



**SNOWY MONARO**  
REGIONAL COUNCIL

# **BUSINESS PAPER**

**PUBLIC EXHIBITION COPY**

**Ordinary Council Meeting  
20 May 2021**

## **CONFLICTS OF INTEREST**

A conflict of interest arises when the Mayor or Council staff are influenced, or are seen to be influenced, in carrying out their duties by personal interests. Conflicts of interest can be pecuniary or non-pecuniary in nature.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of a financial gain or loss.

A non-pecuniary interest can arise as a result of a private or personal interest, which does not relate to money. Examples include friendship, membership of an association or involvement or interest in an activity.

The Mayor or staff member who considers they may have a conflict of interest should read Council Policy.

The responsibility of determining whether or not the Mayor or Council employee has a pecuniary or non-pecuniary interest in a matter, is the responsibility of that individual. It is not the role of the Mayor or Chief Executive Officer, or another Council employee to determine whether or not a person may have a conflict of interest.

## **COUNCIL CODE OF CONDUCT**

The Council Code of Conduct is a requirement of Section 440 of the Local Government Act 1993, which requires all councils to have a code of conduct to be observed by the Mayor and Council employees attending a Council meeting or a meeting of a committee of Council.

The code of conduct sets out the responsibilities of the Mayor and Council employees attending a Council meeting or a meeting of a committee of Council. The code also sets out how complaints against a Council employee, the Mayor or Chief Executive Officer are to be made.

## **COUNCIL CODE OF MEETING PRACTICE**

The Council Code of Meeting Practice is a requirement of Section 360(3) of the Local Government Act 1993, which requires all councils to have a code of meeting practice. The code of meeting practice is to be observed by the Administrator, members of staff, delegates of the Council and members of the public attending a Council or a meeting of a committee of Council.

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### **Acknowledgement of Country**

Council wishes to show our respect to the First Custodians of this land the Ngarigo, Walgalu, Ngunnawal and Bidjahal people and their Ancestors past and present.

### **Webcasting**

*Council meetings are recorded and live streamed to the internet for public viewing. By entering the Chambers during an open session of Council, you consent to your attendance and participation being recorded and streamed on Council's website [www.snowymonaro.nsw.gov.au](http://www.snowymonaro.nsw.gov.au)*



**ORDINARY COUNCIL MEETING  
TO BE HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW  
2630**

**ON THURSDAY 20 MAY 2021  
COMMENCING AT 5:00PM**

**BUSINESS PAPER**

- 1. OPENING MEETING**
- 2. ACKNOWLEDGEMENT OF COUNTRY**
- 3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**
- 4. CITIZENSHIP CEREMONIES**
- 5. DISCLOSURE OF INTEREST**  
(Declarations also to be made prior to discussions on each item)
- 6. MATTERS DEALT WITH BY EXCEPTION**
- 7. CONFIRMATION OF MINUTES**
  - 7.1 Ordinary Council Meeting held on 15 April 2021
  - 7.2 Closed Session of the Ordinary Council Meeting held on 15 April 2021
- 8. PLANNING AND DEVELOPMENT APPLICATION MATTERS**
  - 8.1 Development Application 10.2020.135.1 Eco-Tourist Facility 3
- 9. OTHER REPORTS TO COUNCIL**
  - 9.1 KEY THEME 1. COMMUNITY**
    - 9.1.1 Policy Approval - SMRC Cemetery Operations 59
    - 9.1.2 Support for GP services in Bombala 69
    - 9.1.3 Section 355 SMRC Tourism Advisory Committee - April 2021 - draft minutes 71
    - 9.1.4 Monthly funds management report - April 2021 77
    - 9.1.5 Divestment of residential aged care - endorsement of evaluation criteria 85
  - 9.2 KEY THEME 2. ECONOMY**
    - 9.2.1 NSW Legislative Council's Portfolio Committee No. 4 – Industry Inquiry - Long term sustainability and future of the timber and forest products industry 95
    - 9.2.2 Amendments and updates to action list of Snowy Monaro Destination Management Plan 2019 101

### **9.3 KEY THEME 3. ENVIRONMENT**

Nil

### **9.4 KEY THEME 4. LEADERSHIP**

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10.3	Motion to get a report on a bed tax	305
10.4	Allocation of Council budget for the first phase of the Monaro Rail Trail project planning.	335
10.5	Bombala streetscape remediation work	339
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### **11. MAYORAL MINUTES**

### **12. QUESTIONS WITH NOTICE**

### **13. Confidential matters**

13.1	Request for investigation.	343
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*Item 13.1 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

13.2	Legal actions and potential claims against SMRC as at 30 April 2021	343
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*Item 13.2 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

13.3	Request for CEO performance review.....	343
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*Item 13.3 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest*

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Town Planner
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage
Delivery Program Objectives:	8.1.3 Development assessment processes are streamlined to support regional development and growth
Attachments:	<ol style="list-style-type: none"><li>1. DRAFT Conditions (<i>Under Separate Cover</i>)</li><li>2. Plans (<i>Under Separate Cover</i>)</li><li>3. Statement of Environmental Effects (<i>Under Separate Cover</i>)</li><li>4. BASIX Certificate (<i>Under Separate Cover</i>)</li><li>5. NatHERs Certificate Cabin 1 (<i>Under Separate Cover</i>)</li><li>6. NatHERs Certificate Cabin 2 (<i>Under Separate Cover</i>)</li><li>7. NatHERs Certificate Cabin 3 (<i>Under Separate Cover</i>)</li><li>8. AHIMS Report (<i>Under Separate Cover</i>)</li><li>9. Submission 1 (<i>Under Separate Cover</i>)</li><li>10. Submission 2 (<i>Under Separate Cover</i>)</li><li>11. Submission 3 (<i>Under Separate Cover</i>)</li><li>12. Submission 4 (<i>Under Separate Cover</i>)</li><li>13. Submission 5 (<i>Under Separate Cover</i>)</li><li>14. Submission 6 (<i>Under Separate Cover</i>)</li><li>15. Submission 7 (<i>Under Separate Cover</i>)</li><li>16. Applicant Response to Submissions (<i>Under Separate Cover</i>)</li><li>17. Renwick Services Deed (<i>Under Separate Cover</i>)</li><li>18. Development Application Form (<i>Under Separate Cover</i>)</li></ol>

Further Operational Plan Actions:

Applicant Number:	10.2020.135.1
Applicant:	B M Grenfell
Owner:	J L Grenfell & B M Grenfell
DA Registered:	28/10/2020
Property Description:	Lot 9 DP 861805 Ph Abington
Zone:	Primary Production – RU1
Current Use:	Dwelling
Proposed Use:	Eco-Tourist Facility
Permitted in Zone:	Yes
Recommendation:	Approval

## EXECUTIVE SUMMARY

The purpose of this report is to seek approval for an Eco-tourist Facility, comprising of three (3) cabins at Charlottes Lane, Jindabyne. Each cabin is an ex-shipping container repurposed into a one (1) bedroom studio cabin. The cabins have been selected with sustainability in mind and to be consistent with the objectives for Eco Tourist Development (Clause 5.13) of the Snowy River Local Environmental Plan 2013.

In accordance with Council policy “Referral of Development Applications to Council” the application is referred to Council for determination as it has received more than five (5) submissions.

Upon assessment, the assessing officer is satisfied that the development complies with the provisions of the Snowy River Local Environment Plan 2013 (SRLEP) and the Snowy River Development Control Plan 2013 (SRDCP).

It is recommended that the development be approved with conditions.

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

## RECOMMENDATION

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants approval to DA 10.2020.135.1 for an Eco-tourist Facility (3 cabins) on Lot 9 DP 861805 Ph Abington subject to the conditions attached.

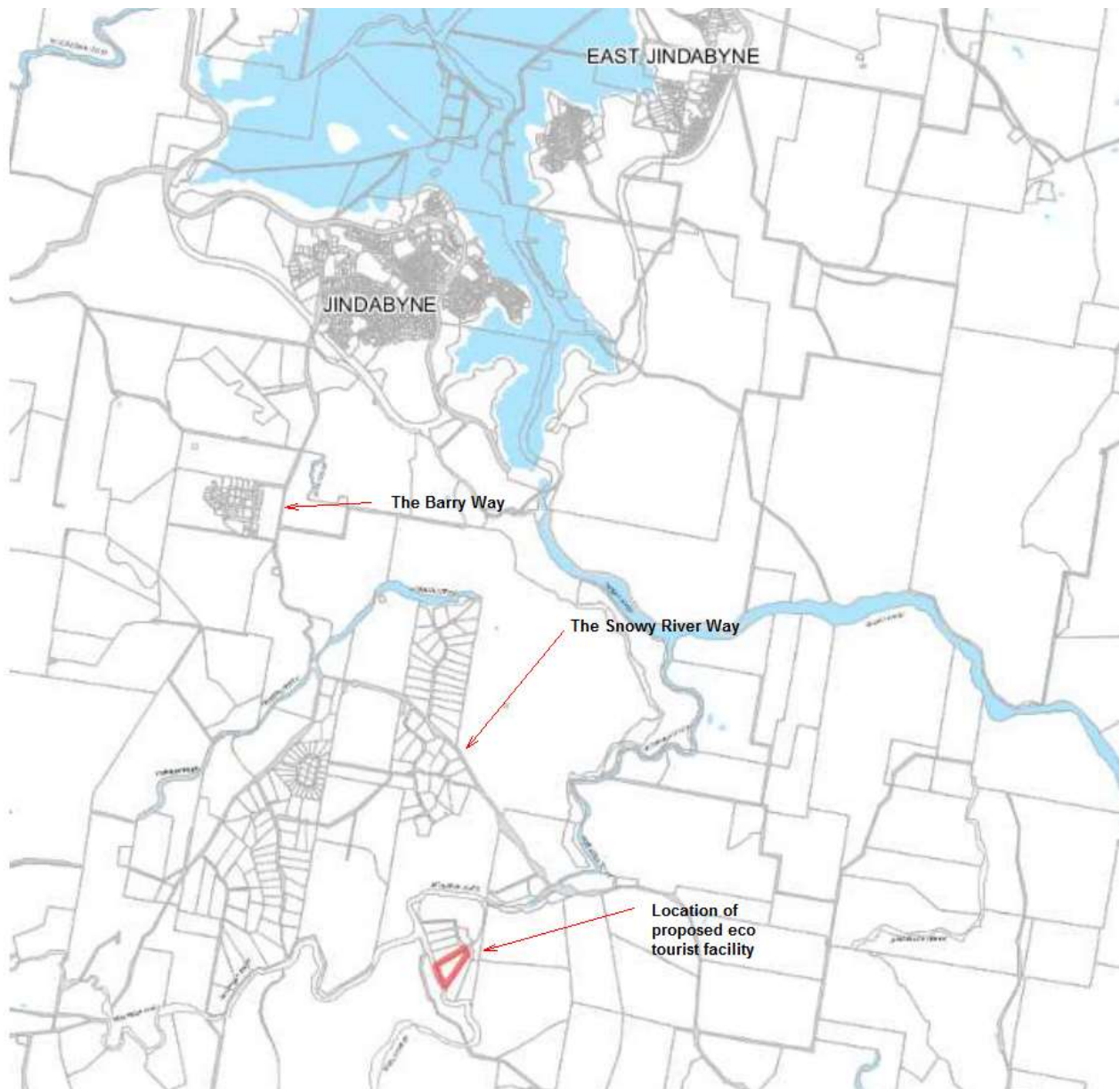
## BACKGROUND

### Proposal in Detail:

The proposal is for the construction of an Eco-tourist facility on a four hectare rural lot at Charlottes Lane, south of Jindabyne Township accessed via the Snowy River Way and Carinya Lane.

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**Figure 1 – Location Map:**



The application as originally submitted was for the construction of four (4) studio eco tourist cabins on site. Through the assessment process and in part as a response to neighbour concerns with the application the development has been redesigned to remove one of the cabins and to increase the setback on the southern boundary. The proposal before Council is for an Eco-tourist Facility, three (3) cabins, the cabins proposed are refurbished shipping containers. The containers will accommodate two guests in a self-contained studio.

**LOT 4  
EXISTING DWELLING**

- EXISTING 12x18m DWELLING, RAW TANK & SEPTIC TANK
- EXISTING 4x4m SHED
- PROPOSED 6x2.5m DISABLED ACCESS CABIN #1 [QTY - 1]
- PROPOSED 5.6x2.5m CABINS #2, #3, #4 [QTY - 3]

**LOT 9 / No. 2  
DP 861805  
NEW ECO CABINS  
4,099 Ha**

RESTRICTION ON USE

CARIN

CHARLOTTE LANE

EXISTING DRIVEWAY

Dimensions: 7m, 7m, 7m, 12.5m, 10.5m, 8.5m, 6.5m, 4.4m

EXISTING 12x8m DWELLING,  
R/W TANK & SEPTIC TANK.

EXISTING 4x4m SHED.

3 5.6x2.5m CABINS [QTY - 3].

RESTRICTION ON USE

LOT 9 / No. 2  
DP 861805  
NEW ECO CABINS  
4.099 Ha

EXISTING DRIVEWAY

CHARLOTTE LANE

305.38

59.765

14.5m

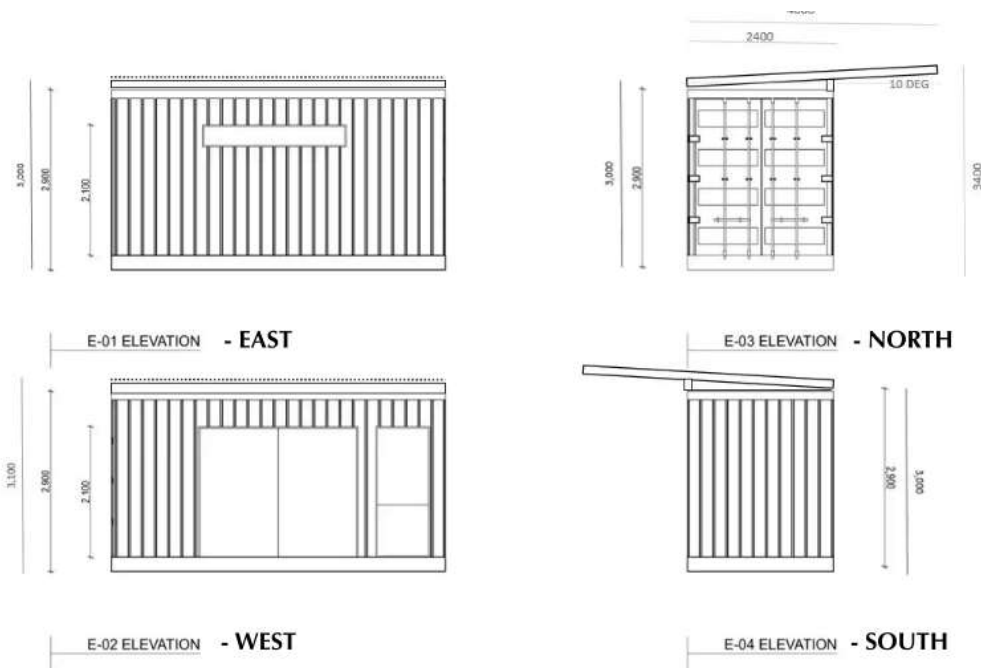
13m

11.5m

6m

6m

**Figure 4 – Cabin Elevations**



## ASSESSMENT

The application has been assessed against the provisions of the following documents:

<b>State Environment Planning Policies (SEPPs)</b>	All relevant SEPPs have been considered
<b>Local Environmental Plan (LEP) (including draft LEPs)</b>	Snowy River Local Environment Plan 2013
<b>Development Control Plans</b>	Snowy River Development Control Plan 2013

### Section 4.15 and EP&A Act Checklist:

<b>The suitability of the site for the development:</b>	The surrounding land uses are consistent to the proposed development being a mixture of rural residential and tourist and visitor accommodation.
<b>The provisions of any environmental planning instrument and draft environmental planning instrument:</b>	<p>The proposal has been assessed against the provisions of all relevant SEPP's and the development has been found <b>to</b> achieve an acceptable level of compliance.</p> <p>The proposal has been examined in detail against the provisions of SRRLEP 2013 and has been found to achieve an acceptable level of compliance.</p> <p>The use proposed are permitted in the zone and</p>

	consistent with the zone objectives.
<b>The provision of any development control plan:</b>	The application generally complies with the provisions of Council's relevant development control plans.
<b>Any matters prescribed by the regulations:</b>	The application generally complies with the <i>EP&amp;A Regulation 2000</i> .
<b>The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality:</b>	The likely impacts of the development have been appropriately considered as part of this application.
<b>Any submissions made in accordance with the EP&amp;A Act or the regulations:</b>	The application was notified for a period of 14 days in accordance with the provisions of the Snowy Monaro Community Participation Plan. Seven (7) submissions were received, the submissions have been considered below.
<b>The public interest:</b>	The proposal is not contrary to the public interest, as it complies with the Council's standards and will not contribute to creating an undesirable precedent.



Figure 5 – The Subject Site



## INTEGRATED DEVELOPMENT

The proposed development was reviewed against the relevant provisions of the EP&A Act 1979 to identify whether the application was integrated development. It was not deemed to be Integrated Development under Section 4.46 of the Environmental Planning and Assessment Act 1979.

## REFERRALS

### External Referrals

No external referrals were required.

### Internal Referrals

The development application was referred to the following sections of Council for comment:

Section	Comments
GIS Officer	Separate addressing not required

## LEGISLATIVE REQUIREMENTS ASSESSMENT UNDER SECTION 4.15 OF EP&A ACT

As required by the Environmental Planning and Assessment Act, 1979, Section 4.15, the following relevant matters are addressed below:

- Suitability of the site;
- Environmental planning instruments (State Environmental Planning Policies, Local Environmental Plans);
- Draft environmental planning instruments;
- Development control plans;
- Likely Impacts of the Development - environmental (natural and built), social and economic;
- Any Planning Agreement or Draft Planning Agreement;
- The EP&A Regulations;
- Submissions; and
- Public interest.

### The suitability of the site for the development:

<b>Slope</b>	Gentle slope exists – no impediment to development
<b>Significant vegetation</b>	The vegetation on site can be classed as grassland
<b>Adjoining development</b>	The proposed development is of a similar nature to the adjoining property of Carinya Alpine Village, the scale and design of the proposal are similar or smaller than neighbouring developments.
<b>Suitability of proposed works / building</b>	Generally acceptable having regard to constraints of the land
<b>Streetscape</b>	The proposal is generally compatible with adjoining development
<b>Stormwater disposal</b>	On-site via detention
<b>Services</b>	electricity / telephone/ rain water
<b>Views</b>	Nil impact to and from site
<b>Contamination</b>	Nil identified
<b>Bushfire</b>	Land not identified as being bushfire prone.
<b>Flooding</b>	Nil impact
<b>Vehicular access</b>	The site has coinciding legal and practical access
<b>Easements and restriction on use</b>	The property is burdened by a restriction on use. The restriction is the prohibition of livestock on the property

	without the lot being fenced.
<b>Aboriginal sites</b>	Nil identified on-site
<b>Threatened species</b>	Nil identified on-site
<b>Grasslands</b>	Nil identified on-site
<b>Rivers/streams</b>	The property is mapped with a watercourse on the south western boundary
<b>Effluent disposal</b>	Onsite
<b>Prevailing winds</b>	Nil impact
<b>Easements</b>	Nil affected by this proposal
<b>Other matters</b>	Nil

### The provisions of any environmental planning instrument

#### State Environmental Planning Policies

The proposal has been assessed against the provisions of all known SEPP's and the development has been found to achieve an acceptable level of compliance. The SEPP's examined include (where applicable):

<b><i>State Environmental Planning Policies</i></b>	<b><i>Compliance/Relevance</i></b>
<b>SEPP - Aboriginal Land 2019</b>	Not relevant
<b>SEPP - Activation Precincts 2020</b>	Not relevant
<b>SEPP - Affordable Rental Housing 2009</b>	Not relevant
<b>SEPP - Building Sustainability Index: BASIX 2004</b>	Not relevant
<b>SEPP - Concurrences and Consents 2018</b>	Not relevant
<b>SEPP - Educational Establishments and Child Care Facilities 2017</b>	Not relevant
<b>SEPP - Exempt and Complying Development Codes 2008</b>	Not relevant
<b>SEPP - Housing for Seniors or People with a Disability - 2004</b>	Not relevant
<b>SEPP – Infrastructure 2007</b>	Not relevant
<b>SEPP – Koala Habitat Protection 2020</b>	Not relevant
<b>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</b>	Not relevant
<b>State Environmental Planning Policy (State and Regional Development) 2011</b>	Not relevant
<b>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</b>	Not relevant

### Permissibility of the development under the Snowy River Local Environmental Plan 2013

- The subject land is zoned: Primary Production – RU1
- Definition of land usage under SRLEP 2013: Eco-tourist Facility
- The proposal is permissible with development consent from Council pursuant to Zone *RU1* of the SRLEP 2013.
- The proposal is considered to be consistent with the aims and objectives of the plan.

In the assessment of this application, the following special provisions from SRLEP 2013 are of relevance and have been assessed for compliance:

Provision	Response/Acceptable Solution
<b>PART 1 Preliminary</b>	Snowy River Local Environmental Plan 2013
<b>PART 2 Permitted or prohibited development</b>	The proposal is permitted in the RU1 zone
<b>PART 3 Exempt and Complying Development</b>	The application is not exempt or complying development
<b>PART 4 Principal development standards</b>	The application does not include subdivision or an exemption to development standards
Clause 4.3 Height of building	Complies – 3.4m
<b>PART 5 Miscellaneous provisions</b>	
<p>Definition: <i>eco-tourist facility means a building or place that—</i></p> <p>(a) <i>provides temporary or short-term accommodation to visitors on a commercial basis, and</i></p> <p>(b) <i>is located in or adjacent to an area with special ecological or cultural features, and</i></p>	<p>(a) The proposed cabins will solely be used for the purposes of short term accommodation to visitors.</p> <p>(b) The subject land is in an area with special ecological features. The land backs directly onto Steels creek which flows into the Mowamba River. Both of these water courses are tributaries of the Snowy River.</p> <p>These watercourses attract aquatic life, bird life and a range of other native wildlife to the subject land. This allows for a variety of nature based activities such as bird watching.</p>

<p>(c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.</p>	<p>Additionally the land is adjacent to areas of natural and cultural significance such as Lake Jindabyne (part of the Snowy Mountains Scheme) and the Kosciuszko National Park.</p> <p>When defining the word adjacent, the case of Mayor of Wellington v Mayor of Lower Hutt (1904) AC 773), the judgment stated the following:</p> <p><i>"Adjacent is not a word to which a precise and uniform meaning is attached by ordinary usage. It is not confined to places adjoining and it includes places close to or near."</i></p> <p>It is reasonably clear then that adjoining requires a connecting boundary, whilst adjacent is not attached but within the vicinity. As such it can be considered that the land is in the vicinity of special ecological and cultural features. The land is also adjoining a special ecological feature being Steels Creek which is part of the catchment of the Snowy River.</p> <p>In March 2010 the catchment of the Snowy River was listed as an ENDANGERED ECOLOGICAL COMMUNITY (EEC).</p> <p>The area included in the Snowy River catchment covers all natural rivers, creeks, streams of the Snowy River including the Mowamba River of which the land is situated on a tributary Steels Creek.</p> <p>As such, it is considered that the subject lands proximity to the Mowamba River and the Snowy River satisfy the requirement of <i>adjacent to an area with special ecological features</i>.</p> <p>(c) The cabins are located over 200m away from Steels Creek, with no onsite construction proposed which will</p>
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<p><i>It may include facilities that are used to provide information or education to visitors and to exhibit or display items.</i></p>	<p>result in less impact upon the environment with only footings being required to be installed and overall the development has a small physical foot print (the entire development being less than 41m<sup>2</sup>).</p> <p>The proposal has not listed specific information or education items to be provided as part of the development.</p> <p>This is not a requirement and it is considered given the small scale of the development that having the managers available to answer any questions is sufficient.</p>
<p>Clause 5.13 Eco-tourism facility</p> <p><b>13 Eco-tourist facilities</b></p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) - to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,</p> <p>(b) - to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.</p> <p>(2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.</p> <p>(3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that:</p> <p>(a) - there is a demonstrated connection between the development and the ecological, environmental and cultural values</p>	<p>The environmental and cultural values of the land will not be diminished by the proposed development.</p> <p>The cabins are of an environmentally sustainable design. Being repurposed shipping containers there is no onsite construction resulting in less impact upon the environment with only footings being required to be installed. The use of a repurposed material also achieves a sustainably benefit with new material limited to the fit out of the building and not the overall structure.</p> <p>(2) The property is zoned RU1 and Eco-tourist facilities are a permitted land use with consent from council.</p> <p>(3) The application aims to conserve the natural environment by developing the site with sensitively considered cabins.</p> <p>(a) Being located close to the banks of the Mowamba River will provide a unique eco-tourism opportunity, including the</p>


