:**

1. **Receive the report on Adoption of the Community Services Policies.**
2. **Adopt the Draft Provision of Community Services SVC–ComDev–PO–069, and the suite of Draft Multi Services Outlet Policies as listed in table 1 of this report.**

**BACKGROUND:**

The policy review and development of required policies was undertaken to achieve the SVC Community Services Policy Harmonisation.

The Draft policies are intended to establish sound practices that lead to clear, consistent and concise decision making when implementing community services in the Snowy Valleys LGA. These policies will enable the implementation of inclusive, resilient and equitable provision across all community services.

The draft policies and procedures are applicable to the Tumbarumba Retirement Village, the Multi Service Outlet and Community Transport.

**REPORT:**

The developed policies provide clear guidelines and information for the operation of Councils Community Services. The policies will guide Council to enhance the capacity to effectively deliver community services through:

- Equity in the distribution of services,
- Access to quality services
- Participation in decision–making
- Equality of opportunity

The policies were developed through research of current practice, adherence to funding guidelines and relevant legislation and regulations.

**Table 1.****Community Services Draft Policies and Procedures for Adoption**

Area	Policy Name
Community Services	Community Services Policy
Community Transport	Community Transport Policy
	Community Transport Protocols
Multi Service Outlet	Access to Services Policy
	Client Assessment and Fees Policy
	Client Exit & Re-Entry Policy
	Client Information Policy
	Client Referral Policy
	Client Rights and Responsibilities
	Person Centred Approach Policy
	Promotion of Services Policy
	Transporting Clients with Oxygen Policy
	Trauma Policy
	Workplace Review Policy
	Client Exit Procedure
	Client Review Procedure
	Critical Incident Procedure
	Police Check Compliance
	Loan of MSO Equipment Agreement
Retirement Living	Code of Conduct

**LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:****Integrated Planning and Reporting Framework:  
CSP Outcome 2028**

Theme 4: Communication &amp; Engagement

**Delivery Outcomes**

4.5 Council demonstrates strong leadership through a governance framework which drives progress towards achieving the community vision

**Operational Actions**

1.2.3 Operate a Multi Service Outlet connecting aged and disadvantaged with affordable services that allows individuals to age in place

**SUSTAINABILITY ASSESSMENT:**

	<b>Positive</b>	<b>Negative</b>
Social	Ensuring all services are provided without interruption	Nil
Environmental	Nil	Nil
Economic	Continue to provide all services and administration within the allocated budgets	Nil
Governance	Council provides and regulates all administration and services within the guidelines set out by the Local Government Act	Council breaches will result in penalties and loss of funding

**Financial and Resources Implications**

N/A

**Costs and Benefits:**

N/A

**Policy, Legal and Statutory Implications:**

In accordance with the Local Government Act 1993, failure to comply may constitute a breach of the Councils Code of Conduct and any other penalties imposed by the following legislation:

- Local Government Act 1993
- Work Health and Safety Act
- Aged Care Standards and Regulations

**RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:**

To mitigate risk to the Council and to ensure that the organisation is compliant with applicable legislation.

**OPTIONS:**

Council may endorse, amend or decline the recommendations made in this report.

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

Draft Provision of Community Services SVC–ComDev–PO–069, and the suite of Draft Multi Services Outlet Policies were displayed longer than the required 28 days to both internal and external people to enable people to have access to the policies, ensuring that community engagement is achieved throughout the LGA.

The Draft Provision of Community Services SVC–ComDev–PO–069, and the suite of Draft Multi Services Outlet Policies received one feedback response.

**Internal**

Community Services staff were involved in the reviewing and development of draft policies. Their technical knowledge was required to include current and relevant practice.

All Council staff had the opportunity to provide feedback on drafted policies.

**External**

Research and consultation were undertaken with providers of relevant services for legislative advice on current and relevant practice.

Feedback was received regarding the Draft Access to Services Policy on Council website. Feedback was in relation to the use of the term 'sexual preference' in the document. The submitter preferred that the term 'sexual orientation' should be used instead.

This feedback also included a question on 'green waste collection'. This question has been referred to the Manager Waste and Water.