<p>of the site or area, and</p> <p>(b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and</p> <p>(c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and</p> <p>(d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and native flora and fauna will be minimal, and</p> <p>(e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and</p>	<p>potential for fly fishing and bird watching. Additionally the property is located in close proximity to unique alpine areas and Kosciuszko NP and Lake Jindabyne.</p> <p>(b) The selection of the cabins has been sensitively considered. As the repurposed buildings are manufactured off-site it will minimise impacts on the natural environment. The buildings proposed are of a low scale and seek to accommodate only minimal guests (being two guests per cabin).</p> <p>(c) The development will allow for appreciation of the environmental and cultural values, as the cabins are orientated to achieve views of the Snowy Mountains and can enjoy the comforts of the emerging “Micro Living” accommodation trend. Those accommodated in the buildings can feel immersed in the natural environment as due to the scale of the development and the number of occupants accommodated by the development.</p> <p>(d) Development has been located to ensure positive environmental outcomes by providing accommodation in a form which is low scale and allows guests to explore the natural environment within the site. The buildings have been located to ensure minimal impact of Flora &amp; Fauna as they are within an area of the site that is cleared. The cabins and the associated onsite effluent disposal systems are located a considerable distance from the adjoining water course.</p> <p>(e) Satisfactory with appropriate conditions of consent will be required for the ongoing management of the site.</p>
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<p>(f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and</p> <p>(g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours, materials and landscaping with local native flora, and</p> <p>(h) any infrastructure services to the site will be provided without significant modification to the environment, and</p> <p>(i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and</p> <p>(j) the development will not adversely affect the agricultural productivity of adjoining land, and</p>	<p>(f) Due to construction occurring on the cabins off site there will be very little onsite waste generated through construction. During the operations of the cabins with the small number of guests to be accommodated the onsite management will be able to manage the waste removal from the site.</p> <p>(g) The development is of a low scale being single storey shipping containers. These are sited in close proximity to the road and the existing residence on the site. They have the form of an outbuilding or shed in the context of the landscape and as such do not constitute a visual intrusion. The buildings are proposed to be located below any ridgelines, and are over 200m from Steels Creek.</p> <p>The choice of colour (Woodland Grey), will reduce any visual intrusion as the colour is designed to be compatible with the surrounding landscape.</p> <p>(h) Self-supporting and sustainable infrastructure is proposed. Being onsite sewerage management facilities and water tanks. These services will not require significant modification of the environment.</p> <p>(i) Satisfactory – passive heating &amp; cooling designs proposed, the cabins will be supplied with rain water only.</p> <p>(j) The proposed lot is whilst within a rural zone it does not adjoin any land that is being used for any significant primary production. The land was previously subdivided to initially service the Carinya</p>
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<p>(k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment:</p> <ul style="list-style-type: none"> <li>(i) measures to remove any threat of serious or irreversible environmental damage,</li> <li>(ii) The maintenance (or regeneration where necessary) of habitats,</li> <li>(iii) Efficient and minimal energy and water use and waste output,</li> <li>(iv) Mechanisms for monitoring and reviewing the effect of the development on the natural environment,</li> <li>(v) Maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.</li> </ul>	<p>Alpine Village (tourist and visitor accommodation) and a large lot residential subdivision. There are no foreseen impacts on agricultural productivity as the subject lot is located away from agricultural areas</p> <p>(k)</p> <ul style="list-style-type: none"> <li>(i) the development is proposed on already managed land and over 200m away from Steels Creek therefore, there are no foreseen environmental impacts.</li> <li>(ii) Not applicable</li> <li>(iii) The development has complied with the requirement of the BASIX SEPP. Renewable energy is proposed, rainwater and an onsite sewer management system.</li> <li>(iv) The existing dwelling will be utilised as a manager's residence to monitor and review any impacts.</li> <li>(v) The occupation of the dwelling as a manager's residence during the occupation of the cabins will be conditioned accordingly.</li> </ul>
<p><b>PART 6 Land release areas</b></p>	<p>Not applicable</p>
<p><b>PART 7 Additional local provisions</b></p>	
<p>Clause 7.1 Flood planning</p>	<p>Whilst the lot is located within close proximity to a watercourse given the size of the watercourse and the proposed siting of the development there are no foreseen flooding impacts.</p>
<p>Clause 7.2 Terrestrial biodiversity</p>	<p>The property is mapped with Terrestrial Biodiversity. The location of proposed location of the development is located outside the mapped area and it is noted that the property is an established residential lot and therefore not foreseen impacts. The cabins have been sited in an area of the property which is previously cleared.</p>

	
<p>Clause 7.3 Riparian land and watercourses</p> 	<p>The development complies with the provisions of the clause. Whilst the property adjoins Steels Creek, the cabins are all setback over 200m from the watercourse as such there is considered to be no impact on the riparian land by the development.</p>
<p>Clause 7.4 Wetlands</p>	<p>Not applicable</p>
<p>Clause 7.5 Active street frontages</p>	<p>Not applicable</p>
<p>Clause 7.6 Development within the Lake Eucumbene and Lake Jindabyne scenic protection areas</p>	<p>Not applicable</p>
<p>Clause 7.7 Development within the eastern approaches to Kosciuszko National Park</p>	<p>Not applicable</p>
<p>Clause 7.8 Serviced apartments</p>	<p>Not applicable</p>
<p>Clause 7.9 Essential services</p>	<p>Access – Private roads Carinya Lane and Charlottes Lane service the property and afford the property coinciding legal and practical access.</p> <p>Water – The subject land has access to water rights as part of Renwick Pty Ltd. However it is not proposed that the cabins will utilise any of the water allocation for lot 9. The proposed water provision for the cabins is solely rain water being a 30,000lt tank for the entire property and an individual water tank for each cabin.</p> <p>Sewage - The cabins will be connected to a</p>


	<p>new septic system which is located over 200m away from the Steels Creek. The location, size and type of system has been recommended by a qualified On-site Sewer Management Specialist (refer to the Site and Soil assessment -Water check Report). A further approval under S68 of the Local Government Act will be required to install the system as well as an ongoing approval to operate the system.</p> <p>Electricity – the proposed energy source for the cabins is from solar panels. The proposed solar panels will be located on the roof of the existing dwelling and then fed to the cabins via batteries.</p>
<b>SCHEDULE 1 Additional permitted uses</b>	Not Applicable
<b>SCHEDULE 2 Exempt development</b>	Not Applicable
<b>SCHEDULE 3 Complying development</b>	Not Applicable
<b>SCHEDULE 4 Classification and reclassification of public land</b>	Not Applicable
<b>SCHEDULE 5 Environmental heritage</b> 	<p>Heritage item - I149 - Carinya Alpine Village Recreational Hall (82 Carinya Lane) is located on an adjoining property.</p> <p>The entry to the subject lot of the proposed development is located over 300m away from the heritage item.</p> <p>As such, there is no foreseen impact from the development to the heritage item.</p> <p>An AHIMS search was carried out revealing zero (0) aboriginal sites or locations within 50m of the subject site.</p> <p>AHIMS: 567120</p>

#### Provision of any proposed Environmental Planning Instruments


There are no proposed environmental planning instruments applying to this site.

### Assessment against the relevant provisions of Snowy River Development Control Plan 2013

In the assessment of this application, the following DCP provisions are of relevance and have been assessed for compliance:

Provision	Response/Acceptable Solution
<b>A1 Introduction</b>	
<b>A2 Development application requirements</b>	Satisfactory
<b>A3 Public Notification (Snowy Monaro Community Participation Plan 2019)</b>	Notification undertaken between 05/11/2020 – 19/11/2020 Extension of period granted until 30/11/2020.
<b>B1 Rural localities, Towns &amp; Villages</b>	Not Applicable
<b>B2 Town &amp; Village Plans</b>	Not Applicable
<b>C General planning considerations</b>	
C1 Subdivision	Not Applicable
C2 Design	<p>The size of the cabins are 2.44m wide x 5.5m long x 3.1m height. The size of the cabins is considered to be a small footprint.</p> <p>The proposed colour is woodland grey. This colour is in keeping with the colour of the existing dwelling. As such, it is considered that the selected colour will allow for the blending of the cabins into the surrounding landscape. In addition, the siting of the cabins are well below the ridgeline lower than the existing dwelling and located as far down the block as possible without entering into the restricted area.</p> 

C3 Car-parking, Traffic & Access	<p>Complies - In accordance with Table C3. 4-2 each cabin require one (1) space and one (1) additional space per two (2) employees.</p> <p>The proposal provides one car space per unit and existing car parking arrangements for the existing dwelling provides more than adequate additional car parking for employees. The owners intend to manage the development from the subject site.</p>
C4 Heritage	<p>Heritage item - I149 - Carinya Alpine Village Recreational Hall (82 Carinya Lane) is located on an adjoining property.</p> <p>The entry to the subject lot of the proposed development is located over 300m away from the heritage item.</p> <p>As such, there is no foreseen impact from the development to the heritage item.</p>
C5 Tree preservation & Landscaping	<p>There are no trees proposed to be removed as part of the development.</p>
C6 Signage & Advertising	<p>No signage is proposed as part of the development.</p> <p>Any future signage will be the subject of a separate development application, unless it meets the development standards of the Exempt and Complying Code SEPP 2008.</p>
C7 Natural Hazard Management	<p>Not Applicable.</p>
C8 Environmental Management	<p>The proposed location of the development is located outside the mapped area and it is noted that the property is an established residential lot and therefore no foreseen impacts.</p>
C9 Energy & Waste Efficiency, Water Supply & Effluent Disposal	<p>The applicant has provided a BASIX and NatHERs report for the cabin which demonstrates compliance with the principle of efficient building.</p> <p>As discussed in the assessment of cl 7.9 of the SRLEP water is to be provided by rainwater tanks, effluent disposal via an on-site management system and electricity from renewable solar power.</p>
C10 Waste management & Recycling	<p>There is no council waste collection service to the subject site.</p>

	<p>There is a bank of bins which the existing dwelling uses to dispose of their domestic waste and recycling.</p> <p>The proposed waste management of the development is either manual delivery to the Jindabyne landfill or via a private collection service.</p>
<b>D Residential Development</b>	Not Applicable
<b>E Non-residential Development</b>	
<b>E1 Tourist Accommodation</b>	
1. Background	
2. Bed & Breakfast Accommodation	Not Applicable
3. Farm Stay Accommodation	Not Applicable
4. Eco-tourist Accommodation	<p>The original development consisted of four (4) cabins to be used as an Eco-Tourist Facility, however the applicant has reduced the number of proposed cabins to three (3) in response to the submissions received.</p> <p>The cabins have been moved further from the southern boundary so as to be located further from the adjoining neighbour. This in response to concerns raised about impacts on the neighbouring residence.</p> <p>The proposed cabins are in a studio design and will be condition to sleep a maximum of two (2) people each.</p>  <p>1. FLOOR PLAN</p> <p>There is more than adequate provision for parking on the site. one (1) car park is proposed per cabin</p> <p>Complies</p> <p>The application falls within the objectives for eco</p>

	<p>tourist facilities as defined within the DCP. The locality is renowned for its environmental features and the site is suitable for the proposed use.</p> <p>The proposed development has been designed for eco-tourist purposes and demonstrates that there will be significant practical reliance on renewable energy and water use.</p> <p>Conditions relating to the DCP apply to the consent in terms of use of the eco tourist facility.</p> <p>Contributions apply at a rate of 0.29ET per room= 0.29 ET x 3 (3 cabins - 1 bedroom) = 0.87 ET.</p>
<b>F Controls for specific sites &amp; localities</b>	Not Applicable

#### Impacts of the Development – Environmental, Social & Economic

<b>Access, transport and traffic</b>	Access is via a private road Carinya Lane and with and existing driveway from Charlottes land. Each cabin has dedicated car spaces.
<b>Easements/88B Restrictions on Use</b>	The property is burdened by a restriction on use. The restriction is the prohibition of livestock on the property without the lot being fenced. This does not impact on the subject development.
<b>Bushfire Assessment s4.14</b>	Land not identified as being bushfire prone land.
<b>Impacts on supply of utilities</b>	The cabins have been designed utilizing environmentally sustainable principles and solar panels are proposed.
<b>Heritage</b>	AHIMS Search ID: 547373 – nil results Heritage Item I149 is located on an adjoining property; however there is no foreseen impact as the development is located over 300m away.
<b>Natural and other land resources</b>	The proposed development is considered unlikely to result in any significant impacts upon natural or other land resources within the locality as the proposal will not be drawing on the riparian access rights of the subject lot but proposes rain water to be the sole water supply.
<b>Water supply and potential impacts on surface and ground water</b>	No impact foreseen.
<b>Soils</b>	Not Applicable.

<b>Air quality, pollution and microclimate impacts (e.g. odour)</b>	The proposed development is unlikely to have any significant impact on the air quality of the site and any surrounding properties due to the nature of the development.
<b>Flora and fauna &amp; Consideration of Threatened Species</b>	Not Applicable.
<b>Waste facilities and controls</b>	<p>The proposed development will be utilizing an on-site sewer management system as such no impact to council's infrastructure.</p> <p>Waste will be disposed of manually by the developer to the Jindabyne landfill or via a private waste collect service provider. There are no Council services in the area.</p>
<b>Energy efficiency and greenhouse gas emissions</b>	BAISX and NatHERs certificate provided meeting the requirements for energy efficient building.
<b>Noise and vibration</b>	Some noise will result from the construction of the proposed development however, such noise would be temporary, be restricted to occur within time limits and have no lasting impact. Due to the limited number of guests to be accommodated there will be minimal ongoing noise impacts.
<b>Safety, security and crime prevention</b>	It is likely the safety and security of the area are to benefit with the addition of a new accommodation through increased public surveillance. Due to the limited number of guests being accommodated and the onsite management provided there would be limited impacts from the guests on surrounding properties. Any impacts could be managed by the onsite managers should they occur. Appropriate conditions of consent include a requirement for signage to alert guests of the rural nature of the site and that there are residences in close proximity that need to be considered.



<b>Social impact in locality</b>	<p>Whilst the proposed development will increase the number of tourists to the area, it is of a low scale allowing for only an additional six (6) persons to be accommodated above that which is already onsite in the existing dwelling.</p> <p>The maximum number of tourists permitted at one time will be six (6) – two (2) per cabin, this is significantly less tourists that can be accommodated currently at the Carinya Alpine Village. The existing Carinya Alpine Village tourist and visitor accommodation offers accommodation for up to 140 people.</p> <p>The location of the subject site is at the start of Charlottes Lane which is a dead end road. With appropriate signage, the potential of cars passing other residences on Charlottes Lane is considered minimal.</p> <p>Additionally, there is an active DA on adjoin Lot 12 DP 1067410 for a three (3) unit Rural Tourist facility with a managers residence.</p>
<b>Economic impact in locality</b>	The proposal for additional tourism accommodation is in line with the objectives of the wider area and will be a positive influence on the economy.
<b>Site and internal design issues</b>	Satisfactory.
<b>Impacts during construction</b>	It is unlikely that the construction of the proposed shed will result in any significant impacts due to the containers being fitted out offsite and only minimal construction works for their installation on site.
<b>Cumulative impacts</b>	The proposed development in conjunction with surrounding residential development is considered unlikely to result in any significant cumulative impacts.
<b>Impact on pedestrian movements and safety</b>	Not Applicable.
<b>Mineral resources and/or deposits in the vicinity</b>	There are no known mineral resources or deposits in the vicinity.
<b>Impacts on aboriginal heritage</b>	Nil
<b>Health Impacts of High Voltage Power Lines</b>	Not Applicable.

## Public Interest

The proposal is not contrary to the public interest, as it complies with the Council's standards and will not contribute to creating an undesirable precedent

## OTHER MATTERS

<b>Developer Contributions</b>	<i>Contributions apply at a rate of 0.29ET per room as per Councils contribution plan. With one room in each building, total contributions will be based on 0.87 of an ET.</i> <i>The contributions are to form a condition of consent for payment prior to the release of the construction certificate.</i>
<b>Internal Referrals</b>	GIS – separate addressing not required.

## SUBMISSIONS

### Submissions

The proposed development was required to be notified under the Snowy Monaro Community Participation Plan requirements and relevant statutory regulations. As such notification letters were sent out to adjoining landowners and exhibited for a period of 14 days in line with this requirement. Several interested parties contacted Council and requested additional time for the lodgement of submissions. These requested were agreed to and additional time was provided. All submissions below were received either within the original time frame or within the additional time provided as requested.

The application was not required to be publicly advertised.

Seven (7) submissions were received objecting to the development. The submissions are attached to the report and are summarised below with consideration of the issues raised following.

### Summary of Issues Raised by Submission 1

**1. Rural residential zone land**

Concerned that the land cannot be used to support commercial business and the impact on a rural residential community.

**2. Eco-tourism is a Commercial venture , which is supposed to support education, hands on activities and have special ecological or cultural features**

Concerned that there are no education, hands on activities or special ecological or cultural features on the site or in the surrounding area.

### Officers Response to issues raised in Submission 1

#### **Zoning (rural Residential)**

The zone of the land is Primary Production (RU1) and not rural residential as suggested in the submission. Eco Tourist facilities are a permitted use in the RU1 zone.

Carinya Alpine Village (adjoining the site) is a well-established commercial business

which provides accommodation to tourists and visitors, as well as a single Rural Tourist residence at the commencement of Carinya Lane. Additionally, there is an active DA on adjoint Lot 12 DP 1067410 for a three (3) unit Rural Tourist facility with a managers residence.

**Eco-tourist Facility supposed to be supported by education, hands on activities and have special ecological or cultural features not met.**

The provision of education is not a required provision, the key word being 'may include' in the definition of Eco-tourism. It is considered given the small scale of the development that having the managers available to answer any questions is sufficient.

The subject land is in an area with special ecological features. The land backs directly onto Steels creek which flows into the Mowamba River. Both of these water courses are tributaries of the Snowy River. These watercourses attract aquatic life, bird life and a range of other native wildlife to the subject land. This allows for a variety of nature based activities such as bird watching, these are all examples of hands on activities which could take place on the property or within the immediate vicinity.

**Summary of Issues Raised by Submission 2**

**1. Increased Traffic and Noise Generation**

Concerned about who will be responsible for the upkeep of the road, the dust, noise and visual impacts generated by the increased traffic

**2. Damage to private or common land**

Who is liable for the actions of customers which result in damage to either private land or common land. What insurance will the applicant hold?

**3. Zoning (Rural Residential)**

The listed 'Permitted with consent' land uses are guild lines and not specific to the estate which is zoned Rural Residential

**4. Renwick Deed – only 9 Dwellings**

Concerned that the proposed development is not in keeping with the Renwick deed and that there are only 9 dwelling permitted in the estate.

**5. Water Supply**

Concerns regarding the access to the Renwick Water allocation and that a commercial activity would not have access to the system as it is for permanent residence only

**6. Effluent Disposal**

Concerns regarding where the sewage from the cabins would go and the potential for contamination of Steels creek and Mowamba river.

**7. Waste Management**

Concerns regarding the availability of suitable waste collection facilities.

**8. Security Issues**

Concerned that the increased number of people entering the estate creates uncertainty and security risks.

## **Officers Response to issues raised in Submission 2**

### **Increased traffic and noise generation**

The estimated traffic generated by the proposed development is less than an increase of 5% to the current vehicle movements along Carinya and Charlottes Lanes. See full Assessment in section C3 of the DCP.

Private roads Carinya Lane and Charlottes Lane service the property. With respect to the proportion of responsibility the owners have towards the upkeep of the roads, this is outside Councils jurisdiction and is managed by the Renwick Deed of agreement. The deed divides the cost of the construction and any required maintenance of the road into eight (8) equivalent shareholdings. The applicant has acknowledged this in their submission regarding an increased share should be paid by the applicant in their response to the submissions. Although they believe their usage will not be of a great impact, they are prepared to pay extra in order to show good faith although this should not be exorbitant or unfair amount and one that is agreed on.

As this is outside Council jurisdiction this matter is considered to be a civil matter between the relevant land owners.

### **Damage to private or common land**

Any liability or damage that may occur from the actions of customers associated with damage to private or common property is a civil matter and any actions by customers will need to be monitored by the managers of the development. The development has been assessed as having a low impact in line with site security, safety and crime prevention provisions.

### **Zoning (rural Residential)**

The zone of the land is Primary Production (RU1) and not rural residential as suggested in the submission. Eco Tourist facilities are a permitted use in the RU1 zone.

The objectives of the land use table for RU1, which the submission lists, states an objective to promote tourism living opportunities that are compatible with environmental values of the land.

This development is providing tourism accommodation opportunities on a lot where there is significant environmental values present.

Additionally, Carinya Alpine Village (adjoining the site) is a well-established commercial business which provides accommodation to tourists and visitors, as well as a single Rural Tourist residence at the commencement of Carinya Lane. Additionally, there is an active DA on adjoining Lot 12 DP 1067410 for a three (3) unit Rural Tourist facility with a manager's residence.

### **Renwick Deed – only nine dwellings**

The Renwick Deed does not limit the number of dwellings. The deed divides the cost of the construction and any required maintenance of the road into eight equivalent shareholdings. The deed in question is a document which indicates an individual's contract to do something, in this case financially contribute to the up keep of the road and pay for water usage.

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## **Water Supply**

### **Applicants Response**

The water that is pumped from Mowamba River will not be used for anything other than our own personal use in our residence (showers etc.) which we have paid for and are entitled to use. The cabins will be fed water from an extremely large rainwater tank up at our house (greater than 35,000 litres) and each cabin will also have their own rain water tank with roof catchment. None of the water from Mowamba River will be used for any of the cabins or any associated cleaning, washing etc. from the cabins

### **Assessing Officers comments**

The proposal is for the cabins to be solely supplied with water from individual rainwater tanks collected from roof run-off from each cabin. A communal 35,000L water tank is also available if required. The existing dwelling will continue to access the water allocation under the Renwick agreement.

A condition of consent will reflect that the cabins are to only be serviced by rainwater.

## **Effluent Disposal**

### **Applicants Response**

The cabins would be connected to a new septic system that is over 200 metres from Steels Creek, it is placed outside the exclusion zone which is in place to prevent any run-off. It is no different to any of the residences along the ridge which have a septic system.

### **Assessing Officers comments**

The location of the system has been recommended by a qualified On-site sewer management specialist (refer to the Site and Soil assessment -Watercheck Repot). The new septic system is located over 200m away from the Steels Creek.

## **Waste Management**

### **Applicants Response**

We are very much aware of the garbage situation at the bank of bins. As a household of two, we are sometimes unable to fit our very minimal amount of rubbish into the bins. There is no way we would have ever considered using these bins for our rubbish disposal. This would be selfish and irresponsible. We would look at having either decent-sized bins on site that we would be able to transport and empty ourselves at the tip or have a rubbish removal service that would empty them. Neighbours have expressed that having a company come and empty them would further increase traffic, however, I do not see how this service is any different to the trucks that are already dropping off people's firewood, online shopping, landscaping supplies etc. We would ensure the bins are large enough that this does not need to be done too frequently.

### **Assessing Officers comments**

There is no council waste collection service to the subject site.

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There is a bank of bins which the existing dwelling uses to dispose of their domestic waste and recycling.

The proposed waste management of the development is either manual delivery to the Jindabyne landfill or via a private collection service.

A condition of consent will be imposed to ensure that the disposal of all waste generated will be carried out in a lawful manner.

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### Summary of Issues Raised by Submission 3

- **Impact on Carinya Lane**
  - Concerned that the development will expose the residents to excessive traffic, pollution and noise.
  - That Carinya Lane was never designed for a large number of traffic movements per day.
  - Concerned for the welfare of non-vehicle road users.
- **Waste Management**

Concerns regarding the availability of suitable waste collection facilities.
- **Use of a Shipping Container as Eco-friendly Cabin**

The use of a shipping container as the base structure of the cabin is unattractive and the proposed verandah will generate noise from southern winds
- **Solar Access and Over Shadowing**

Concerned that the cabins will over shadow the eastern neighbour.
- **Privacy – Overlooking from rear window into neighbouring properties**

Concerned about the loss of privacy to the eastern neighbour.
- **Noise**

Concerned about the potential noise generated by people sitting out the front of the cabins and the noise generated by air-conditioners.
- **Security & Privacy**

Concerned about unwanted visitors entering their property whilst looking for accommodation.

### Officers Response to issues raised in Submission 3

#### **Impact on Carinya Lane**

##### **Applicant Response (summarized below)**

The dwellings located on Carinya Lane are located 100s of meters back from the road with the exception of the Rural Tourist development on the corner of The Snowy River Way and Carinya Lane. After passing Carinya Alpine Village, our property is the first very first driveway at the top of the hill, there is no need to pass any residential houses on Carinya Lane/Charlottes Lane. The road is sealed all the way from The Snowy River Way until our driveway and as such guests would not use the unsealed parts of the road.

‘Carinya lane was never designed to handle large numbers of movements per day’ – the development is proposed on the same road that Carinya Alpine Village uses for its

premises that is holiday accommodation for over 100 people, encouraging sports clubs, church groups or school groups – all of which generally involve large vehicles such as buses/coaches.

Livestock Grazing – I don't believe that the submitter means they actually graze on the road but within their own property. It is up to the owner of the property to ensure that their fences are safe and secure to ensure that safety of their livestock and road users, as would be the expectation on any country road.

Maintenance of Roads – Residents have indicated we should contribute more to the road usage fees in order to compensate them for the increase usage. Although we believe our usage will not be of a great impact, we are prepared to pay extra in order to show good faith although this should not be exorbitant or unfair amount and one that we agree on.

#### **Assessing Officers Comments**

The estimated traffic generated by the proposed development is an increase of less than 5% to the current vehicle movements along Carinya and Charlottes Lanes. This increase would be similar to that of a second dwelling was to be erected on the subject site. The total average number of movements per day is 9. It is considered that this is not an excessive number of movements and is acceptable.

#### **Waste Management**

There is no council waste collection service to the subject site.

There is a bank of bins which the existing dwelling uses to dispose of their domestic waste and recycling.

The proposed waste management of the development is either manual delivery to the Jindabyne landfill or via a private collection service.

A condition of consent will be imposed to ensure that the disposal of all waste generated will be carried out in a lawful manner.

#### **Use of a Shipping Container as Eco-friendly Cabin**

Section E1 -4 of the DCP requires that the design promotes the use of recycled materials. The application in the Statement of Environmental Effects states that "The company 'Black Fly Containers' specialize in the sustainable conversion of shipping containers to small bespoke cottages. " The specifications for the containers are either, new build high cube containers or B grade high cube containers. It is the customer who chooses which of the type is to be used the build. The SEE identifies that in this case the type are to be converted containers. It is considered that having a "new build" containers would impact on the "eco credentials" of the build as it is not a requirement that the materials used in an eco-tourist facility be used materials.

The proposed colour is woodland grey. This colour is in keeping with the colour of the existing dwelling. As such, it is considered that the selected colour will allow for the blending of the cabins into the surrounding landscape.

The size of the cabins are 2.44m wide x 5.5m long x 3.1m height. The size of the cabins is considered to be a small footprint.

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The cabins will only be visible for a small portion of Carinya Lane (approximately in front of lot 133).

The proposed veranda overhangs the western face of the cabin by 1.7m at a slope of 10° and Council has not been provided any evidence that the veranda will create any noise and is of the option that the structure will no create and impact.

Figure 6: Location plan showing visibility from the Carinya Lane.





Figure 7: View from Carinya Lane



### **Solar Access and Over Shadowing**

#### **Applicant Response**

There is no impact, given the location of the cabins and the height of the buildings are not high enough on the land to cast a shadow on to the eastern fence line, let alone to their roof. The shed on the neighbouring property and the line of pine trees could contribute to any sun blockage.

#### **Assessing Officers Response**

The original proposal setbacks ranging from 6.5m to 12.5m. In response to submissions the applicant has provided a revised site plan with increased setbacks, ranging from 11.5m – 14.5m.

The buildings are single story with a maximum height of 3.4m and as such there is no foreseen overshadowing impacts on the eastern property and the setbacks proposed will create minimal impact on adjoining properties.

### **Privacy – Overlooking from rear window into neighbouring properties**

#### **Applicant Response (summarised)**

The distance between the dwellings aids visual and acoustic privacy. Additional screening will be provided between the cabins and the fence line.

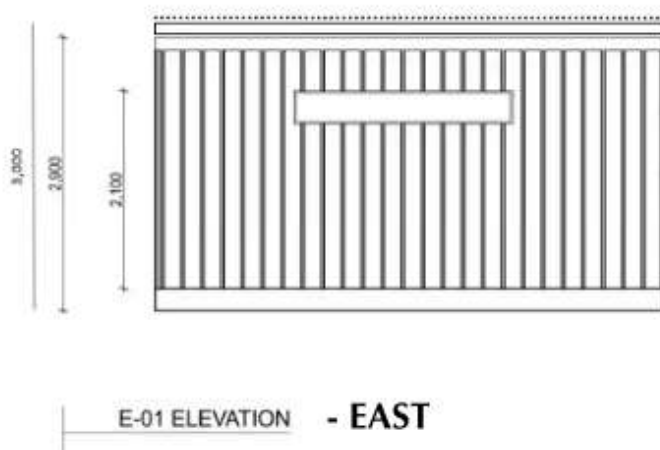
We are onsite if there are any disturbances, there are no street lights around that area so guests will rely on the vehicle lights to locate their destination. There will be signage on the front gate when entering and signage leading down to the cabins once on the property.

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### Assessing Officers comments

The applicant has provided a revised site plan with increased setbacks, ranging from 11.5m – 14.5m, and a reduced number of cabins from four (4) to three (3). These changes were made in response to the submissions received.

The rear window of the cabins is a narrow highlight window, located above the bedroom. It is reasonable to expect that guests will be more interested in lookout out the large sliding door towards the views across the Moonbah Plains than out a narrow window towards a row of large pine trees.



The cabins will be located along the boundary fence shared by 6 Charlottes Lane. The developers have proposed the planting of screening plants along this boundary to reduce any privacy issues. Additionally, along this boundary line there is a well-established line of pine trees inside the property boundary of 6 Charlottes Lane.

It is considered that with the existing pine trees and the additional planting of screening plants the impact on privacy is satisfactory.

A condition of consent will be in place to ensure that the screening plants/landscaping are maintained and managed to ensure successful growth meeting the intent of the landscape design.

Figure 8: View showing location of the cabins in relation to the boundary line of 6 Charlottes Lane.



## Noise

### **Applicant response (summarized)**

Modern air conditioners are very quiet and the sound would not travel far enough to impact on adjoining neighbours. We currently have air conditioners on our home and you can barely hear them from just a few meters away.

## Security and Privacy

### **Applicant Response (summarised)**

We will provide accurate directions to the property and google maps also has no problem identifying the property and giving correct direction to the property.

We are onsite if there are any disturbances, there are no street lights around that area so guests will rely on the vehicle lights to locate their destination. There will be signage on the front gate when entering and signage leading down to the cabins once on the property.

### **Assessing Officers Comments**

Signage can be erected in compliance with the State Planning State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or with separate development approval.

With adequate signage and the availability of internet guidance systems readily available, it is reasonable to expect that the majority of guests will be able to find there ways to the subject site with little impact to adjoining neighbours.

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A condition of consent will reflect that there is no signage approved as part of this development application, however signage can be erected with separate development approval or in compliance with the State Planning State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

#### **Summary of Issues Raised by Submission 4**

- **Increased Traffic**  
Concerns regarding speeding, lost guests
- **Lack of managers on site**  
Concerns that there will be no manager on-site whilst the cabins are occupied
- **Access – Road suitability**  
Concerns that the road was not constructed to accommodate additional accommodation.
- **Commercial enterprise in Rural Residential area**  
Concerned that the land cannot be used to support commercial business and the impact on a rural residential community and the land use changes were not informed to land holders.
- **Is Council going to take on Carinya Lane as public Road to fund ongoing maintenance?**
- **How will Council Police the Conditions of Consent?**

#### **Officers Response to issues raised in Submission 4**

##### **Increased Traffic**

##### **Applicant Response (summarized below)**

The dwellings located on Carinya Lane are located 100s of meters back from the road with the exception of the Rural Tourist development on the corner of The Snowy River Way and Carinya lane. After passing Carinya Alpine Village, our property is the first very first driveway at the top of the hill, there is no need to pass any residential houses on Carinya Lane/Charlottes Lane. The road is sealed all the way from The Snowy River Way until our driveway and as such guests would not use the unsealed parts of the road. The development is proposed on the same road that Carinya Alpine Village uses for its premises that is holiday accommodation for over 100 people, encouraging sports clubs, church groups or school groups – all of which generally involve large vehicles such as buses/coaches.

##### **Assessing Officers Comments**

The estimated traffic generated by the proposed development is less than an increase of 5% to the current vehicle movements along Carinya and Charlottes Lane. See full Assessment in section C3 of the DCP.

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### **Lack of Managers on-site**

The development does not require onsite management as per the requirements of the DCP as the number of proposed guests is well below 15 people. However, the owners are proposing to reside on site. A condition of consent will be applied requiring the managers be on-site at all time that the cabins are being occupied.

### **Access – Road suitability**

#### **Applicant Response**

Residents have indicated we should contribute more to the road usage fees in order to compensate them for the increase usage. Although we believe our usage will not be of a great impact, we are prepared to pay extra in order to show good faith although this should not be exorbitant or unfair amount and one that we agree on.

### **Zoning (rural Residential)**

#### **Assessing Officers Comments:**

The zone of the land is Primary Production (RU1) and not rural residential as suggested in the submission. Eco Tourist facilities are a permitted use in the RU1 zone. There are no recent changes to zoning classification in this area. Under the Snowy River LEP 2007 the property area was zoned Locality 8 Jindabyne in which Rural Tourist Accommodation were a permitted use.

This is the plan under which the active DA on adjoining Lot 12 DP 1067410 for a three (3) unit Rural Tourist facility with a manager's residence was approved. In 2013 the current SR LEP 2013 was gazetted and as such the land was zoned RU1 in accordance with the revised land zones provided by the state government, under which rural tourist development was no longer an approvable use. In this change of legislation there was an introduced term 'Eco-tourist facility'. At this time that the proposed land use was introduced.

### **Is Council going to take on Carinya Lane as public Road to fund ongoing maintenance?**

The estimated traffic generated by the proposed development is less than an increase of 5% to the current vehicle movements along Carinya and Charlottes Lane. See full Assessment in section C3 of the DCP.

Private roads Carinya Lane and Charlottes Lane service the property. With respect to the proportion of responsibility the owners have towards the upkeep of the roads, this is outside Councils jurisdiction and is managed by the Renwick Deed of agreement. The deed divides the cost of the construction and any required maintenance of the road into eight (8) equivalent shareholdings. The applicant has acknowledged the submission regarding an increased share should be paid by the applicant in their response to the submissions. Although they believe our usage will not be of a great impact, they are prepared to pay extra in order to show good faith although this should not be exorbitant or unfair amount and one that we agree on.

Council will not be taking Carinya Lane on as a public road and considered this matter to be a civil matter between the relevant land owners.

### **How will Council Police the Conditions of Consent?**

Council is the regulatory authority for compliance with conditions of development consent.

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### Summary of Issues Raised by Submission 5

**1. Zoning and Development controls for Eco-tourism**

Concerned that the development does not fit the development standards or the definition of Eco-tourism.

Concerned about the seemingly lack of controls regarding eco-tourism facility in the SR LEP and DCP.

**2. State Environmental Planning Policy - Short Term Rental Accommodation**

How will the Code of conduct associated with the STRA be monitored?

**3. Part B of the SR DCP - Rural Localities**

Concerned that the development is not in keeping with the established character of the area.

**4. Chapter C – Subdivision**

Consider that the lots are smaller than the minimum lot size.

**5. Flora and Fauna Protection**

Concerns for the welfare of native flora and fauna.

**6. Provision of Services**

Concerns regarding mobile network coverage

**7. Access**

Concerns regarding water access rights.

Concerned about who will be responsible for the upkeep of the road, the dust and noise impacts generated by the increased traffic

**8. Tourist Development Subdivision**

Concerned about the additional demand for council services.

**9. Design Considerations**

- Views
- Solar Access
- Over Shadowing
- Privacy
- Vegetation Removal
- Excavation
- Storm water disposal
- Heritage Features of sites and adjoining sites
- Bushfire hazard potential

**10. Security and Safety**

Concerned about the increased number of people in the area, increased lighting on the street and people entering their property in search of the accommodation.

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**11. Car Parking**

Concerns about the proximity of the driveway to the property boundary, safety concerns regarding exiting the property and the number of cars associated with the development.  
No Traffic Assessment provided.

**12. Landscaping**

No details provided

**13. Signage**

No details provided

**14. Environmental Management – conflict of land uses**

Concerned that the proposed development will limit potential land uses on adjoining properties and regarding adequate water supply.

**15. Change of land use - Commercial enterprise in Rural Residential area**

Concerned that the land cannot be used to support commercial business and the impact on a rural residential community and the land use changes were not informed to land holders.

**16. Eco-tourist Facility Requirement**

- States that the development unwanted in the area, is not adjacent to an area of special ecological features, the use of shipping containers over locally sourced materials, close to property boundary and no educational facilities proposed.
- Failure to demonstrate renewable energy and water sources. No information provided regarding energy rating, solar power or heating and cooling equipment.
- Added impacts on the environment with an OSSM and reducing the scenic value and vistas of neighbouring properties.
- Lack of consultation and consideration for the residence impacted by the development.

**17. Number of Guests on the property**

Concerns regarding the number of people to be accommodated in each cabin.

**18. Consistency with the provision of the Disability Discrimination Act**

Concerned that the proposed Disabled accessed cabin will not be built.

**19. On-site Management**

Concerned that there will be no manager on-site whilst the cabins are occupied and clarification if the dwelling can be used as the managers residence.

**20. Waste Management**

Concerns regarding the availability of suitable waste collection facilities.

**21. Non Compliance with SEPPs**

States that the development does not comply with the Rural Housing Code, the Inland Code

**22. Current dwelling being used as a self-contained Air B&B**

Concerned that the AirB&B will continue to operate after the Cabin are operational and that the current AirB&B operation is not lawful.

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**23. Proximity to Boundary**

Concerned about the size of the proposed setback and non-compliance with SEPP provisions.

**24. Renwick Deed service deed**

Concerned that the proposed development is not in keeping with the Renwick deed and places an unfair burden on the other shareholders.

**9. Effluent Disposal**

Concerns regarding where the sewage from the cabins would go and the potential for contamination of Steels creek and Mowamba river.

**25. Notification Process**

Insufficient time and information to make a submission

**Officers Response to issues raised in Submission 5**

**Zoning and Development controls for Eco-tourism**

The zone of the land is Primary Production (RU1) and Eco Tourist facilities are a permitted use. There are no recent changes to zoning classification in this area.

Please refer to the assessment of clause 5.13 of the LEP for the full assessment of how the development meets the requirements of an Eco-tourist Facility

The proposed development has been assessed against the current provisions of the SRLEP and DCP and found to be satisfactory.

**State Environmental Planning Policy - Short Term Rental Accommodation**

The SEPP STRA is not yet in force and does not form part of the planning instruments relevant to the consideration or assessment of this application.

**Part B of the SR DCP - Rural Localities**

The development is located in a rural locality and there are many established tourist accommodation developments operating within the immediate proximity of the subject lot and within the greater area. Carinya Alpine Village is a large tourist accommodation site on Carinya Lane, adjoining Lot 12 DP 1067410 has an active DA for a three (3) unit Rural Tourist facility with a managers residence, there is a rural tourist accommodation unit operating the beginning of Carinya Lane, there is an approved Glamping facility on Frost Creek Lane and a large Rural Tourist accommodation facility on the corner of the Snowy River Way and The Barry Way. Given the number of existing tourist accommodation operating within the area it is reasonable to say that the character of the area does include tourist accommodation and as such the development is in keeping with the objectives of PART B.

**Chapter C – Subdivision**

The size of the development is reflective of the size of the proposed development. In response to the submission received the applicant reduced the number of cabins. The lot could be developed with a second dwelling which in theory could include a 3 or 4 bedroom dwelling which would also require an additional OSSM and would have a greater site coverage and as such a greater impact to the site. As such, given the small scale of the proposed development it is considered that the development is suitable for the lot size.

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### **Flora and Fauna Protection**

The property is in close proximity to the Steels Creek. The cabins are all setback over 200m from the creek. The existing dwelling and other established dwellings in the area are in a similar proximity to the creek to the proposed development and therefore, there are no negative foreseen impacts.

The fact that the submission identifies the number of significant native flora and fauna found in the area and within the adjoin creek/river systems is the connection to a significant environmental values to which this Eco-tourism facility is basing their application.

### **Provision of Services**

#### **Applicant Response**

We have fine reception for making phone calls (and a landline) if guests need to use it. 000 calls work almost anywhere and there would be no problem making a 000 call in an emergency. We also supply and have working internet for additional communication.

#### **Assessing Officers Comments**

The telephone reception for a Telstra mobile phone when used at the site was adequate to undertake a conversation. This however may not apply to other carriers.

### **Access**

The estimated traffic generated by the proposed development is less than an increase of 5% to the current vehicle movements along Carinya and Charlottes Lanes. See full Assessment in section C3 of the DCP.

Private roads Carinya Lane and Charlottes Lane service the property. With respect to the proportion of responsibility the owners have towards the upkeep of the roads, this is outside Councils jurisdiction and is managed by the Renwick Deed of agreement. The deed divides the cost of the construction and any required maintenance of the road into eight (8) equivalent shareholdings. The applicant has acknowledged the submission regarding an increased share should be paid by the applicant in their response to the submissions. Although they believe our usage will not be of a great impact, they are prepared to pay extra in order to show good faith although this should not be exorbitant or unfair amount and one that we agree on.

Council will not be taking Carinya Lane on as a public road and considered this matter to be a civil matter between the relevant land owners.

### **Tourist Development Subdivision**

The development of an Eco-tourist facility draws in associated Section 7.11 contributions payable in accordance with the Snowy River Contribution Plan 2008. These contributions are outlined in the conditions of consent.

### **Visual Appearance**

The size of the cabins are 2.44m wide x 5.5m long x 3.1m height. The size of the cabins is

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considered to be a small footprint.

The proposed colour is woodland grey. This colour is in keeping with the colour of the existing dwelling. As such, it is considered that the selected colour will allow for the blending of the cabins into the surrounding landscape. In addition, the siting of the cabins are well below the ridgeline lower than the existing dwelling and located as far down the block as possible without entering into the restricted area.

- **Views**

The cabins will only be visible for a small portion of Carinya Lane (approximately in front of 131 Carinya Lane) and from property 131 Carinya Lane. The orientation of 131 Carinya Lane is towards the west to capture mountain views with a small crest to the east, so it is reasonable to consider that the views to the east of 131 Carinya Lane will not significant impediment to the enjoyment of their land.

Figure 9: View west toward 131 Carinya Lane



The row of existing established Pine trees within the property of 6 Charlottes Lane will provide a visual barrier between the development and the uphill neighbours. The applicant had agreed to provide additional screen planting to further minimise any visual impact. It should also be noted that any views to the west that 6 Charlottes Lane would be obstructed by the pine trees within this property and that the location of the dwelling is up-slope from the proposed development and as such would look over the top of the development and would still be able to enjoy views of the mountains to the west.

Figure 10: View looking east from the proposed site development



Figure 11: Location plan showing visibility from the Carinya Lane.



Figure 12: View from Carinya Lane



- **Solar Access**

The Cabins are orientated to the west and will receive more than adequate solar access to allow for passive heating.

- **Over Shadowing**

The original proposal setbacks ranging from 6.5m to 12.5m, in response to submissions the applicant has provided a revised site plan with increased setbacks, ranging from 11.5m – 14.5m.

The buildings are single story with a maximum height of 3.4m and as such there is no foreseen overshadowing impacts on the eastern property.

- **Privacy**

The applicant has provided a revised site plan with increased setbacks, ranging from 11.5m – 14.5m, and a reduced number of cabins from four (4) to three (3). These changes were made in response to the submissions received.

The rear window of the cabins is a narrow highlight window, located above the bedroom. It is reasonable to expect that guests will be more interested in lookout out the large sliding door towards the views across the Moonbah Plains than out a narrow window towards a row of large pine trees.

The cabins will be located along the boundary fence shared by 6 Charlottes Lane. The developers have proposed the planting of screening plants along this boundary to reduce any privacy issues. Additionally, along this boundary line there is a well-established line of pine trees inside the property boundary of 6 Charlottes Lane.

It is considered that with the existing pine trees and the additional planting of screening plants the impact on privacy is satisfactory.

A condition of consent will be in place to ensure that the screening plants/landscaping are maintained and managed to ensure successful growth meeting the intent of the landscape design.

- **Vegetation Removal**

There are no trees proposed to be removed as a part of this development. There will be some disturbance to an existing managed grassed area. Additionally, in response to the submission the applicant have agreed to provide screening plant along the eastern boundary. The requirement of this will form a condition of consent.

- **Excavation**

The proposed development site is relatively flat and as such there is minimal excavation required.

- **Storm water disposal**

Storm water collected on the cabin roofs will be directed to rainwater for collection and used as water supply for the individual cabins.

- **Heritage Features of sites and adjoining sites**

Heritage item - I149 - Carinya Alpine Village Recreational Hall (82 Carinya Lane) is located on an adjoining property.

The entry to the subject lot of the proposed development is located over 300m

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away from the heritage item.

As such, there is no foreseen impact from the development to the heritage item.

An AHIMS search was carried out revealing zero (0) aboriginal sites or locations within 50m of the subject site. AHIMS: 567120

- **Bushfire hazard potential**

The property is not mapped as being bushfire prone land and as such bushfire considerations were not assessed as part of this application.

## **Security and Safety**

### **Applicant Response (summarised)**

We will provide accurate directions to the property and google maps also has no problem identifying the property and giving correct direction to the property.

We are onsite if there are any disturbances, there are no street lights around that area so guests will rely on the vehicle lights to locate their destination. There will be signage on the front gate when entering and signage leading down to the cabins once on the property.

### **Assessing Officers Comments**

Signage can be erected in compliance with the State Planning State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or with separate development approval.

With adequate signage and the availability of internet guidance systems readily available, it is reasonable to expect that the majority of guests will be able to find there ways to the subject site with little impact to adjoining neighbours.

## **Car Parking**

The proposal has provided each cabin with an individual dedicated car parking space. The existing dwelling has existing car parking arrangement to service the requirements of an on-site manager. This in accordance with the requirements for car parking in the SR DCP.

The smallest revised setback is now 11.5m, this is more than adequate space for safe vehicle manoeuvring to occur and for cars to exist the site in a forwards motion.

Section E1 Part 4 (4.1.2) requires a Traffic Assessment report to be prepared for a development at Council discretion. Given the development is expected to only generate less than a 5% increase in traffic the preparation of a traffic report was not deemed necessary.

## **Landscaping**

There are no trees proposed to be removed as a part of this development. There will be some disturbance to an existing managed grassed area. Additionally, in response to the submission the applicant have agreed to provide screening plant along the eastern boundary. The requirement of this will form a condition of consent.

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Figure 13: Existing managed Grassed area.



### **Signage**

No signage is proposed as part of the development.

Any future signage will be the subject of a separate development application, unless it meets the development standards of the Exempt and Complying Code SEPP 2008.

### **Environmental Management – conflict of land uses**

The subject land is RU1 where the land use Eco-tourist Facility is permitted with consent.

The property is burdened by a restriction on use. The restriction is the prohibition of livestock on the property without the lot being fenced. The development is located outside the restricted area and therefore there are no foreseen impacts on the adjoining agriculture land.

The neighbouring properties are used for agricultural, residential and tourist and visitor accommodation.

Carinya Alpine village, located directly adjacent to the subject land, offering accommodation for up to 140 people. The village attracts family and friend groups, sports clubs, church clubs, school excursions, and corporate groups.

Given the proximity to established tourist and visitor business providing accommodation of up to 140 people, it is considered that a potential six (6) additional persons is of minimal impact and therefore satisfactory.

Additionally it should be noted that the incoming Short-term Rental Accommodation (STRA) SEPP and associated regulations will allow all residential properties in the area to be used for short term holiday accommodation without a DA. Therefore, there is the

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potential that the use of dwellings in the area for short term holiday accommodation will increase in the coming years.

### Change of land use - Commercial enterprise in Rural Residential area

The zone of the land is Primary Production (RU1). Eco Tourist facilities are a permitted use in a RU1 zone. There are no recent changes to zoning classification in this area. Under the Snowy River LEP 2007 the property area was zoned Locality 8 Jindabyne in which Rural Tourist Accommodation were a permitted use.

This is the plan under which the active DA on adjoin Lot 12 DP 1067410 for a three (3) unit Rural Tourist facility with a managers residence was approved. In 2013 the current SR LEP 2013 was gazetted and as such the land was zoned RU1 in accordance with the revised land zones provided by the state government, under which rural tourist development was no longer an approvable use. In this change of legislation there was an introduced term 'Eco-tourist facility'. At this point of time this proposed land use was introduced.

### Eco-tourist Facility Requirement

- **States that the development unwanted in the area;**

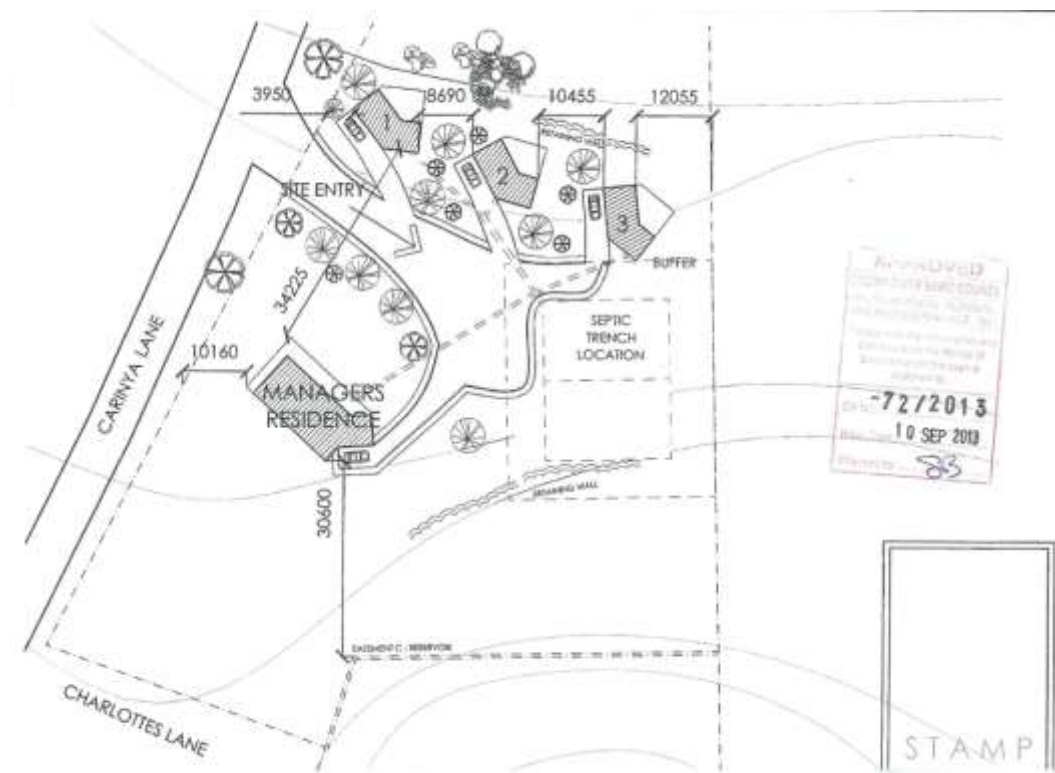
There are three (3) other approved tourist facilities on Carinya Lane and that the use is established in the area.