**Attachments**

- 1 Access to Services (under separate cover) [⇒](#)

**7. MANAGEMENT REPORTS****7.8 MINUTES OF THE EXTRAORDINARY MEETING OF THE ABORIGINAL LIAISON COMMITTEE HELD TO CONSIDER THE DRAFT SVC RECONCILIATION ACTION PLAN - 23 SEPTEMBER 2020**

**REPORT AUTHOR:** COMMUNITY DEVELOPMENT OFFICER  
**RESPONSIBLE DIRECTOR:** EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE

**RECOMMENDATION:****THAT COUNCIL:**

1. Receive the report on the Extraordinary Meeting of the Aboriginal Liaison Committee.
2. Note the Minutes of the Extraordinary Meeting of the Aboriginal Liaison Committee meeting held on 23 September 2020
3. Release the Draft SVC Reconciliation Action Plan for public comment for a period of 28 Days.

**Executive Summary**

An extraordinary meeting of the Aboriginal Liaison Committee was held on 23 September 2020. The purpose of the meeting was to consider the Draft SVC Reconciliation Action Plan.

The Committee endorsed the plan subject to the inclusion of three amendments. The amended Draft Reconciliation Action Plan is attached for Councils consideration and determination in respect of its release for public comment. Following the release period, the plan will be presented to Council for further consideration and determination in respect of its adoption.

**BACKGROUND:**

The Aboriginal Liaison Committee's purpose is to provide a forum for discussion between Council and the Aboriginal Community on key issues. In July 2007 Council and the Aboriginal Community developed a Memorandum of Understanding (MoU). The MoU provides the agreed wording for the Council Acknowledgment of Country and also led to the development of the Aboriginal Cultural Protocols and Practices Policy (adopted in 2011).

**REPORT:**

A Reconciliation Action Plan (RAP) is a strategic document that supports an organisation's business plan. It includes practical actions that will drive an organisation's contribution to reconciliation both internally and in the communities in which it operates. The RAP contains all the mandatory actions and deliverables that workplaces are required to commit to in order to receive Reconciliation Australia's endorsement. A RAP is a public commitment published on Reconciliation Australia's website.

The Aboriginal Liaison Committee considered the draft RAP and provided the following feedback:

- Action 8 - to include exploring identified roles for both outdoor and indoor roles.
- Action 8 - to include school-based traineeships
- Action 6 – Acknowledgment of Country on website, email signatures and plaques to also be written in traditional language

It was agreed that the above amendments would be made to the RAP to reflect the ALC's feedback.

It was moved that the committee: Endorse SVC RAP (Reconciliation Action Plan) with the following changes;

- Action 8 - to include exploring identified roles for both outdoor and indoor roles.
- Action 8 - to include school-based traineeships
- Action 6 - Acknowledgment of Country on website, email signatures and plaques to also be written in traditional language

Moved: Shirley Marlowe / Mary Greenhalgh  
**CARRIED UNANIMOUSLY**

## **LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**

### **Integrated Planning and Reporting Framework: CSP Outcome 2028**

Theme 1: Towns and Villages

#### **Delivery Outcomes**

1.3 Protect and preserve local history and heritage

#### **Operational Actions**

1.3.2 Work in partnership with the Aboriginal Community to promote, protect and preserve local history and heritage

## **SUSTAINABILITY ASSESSMENT:**

### **Financial and Resources Implications**

Preparation for the Aboriginal Liaison Committee meeting involves staff time taken to prepare the agenda and report, conduct the meetings and write the minutes. This would be approximately 3-4 hours of staff time depending on the length of the meeting. These meetings are held every 2 months.

### **Costs and Benefits:**

The Aboriginal Liaison Committee provides a link for Council and the Aboriginal Community and also a platform for the Aboriginal Community to raise matters that concern them that Council may be able to assist with. It allows the two parties to work in partnership to develop and deliver a program of Aboriginal Cultural recognition activities and for Council to support Indigenous cultural activities and projects.

### **Policy, Legal and Statutory Implications:**

Nil

## **RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:**

It is important that Council considers the recommendations of committees to ensure that balanced and objective decisions are made with full knowledge of costs and resources.

## **OPTIONS:**

Council can receive the report and note the minutes of the Aboriginal Liaison Committee and release the draft RAP for public comment without change as recommended.

Alternatively, Council may seek further information regarding the draft RAP prior to consideration of its release for public comment at a future meeting of Council.

## **COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

Consultation is held regularly with Aboriginal communities in both Tumbarumba and Tumut regarding various activities and events.

Attachments

- 1 Minutes – Extraordinary Meeting of the Aboriginal Liaison Committee held on 23 September 2020 (under separate cover) [⇒](#)
- 2 Draft SVC Reconciliation Action Plan (RAP) (under separate cover) [⇒](#)