Figure 14: Location of the three approved tourist accommodation approvals on Carinya Lane





Figure 15: site map of approved DA72/2013 (3 Rural Tourist cabins and a Managers Residence)



- **Not adjacent to an area of special ecological features**

The area included in the Snowy River catchment covers all natural rivers, creeks, streams of the Snowy River including the Mowamba River of which the land is situated on a tributary Steels Creek.

As such, it is considered that the subject lands proximity to the Mowamba River and the Snowy River satisfy the requirement of adjacent to an area with special ecological features.

- **Use of shipping containers over locally sourced materials;**

Section E1 -4 of the DCP requires that the design promotes the use of recycled materials. The purposed cabins meet this requirement as the cabins are re-proposed shipping containers.

The proposed colour is woodland grey. This colour is in keeping with the colour of the existing dwelling. As such, it is considered that the selected colour will allow for the blending of the cabins into the surrounding landscape.

- **No educational facilities proposed;**

The provision of education is not a required provision, the key word being 'may include' in the definition of Eco-tourism. It is considered given the small scale of the development that having the managers available to answer any questions is sufficient.

The subject land is in an area with special ecological features. The land backs directly onto Steels Creek which flows into the Mowamba River. Both of these water courses are tributaries of the Snowy River. These watercourses attract aquatic life, bird life and a range of other native wildlife to the subject land. This allows for a variety of nature based activities such as bird watching and fly fishing. These are examples of hands on activities which could take place on the property or within the immediate vicinity.

- **Close to property boundary;**

The original proposal consisted of four (4) cabins with setbacks ranging from 6.5m to 12.5m.

The applicant has provided a revised site plan with increased setbacks, ranging from 11.5m – 14.5m, and a reduced number of cabins from four (4) to three (3).

The Snowy River DCP does not have any required setbacks for eco-tourism, as such it is considered that the applicant's revised setbacks have acknowledged the submitters concerns regarding setbacks in a satisfactory manner.

- **Failure to demonstrate renewable energy and water sources. No information provided regarding energy rating, solar power or heating and cooling equipment.**

The development proposes the installation of 3 pre-manufactured cabins as such the installation of the cabins is covered by the Local Government Act. Under this Act the provision of a BASIX certificate is not required. The applicant has however provided both a BASIX certificate and NATHERs certificate, this shows that the cabins are compliant with the requirement of any new dwelling being built in NSW. There is no DCP or LEP requirement that stipulates a specific "star rating" for eco tourist facilities.

The development will be supplied with rainwater and solar power as confirmed in the applicant response to the submissions.

- **Added impacts on the environment with an OSSM and reducing the scenic value and vistas of neighbouring properties.**

The location of the system has been recommended by a qualified on-site sewer management specialist (refer to the Site and Soil assessment - Watercheck Report). The new septic system is located over 200m away from the Steels Creek.

- **Lack of consultation and consideration for the residence impacted by the development.**

The applicant has advised that they wrote to the Renwick members on the 17/11/2020 regarding any concerns about the development and invited them to contact them regarding their concerns and in direct response to the submission received the applicant has reduced the number of cabins proposed and increased the setback from the eastern boundary.

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### **Number of Guests on the property**

The SR DCP 2013 does not pre-define the number of guests permitted in relation to a m<sup>2</sup> ratio. However a condition of consent will reflect that a maximum of two people will be permitted per cabin. Thus the total number of people for the entire development is six (6).

### **Consistency with the provision of the Disability Discrimination Act**

The Building Code of Australia (BCA) Part D3 state the where the development is for 4 – 10 cabins/units there must be provision for a disabled access unit. Given the submissions received by the submitters the applicant reduced the number of unit. As a result the provision of an accessible cabin is not required by the BCA.

### **On-site Management**

The development does not require onsite management as per the requirements of the DCP as the number of proposed guests is well below 15 people. However, the owners are proposing to reside on site. A condition of consent will be applied requiring the managers be on-site at all time that the cabins are being occupied.

### **Waste Management**

There is no council waste collection service to the subject site.

There is a bank of bins which the existing dwelling uses to dispose of their domestic waste and recycling.

The proposed waste management of the development is either manual delivery to the Jindabyne landfill or via a private collection service.

A condition of consent will be imposed to ensure that the disposal of all waste generated will be carried out in a lawful manner.

### **Non Compliance with SEPPs**

The relevant planning instruments to this development application is the Snowy River LEP and DCP. Submission 7 alleged noncompliance with the Rural Land Code and the Inland Code. These planning instruments are not applicable to this development as they are codes used for the assessment of Complying Development Application. This application is a Development Application and is assessed under the provisions of the LEP and the DCP.

### **Current dwelling being used as a self-contained Air B&B**

The Air B & B operation which was offered at 2 Charlottes Lane is a separate issue that will need to be dealt with from a compliance point of view. It is acknowledged that this is not the only property where short term holiday accommodation is a being carried out without approval. This is a broader compliance issue for Council and should not be taken into consideration with respect to this development application. The assessment can only assess what has been submitted which is an eco-tourist development with three cabins.

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### **Proximity to Boundary**

The original proposal consisted of four (4) cabins with setbacks ranging from 6.5m to 12.5m.

The applicant has provided a revised site plan with increased setbacks, ranging from 11.5m – 14.5m, and a reduced number of cabins from four (4) to three (3).

The Snowy River DCP does not have any required setbacks for eco-tourism, as such it is considered that the applicant's revised setbacks have acknowledged the submitters concerns regarding setbacks in a satisfactory manner.

### **Renwick Deed service deed**

#### **Applicant Response**

Residents have indicated we should contribute more to the road usage fees in order to compensate them for the increase usage. Although we believe our usage will not be of a great impact, we are prepared to pay extra in order to show good faith although this should not be exorbitant or unfair amount and one that we agree on.

#### **Assessing Officers Comments**

The access to the subject lot is benefited by a Right of Way under the current 88B instrument for DP 825288. Permitting the use of "every person authorised by it to go pass and repass to and from the dominant tenement at all times and for all purposes."

Due to the private nature of Carinya Lane, road maintenance and control is not the responsibility of the SMRC. The financial responsibility for this road maintenance is divided proportionately amongst the Renwick Pty Ltd stakeholders.

The private roads Carinya and Charlottes Lanes where constructed and are maintained in accordance with the Renwick Deed.

The Renwick Deed is divided into eight (8) ordinary shares, to be known as 'the user's shareholding'.

Schedule 2 Part B(i) of the Renwick Deed covenant the Users to pay a sum equivalent to eight (8) percentum for the cost of services referred to in Clause 5(ii).

The proportion of the subject lot is currently an ordinary percentum. Should the Renwick Company wish to ament the Deed to reflect a revised user shareholding, this could be executed via a Deed of Variation or by an agreement supported by consideration.

### **Effluent Disposal**

#### **Applicants Response**

The cabins would be connected to a new septic system that is over 200 metres from Steels Creek, it is placed outside the exclusion zone which is in place to prevent any run-off. It is no different to any of the residences along the ridge which have a septic system.

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### **Assessing Officers comments**

The location of the system has been recommended by a qualified On-site sewer management specialist (refer to the Site and Soil assessment -Watercheck Report). The new septic system is located over 200m away from the Steels Creek.

### **Notification Process**

The notification process was carried out in accordance with the Snowy Monaro Community Participation Plan. All adjoining owners were posted letters via mail on the 5<sup>th</sup> November 2020 with a notification period of 14 days.

Council was contacted by several members of the public to request an extension to the submission time. Council granted an extension for submissions to be lodged for an additional 11 days.

It should also be noted that during this time Councils DA tracker became operational and all documentation was made available on Council Website.

### **Summary of Issues Raised by Submission 6**

#### **1. Commercial enterprise in Rural Residential area**

Concerned that the land cannot be used to support commercial business and the impact on a rural residential community and the land use changes were not informed to land holders.

#### **2. Renwick Deed – no B&B**

Concerned that the proposed development is not in keeping with the Renwick deed and that Bed & Breakfasts and Poultry farms are not permitted.

#### **3. Setbacks**

Believes the cabins should be set back 30m from the boundary

### **Officers Response to issues raised in Submission 6**

#### **Zoning (rural Residential)**

##### **Assessing Officers Comments**

The zone of the land is Primary Production (RU1) and not rural residential as suggested in the submission. Eco Tourist facilities are a permitted use in the RU1 zone. There are no recent changes to zoning classification in this area. Under the Snowy River LEP 2007 the property area was zoned Locality 6 Moonbah/Ingebyra in which Rural Tourist developments were a permitted use.

This is the plan under which the active DA on adjoining Lot 12 DP 1067410 for a three (3) unit Rural Tourist facility with a manager's residence was approved. In 2013 the current SR LEP 2013 was gazetted and as such the land was zoned RU1 in accordance with the revised land zones provided by the state government, under which rural tourist development was no longer an approvable use. In this changes of legislation there was an introduced term 'Eco-tourist facility'. At this time the proposed land use was introduced.

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### **Renwick Deed – no B&B, no Poultry Farms**

The Renwick Deed does not preclude the ability of a property to be developed for Bed and Breakfast or Poultry Farms. A deed of agreement is a special form of document which indicates an individual's contact to do something, in this case finically contribute to the up keep of the road and pay for water usage.

Additionally there is no restriction on use outlined in the 88B instrument which would preclude the uses of Bed and Breakfast, Poultry Farms or holiday accommodation.

### **Current Air B & B operations.**

#### **Applicant Response (summarised)**

Visitors don't often get lost and comprehensive information is sent via text message day prior to arrival. Google maps also has no problem identifying the property and giving correct direction to the property.

#### **Assessing Officers Responses**

The Air B & B operation which was offered at 2 Charlottes Lane is a separate issue that will need to be dealt with from a compliance point of view. It is acknowledged that this is not the only property where short term holiday accommodation is a being carried out without approval. This is a broader compliance issue for Council and should not be taken into consideration with respect to this development application. The assessment can only assess what has been submitted which is an eco-tourist development with three cabins.

### **Setbacks – Location**

#### **Assessing Officer Comments**

The original proposal consisted of four (4) cabins with setbacks ranging from 6.5m to 12.5m.

The applicant has provided a revised site plan with increased setbacks, ranging from 11.5m – 14.5m, and a reduced number of cabins from four (4) to three (3).

The Snowy River DCP does not have any required setbacks for eco-tourism, as such it is considered that the applicant's revised setbacks have acknowledged the submitters concerns regarding setbacks in a satisfactory manner.

### **Summary of Issues Raised by Submission 7**

#### **1. EURIE EURIE Bed and Breakfast (11 Carinya Lane) - Lost Guests**

Concerned about unwanted visitors entering their property whilst looking for accommodation.

#### **2. Access – Private Road**

Concerned about who will be responsible for the upkeep of the road, the dust, noise and visual impacts generated by the increased traffic

#### **3. Additional accommodation to that provided in the current dwelling as Air B&B**

Concerned that the AirB&B will continue to operate after the Cabin are operational

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### **Officers Response to issues raised in Submission 7**

#### **EURIE EURIE Bed and Breakfast (11 Carinya Lane) - Lost Guests**

##### **Applicant Response (summarised)**

EURIE EURIE has had issues and don't believe that as a result we should be tarred with the same brush.

We will provide accurate directions to the property and google maps also has no problem identifying the property and giving correct direction to the property.

We are onsite if there are any disturbances, there are no street lights around that area so guests will rely on the vehicle lights to locate their destination. There will be signage on the front gate when entering and signage leading down to the cabins once on the property.

##### **Assessing Officers Comments**

A condition of consent will reflect that there is no signage approved as part of this development application. However signage can be erected with separate development approval or in compliance with the State Planning State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

#### **Lack of mobile Coverage**

##### **Applicant Response**

We have fine reception for making phone calls (and a landline) if guests need to use it. 000 calls work almost anywhere and there would be no problem making a 000 call in an emergency. We also supply and have working internet for additional communication.

##### **Assessing Officers Comments**

The telephone reception for a Telstra mobile phone when used at the site was adequate to undertake a conversation. This however may not apply to other carriers.

#### **Road use and maintenance**

##### **Applicant Response**

Residents have indicated we should contribute more to the road usage fees in order to compensate them for the increase usage. Although we believe our usage will not be of a great impact, we are prepared to pay extra in order to show good faith although this should not be exorbitant or unfair amount and one that we agree on.

##### **Assessing Officers Comments**

The access to the subject lot is benefited by a Right of Way under the current 88B instrument for DP 825288. Permitting the use of "every person authorised by it to go pass and repass to and from the dominant tenement at all times and for all purposes."

Due to the private nature of Carinya Lane, road maintenance and control is not the responsibility of the SMRC. The financial responsibility for this road maintenance is divided proportionately amongst the Renwick Pty Ltd stakeholders.

The private roads Carinya and Charlottes Lanes were constructed and are maintained in accordance with the Renwick Deed.

The Renwick Deed is divided into eight (8) ordinary shares, to be known as 'the user's

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shareholding’.

Schedule 2 Part B(i) of the Renwick Deed covenant the Users to pay a sum equivalent to eight (8) percentum for the cost of services referred to in Clause 5(ii).

The proportion of the subject lot is currently an ordinary percentum. Should the Renwick Company wish to amend the Deed to reflect a revised user shareholding, this could be executed via a Deed of Variation or by an agreement supported by consideration.

## **Granny Flat – AirB&B**

### **Assessing Officer comments**

The Air B & B operation which was offered at 2 Charlottes Lane is a separate issue that will need to be addressed by Council as a separate matter. It is acknowledged that this is not the only property where short term holiday accommodation is being carried out without approval. This is a broader compliance issue for Council and should not be taken into consideration with respect to this development application. The assessment can only assess what has been submitted which is an eco-tourist development with three cabins.

## **CONCLUSION**

It is considered that the proposed development generally complies with the relevant provisions of Section 4.15 of the Act, LEP, DCPs, Codes and Policies. The key issues arising out of the assessment of this application comprise:

1. The proposed development is a permitted use in the zone of Primary Production – RU1
2. The use of the subject lot as a form of tourist and visitor accommodation is one, which has been previously established in Carinya Lane.
3. The development complies with the standards of the SR LEP and the SR DCP.
4. The amended site plan increases setback and reduces the number of cabins.

In conclusion, it is considered that the proposal is generally aesthetically, economically, socially and environmentally acceptable having regard to the surrounding natural and built environment. Accordingly, approval is recommended subject to the imposition of the conditions of consent listed below.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

It is not considered that the development will have an overall negative social impact when compared to the surrounding land uses. Whilst holiday accommodation can have antisocial behaviour attached this can be managed through appropriate rental management. The development is in keeping with the nature of the surrounding developments and within the Jindabyne context as a holiday destination.

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## **2. Environmental**

The environmental impacts of the development have been considered in the assessment of the development application. The onsite waste management systems are proposed that comply with state government requirements and are situated so as not to impact on water courses. There will be minimal excavation associated with the development. There is no expected impact on air quality. There is no tree or significant vegetation removal proposed as part of the development and additional proposed screening landscaping will add to the enhancement of the environment.

## **3. Economic**

The proposed development is considered to have positive economic impacts by providing additional tourist and visitor accommodation which along with increased visitation of tourists to the area contributes positively to the economy of the region. In addition the installation of the containers on site has a positive economic impact on employment.

## **4. Civic Leadership**

The application is referred to Council for determination rather than being determined by staff under delegation, as the development received seven (7) submissions. This is accordance with Councils Policy - "Referral of Development Applications to Council" any development application that receives more than five (5) objections requires determination by Council and not under delegation.



### 9.1.1 POLICY APPROVAL - SMRC CEMETERY OPERATIONS

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Environmental Management Administration
Key Theme:	1. Community Outcomes
CSP Community Strategy:	3.2 Positive social behaviours (including law and order) are fostered and encouraged to maintain our safe, healthy and connected communities
Delivery Program Objectives:	3.2.1 Council's public health and regulatory responsibilities are planned for and delivered to facilitate a safe community and raise awareness
Attachments:	1. SMRC Policy - Cemetery Operations
Cost Centre	4 – Cemetery Operations

### EXECUTIVE SUMMARY

In May 2016 following the amalgamation of the three local Councils, (Cooma-Monaro Shire, Bombala Shire and Snowy River Shire) the Cemetery Operations Unit and the Snowy Monaro Cemetery Advisory Committee determined that all operations for the 16 operational cemeteries and an additional seven non-operational cemeteries in the region would need to be aligned.

In order to achieve this a new set of Policies were required. Note this matter is not related to the clarification of policy on plaques and monuments discussed at the April 2021 Ordinary meeting of Council.

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

#### OFFICER'S RECOMMENDATION

That Council approve the following policies:

A. SMRC – Cemetery Operations

### BACKGROUND

Following the amalgamation, it became apparent that the management of cemeteries varied. To ensure that cemeteries across the region were all conducted the same a policy on Cemetery Operations for the entire region was required.

Reprioritisation of resources has delayed the bringing of this policy to Council at this time.

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### **SMRC – Cemetery Operations**

This policy outlines how the planning and maintenance processes for the cemeteries are undertaken. It also stipulates what can and cannot occur in a Council owned and/or managed cemetery and by whom.

Although each Council did have management plans, they differed in their application and processes which impacted how work was conducted within their respective cemeteries. The new policy aligns the processes of the three former Council's into one document providing a consistent approach for the management of cemeteries across the entire region.

The new policy defines how both works will be carried out and the approvals required to undertake the works. It also stipulates that any burial conducted within a Council owned/and or managed cemetery must be undertaken by a licenced Funeral Director.

The policy was written to both protect the safety of the community and maintain minimum standards, by ensuring all works undertaken within Council owned and/or managed cemeteries are done with the approval and knowledge of the Council's Cemeteries' team.

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## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Community members will receive a consistent approach to the management of all of our cemeteries.

### **2. Environmental**

The Cemetery Operations Policy will ensure that all works undertaken within a Council Cemetery will be approved by Council, thereby ensuring compliance with all relevant environmental standards.

### **3. Economic**

Council's cemeteries are a source of operational income, the Cemetery Operations Policy provides a consistent approach across the region assisting with ensuring this valuable resource.

### **4. Civic Leadership**

The Cemetery Operations Policy will ensure Council provides and maintains its assets to an appropriate standard. The policy ensures Council is meeting its civic duty by ensuring all works carried out in cemeteries are undertaken with Council approval.

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# Policy



<b>Title of Policy</b>	<b>SMRC – Cemetery Operations</b>		
<b>Responsible Department</b>	Natural Built & Environment	<b>Document Register ID</b>	250.[document year].[document number].[document part]
<b>Policy Owner</b>	Cemetery Services	<b>Review Date</b>	Date [document date1]
<b>Date of Council Meeting</b>	Date Approved [checklist 25002 10 DD LAST VALUE]	<b>Resolution Number</b>	Number [checklist 25002 11 DD LAST VALUE]
<b>Legislation, Australian Standards, Code of Practice</b>	Cemeteries & Crematoria Act 2013 Public Health Act 2010 & Public Health Regulation 2012 Part 8 Disposal of Bodies Crown Lands Act 2016 Native Title Act 1993		
<b>Aim</b>	To ensure the optimal management, maintenance and planning of the cemeteries within the region.		

## Purpose

Council controls the administration, management and maintenance of all public cemeteries in the Snowy Monaro Region. This policy provides guidance for Council staff, funeral directors, monumental masons, contractors, volunteers and members of the public of the requirements needed for the safe and efficient operation of the public cemeteries within the region.

This policy applies to all public cemeteries in the region which includes the following:

- Adaminaby
- Aston
- Bibbenluke
- Boloco
- Bombala
- Bredbo
- Bungarby
- Cathcart
- Cooma
- Corrowong
- Craigie
- Delegate
- Gezezerick
- Jerangle
- Jindabyne
- Michelago
- Moonbah
- Mount Cooper
- Nimmitabel
- Nimmitabel Pioneer
- Numeralla
- Old Adaminaby
- Round Plain.
- Tombong

## 1 Cemetery Management

Cemetery operations are managed by Council staff with the assistance of volunteers and contractors. The actions assigned to Council in this policy will be undertaken by Council staff under delegation.

### 1.1 Planning, Maintenance and Conduct of Cemeteries

Council will make provisions for the planning, conduct and maintenance of cemeteries under its control. Council staff will determine the use, location of plots, interments and where necessary the ability to conduct religious or other burial ceremonies or commemoration services.

Specific procedures are in place in relation to monuments, plaques and placement of ashes and a listed in the documents at the end of this policy.

Information regarding the maintenance of the cemeteries is contained in section 6 of this policy.

## 1.2 Cemetery Rules

The following is a list of general rules that apply to both members of the public and people undertaking work in the cemetery. Funeral Directors, Monumental Masons, contractors and volunteers are expected to abide by these rules.

A person must not:

- damage, deface or interfere with burial plots and monuments
- bury, inter or exhume any human remains, whether cremated or not without written consent from Council
- carry out any works, including the erection or repair of monuments without written consent from Council
- carry out alterations, restoration or maintenance without Council approval
- place glass in the cemetery, including glass ornaments or vases
- drive a vehicle at a speed of more than 8 km per hour in the cemetery
- park a vehicle on any known burial plot, verge or plantation, or in a manner which is likely to impede the flow of traffic in the cemetery
- plant any tree, shrub, herbage or other plants without Council approval.

## 1.3 Interment

All interments must be approved by Council.

All burial arrangements of bodily remains must be made through a funeral director who will in turn liaise with Council. The Interment of cremated remains can be arranged directly with Council.

Reserving or purchasing of future burials or obtaining an interment right can be arranged directly with Council.

## 1.4 Allocation of Plots

Burial plots are allocated once Council receives an Application for Interment Right (Reserve) or Application for Order of Interment (Burial).

Council offers the service of Pre-Need purchase. This can be arranged by completing an Application for Interment Right.

In the case of a burial request where no Pre-Need plot has been purchased, family members may request a preferred burial location. Council will assist, however, may need to allocate location at its discretion.

A maximum of two coffin interments may occur in the same burial site with the prior approval of Council. The decision for a plot to be double depth must be made at the time of the first interment.

If the plot is pre-purchased as a “single” depth and at the time of interment the decision is revoked and requested as a “double” depth, the funeral director must firstly confirm this with Council. The new right of interment holder must be nominated and the fee set in Council’s fees and charges paid.

The maximum number of burials (including cremated remains) is at the discretion of Council.

In some historical sections of some cemeteries the choice of plot may need to be changed at the time of digging due to unforeseen circumstances, such as historical unmarked graves or other underground obstacles.

Where a plot needs to be moved from the reserved location the family must be notified and a suitable site chosen for the burial. While Council will make every effort to meet the wishes of the family when allocating a new location, the ultimate decision will remain with Council.

## 1.5 Transfer of Right of Interment

A right of interment holder may transfer their rights of holding to another person via an application to Council.

Once the transfer has been accepted by Council a new certificate of for the right of interment will be issued to the new holder.

If a person wishes to transfer their right of interment to Council a full refund of receipted monies will be paid to the applicant, upon approval of the application.

## 2 Order of Interment – Arranging a Burial

All funerals must be arranged through a funeral director. Burials cannot take place unless an “Order of Interment” has been approved.

A burial can only be arranged following the receipt of an application for an Order of Interment. This form is completed and submitted to Council by the funeral director. The application for an Order of Interment must be received by Council at least two working days prior to the burial date. The funeral director and the applicant both must sign the application, acknowledging the undertaking of the funeral and payment arrangements.

A valid death certificate or coroners order must accompany the application for an Order of Interment. Approval cannot be given without a valid certificate or order.

Upon approval of an application for an Order of Interment the applicant and funeral director will be provided with a certificate confirming the arrangements.

### 2.1 Hours of Operation

Snowy Monaro Regional Council Cemeteries will be open to the public at all times, subject to temporary closures required for maintenance or public safety. This may occur periodically as determined by Council and can be without prior notice.

Burials shall be carried out between 9.30am and 3.00pm, Monday to Friday. Burials may take place outside of those hours by special arrangement only. Special arrangements can be made for burials that are requested on public holidays or over the Christmas/New Year holiday period, however, Council reserves the right to deny special requests. Additional fees may apply to cover Council’s costs where any special arrangement occurs.



### 3 Funeral Directors

Funeral directors are required to sign documentation requesting the issuance of an Order of Interment.

Funeral directors are to liaise with Council on relevant matters pertaining to funeral arrangements at Council cemeteries.

A funeral director must specify when a coffin/casket will be oversize to ensure Council contractors are aware for digging purposes. Additional fees may apply for oversized burials.

Funeral directors are to refer to Council for confirmation of any Council fees and charges relating to the burial.

The allocation of plot location is undertaken by Council and not the funeral director.

### 4 Next of Kin/Applicant for Burial

Next of kin/applicant for burial are required to sign the application for an Order of Interment agreeing to the payment of all fees and Council's terms and conditions.

Next of Kin/Applicant for burial are responsible for arrangements in relation to the permanent marking of the grave which is requested to be within 12 months of the burial. They are also responsible for the ongoing maintenance of the memorial.

Refer to section 5 of the policy for the erection of a memorial.

### 5 Erection of a Memorial

An application must be submitted prior to the erection of any monument or headstone. Approval to carry out specific work will be provided after a monumental mason or equivalent submits an "Application to Erect a Monument/Memorial".

Works are not to be carried out or interfere with any services being carried out in the cemetery. Contracted monumental mason or equivalent should confirm with Council the dates and times of any services at the cemetery before commencing works.

All monument work must comply with AS4204 – Headstones & Cemetery Monuments.

Should any damage occur to the monument being worked on or any other monument in the cemetery in relation to the works being carried out it is the responsibility of the mason to undertake all reparation works.

### 6 Cemetery Maintenance

All maintenance in and around Council's cemeteries (excluding maintenance of graves and monuments) must be undertaken by Council staff, registered Council volunteers or authorised contractors. Council will maintain the lawn areas, roadways and paths to an appropriate standard and in accordance with Council's budget allocation for the maintenance of cemeteries.

Council will endeavour to reduce damage from native, introduced and farm animals by baiting, trapping and fencing. However, due to the rural and remote nature of some of the cemeteries it may not always be possible to prevent animals from entering and disturbing the cemeteries.

Council will endeavour to fill-in burrows created by animals in accordance with Council's budget allocation for the maintenance of cemeteries.

## 7 Contractors

All contractors, workmen, grave diggers and maintenance works must have the approval of Council prior to undertaking works within a Council managed cemetery.

Contractors must submit to Council prior to being engaged:

- Public Liability Insurance - \$20 million
- Workers Compensation Insurance
- Copies of their WH&S Operating Procedures.

## 8 Volunteers

Council recognises, supports and values the important role of volunteers in the regional community.

Volunteer groups wishing to undertake works within the cemeteries are required to apply to Council and be approved and authorised as volunteers.

The group is expected to adhere to strict WH&S Policy and Risk Management guidelines.

## 9 Heritage issues

Council recognises that cemeteries are places of significance to the communities due to architectural, social and genealogical significance and will provide information (if available) when requested.

### 9.1 Monuments of Historic graves

Where a grave site is over 50 years old, it is subject to the *Heritage Act 1977*. Council will not issue approval for modification or erection of new works without reference to the requirements under the National Trust of Australia.

Where a grave has been left unmarked for at least 50 years and no applicant for the burial can be found, a person(s) may erect a monument on the grave at their own expense. Council approval must be obtained before erecting the monument. Reference to the National Trust standards should be made when approving any monuments.

## 10 Exhumations

Exhumations must not take place unless prior written consent has been obtained from the Director General of the NSW Department of Health and approval has been granted by Council.

An exhumation may take place if it has been ordered by a court.

All costs incurred in carrying out an exhumation will be paid by the applicant.

#### Documentation

List the name and document reference number of any other document referred to in this document, including any related policies and procedures

250.2020.630.1	Interment of Ashes to an existing grave
250.2020.583.1	Ordering of Plaques for Council Cemeteries
250.2020.582.1	Policy: SMRC Ordering of Cemetery Plaque
250.2017.392.2	Application for Interment Right
250.2017.391.2	Application for Order of Interment
250.2016.144.2	Application for Erection of Memorial

#### Variation

Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.



### 9.1.2 SUPPORT FOR GP SERVICES IN BOMBALA

Record No:

Responsible Officer:	Chief Executive Officer
Key Theme:	1. Community Outcomes
CSP Community Strategy:	1.1 Quality health and well-being services that support the changing needs of the community through all stages of the lifecycle are provided through government and non-government organisations
Delivery Program Objectives:	1.1.1 Regional health and wellbeing services have been planned through community consultation and partnerships with other levels of government
Attachments:	Nil

### EXECUTIVE SUMMARY

Council has been asked whether it is able to support the local GP practice in attracting and retaining GPs. Given that housing is a key issue in attracting staff, Council has been explicitly asked whether it is able to provide an additional house for a GP.

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

#### OFFICER'S RECOMMENDATION

That Council

- A. Obtain an estimate of the rental return available from Council's 63 Queen St Bombala property if it were fully furnished;
- B. Make available, to support the attraction and retention of an additional GP, either:
  - (a) Council's 63 Queen St property, furnished or unfurnished, rent free OR
  - (b) Rental subsidy equal to the estimate obtained from Part A of this resolution depending on the preferences of the GP;
- C. Expend up to \$30,000 to furnish the Queen St property if required;
- D. Enter into a Memorandum of Understanding with the MoU subject to annual review.

### BACKGROUND

Councillors will be aware of the recent concerns about the viability of the Bombala GP surgery given the difficulty the owners, the Bombala St Surgery in Cooma, were having in attracting a new GP.

Both the lack of accommodation and the need to include accommodation as part of the overall remuneration package offered to prospective GPs were among the difficulties encountered in securing a new GP.

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Local government supporting the attraction and retention of GPs is common in rural and remote communities even though the responsibility for the health system rests with the other tiers of government.

While it wasn't necessary to provide accommodation as part of the temporary solution implemented by the Southern NSW Local Health District (SNSWLHD), discussions with representatives of both SNSWLHD and the Bombala St Surgery indicate that significant accommodation support will be required as part of any permanent solution.

While Council has a recently renovated three bedroom home at 63 Queen St Bombala, it may not be suitable for any prospective GP and hence a rental subsidy is recommended as an option. The GP may prefer a larger family home, a home closer to the hospital, or a home on some land outside of town.

63 Queen St also has a separate downstairs flat that is currently occupied but could be included in any offer once the current tenancy is completed.

## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

The availability of a general practitioner is critical to a community's primary health.

### 2. Environmental

N/a

### 3. Economic

Estimated Expenditure	Amount	Financial year	Ledger	Account string
Furnishings	\$30,000	FY22		
Or Rent subsidy	\$			
	\$			
Funding (Income/reserves)	Amount		Ledger	Account string
	\$			
	\$			
	\$			

### 4. Civic Leadership

Taking this action ensures the future of the

### 9.1.3 SECTION 355 SMRC TOURISM ADVISORY COMMITTEE - APRIL 2021 - DRAFT MINUTES

Record No:

Responsible Officer:	Chief Communications Officer
Author:	Executive Assistant (Communications)
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	6.1 The Snowy Monaro region is a destination that offers a variety of quintessential year – round experiences, attractions and events
Delivery Program Objectives:	6.1.1 Promote tourism and enhance the Snowy Monaro Region as a year round destination of choice through a collaborative approach between all stakeholders and interest groups
Attachments:	1. Draft Minutes - Section 355 Tourism Advisory Committee - 21 April 2021

#### EXECUTIVE SUMMARY

The Tourism Advisory Committee held its second meeting of 2021 in the Cooma Council Chambers and via Zoom. The Draft Minutes from the 21 April 2021 meeting are presented, as attached, for Council's information.

Please note: These Draft Minutes will be presented for adoption in the next Section 355 Tourism Advisory Committee meeting, scheduled for 23 June 2021.

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

#### OFFICER'S RECOMMENDATION

That Council receive the Draft Minutes of the Section 355 SMRC Tourism Advisory Committee meeting, held on 21 April 2021.

#### BACKGROUND

**THE COMMITTEE OPERATES UNDER THE COUNCIL ADOPTED TOURISM ADVISORY COMMITTEE CHARTER.**

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# SMRC Tourism Advisory Committee Minutes



**Location:** Cooma Chambers room or via Zoom

**Date:** Wednesday 21 April 2021      **Time:** 3pm – 5pm

## Agenda

### 1 Opening of the Meeting

Meeting opened at 15:08 by the Deputy Chair

### 2 Apologies

Name	Description	Attendance
Mayor Peter Beer	Chair	Apology
Cr Rogan Corbett	Deputy Chair	In person
Mark Adams	Snowy Monaro Regional Council - Non-voting member	In person (15:27 arrival)
Donna Smith	Snowy Monaro Regional Council - Non-voting member	In person
Tim Corkill	Adaminaby Snowy Scheme Museum and Chamber	In person
Peter Cottrell	Eucumbene Trout Farm	In person
Gail Eastaway	Monaro Post	Apology
Christie Hampton	TSM representative	Zoom (15:20 arrival)
Susie Diver	Community Member	Zoom
Duncan Isaksen-Loxton	SIXFive Jindabyne	Apology
Nicole Plummer	Snowy Monaro Regional Council - Observer	Apology
Gina Woodward	Snowy Monaro Regional Council - Observer	Apology
Jemima Trigg	Secretariat - Minute Taker	Zoom

### 3 Adoption of previous minutes

Motion	To adopt the previous minutes as true and factual documents of the recording of the meeting				
Moved:	Peter Cottrell	Second:	Tim Corkill	All in favour:	Yes

### 4 Conflicts of Interest

Nil



## 5 Committee Business

### 5.1 Updates from previous minutes - Donna S

- Donna provided a run through on the details and actions from February's minutes

### 5.2 SMRC Tourism/Events Update - Donna S

- Destination Southern NSW (DSNSW): The board are attending after this meeting for a meet and greet, as well as receiving a region update from Mark Adams
- Easter: Region wide success over the four day April long weekend before moving into the two weeks of school holidays. The region saw strong visitation and busy trade over the holidays, especially over the long weekend period
- Lake Light Sculpture: In its 19th year and the largest to date
  - There was an increase in artist participation, entries and visitation with 26,500 visits over the four day period (note: this figure includes people attending multiple times), an increase by 1,500 visits from the 2019 year (noting 2020 was cancelled due to Covid)
  - Artists achieved over \$130,000 in sculpture sales, which added to the future of the event in raising revenue due to the sales commission
  - Visitors came especially to see this sculpture event, rather than attending as an added activity while they were already in region
  - Council provided funding through its Bushfire Recovery Fund of \$30,000, which was used to engage/enhance the event with the addition of a 'chainsaw artist'. Part of the agreement was that these chainsaw sculptures were to come to Council. At the next meeting, the committee will decide on their placement
- Anzac Day: Will run across the region with multiple events scheduled
- Steampunk Festival: 1 and 2 May at Nimmitabel. There is lots of potential in this speciality event, including high tea, live music, dancing, stalls and markets
- Surf to Summit: 1 and 2 May
- Perisher Peak Festival: Has been cancelled for the June long weekend
- Thredbo: The MTB season has closed in Thredbo
- Trails Masterplan: This is progressing very well. Mountain biking is the biggest growing tourism section in our region. With now having added facilities, such as Mount Gladstone, this encourages bikers to come over winter to participate in activities below the snowline
- Mountain biking (Tim): Need the ability to expand to other areas, such as general flow trails for families, kids riding bikes, walkers, prams, horses etc. Biking covers all people that use trails, who don't necessarily own a mountain bike - there are other areas to the bike space that can be further explored
- Snowy Trout Challenge: Ends at the end of April
  - Around 190 of the 430-odd tagged fish were caught
  - Fishing is a key industry in the region and the biggest issue for this event is the support behind the scenes in running the administration. Suggestion is to keep an eye out for grants to assist in the burden of the administration upkeep
  - The challenge is open from October to April. There seems to be no reason why it cannot be opened earlier, given the success on social media and in additionally keeping the Snowy Monaro 'top of mind' (especially for the 'grey nomad' and 'free and independent traveller' groups)

- Online National Park entry: National Parks are moving to digital passes and number plate recognition
  - Passes are available online. Hopefully this will reduce the numbers waiting at the gate in winter, however in summer, the park gate is a good source for local knowledge and promotion of the area
  - Cooma Visitor Centre is only selling 'local passes'
  - One day entry passes are still available at the gate and at Jindabyne's NPWS office
  - The challenge noted with this quick roll out is possible issues with local traffic, pass all feedback onto Donna so she can collate to advise National Parks
  - Resident passes now have limited access with no stopping at National Park areas or camp grounds
- Ski tickets: Resorts are selling tickets, unknown if there will be any implications/number limits
- Smaller communities: Need to encourage smaller groups in our region to connect with Council to promote their events. How would we do this, how can Council help the organisers achieve a better event, with the challenge of continuity as the Tourism Advisory Committee membership may change in September
- DSNSW: Has engaged two consultants to look at the events in the smaller community space. They intend to run workshops for event organisers and volunteers for marketing, organising and event promotion
- Bushfire recovery: Susie has been working with communities to 'come back together'. Rogan suggests this is publicised further as since mid-August, there have been 35 small community events; tradie lady day, men's fly fishing and whole community lunches etc
- New products in the region:
  - Cloud 9 - Opening 1 May. New modern meeting rooms for hire at the Cooma North shops. Small space for 4 people, large space for 12 people or both can be opened up for an extra-large space for 16 people. Technology is available, as well as coffee and catering services from their café next door
  - Snowy Mountain Bike Shuttle, Cooma - Shuttle bus service running mountain bikes and riders to the top of Mount Gladstone and back
  - Alpine Hotel - Soft opening on its new function room and beer garden area
  - The Lott - Opening a new room, can be additionally utilised as a function room
  - Business and Recovery Hub - Now open, with the official opening on Monday 26 April Businesses can attend and talk to Business Australia representatives to gain advice and assistance on a variety of issues

### 5.3 TSM Update - Christie H

- Introduction and welcome to her new position 'Marketing and Communications Officer' Christie is excited in moving forward and utilising current channels, particularly internal and tourism operators in the region. She will branch out more cohesively to smaller operators in other towns, getting to know businesses and to increase the open lines of communication

### 5.4 SAP update - Mark A

- The Draft Masterplan will be on public exhibition in June / July
  - Six reports are about to be released shortly, including the tourism report
  - The State Government is beginning to scope out some of the projects they may invest in
  - The SAP is to achieve over \$1 billion of investment in the region
-

## 6 General Business

Tim C: Recently holidayed in the Upper Murray area and saw there is lots of work around getting cohesive visitor sculptures and reinforced logos for 'visitor tourist drives'. Snowy Monaro is lacking a 'Driving Trails Masterplan'. This suggestion can be kept 'front of mind' and for future planning, as it would assist in moving visitation to some small communities, helping to grow, offer different products and increase local business investments. Tim notes our region lacks free camp areas.

Snowy Scheme Museum: Numbers are up 10% from the 6,500 visitors in 2019. No 2020 figures due to Covid. Bookings only for mid-week and the museum is open all day on weekends. Donna will amend the Visit Cooma internet, where it states the museum is still closed.

Easter Fair: Just under 2,500 visitors attended, estimating around 3.5 people per car. Lack of accommodation, in terms of bed accommodation, is an issue. Comments noted along the lines of 'we want to come to the area, but there is no-where to stay'. Any available accommodation is absorbed into Snowy 2.0 and will continue until their accommodation sites are fully functioning.

Selwyn: Locals are annoyed with the drip feed of little information and they have been given no indication regarding time lines for the project.

Peter C: Is booked out for July and August already. The challenge in the region is now for staff.

## 7 Action Sheet

Reference	Date	Action	Assignee	Completed	Notes
9/2020	16/12/20	Seek further briefing and provide support on the rail trail project plans	Committee	Open and Ongoing	Open to receive updates
10/2020	16/12/20	DMP amendments to be submitted to Council for endorsement	Gina Woodward	Complete next meeting	Final details received and Comments back to Council in March meeting. DMP spreadsheet emailed to all Committee members to make comment. Feedback due to Gina 24/2/21.
11/2021	17/2/21	Request TSM for a plan of action (transparency and accountability)	Christie Hampton		
12/2021	21/04/21	Donna to amend Visit Cooma internet re Snowy Scheme Museum	Donna Smith		
13/2021	21/04/21	Decision on location of Lake Light chainsaw sculptures	Committee		For June meeting

**8 Date of next meeting**

Wednesday 23 June 2021: 3pm-5pm

Zoom or attend in person at Cooma Council Office

Noted: This will be the final meeting of this committee before Council elections in September

**9 Close of Meeting**

Meeting closed at 16:20 by the Deputy Chair

Post meeting: Destination Southern NSW Board attended the Cooma Chambers at 16:30 for a tourism presentation by Mark Adams, as well as informal discussions with the committee. Attendance optional.

#### 9.1.4 MONTHLY FUNDS MANAGEMENT REPORT - APRIL 2021

Record No:

Responsible Officer: Chief Financial Officer  
Author: Finance Officer  
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation  
Delivery Plan Strategy: DP7.6 Increase and improve Council's financial sustainability.  
Operational Plan Action: OP7.18 Effective management of Council funds to ensure financial sustainability.

Attachments:

Cost Centre Financial Services  
Project Funds Management  
Further Operational Plan Actions: OP7.2 Completion of reporting requirements in accordance with legislation.

#### EXECUTIVE SUMMARY

The following report details the funds management position for the reporting period ending 30 April 2021.

Cash and Investments are \$71,841,116.

#### Certification

I, Nicholas Byrne, Responsible Accounting Officer of Snowy Monaro Regional Council hereby certify, as required by Clause 212 of the Local Government (General) Regulation 2005, that investments as detailed in this report have been invested in accordance with Section 625 of the *Local Government Act 1993*, the Regulations and Council's Investment Policy.

#### OFFICER'S RECOMMENDATION

That Council:

- A. Receive the report indicating Council's cash and investments position as at 30 April 2021; and
- B. Receive the Certificate of the Responsible Accounting Officer.

#### BACKGROUND

##### Council's Cash and Investments 30 April 2021:

Cash at Bank	\$1,262,049
Investments	\$70,579,067
Total	\$71,841,116

The cash at bank figure is not an indication of the long term available cash to fund the Council's operations, instead only what was held at that point in time to manage the short term cash flows. This report provides information on how the overall cash held is being managed.

## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

Total Cash and Investments are available to provide services and infrastructure to the community in accordance with the 2021 budget, Council resolutions and other external restrictions.

### 2. Environmental

It is considered the recommendations contained herein will not have any environmental impacts.

### 3. Economic

Total investments for Snowy Monaro Regional Council were \$70,579,067 on 30 April 2021.

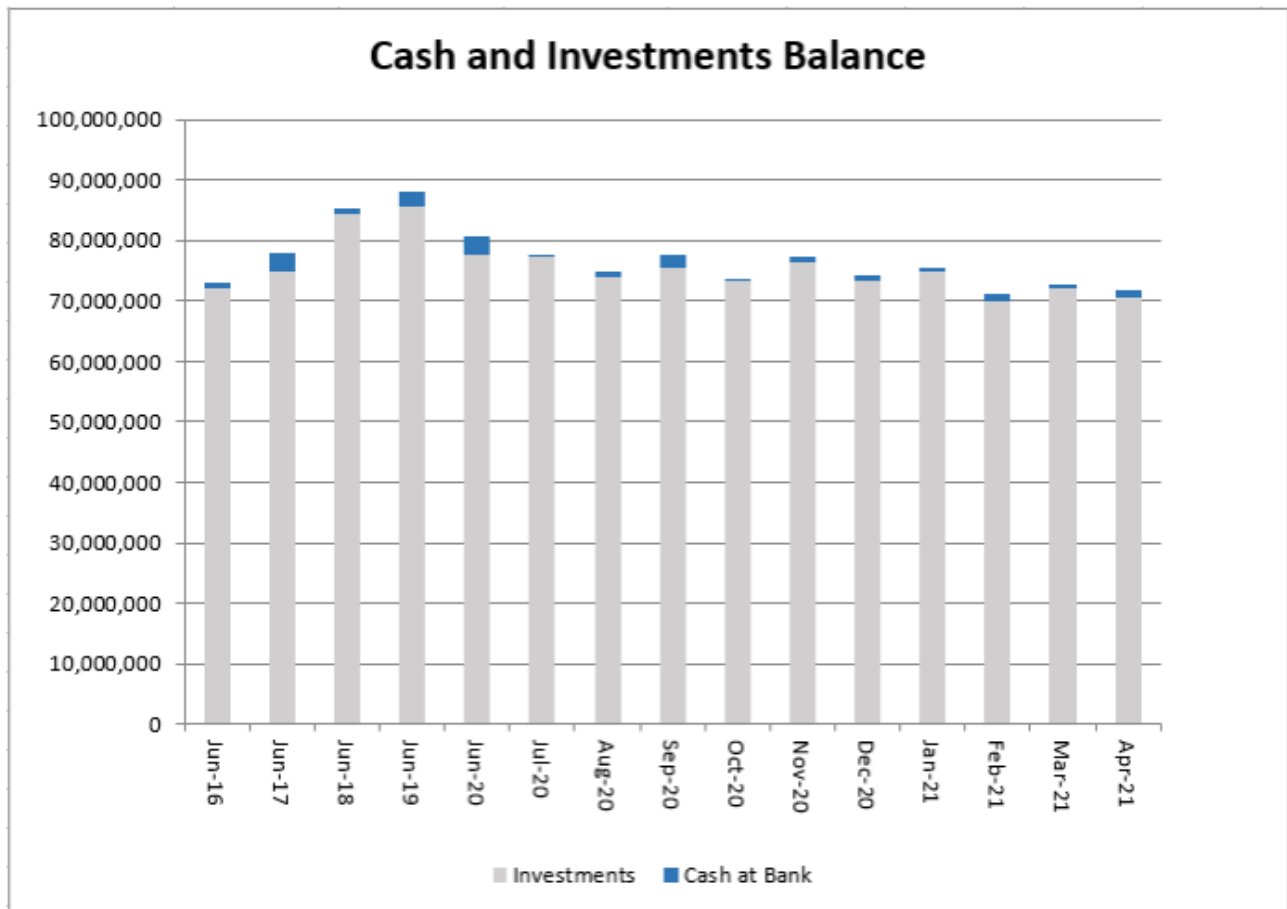
#### Investment Register – 30 April 2021:

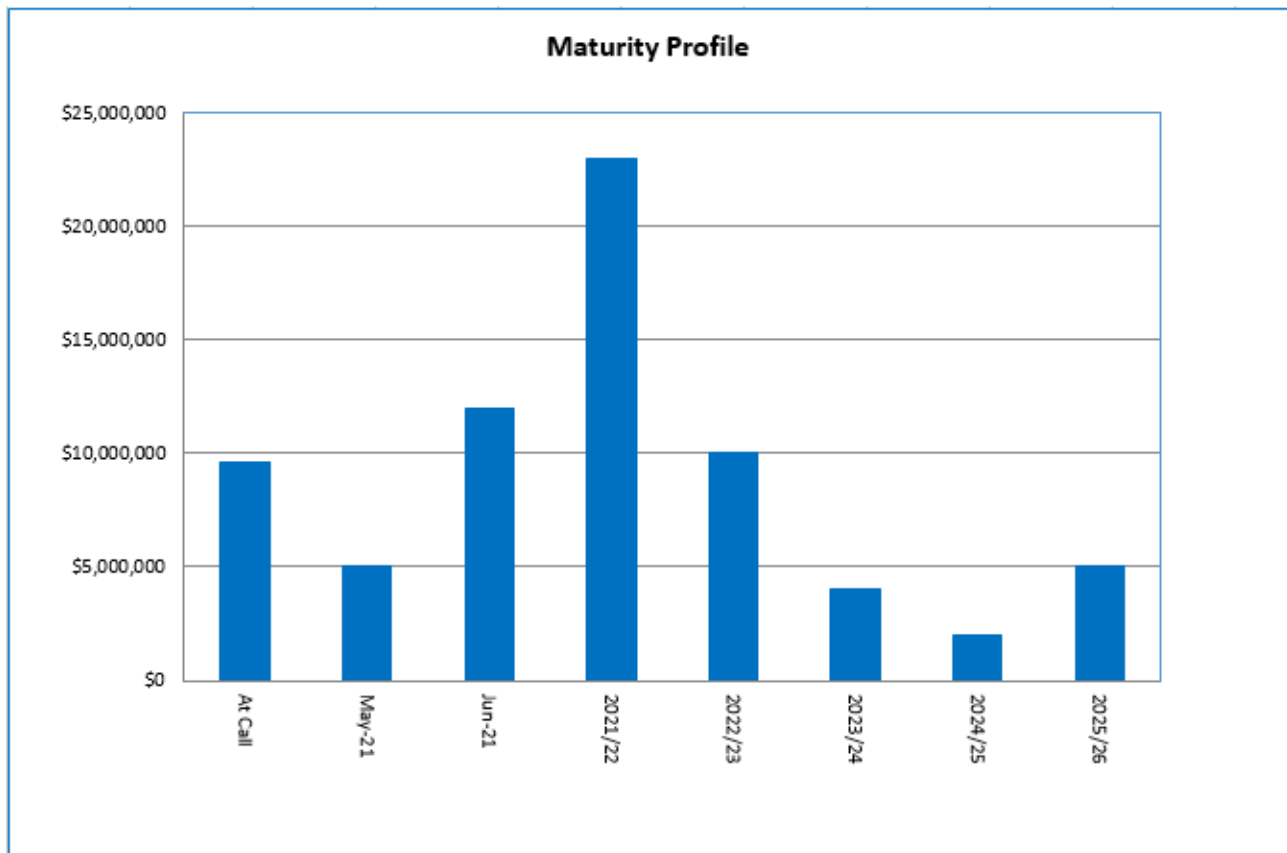
DATE INVESTED	FINANCIAL INSTITUTION	Short-Term Rating	Long-Term Rating	TYPE	CURRENT INVESTMENT	INTEREST RATE	MATURITY
n/a	National Australia Bank - At Call*	A1+	AA-	At Call	9,579,067	0.65%	At Call
23-Jun-16	Commonwealth Bank	A1+	AA-	TD	4,000,000	1.13%	23-Jun-21
26-Jun-17	Bank of Queensland	A2	BBB+	TD	4,000,000	3.30%	25-Jun-21
29-Aug-17	Westpac Bank	A1+	AA-	TD	4,000,000	0.98%	29-Aug-22
15-Sep-17	Westpac Bank	A1+	AA-	TD	1,000,000	0.94%	15-Sep-21
29-Jun-18	National Australia Bank	A1+	AA-	TD	4,000,000	0.93%	29-Jun-23
11-Sep-18	Rabodirect	A1	A	TD	2,000,000	3.33%	08-Sep-23
17-Dec-18	Rabobank Australia	A1	A	TD	2,000,000	3.15%	16-Dec-22
27-Aug-19	ING Bank	A1	A	TD	3,000,000	1.44%	31-Aug-21
17-Sep-19	Bank of Queensland	A2	BBB+	TD	1,000,000	1.85%	19-Sep-23
23-Oct-19	Bank of Queensland	A2	BBB+	TD	1,000,000	1.80%	23-Oct-23
03-Dec-19	Australian Military Bank	A2	BBB+	TD	1,000,000	1.72%	02-Dec-21
12-Mar-20	Rural Bank Limited	A2	BBB+	TD	4,000,000	1.20%	17-Mar-22
17-Mar-20	ING Bank	A1	A	TD	1,000,000	1.63%	17-Mar-25
20-Mar-20	Bank of Queensland	A2	BBB+	TD	1,000,000	1.85%	19-Mar-25
22-Jun-20	National Australia Bank	A1+	AA-	TD	4,000,000	0.95%	22-Jun-22
25-Jun-20	Bendigo and Adelaide Bank	A2	BBB+	TD	4,000,000	0.75%	29-Jun-21
07-Sep-20	Rural Bank Limited	A2	BBB+	TD	4,000,000	0.60%	19-May-21
09-Sep-20	National Australia Bank	A1+	AA-	TD	3,000,000	0.75%	09-Sep-21
30-Nov-20	Macquarie Bank Limited	A1	A+	TD	1,000,000	0.25%	31-May-21
17-Dec-20	Bendigo and Adelaide Bank**	A2	BBB+	TD	2,000,000	0.45%	12-Jan-22
27-Jan-21	National Australia Bank	A1+	AA-	TD	5,000,000	0.80%	27-Jan-26
01-Mar-21	Suncorp Bank**	A1	A+	TD	2,000,000	0.30%	30-Aug-21
05-Mar-21	ING Bank	A1	A	TD	1,000,000	0.30%	04-Mar-22
19-Mar-21	ME Bank**	A2	BBB	TD	2,000,000	0.45%	21-Mar-22
					<b>70,579,067</b>		

\*National Australia Bank - At Call with the added loyalty bonus of 0.60% p.a. is generally higher than short to medium term deposits currently on offer.

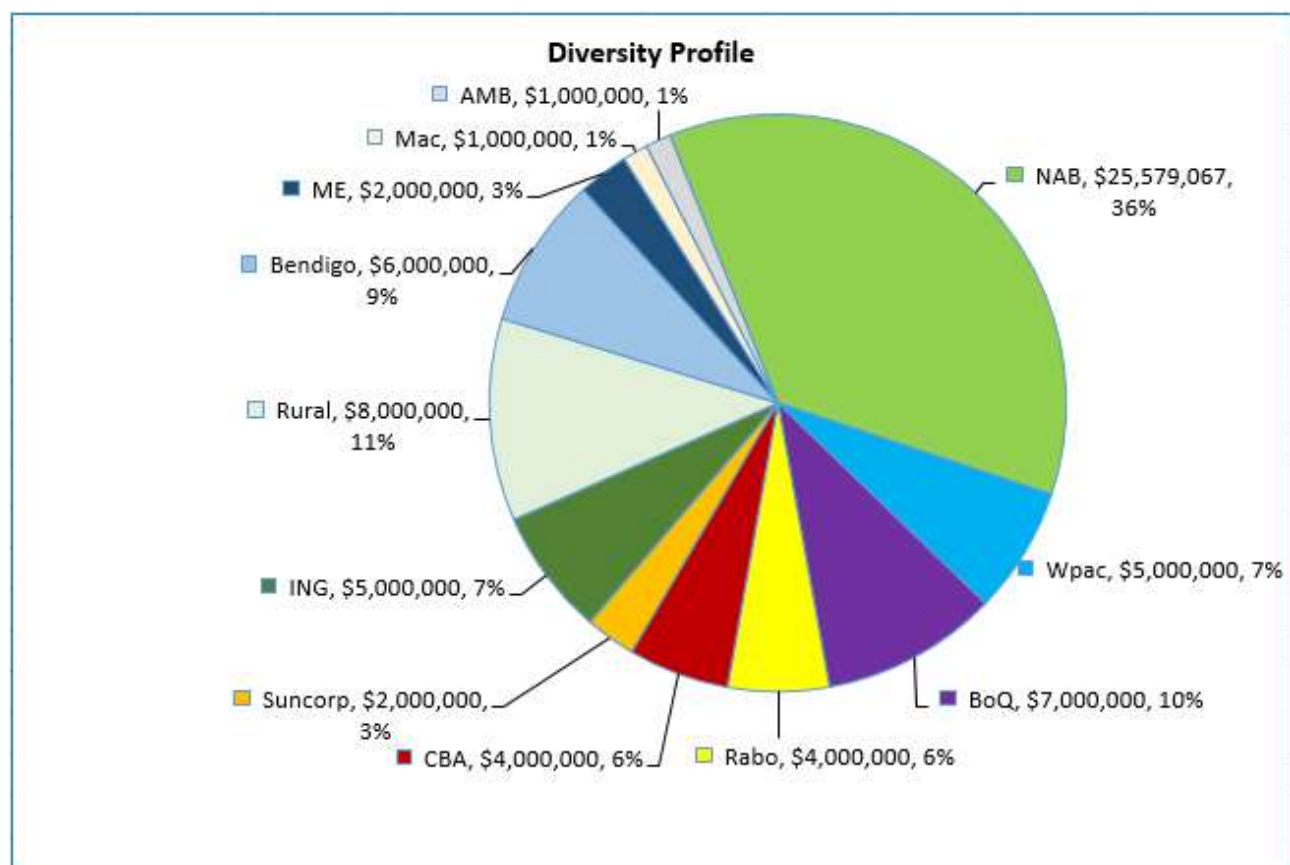
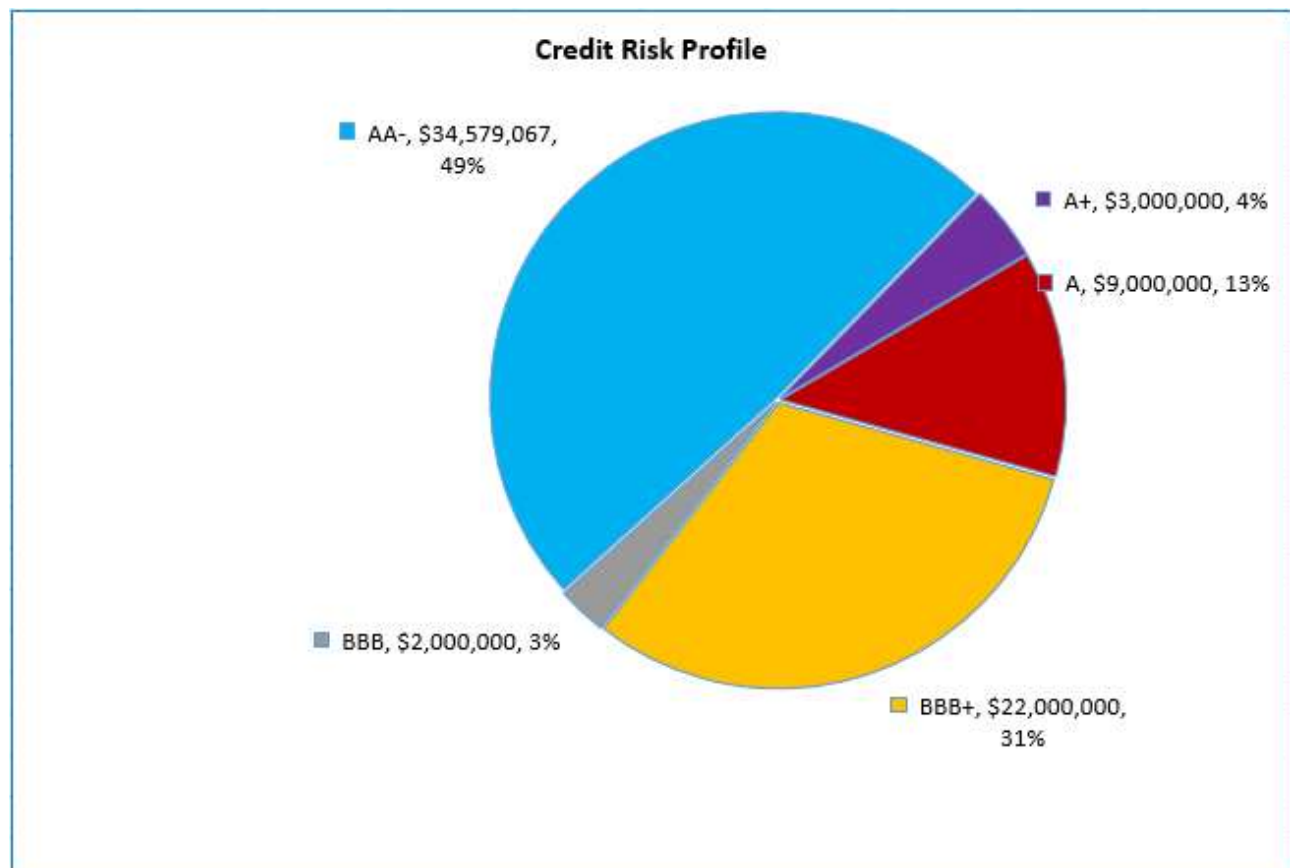
\*\*We've provided 31 days' notice to 'break' these deposits. Early repayment date is 10 May 2021. The objective – to deliver total returns greater than that would have otherwise been.

**Cash and Investments Charts:**









**Investment Portfolio Return:**

Benchmarking is used by Council as a gauge for the performance of its portfolio against its investing universe (*universe*: securities sharing a common feature – liquidity, return patterns, risks and ways to invest). A suitable benchmark to review the return on Council's portfolio is the Bank Bill Swap Rate (BBSW), or Bank Bill Swap Reference Rate – a short-term interest rate used as a benchmark for the pricing of Australian dollar derivatives and securities – most notably floating rate bonds.

Month	YTD Annualised Return	Monthly Average Interest Return	90 Day Bank Bill*	Margin
April	1.31%	1.14%	0.04%	1.10%
March	1.33%	1.19%	0.04%	1.16%
February	1.35%	1.24%	0.02%	1.23%
January	1.35%	1.19%	0.01%	1.18%
December	1.38%	1.23%	0.01%	1.22%
November	1.41%	1.31%	0.02%	1.29%
October	1.44%	1.37%	0.06%	1.31%
September	1.46%	1.29%	0.09%	1.20%
August	1.55%	1.47%	0.09%	1.38%
July (2020)	1.62%	1.62%	0.10%	1.52%

**\*The Australian Financial Market Association (AFMA)**

**Understanding Ratings:**

Credit ratings are one tool used by Council when making decisions about purchasing fixed income investments. Credit ratings are opinions about credit risk.

Standard & Poor's ('S&P') is considered one of the Big Three credit-rating agencies, which also include Moody's Investors Service and Fitch Ratings. S&P publishes financial research and analysis on stocks, bonds and commodities. S&P is known for its stock market indices such as the U.S. based S&P 500, the Canadian S&P/TSX, and the Australian S&P/ASX 200. S&P ratings express their opinion about the ability and willingness of an issuer, such as a corporation, to meet its financial obligations in full and on time. Credit ratings are not absolute measure of default probability. Since there are future events and developments that cannot be foreseen, the assignment of credit ratings is not an exact science.

Credit ratings are not intended as guarantees of credit quality or as exact measures of the probability that a particular issuer will default. S&P issues both short-term and long-term credit ratings. Below is a partial list based, on Council's Investment Register.

**Short-term credit ratings (term less than 1 year)**

S&P rates the issuer on a scale from A1 to D. Within the A1 category it can be designated with a plus sign (+). This indicates that the issuer's commitment to meet its obligation is very strong.

**A1:** obligor's (*a person or corporation who owes or undertakes an obligation to another by contract or other legal procedure*) capacity to meet its financial commitment on the obligation is strong.

**A2:** is susceptible to adverse economic conditions however the obligor's capacity to meet its financial commitment on the obligation is satisfactory.

**Long-term credit ratings (term greater than 1 year)**

S&P rates the issuer on a scale from AAA to D. Intermediate ratings are offered at each level between AA and CCC (for example; BBB+, BBB).

**AA:** has very strong capacity to meet its financial commitments. It differs from the highest-rated obligors (rated AAA) only to small degree. Includes AA-.

**A:** has strong capacity to meet its financial commitments but is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligors in higher-rated categories.

**BBB:** has adequate capacity to meet its financial commitments. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitments.

Ratings from 'AA' to 'CCC' may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

Source: S&P Global Ratings

**4. Civic Leadership**

In accordance with Regulation 212 of the Local Government (General) Regulation 2005, a report setting out details of money invested must be presented to Council in the following month.

Council's Fund Management Reporting exceeds minimum regulatory requirements and demonstrates a commitment to accountability and transparent leadership. It provides the Council, Executive and Community with timely, accurate and relevant reports on which to base decisions.

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### 9.1.5 DIVESTMENT OF RESIDENTIAL AGED CARE - ENDORSEMENT OF EVALUATION CRITERIA

Record No:

Responsible Officer:	Chief Executive Officer
Author:	Chief Operating Officer
Key Theme:	1. Community Outcomes
CSP Community Strategy:	1.2 High quality community support and residential aged care services are available and accessible to residents across the region
Delivery Program Objectives:	1.2.1 Competitive cost effective aged care and community support services are available within the region
Attachments:	1. Evaluation criteria

#### EXECUTIVE SUMMARY

At the Council Meeting on 18 June 2020 Council resolved to pursue Stream 2 of the Business Improvement Fund (BIF) grant program for Yallambee Lodge and Snowy River Hostel. Council was successful in obtaining funding and resolved to receive and note the successful application and receipt of funding under stream 2 of the Business Improvement Fund at the 17 December 2020 meeting of Council.

The BIF is delivered by the Department of Health and aims to assist providers improve their business operations ensuring they can meet the needs of senior Australians. The fund is designed to improve service provision at a local and system level. The way in which care and services are to be delivered to the aged has changed significantly as a result of ongoing reform influencing the decision to pursue this grant funding. Council's application related to Stream 2 which provides funding assistance to transition to a new provider.

Since receipt of funding, a transition adviser has been engaged by Council and an expression of interest process will now commence subject to Council endorsement of the evaluation criteria presented in this report.

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

#### OFFICER'S RECOMMENDATION

That Council:

- A. Endorse the expression of interest and request for proposal evaluation criteria for the divestment of residential aged care.
- B. Request the Community Services Advisory Committee nominate a member of that committee to participate in the evaluation of the expression of interest and request for proposals.

## **BACKGROUND**

Following the Council meeting on 18 June 2020, Snowy Monaro Regional Council (SMRC) applied for and received funding from the Federal Government Department of Health Business Improvement Fund Stream 2 which is for a transition to a new provider of residential aged care services.

Since receipt of the funding, Ernst and Young have been engaged as Council's transition adviser. The first stage in the transition is a national market sounding process, seeking to attract private sector investment in local aged care from leading specialist providers. This is part of a strategic effort to coordinate council, government and private sector investment to expand and upgrade aged care in the region which will ensure that seniors continue to access high-quality residential care in their communities, now and into the future.

The process to seek a new operator for the homes will include an initial call for expressions of interest in the 40-bed Yallambee Lodge in Cooma and the 14-bed Snowy River Hostel in Berridale. Organisations that meet quality and other requirements will then be invited to lodge a formal proposal. If the council deems any proposals suitable, transfer to the new operator would happen later this year.

Any change of operator will include solid safeguards for employees and residents. Current employees would have the opportunity for ongoing employment with the new aged care organisation. Residents have security of tenure by law. Their resident agreements would continue and current residents could not be asked to pay a new or higher accommodation deposit.

Yallambee Lodge and Snowy River Hostel employees are at the heart of the excellent care provided in SMRC residential aged care facilities. As part of the expression of interest requirements, interested organisations will have to demonstrate their track record in delivering quality care and show that they will offer roles to existing employees. This means that employees will have the opportunity for ongoing employment with the new operator.

Organisations will also need to show how they will expand aged care in the region, by developing a new residential aged care facility for the community in Jindabyne, as an example.

Council acknowledges the history and strong community involvement in building and fitting out Yallambee Lodge and Snowy River Hostel, including fundraising, bequests and community contributions. This legacy will be celebrated and preserved through any transition to a new operator.

In addition to initial meetings held with staff, residents and relatives in December 2020, further update meetings and briefings in the facilities have been held in May to continue to keep residents, relatives and employees updated. The broader community is being informed as the process progresses through media releases and other forms of communication. Further, direct community engagement will also be planned for the broader community during the EOI process.

The evaluation criteria for the expression of interest and request for proposal is critical in ensuring a suitable incoming provider is selected. The proposed evaluation criteria are attached to this report for Council's endorsement. The criteria are focused on three key areas:

- Maintain or improve quality of care
  - Staff retention
  - Expansion into Jindabyne
-

To ensure the above areas are addressed in the criteria, the expression of interest evaluation criteria have been structured as follows:

- Service quality
  - Respondents are required to demonstrate their ability to deliver high quality residential aged care services. History of compliance with regulatory requirements and meeting quality standards.
- Service expansion
  - Respondents should demonstrate capability and commitment in relation to expansion of residential aged care places in Jindabyne. Ability to obtain/history of obtaining allocated places through the Aged Care Approvals Round.
- Community engagement
  - Respondents are required to demonstrate engagement with the SMRC community and commitment to provision of residential aged care services.
- Cultural alignment
  - Respondents are required to demonstrate how their values are in keeping with those of Council and the community.
- Commercial – Resource capacity and capability
  - Respondents are required to demonstrate their ability and commitment to make available sufficient resources to complete the proposed transaction.
- Commercial – Financial capacity
  - Respondents are required to demonstrate capacity to fund the delivery of services and fulfil all of the obligations, responsibilities and liabilities of the acquisition.

Following assessment of expressions of interest against the evaluation criteria, suitable respondents will be shortlisted for the request for proposal stage. Request for proposal evaluation criteria are further refined and include:

- Employment continuation
- Service expansion
- Community engagement
- Commercial – transition arrangements
- Commercial – final binding offer
- Commercial – contract and completion risk

To assist in evaluation of the EOI and RFP, it is also recommended that Council's Community Services Advisory Committee participate by nominating a representative of the committee to participate in the evaluation of the EOI and RFP.

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## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The social impact of transitioning SMRC residential aged care services to a new provider is significant, due to the legacy attached to both Council facilities and to the critical importance of the ongoing sustainable provision of residential aged care services to the SMRC community. To ensure this outcome is achieved, the evaluation criteria must be correct and any future transition must build in long term safeguards.

### **2. Environmental**

None identified

### **3. Economic**

Council's deficit to operate residential aged care in the 2020/21 financial year is significant. Based on the current state of play in aged care, it is expected that this figure will continue to rise as a result of the new Quality Standards and expectation of service levels.

The economic impact of a transition to a new provider will be significant and as such Federal Government grant funding was secured to assist with the transition.

Residential aged care in the current climate, in rural, regional and remote areas is difficult for small providers to sustain for a number of reasons, these being:

- a lack in economies of scale
- workforce shortages
- high level of resident need, not commensurate with funding
- age and health of facilities/assets
- a lack of funding to undertake major capital works

### **4. Civic Leadership**

Council is demonstrating Civic Leadership in looking at the sustainability of residential aged care services into the future. The strategic priority has been reviewed to support the decision to proceed with a transition to a new operator. The EOI and RFP processes are key stages in the transition.

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Snowy Monaro Regional Council  
Residential Aged Care Divestment

EOI & RFP Evaluation Criteria

10 May 2021

## EOI Evaluation Criteria & Weightings

Criterion		Items to be submitted	Weighting
Service Quality	<b>Service Quality</b> Respondents are required to demonstrate their ability to deliver high quality residential aged care services. History of compliance with regulatory requirements and meeting quality standards.	<ul style="list-style-type: none"> <li>▶ Demonstrated experience and participation in the residential aged care setting including an overview of current size and scale of operations and a demonstrated ability to tailor the style of care delivered to the needs of particular communities or demographics.</li> <li>▶ Reputation for quality services and client care, accompanied by client satisfaction data.</li> <li>▶ Approach to working with residents and families that tailors care to the needs of individuals.</li> <li>▶ Track record in meeting regulatory requirements including accreditation and other quality standards.</li> </ul>	30%
	<b>Service Expansion &amp; Development Capability</b> Respondents should demonstrate capability and commitment in relation to expansion of residential aged care places in Jindabyne.  Ability to obtain/history of obtaining allocated places through the Aged Care Approvals Round.	<ul style="list-style-type: none"> <li>▶ Proposed plan for expansion of residential aged care places into Jindabyne, including details of any existing development sites held, earmarked etc.</li> <li>▶ Confirmation of interest in potential development sites in Jindabyne that could be accessed by SMRC.</li> <li>▶ Capability in completing development of residential aged care facilities.</li> <li>▶ Details of Aged Care Approvals Round approvals and timeframe for allocated places becoming operational.</li> <li>▶ Number of current non-operational residential aged care places held by the Respondent which are proposed to be utilised for any future development.</li> </ul>	10%

## EOI Evaluation Criteria & Weightings.. Cont.

Criterion		Items to be submitted	Weighting
Community Engagement	<b>Community Engagement</b>	Respondents commitment to:	10%
	Respondents are required to demonstrate engagement with the SMRC community and commitment to provision of residential aged care services.	<ul style="list-style-type: none"> <li>▶ Confirmation of the continued services and that the residential aged care places will remain in the municipality.</li> <li>▶ Providing local employment opportunities.</li> <li>▶ Collaboration and maintenance of relationships with the broader community and health sector within the municipality.</li> </ul>	
Cultural Synergies	<b>Cultural Alignment</b>	Respondents are required to demonstrate how your values are in keeping with those of the council and the community.	20%
		<ul style="list-style-type: none"> <li>▶ Ability to demonstrate how your values are in keeping with those of the council and the community.</li> </ul>	
Commercial	<b>Resource Capacity &amp; Capability</b>	Respondents are required to demonstrate their ability and commitment to make available sufficient resources to complete the proposed transaction.	10%
		<ul style="list-style-type: none"> <li>▶ Provision of suitably qualified employees for the acquisition process.</li> <li>▶ Details of capability and experience in completing similar transitions.</li> </ul>	
Commercial	<b>Financial Capacity</b>	Respondents are required to demonstrate capacity to fund the delivery of services and fulfil all of the obligations, responsibilities and liabilities of the acquisition.	20%
		<ul style="list-style-type: none"> <li>▶ Most recent full year financial year statements including profit and loss, balance sheet and cash flow and any other pertinent financial disclosures.</li> <li>▶ Independent financial capacity assessment.</li> <li>▶ Current mergers and acquisitions on foot.</li> <li>▶ Historical and current bankruptcy or insolvency issues.</li> </ul>	

## RFP Evaluation Criteria & Weightings

Criterion		Weighting
Employment Continuation	<b>Employee Service Continuation</b> The Respondents commitment to offer employment to existing employees and identification of the quantity of existing employees the responding party anticipates transferring.	20%
	<b>Employee Engagement</b> Staff satisfaction, industrial relations record and plans for treatment/engagement of staff.	
Service Expansion	<b>Service Expansion &amp; Development Capability</b> Respondents should demonstrate capability and commitment in relation to expansion of residential aged care places in Jindabyne.	20%
Community Engagement	<b>Community Engagement</b> Respondents are required to demonstrate engagement with the Council community and commitment to provision of residential aged care services.	20%

## RFP Evaluation Criteria & Weightings... cont.

Criterion		Weighting
Commercial	<b>Transition Arrangements</b> The Respondent's ability to implement a transition plan which minimises negative impact on residents, families and carers, maintains current service standards and establishes a sustainable future model.	40%
	<b>Final Binding Offer</b> The quantum of the final offer and the capacity of the Respondent to fund that offer (including applicable securities). Offers will be analysed on a net present value basis using a discount framework. If any part of the Respondent's offer is deferred, Council will discount deferred payments for time/risk.	
	<b>Contract and Completion Risk</b> The extent to which the Respondent's final offer complies with the proposed contractual terms (and the impact on Council of any requested amendments) and the security provided to guarantee performance. Demonstration of capacity and intent to execute unconditional transaction documents within a timeframe acceptable to Council.	



**9.2.1 NSW LEGISLATIVE COUNCIL'S PORTFOLIO COMMITTEE NO. 4 – INDUSTRY INQUIRY -  
LONG TERM SUSTAINABILITY AND FUTURE OF THE TIMBER AND FOREST PRODUCTS  
INDUSTRY**

Record No:

Responsible Officer:	Chief Communications Officer
Author:	Economic Development Officer
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	4.3 Capitalise on the region's proximity to Canberra and bordering NSW and Victorian regions to attract industry and investment
Delivery Program Objectives:	4.3.1 Council has advocated for increased regional outcomes that support the Snowy Monaro local government area
Attachments:	1. Draft Inquiry Submission

**EXECUTIVE SUMMARY**

The NSW Legislative Council's Portfolio Committee No. 4 – Industry is currently conducting an inquiry into the long-term sustainability and future of the timber and forest products industry.

Council has been invited to make a submission to the inquiry. The closing date for submissions is 28 May 2021.

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

**OFFICER'S RECOMMENDATION**

That Council endorse the attached letter, to the NSW Legislative Council's Portfolio Committee No. 4 – Industry, regarding their inquiry into the long-term sustainability and future of the timber and forest products industry.

**BACKGROUND**

The NSW Legislative Council's Portfolio Committee No. 4 – Industry is currently conducting an inquiry into the long-term sustainability and future of the timber and forest products industry, and the role of the Forestry Corporation and other government agencies in supporting the industry.

The attached *Draft Inquiry Submission* captures Council's proposed submission to the inquiry.

---

## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

Based on findings that Margules Groome made in the *Bombala Region Softwoods Industry Bushfire Recovery Study* and the importance of the forestry industry to the Bombala Region for economic and employment prosperity, it is important that Council makes a submission to the inquiry.

### 2. Environmental

Nil.

### 3. Economic

There is NIL cost associated with the report recommendation.

**Given the significant findings in the *Bombala Region Softwoods Industry Bushfire Recovery Study* in relation to our local forestry industry and the challenges ahead to maintain and hopefully increase production, it is important that Council has input into the long-term sustainability and future of the timber and forest products industry.4. Civic Leadership**

Council resolution 14/21 relates to the information and recommendations made to Council in the *Bombala Region Softwoods Industry Bushfire Recovery Study* (Softwoods Study). The resolution notes that Council should further consider implementation of relevant recommendations in the process of developing Council's next operational plan.





Your Ref CM/37907

XX May 2021

The Hon Mark Banasiak MLC  
Chair - Portfolio Committee No. 4 - Industry

**Submission - Portfolio Committee No. 4 - Industry  
Inquiry into the Long term sustainability and future of the timber and forest products industry**

Snowy Monaro Regional Council is a local government area covering just over 15,000 sq km, located in South East NSW. Snowy Monaro shares its border with the ACT in the north and Victoria in the south. The ABS estimated resident population for 2020 is 20,997 (.id Consulting).

The key objectives of this inquiry are to report on the long term sustainability and future of the timber and forest products industry and the role of NSW government agencies in supporting the industry across a multitude of factors, including:

- the nature of, and relationship within, the value chain between the timber and forest products industry, and opportunities to enhance supply chains,
- projections for supply and demand over the next 30 years and transparency and data reporting of timber supply,
- opportunities for the industry and timber dependent communities
- additional protections, legislation or regulation are required in New South Wales to better support the forestry products industry and timber-dependent communities, including opportunities for value adding,
- the role of the government in addressing key economic, environmental and social challenges as well as the environmental impact and sustainability of native forest logging, including following the 2019/20 bushfire season,

Snowy Monaro Regional Council's key responses to these objectives are:

- NSW has the potential to produce more high value timber based products for Australian markets.
- Environmental law is restricting industry ability to protect timber assets in times of natural disaster.
- The Black Summer Bushfires have significantly impacted our local industry and enabling sectors.
- Upgrades to local (Council owned) road infrastructure would improve haulage routes industry efficiencies, but there is a gap in funding to support this.
- Council's need a better means to encourage diversification in the use of marginal agricultural land for new softwood plantations.

In early 2020, the Black Summer Bushfires devastated our local softwoods timber industry, mostly located around Bombala in the south of our region. To enable the industry and government to better understand, and gain a shared perspective of the impact the bushfires will have on the industry into the future, Council engaged Margules Groome Consulting Pty Ltd (Margules Groome) to deliver the *Bombala Region Softwoods Industry Bushfire Recovery Study* (Softwoods Study).

Margules Groome state in the Softwoods Study that 'The Bombala softwood plantations and associated industry are significant.' and the Snowy Monaro Regional Economic Development Strategy 2018 – 2022 identifies the Forestry & Wood Products Specialisations as one of our 'Engines of Growth'.

Based on the evidence presented by Margules Groome in the Softwoods Study, Council requests that the Committee note the following response as part of the inquiry into the Long term sustainability and future of the timber and forest products industry.

Regarding projections for softwood and hardwood supply and demand over the next 30 years, Australia is the 6th most forested country in the world yet we are a net importer of forest products, with an annual trade deficit in forest and wood products around \$2 billion per year. In reality, because much of Australia's timber product is export market oriented including low value timber products like wood chips, we have the need to import high value timber based products like paper and paper board, plywood and sawn timber.

As a nation, we cannot afford any reduction of current plantations or natural forests from our production base, as it will cause a decline in industry capacity (business numbers, skills and employment) and businesses down the timber supply chain will be forced to source more fossil fuel based products like concrete, steel and aluminium.

*The above presents a large opportunity (if managed properly), for the NSW government to support expansion of the forestry industry by reducing regulation and encouraging the development of new softwood plantation estates and private native forestry agreements, as the industry already holds the IP and manufacturing assets to deliver more supply of our own high value timber products.*

The above reference to 'if managed properly' is directed at poor protection of forestry assets from natural disasters, such as the 2020 Black Summer Bushfires. Whilst the NSW Forestry Industry Roadmap is a visionary document for the industry, it focuses on environmental protection only (biodiversity, habitat etc.) and neglects overall protection of the asset, particularly preparation for and during disasters, to ensure assets remain unharmed and persist to meet future production requirements.

In particular, a lack of ability by the softwoods industry and land owners engaging in private native forestry to create strategic firebreaks through vegetation clearing to reduce the threat of fire is a shared frustration. Quoted in the Softwood's Study, "Pine plantation managers have commented that they felt their plantations were not valued by the various fire and emergency services and were too ready to light back burns in their plantation assets".

Locally, the threat of future bushfires is a high risk to the future of both hard and softwood sub-sectors, but also the regional economy and in particular, the future of

Bombala. Margules Groome estimated that there are over 370 direct jobs in the softwood plantation industry in the Far South East, which supports at least another 450 indirect jobs in businesses that service and/or rely on the Bombala softwood plantation industry in some way. The 2016 Census identified a total of 513 jobs in Bombala Township.

*The NSW government has an opportunity (and need) to review how environmental law is in fact causing more environmental harm than good, and how environmental legislation changes could better encourage and support the protection of our Timber Assets, and regional communities who rely on the assets for economic prosperity.*

Timber haulage use of road infrastructure in our region is determined by road condition and weight limits. Better strategic thinking and funding to identify haulage routes would result in efficiencies and time cost savings for industry.

‘For example, many residents consider the Bombala CBD to be high risk due to the number of heavy vehicle truck movements through the main street (general freight as well as timber haulage). These heavy vehicle movements could be reduced if haulage traffic from the Cathcart area was able to travel the Black Lake Road that diverts around the Bombala Township, however this would require improvements to the road including the surface and a particular creek crossing.

*The NSW government has an opportunity to reduce timber haulage costs and keep communities safe, by supporting Councils with financial resources to upgrade and maintain strategically identified locally classified road infrastructure.*

Finally, in recent years, Council has been unable to effectively encourage and support owners of agricultural land to develop new softwood plantations in more marginal areas of their property. It is often suggested that land supporting less than 1 Dry Sheep Equivalent per acre, would produce more profit under pine plantation than primary production. If marginal areas suitable for plantations could be mapped, and incentives provided to develop plantations in the mapped areas, it would encourage growth in the local industry. At present there is no mechanism to encourage development of new plantations on existing lands used for primary production, whilst protecting the most productive agricultural land.

*The NSW government has an opportunity to encourage diversification of land use, on lands which have traditionally been maintained for primary production purposes. This suggestion needs to give consideration to the previous point; that road infrastructure to new plantation sites needs to be of a standard that enables timber haulage, rather than hinder it, and this carries a large maintenance burden for Councils.*

To conclude, as a result of the Black Summer Bushfires, our local forestry industry is facing poetically serious supply issues during the 2030s. As a result, the long term sustainability of the the industry in our region is by no means guaranteed.

We commend the issues raised in this letter for your consideration, and thank you for the opportunity to make a submission to the inquiry.

Should you have any queries regarding this letter please contact Council's Economic  
Department: Sarah Blyton on (02) 6451 1284 or Mark Adams, on (02) 6451 1579.

Yours faithfully

**Peter Bascomb**

**Chief Executive Officer**

### 9.2.2 AMENDMENTS AND UPDATES TO ACTION LIST OF SNOWY MONARO DESTINATION MANAGEMENT PLAN 2019

Record No:

Responsible Officer:	Chief Communications Officer
Author:	Coordinator Economic Development
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	6.1 The Snowy Monaro region is a destination that offers a variety of quintessential year – round experiences, attractions and events
Delivery Program Objectives:	6.1.1 Promote tourism and enhance the Snowy Monaro Region as a year round destination of choice through a collaborative approach between all stakeholders and interest groups
Attachments:	1. DMP Actions List
Cost Centre	WO46 – Tourism Operations Administration

#### EXECUTIVE SUMMARY

Council adopted the Snowy Monaro Destination Management Plan in 2019. Since then work on a number of actions has been undertaken. The attachment provides an update on action progress and recommends amendment to the wording, timing or priority of some actions for various reasons.

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

#### OFFICER'S RECOMMENDATION

That Council:

- A. Notes the updates to the DMP actions list provided in the attachment to this report
- B. Adopt the proposed changes to the action, its timing or priority, or deletion as the case may be, of the action items 1, 2, 4, 9, 23, 30, 31, 35, 52, 53 & 54 in the attached document.

#### BACKGROUND

At its meeting on 19 September 2019 Council adopted the Snowy Monaro Destination Management Plan (DMP). The DMP is a five year plan to improve, enhance and grow tourism in the Snowy Monaro Local Government Area.

The DMP is roughly halfway through its intended implementation period. Since adoption, progress has been made on a number of recommended actions in the DMP, despite the impact of the Black Summer bushfires and COVID-19 on the visitor economy. The attached document provides an update on most actions. Those actions highlighted in green are where Council has key

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responsibility for completion. This plan has been reviewed by the contributing partners to the actions including NPWS, Snowy Hydro, DSNSW (Destination Southern) and TSM.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Visitation to the region has positive and negative social impacts. It enriches local culture and contributes to increased recreational pursuits in the region. However at times it can also bring increases to anti-social behaviour and a change in how communities respond to visitors.

### **2. Environmental**

The natural environment is one of this region's greatest assets in terms of promoting tourism and its continued care and protection is vital to the continued growth of the region as a destination.

### **3. Economic**

Tourism is of vital economic importance to the region. Ensuring managed growth in visitation, increase in yield (i.e. spend per guest) and positive experiences leading to referrals and return visitation, are important considerations of any regional destination management activities.

In the last year visitors spent nearly \$200m in the Snowy Monaro ([spendmapp.com.au](http://spendmapp.com.au)).

### **4. Civic Leadership**

It is important that Council shows strong community leadership in the tourism space because of its interactions with and influence upon visitors by way of its many assets, advocacy, connections in the community and role in promoting and growing the local economy of the whole region.

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Destination Management Plan 2019

(proposing updates and amendment of document date, to then be adopted by Council)

Item	Action	Priority	Target Completion Date	Responsible Agency	Proposed cost	Notes / updated/ suggested amendments	Additions from NPWS
1	Finalise the establishment of the regional governance model with clarity of roles for TSM and the Tourism Coordinating Committee and shared destination performance outcomes. Include the Chair of TSM on the SMRC Tourism Coordinating Committee.	High	2020	SMRC		Committee in place. Amend TSM rep on the committee (can be EO or Chair). Potential to add one resort stakeholder rep to the Committee?  TSM should table similar action tabulation with results, noting presentation in March and review due for 2022 to integrate with SMRC initiatives.	
2	Investigate future tourism funding options that include tourism levies - whether accommodation or business based and realistic regional and state government investment	High	2020	SMRC		Change targeted completion date to 2022. Hold until new Council in place in terms of IPART discussion and review in line with SAP also (dependent on timing)	
3	Ensure effective engagement with the tourism industry across the region and appropriate strong relationships and collaboration with neighbouring regions - Canberra, Coast and Snowy Valleys Way Council	Ongoing	Ongoing	All agencies			
4	Hold an annual tourism forum to understand the trends, issues and opportunities in the tourism sector	High	2020	SMRC, with TSM and DSNSW support	\$20,000	In 2020 this was the LGNSW tourism conference hosted in Jindabyne. Discussed next event with DSNSW last Sept - can assist with plan/advice/support and potentially identify funding. To explore option for a local tourism forum later 2021. Change completion date to ongoing.	
5	Pursue government investment and advocate for major upgrading of the Monaro Highway from Canberra to Jindabyne	Ongoing	Ongoing	SMRC		Ongoing - SMRC roads department/ops. Part of SMRC ELT agenda - high on priority of discussions for Mayor and CEO.	
6	Develop Jindabyne and ski fields access and parking strategy as part of Jindabyne Masterplan	High	2020	Regional NSW		Absorbed into SAP - review completion date	NPWS is working within the SAP process.
7	Support the Snowy Mountains Airport to underpin sustainability of year-round services	Ongoing	Ongoing	SMRC		Ongoing - Comms/Visitor Centres	
8	Limited investment in the Jindabyne airstrip to support charter flights and emergency services only	Low	2024	Regional NSW		Absorbed into SAP	
9	Advocate for any re-opening/new railway line between Canberra and Eden to include tourism services	Medium	2021/2022	SMRC		Feasibility study complete - return of rail/freight deemed unviable. Delete.	
10	Work with Snowy Hydro and their contractors to minimise disruption to tourism as a result of Snowy 2.0	High	2020	Regional NSW, SMRC		Ongoing - SMRC / FGJV regular meetings and communications, plus TfNSW. Effect TBD.	NPWS working with SHL and in conditions of the planning approval to provide short term alternatives.
11	Undertake an accommodation supply and demand analysis to determine the need for additional beds across the region and the appropriate style/standards for development in different parts of the region	Medium	2021/2022	SMRC	\$40,000	DSNSW Audit including experiences - May 2020 is what has been conducted to date. This did not include accommodation - need to assess in next audit re range of accommodation in order to seek investment	NPWS has opened two further short term accommodation stays at Creel Bay. Continue to work with the SAP team to look at future options.
12	Use the accommodation analysis as the basis for supporting investment in new accommodation including some unique offerings suited to the regional positioning	Medium	2021/2022	TSM		inc. bed count (warm vs cold) - plus refer SAP data. Note above. Perisher working within SAP to define governance model which would involve an increase in bed count and access parking. Add SAP and DSNSW to list given supply side and product responsibility in remit.	
13	Jindabyne Masterplan to identify those issues and changes that are required in planning to enable growth and diversification in tourism development and to provide a lead for planning reform across the region	High	2020	DPIE		Refer to SAP and amend to high/medium	
14	Review the current and potential use of the Alpine Way KNP access corridor and Smiths Road to ensure that land use planning controls are appropriate to allow tourism activity	Medium	2021/2022	SMRC		Hold - due to bushfires. Add NPWS to discussion. Still required (in line with medium priority)	Opportunities exist along the Alpine Way. Upgrades to camp sites Ngarigo and Diggings, plus opportunities at the Ranger Station.
15	Work with Regional NSW to undertake workforce planning for the region	Medium	2021/2022	SMRC, Regional NSW		Underway with SMRC Economic Development	



16	Work with relevant partners to investigate the feasibility of establishing a tourism and hospitality training institution in the region that provides staff in peak periods and trains students outside peak seasonal times	Medium	2021/2022	SMRC		Absorbed into SAP currently with SMRC input	
17	Develop a comprehensive visitor servicing strategy to look at the customer journey and changing visitor behaviours to ensure we are effectively matching visitor services with visitor needs	Medium	2021/2022	SMRC, NPWS	\$50,000	SMRC to meet with NPWS, amend to include Hydro - for full contemporary visitor information and engagement offering	Would welcome this an opportunity to highlight partnerships such as that we are delivering at Khancoban VC and both Tumut and Jindy VC which are destination focused.
18	Undertake a precinct masterplan on lands managed by NPWS, Charlotte Pass and RMS to create a high quality visitor experience consistent with the lookout point for Australia's highest mountain at the road head at Charlotte Pass	High	2020	TSM		Refer to SAP	combine with below, NPWS, SMRC and TSM are joint partners. Need to include TfNSW. Part of the transport system as turning circle is limited in extent. Need to continue to work with Charlotte Pass re opportunities.
19	Undertake a precinct masterplan on lands managed by NPWS, Charlotte Pass and RMS to create a high quality visitor experience consistent with the lookout point for Australia's highest mountain at the road head at Charlotte Pass	High	2020	NPWS		Delete - duplicated of #18	
20	Offer incentives to encourage a broader range of commercial operators delivering nature-based and adventure experiences in the region. This should range from small drive tours, tag along tours, walking, riding, white water and others. Incentives might include reduced or suspended fees for the initial three years of operation, access into closed areas (e.g. national parks)	Medium	2021/2022	NPWS		NPWS to update - need to broaden to include outside park also	We are very active in this space and the current NPWS PEP reforms are working to improve application process and reduced fees to encourage new CTO product development. Also agree that as for our own Discovery programs there is an opportunity for NPWS to provide managed and appropriate access to some areas currently not permissible under the KNP POM for these activities. Offers an
21	Identify sites suitable for for adventure experiences (e.g. ziplines, rafting, climbing etc) and identify any barriers to investment	Medium	2021/2022	NPWS, Regional NSW		NPWS to update - plus refer to SAP	Considered in the SAP Masterplan
22	Implement a program of experience development for current and emerging operators to develop more commercialised experiences and packages, including working with adjoining regions and Canberra	High	2020	DSNSW		DSNSW and SMRC in discussions, in light of SAP, and business operator support (also refer Small Business NSW assistance)	NPWS to be included in this action due to our CTO partnerships and drive to create, support and promote CTO packaged experiences
23	Plan lookouts as appropriate locations along popular drive and walking routes	High	2020	SMRC, NPWS	\$1,000,000	Discussed at SMRC and draft commencing. To discuss with NPWS. Amend to include TSM. Study to be undertaken in order to apply for funding. Assess existing drive route also, get quotes for works inc parking, interp signage and maintenance. Include in and out of park.	Being considered as part of the SAP opportunities.
24	Work with Planning NSW on the Jindabyne Master Plan project to plan for better tourism facilities around Lake Jindabyne	Ongoing	Ongoing	SMRC		Refer to SAP	
25	Review signage and safe entry points around lakes and rivers	Low	2024	SMRC	\$20,000	SMRC to discuss with Hydro re lakes; add activities included to the action (eg boating, fishing, canoeing, SUP). Also refer to point 28.	should also consider Country welcome signs - Monero Ngarigo. NPWS currently working with Community to provide signage at the park entry and into resorts
26	Investigate the construction of a standing wave at the Snowy River weir at Dalgety	Low	2024	-	\$100,000	Outside SAP but to be discussed once SAP masterplan in place if not addressed	
27	Work with NSW Fisheries and Snowy Hydro to ensure a sustainable fishing industry in Lakes Eucumbene and Jindabyne, and further investigate opportunities elsewhere in the region for recreational fishing	High	2020	SMRC	\$30,000	SMRC Economic Development team to update. Note fishing comp (with Gaden & Chambers for fish release & tagging), plus impact of no trout fest and drought. Note Rec. Fishing report done 1 yr ago.  Note success of SMTC and consideration to repeat in 2021	
28	Improve kayak/canoe/SUP access to major local rivers e.g. Snowy River at Dalgety, along the Murrumbidgee River and the Bombala and Delegate Rivers	Medium	2021/2022	SMRC	\$100,000	Will need funding and site identification plan for study. Also refer to point 25.	Good to explore for the Thredbo and Snowy Rivers.
29	Investigate additional areas for snow play as access to resorts is congested. The family market and intergenerational travellers that are not intending to ski or board, seek a snow adventure that encompasses natural or man-made snow, easy access, facilities and safe tobogganing areas	High	2020	NPWS		Refer to SAP and Selwyn rebuild - noting issues of COVID-19, park access etc	Working with the SAP process but the issues is recognised and work needs to occur.
30	Encourage the use of Mt Selwyn for snow play activities	High	2020	SMRC, Mt Selwyn Resort		Change to medium - not possible in 2020 due to COVID-19 and Bushfire impact. Change date to ongoing.	As the previous snow season showed with major impacts on the snow play market segment, NPWS needs to be involved to ensure
31	Invest in a comprehensive trails masterplan for the region which includes strategies to improve mountain bike and road cycling infrastructure	High	2020	SMRC	\$80,000	In progress with public consultation for the trails masterplan completed in March. Discussion paper to be released as project progresses. Change completion date to 2021.	Does this include links to TVT as per SAP and other infrastructure plans/funding?
32	Undertake strategic planning and experience development for two strong drive journeys	Medium	2021/2022	DSNSW		Board to discuss - in line with three proposed routes and current work of DSNSW	Do any of these drives include KNP, if so list NPWS as stakeholder



33	Seek reinstatement of the Kosciuszko Alpine Way touring route as a member of Sydney-Melbourne touring	Medium	2021/2022	DSNSW		TBC	NPWS should be a stakeholder and participate in this action as Alpine way mainly traverse KNP estate. In the past we have contributed and supported this initiative
34	Identify potential customer journeys and map where improvements need to be made	Medium	2021/2022	DSNSW		See above - in line with study, lookouts, mapping, and drive journeys	
35	Ensure beautification and streetscapes are continually improved	High	2020	SMRC	\$1,000,000	Funding is needed - this is \$1M per plan. Work has been done recently in Bombala and Delegate. SMRC Projects team. Amend to read 'ongoing'.	
36	Undertake a Monaro Rail Trail feasibility study to boost summer tourism product development	High	2020	SMRC	Complete	Working closely with MRT Inc to keep project progressing. TfNSW also now briefed and aware of the MRT.	
37	Undertake a feasibility study into the Snowy Mountains Heritage Centre and seek funding for implementation	High	2020	SAHA	Underway	Absorbed into SAP. Note \$50K for Adaminaby Museum. Completed.  Hydro1 Heritage Centre / SMEC Museum should be a low priority.	
38	Plan for cultural facilities and activities to meet increasing demand and to capitalise on this growing economy	Medium	2021/2022	SMRC		SAP to be noted here - but region wide needs consideration	
39	Identify and grow partnerships to build community capacity in the arts and cultural space	Medium	2021/2022	SMRC		SA for Jindabyne. Note Arts & Culture committee discussions for broader community.	
40	Continue to acquire permanent sculpture installations for all towns in the region and promote themed drive itineraries around these and other art offerings	Medium	2021/2022	SMRC	\$30,000 p.a.	Funding will be needed for this. Reassess sculpture vs street arts, costs, maintenance etc.	
41	Ensure information about the range of arts and cultural opportunities is available for visitors	Medium	2021/2022	SMRC, NPWS		Note for A&C Advisory Committee, review collateral, drive journey, communicate with visitor centres	
42	Seek funding to develop a heritage interpretation strategy which includes interpretative signage in the heritage villages of Delegate, Bombala, Nimmitabel, Adaminaby and Cooma telling the stories of the towns and augmented and virtual reality elements to bring the history to life	Medium	2021/2022	SMRC	\$150,000	Align with drive journeys, trails and signage.	
43	Work with the Bombala Chamber of Commerce to seek an investor that can revitalise one of the hotels or properties to create a destination through high quality restaurant, accommodation and experiences that will attract the Canberra market as well as regional Victoria and NSW	Medium	2021/2022	SMRC, Regional NSW		Note - Burnima homestead recently auctioned. Have sent to a boutique hotel operator for review.	
44	Partner with bodies such as Australian Regional Tourism to leverage off their National Agritourism Strategy	Medium	2021/2022	DSNSW		SMRC Economic Development liaising with DSNSW. SMRC new member of ART.	
45	Develop an Agritourism Strategy for the region in cooperation with adjoining Councils within the Destination Southern NSW Network	Low	2024	DSNSW		See above	
46	Assist and encourage new produce operators into the tourism industry by helping with mentoring opportunities and grant funding applications	High	2020	DSNSW		SMRC Economic Development liaising with DSNSW; support letters supplied by TSM	
47	Support local markets and farm gate operators as an important incubator for new producers	Medium	2021/2022	SMRC		Address 'post COVID'  Update noting CMR fresh food markets success	
48	Run a program of Master Classes for restaurant and café owners to strengthen delivery of regional produce	Medium	2021/2022	DSNSW		Address 'post COVID' - SMRC to work with DSNSW through Economic Development Team - reprioritise and move to High	
49	Include consideration of night-time impacts and benefits in town beautification projects	Ongoing	Ongoing	SMRC		Noted - ongoing. Lighting considerations.	
50	Work with Chambers of Commerce to encourage adequate and consistent open hours and customer service across the region year-round	Medium	2021/2022	SMRC		Economic Development Officer in regular contact with Chambers. Council internally reviewing harmonisation of hours (offices, VCs). Also continue to work with other VCs in region - to present a united offering to	As a silent partner with NPWS, SMRC should include the SVRC in any destination VC actions, need to build stronger partnerships to ensure consistency with LGA VC operations.
51	Develop a night-time economy strategy from Snowy Monaro Region	Medium	2021/2022	SMRC	\$40,000		
52	Develop an events strategy for the region	High	2020	SMRC	\$40,000	Change priority to medium due to COVID. Work has commenced on this. Change completion date to 2022.	Due to large number of events held on NPWS land tenure, opportunity for SMRC to ensure consultation with NPWS in relation to any involvement by regional stakeholders, especially for last point, nature based events
53	Consider financial investment in 2-3 signature large-scale regional events per year that are aligned with the positioning and identified in the strategy	High	2020	SMRC	\$100,000	SMRC assisting events to gain funding. COVID-19 has affected this space. Change date to Ongoing.	

54	Pursue additional nature-based events e.g. trail running	Medium	2021/2022	SMRC		As above.
						Further: There are some 19 high priority projects , 5 absorbed by SAP.  SMEC museum is a low priority as sustainable funding model has not yet been found.

#### 9.4.1 QUARTERLY BUDGET REVIEW STATEMENT (QBR) TO MARCH 2021

Record No:

Responsible Officer:	Chief Financial Officer
Author:	Management Accountant
Key Direction:	4. Leadership Outcomes
Delivery Plan Strategy:	11.2 Council utilises sound fiscal management practices, pursues and attracts other sources of income
Operational Plan Action:	11.2.2 Provision of statutory reporting enables our leaders to make decisions on Council's financial sustainability
Attachments:	1. March 2021 Quarterly Budget Review Statement
Cost Centre	W17 Financial Services

#### EXECUTIVE SUMMARY

The third quarter (Q3) Quarterly Budget Review Statement (QBR) is presented to Council. The QBR is a summary of Council's financial position as at 31 March 2021 and includes a projection as at year end. The QBR outlines the major variations and recommended changes to the adopted 2020/21 Operational Plan from June 2020. These include changes resulting from carry forward projects and adjustments.

The March 2021 QBR projects a net operating deficit before capital items (\$5.8M) compared with December 2020 QBR (\$5.9M).

The projected year end cash position of General funded activities of Council is \$6K and is likely to continue to remain at these low levels without any corresponding increased income from rates. Expenditure reviews continue across Council activities to manage within the low levels of cash reserves and to allow Council to consider the need for a rate review.

A number of capital projects are unlikely to be completed this year and external and internal reserves have been adjusted. Other adjustments to internal reserves are limited to employee leave entitlements, commitments for plant replacements and bonds. Council is not in a position to commit any unfunded cash expenditure.

#### OFFICER'S RECOMMENDATION

That Council:

- A. Receive the Quarterly Budget Review Statement (QBR) for the period ended 31 March 2021, and
  - B. Authorise the adjustments to the Council's budgeted Income & Expenditure, Capital Expenditure and Cash & Investments as reported in the QBR.
-

## **BACKGROUND**

The attached report covers proposed variations to the original budget and includes a review of Council's;

- Operating income and expenses,
- Capital budget, and,
- Cash and investments

The report also includes a statement by the Responsible Accounting Officer regarding the unsatisfactory projected net operating deficit and recommended remedial action (some of which have commenced).

The Financial Services team partnered with service line budget managers assisting the formulation of the March 2021 QBRs. This included providing advice on updating Council's budget information system and reviewing the past nine month's expenditure and the associated impact on the next 3 months financial projections. A number of changes on the face of the income statement have occurred as a result of reviewing current year expenditure and projecting the end of year result. The explanations of the variations have been summarised within the QBRs.

Following a review of the capital works program under a newly created department it has identified that several capital projects have not progressed significantly to be delivered by the end of the year and those project expenditures adjusted accordingly. Managing the execution of these projects has occurred and further work continues on project management and cost control to ensure scope and budgets are well understood.

The Water, Sewer and Waste funds continue to be self-sustainable enabling the continued operational work and planning for replacement and renewal investments. General funded activities of the Council are projected to return an operating deficit where by the asset base is not able to be maintained or renewed and the same rate it is depreciating over time. The General fund cash projection continues to show services requiring a higher use of cash over those cash inflows generated through rates and fees of Council. This has driven down the level of cash held within this fund and the remaining cash is at a critical level. The current operating structure of Aged Care services require Council to contribute \$2.2M this year above the income received directly from government and users of the service. A review is currently underway to assess the future operating model of this service.

With the low levels of General fund cash, it is important that Council adopts the 2021/22 Revenue policy prior to 30 June-2021 to allow rate notices to be issued and the first instalment due on 31-August-2021. Any delay and or amendment to the 2% rate peg increase will have negative impact on Council's ability to provide services and pay for expenditure incurred.

Council had paused its debt collection policy in response to the potential hardship on the community as a result of the bushfires and COVID-19 over the preceding 12 months. Council's Revenue team will be analysing outstanding debts and working on a debt recovery plan to improve collections and cash owed to Council.

Council is reminded to carefully assess new expenditure initiatives as there is no capacity to absorb extra costs without the need to prioritise or forego current services and programs.

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## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

This report provides a summary of Council's financial performance to aid decision making for Council's financial sustainability and ability to deliver services to the community.

### **2. Environmental**

It is not considered that the recommendations will have any environmental impacts.

### **3. Economic**

Refer to the attached report for the details of the revised budget estimates for operating income and expenditure, capital expenditure and cash and investments / reserve balances.

### **4. Civic Leadership**

Council's operational plan sets out its achievements, goals and revenue policy, including estimated income and expenditure. The QBR plays an important role in monitoring council's progress against the plan and the ongoing management of Council's annual budget.

Clause 203 (1) of the *Local Government (General) Regulation 2005* (the Regulations) requires a council's responsible accounting officer to prepare and submit a QBR to the governing body of council.

The 2021 budget was adopted under Council Resolution 96/20 (on 18 June 2020).

The September Quarterly Budget Review (and adjustments) were adopted under Council Resolution 234/20 (on 19 November 2020).

The December Quarterly Budget Review (and adjustments) were adopted under Council Resolution 21/21 (on 18 February 2021).

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Snowy Monaro Regional Council

**Quarterly Budget Review Statement**  
for the period 01/01/21 to 31/03/21

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Snowy Monaro Regional Council

**Quarterly Budget Review Statement**  
for the period 01/01/21 to 31/03/21

**Report by Responsible Accounting Officer**

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

**31 March 2021**

It is my opinion that the Quarterly Budget Review Statement for Snowy Monaro Regional Council for the quarter ended 31 March 2021 indicates that Council's projected financial position at 30 June 2021 will be unsatisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

This opinion is based on the following factors;

1. The estimated net operating deficit before capital grants and contributions of (\$5.8M). This is a reduction of \$0.1M compared to 31 December 2020 QBRS.
2. Sustained net operating deficits will lead to the reduction in cash reserves.
3. Sustained net operating deficits will effect Council's ability to fund asset renewals to the same level that assets depreciate and impacting the ability of Council to meet the 100% asset renewal benchmark.

Proposed remedial action to deal with this position include;

- (i) progress the Aged Care service review and evaluation of transitioning to external provider.
- (ii) all future employee recruitment is reviewed and authorised by ELT.
- (iii) judicious release of Council land to improve cash reserves.
- (iv) embedding the Project Management framework methodology to manage and quantify commercial risks prior to commencing Council projects.
- (v) support Asset Management team review of asset valuations and depreciation reviews.
- (vi) continue to evaluate and set realistic timeframes for completing priority projects. The impact of carrying forward large amounts from previous years affects both short and long term forecasting.
- (vii) review overhead charge out rates to ensure all reasonable costs are recovered within available grants and restricted funds.
- (viii) resumption of debt collection practices temporarily suspended due to COVID-19

**Signed:** \_\_\_\_\_

**Date:** 10-May-2021

Nicholas Byrne  
Responsible Accounting Officer

Snowy Monaro Regional Council

**Quarterly Budget Review Statement**

for the period 01/01/21 to 31/03/21

**Income & Expenses Budget Review Statement**

Budget review for the quarter ended 31 March 2021

**Income & Expenses - Council Consolidated**

(\$000's)	Original Budget 2020/21	Approved Changes				Revised Budget 2020/21	Variations for this Mar Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Sept QBR	Dec QBR	March QBR					
<b>Income</b>										
Rates and Annual Charges	33,318					33,318	(3,818)	1	29,500	24,194
User Charges and Fees	15,418					15,418	3,583	2	19,001	9,403
Interest and Investment Revenues	1,385					1,385	165	3	1,550	1,437
Other Revenues	967					967	(8)	4	959	843
Grants & Contributions - Operating	21,010	1,193	384	175		22,762	4,157	5	26,919	14,074
Grants & Contributions - Capital	17,949	11,769	1,449	3,165		34,332	(11,630)	6	22,702	9,539
Net gain from disposal of assets	1,002		370	750		2,122	(567)	7	1,555	1,039
<b>Total Income from Continuing Operations</b>	<b>91,049</b>	<b>12,962</b>	<b>2,203</b>	<b>4,090</b>	<b>-</b>	<b>110,304</b>	<b>(8,118)</b>		<b>102,186</b>	<b>60,529</b>
<b>Expenses</b>										
Employee Costs	32,616			30		32,646	508	8	33,154	22,039
Borrowing Costs	167					167	(64)	9	103	27
Materials & Contracts	18,130	1,632	(40)	42		19,764	2,542	10	22,306	14,301
Depreciation	19,123					19,123			19,123	14,342
Other Expenses	9,449	229	461	58		10,197	398	11	10,595	8,045
<b>Total Expenses from Continuing Operations</b>	<b>79,485</b>	<b>1,861</b>	<b>421</b>	<b>130</b>	<b>-</b>	<b>81,897</b>	<b>3,384</b>		<b>85,281</b>	<b>58,754</b>
<b>Net Operating Result from Continuing Operation</b>	<b>11,564</b>	<b>11,101</b>	<b>1,782</b>	<b>3,960</b>	<b>-</b>	<b>28,407</b>	<b>(11,502)</b>		<b>16,905</b>	<b>1,775</b>
Discontinued Operations - Surplus/(Deficit)						-			-	
<b>Net Operating Result from All Operations</b>	<b>11,564</b>	<b>11,101</b>	<b>1,782</b>	<b>3,960</b>	<b>-</b>	<b>28,407</b>	<b>(11,502)</b>		<b>16,905</b>	<b>1,775</b>
<b>Net Operating Result before Capital Items</b>	<b>(6,385)</b>	<b>(668)</b>	<b>333</b>	<b>795</b>	<b>-</b>	<b>(5,925)</b>	<b>128</b>		<b>(5,797)</b>	<b>(7,764)</b>



Snowy Monaro Regional Council

**Quarterly Budget Review Statement**  
for the period 01/01/21 to 31/03/21

**Income & Expenses Budget Review Statement**  
**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

Notes	Details	\$000	\$000
<b>1</b>	<b>Rates and Annual Charges</b>		
	Income statement category reclassification to User Fees & Charges		(3,955)
	Domestic Waste Annual Charges		138
			<b>(3,818)</b>
<b>2</b>	<b>User Fees &amp; Charges</b>		
	Income statement category reclassification from Rates & Annual Charges	3,955	
	Community Care User Fees - reclassified to grants - operating	(779)	
	Tipping Fees	160	
	Facility Hire (including Caravan Parks)	241	
	Regulatory & Statutory Fees	234	
	Saleyards Fees	(133)	
	RMS Ordered Works	(131)	
	Other items	36	
			<b>3,583</b>
<b>3</b>	<b>Interest and Investment Revenues</b>		
	Rates & Charges Interest Penalty		(85)
	Interest on Investments		249
			<b>165</b>
<b>4</b>	<b>Other Revenues</b>		
	Other Items		(8)
			<b>(8)</b>
<b>5</b>	<b>Grants &amp; Contributions - Operating</b>		
	Local Heritage Grant Project		(71)
	Residential Aged Care		195
	Biosecurity/Weeds Funding		232
	Regional Road Funding (RRRP & Block Grant)		392
	Disaster Recovery Funding		675
	Bushfire Recovery Funding		582
	Community Care Grants		2,233
	Other items		(80)
			<b>4,157</b>
<b>6</b>	<b>Grants &amp; Contributions - Capital</b>		
	<b>Project completion moved out beyond 30-June-2021</b>		
	Bobeyan Road Upgrade Sealing Adaminaby to ACT Border	(6,302)	
	Yallambee Lodge New Section of Facility	(1,989)	
	Delegate & Bombala Water Treatment Plant Upgrade	(1,500)	
	Bombala Swimming Pool Upgrade	(1,019)	
	Cooma Swimming Pool Upgrade	(920)	

Cooma Sports Hub Snowy Oval Monaro High Detailed Design	(305)
Smiths Road (Sealing)	(738)
Tinderry Road (Sealing)	(772)
Jindabyne Water Treatment Fluoridation System - BWZ System	(500)
Jindabyne Water Treatment Fluoridation System - HZ/LZ System	(500)
Bombala Arts & Innovation Centre Building Upgrade	(173)
Cooma Creek Beautification Upgrade Bike Path Surface	(157)
Lions Park Yallakool Road Cooma Upgrade	(124)
<b>Subtotal</b>	<b>(15,000)</b>

**Reserve funding not required to completed current year program**

Corporate Information System (CIS) Project	(270)
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**New funding program**

Cooma Saleyards New Truck Wash	614
Springfield Road (Sealing)	500
Developer contributions	454
Craigie Little Plains River Bridge - (Mila Rd)	436
Ryrie Street Michelago Extension	436
Barry Way 7626 Project 4241 Intersection ATLM and shoulder sealing	400
Highdale St Carpark Berridale Shops Upgrade	223
Cooma Footpath Pavers CBD Streetscape	200
Jindabyne Memorial Hall Upgrade Heating and Cooling	130
Bombala Caravan Park Dump Point	125
Ginger Leigh Playground Stage 2	100
Bombala Exhibition Ground Caretaker House Renovation	100
Other items	(79)
	<b>(11,630)</b>

**7 Net gain from disposal of assets**

**Sale rescheduled to 2021/22**

Percy Harris Subdivision Land Sale	(1,100)
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**Other**

Plant Replacements	(202)
Polo Flat Land Sale	735
	<b>(567)</b>

**8 Employee Costs**

Aged care - labour filled via contractors and recalssified to Matirials & Contracts	870
Workers compensation premium	(439)
Bushfire recovery	(234)
Water services	(352)
Waste services	(408)
Other items	55
	<b>(508)</b>

**9 Borrowing Costs**

Loan Interest	(64)
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**10 Materials & Contracts**

Age Care - temporary labour hire contractors	(1,378)
Road Infrastructure contractors - from increased operating funding	(1,102)
Community Carer Programs	(206)
Bushfire recovery materials	(215)
ICT Corporate System contractors	263

	Other items	96
		<u>(2,542)</u>
<b>11</b>	<b><i>Other Expenses</i></b>	
	ITC software licensing	(322)
	Other items	(76)
		<u>(398)</u>

Snowy Monaro Regional Council

**Quarterly Budget Review Statement**

for the period 01/01/21 to 31/03/21

**Capital Budget Review Statement**

Budget review for the quarter ended 31 March 2021

**Capital Budget - Council Consolidated**

(\$000's)	Original Budget 2020/21	Approved Changes				Revised Budget 2020/21	Variations for this Mar Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Sept QBRs	Dec QBRs	March QBRs					
<b>Capital Expenditure</b>										
New Assets										
- Plant & Equipment	500			70		570	(182)	1	388	170
- Land & Buildings	4,895	2,340		770		8,005	(3,531)	2	4,474	728
- Water & Sewer	1,250	66				1,316	(734)	3	582	142
- Transport	6,000	802	50	300		7,152	(6,300)	4	852	239
- Other	720	52	40			812	(78)	5	734	65
Renewal Assets (Replacement)										
- Plant & Equipment	3,871	2,432				6,303	(1,162)	6	5,141	2,018
- Land & Buildings	4,129	4,268	162	807		9,366	(2,419)	7	6,947	2,399
- Water & Sewer	15,079	2,809	1,628			19,516	(7,102)	8	12,414	9,472
- Transport	5,793	2,376		1,610		9,779	183	9	9,962	3,936
- Other	6,688		(1,674)	(25)		4,989	(4,783)	10	206	503
<b>Total Capital Expenditure</b>	<b>48,925</b>	<b>15,145</b>	<b>206</b>	<b>3,532</b>	<b>-</b>	<b>67,808</b>	<b>(26,108)</b>		<b>41,700</b>	<b>19,672</b>
<b>Capital Funding</b>										
Grants & Contributions	20,397	1,551	(1,449)	3,124		23,623	(12,252)		11,371	8,292
Restricted Cash Reserves	27,526	13,594	2,025	(342)		42,803	(13,289)		29,514	10,341
Receipts from Sale of Assets	1,002		(370)	750		1,382	(567)		815	1,039
<b>Total Capital Funding</b>	<b>48,925</b>	<b>15,145</b>	<b>206</b>	<b>3,532</b>	<b>-</b>	<b>67,808</b>	<b>(26,108)</b>		<b>41,700</b>	<b>19,672</b>
<b>Net Capital Funding - Surplus/(Deficit)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>-</b>	<b>-</b>

Snowy Monaro Regional Council

**Quarterly Budget Review Statement**  
for the period 01/01/21 to 31/03/21

**Capital Budget Review Statement**  
**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

Notes	Details	\$000	\$000
1	<b>Capital Expenditure - Plant &amp; Equipment (New)</b>		
	Lease - Computers		(198)
	Other items		16
			<b>(182)</b>
2	<b>Capital Expenditure - Land &amp; Buildings (New)</b>		
	<b>Project completion moved out beyond 30-June-2021</b>		
	Concept Plan of Cooma Sports Hub Old	(900)	
	Detailed Design - New Civic Complex (Stage 1)	(1,550)	
	Yallambee Lodge New Section of Facility	(2,489)	
	Subtotal		(4,939)
	Bombala Caravan Park Dump Point		110
	Cooma Saleyards New Truck Wash		614
	Cooma Sports Hub Snowy Oval Monaro High Detailed Design		525
	Ginger Leigh Playground Stage 2		100
	Other items		59
			<b>(3,531)</b>
3	<b>Capital Expenditure - Water &amp; Sewer (New)</b>		
	<b>Project completion moved out beyond 30-June-2021</b>		
	East Jindabyne Water Treatment Lime Dosing System	(250)	
	Jindabyne Water Treatment Fluoridation System - BWZ System	(500)	
	Jindabyne Water Treatment Fluoridation System - HZ/LZ System	(500)	
	Subtotal		(1,250)
	17 Bent St Jindabyne Acquisition of Property		390
	Leesville Water Reservoir 5.0ML		50
	Other Items		76
			<b>(734)</b>
4	<b>Capital Expenditure - Transport (New)</b>		
	<b>Project completion moved out beyond 30-June-2021</b>		
	Bobeyan Road Upgrade Sealing Adaminaby to ACT Border		(6,300)
5	<b>Capital Expenditure - Other (New)</b>		
	Cooma & Jindabyne Landfill Weighbridge IT replacement		(100)
	Other Items		22
			<b>(78)</b>
6	<b>Capital Expenditure - Plant &amp; Equipment (Replacement)</b>		
	Corporate Information System (CIS) Project		(605)
	Plant Replacements-General Fund		(600)

Other items		44
		<b>(1,162)</b>
<b>7</b>	<b>Capital Expenditure - Land &amp; Buildings (Replacement)</b>	
<b>Project completion moved out beyond 30-June-2021</b>		
Refurbishment of Cooma Office Building	(2,350)	
Public Toilet Block Jindabyne Town Centre	(399)	
Delegate School of Arts Renewal of Drainage System	(149)	
Jindabyne Playground (SCF Round 2)	(100)	
Bombala Arts & Innovation Centre Building Upgrade	(44)	
		<b>(3,042)</b>
Yallambee Unplanned Capital Repair Works		(200)
Snowy River Hostel Unplanned Capital Repair Works		(100)
Snowy River Hostel Upgrade Compliance Audit		(70)
Bombala Exhibition Ground Caretaker House Renovation		25
Adaminaby School of Arts - Upgrade existing Toilet Entry and Signage		42
SCCF Bombala Platypus Reserve Upgrade		42
C PP-025 Nijong Oval Improvements		50
Jindabyne Memorial Hall Upgrade Heating and Cooling		120
Cooma Multifunction Centre Upgrade		220
Highdale St Carpark Berridale Shops Upgrade		223
SR PP-068 Dalgety Showground Pavilion		254
Land & Buildings - Minor		18
		<b>(2,419)</b>
<b>8</b>	<b>Capital Expenditure - Water &amp; Sewer (Replacement)</b>	
Bombala Wastewater Treatment Plant Augmentation Construction		(1,528)
Delegate & Bombala Water Treatment Plant Upgrade		(1,453)
Bombala Wastewater Main (Rising and Trunk Mains)		(1,046)
Cooma Wastewater Mains Replacement		(700)
Jindabyne Wastewater Mains Trunk and Reticulation Mains		(700)
Cooma Snowy 1 Reservoir Upgrade		(550)
Cooma Intake Pump Station Weir Repair		(500)
Jindabyne water mains replacement		(377)
Cooma Water Main Replacement		(263)
Bombala Meter Replacement Program		(200)
Cooma Water Treatment Plant Civil		(190)
Bredbo Water Mains Renewal		(175)
Sewerage Telemetry - Capital		(150)
Cooma Water Telemetry		(100)
Kalkite STP Evaporation Pond Relining		150
Bombala Timor Street Pump Station Upgrade		738
Water & Sewer - Minor		(58)
		<b>(7,102)</b>
<b>9</b>	<b>Capital Expenditure - Transport (Replacement)</b>	
Minor items		183
		<b>183</b>
<b>10</b>	<b>Capital Expenditure - Other (Replacement)</b>	
<b>Project completion moved out beyond 30-June-2021</b>		
Bombala Swimming Pool Upgrade	(1,660)	
Cooma Swimming Pool Upgrade	(1,291)	
		<b>(2,951)</b>
<b>Waste strategy related projects</b>		

Bombala Landfill Upgrade	(546)	
Jindabyne Landfill Quarry Expansion	(436)	
Delegate Landfill Upgrade	(237)	
Cooma Landfill - Stormwater Leachate system upgrade	(200)	
Cooma Landfill Upgrade	(180)	
Adaminaby Pool Upgrade	(155)	
Cooma Compost Facility EIS Project	(132)	
Subtotal		(1,886)
Other items		53
		<b>(4,783)</b>

Snowy Monaro Regional Council

**Quarterly Budget Review Statement**

for the period 01/01/21 to 31/03/21

**Cash & Investments Budget Review Statement**

**Cash & Investments - Council Consolidated**

(\$000's)

**Externally Restricted <sup>(1)</sup>**

	2020 Actual figures	Original Budget 2020/21	Approved Changes				Revised Budget 2020/21	Variations for this Mar Qtr	Notes	Projected Year End Result
			Carry Forwards	Sept QBR	Dec QBR	March QBR				
Section 7.11 Developer Contributions Combined	2,421	2,421	-	(21)	(21)		2,379	283		2,662
Section 64 Developers Contributions Water Combined	2,816	2,816	-				2,816	525		3,341
Section 64 Developers Contributions Sewer Combined	2,298	2,298	-				2,298	440		2,738
Hostel Entry Contributions- Snowy	1,169	1,169	-				1,169	-		1,169
Hostel bonds - Yallambee	2,392	2,392	-				2,392	670		3,062
Crown Land	1,399	1,399	(296)				1,103	296		1,399
Unexpended Grants Reserve	11,435	11,435	(9,820)				1,615	7,012		8,627
Other Contributions	153	153	(130)				23	43		66
HACC Vehicle Replacement - combined	301	191	-				191	(191)		-
Kamato-Cooma Friendship Scholarship Fund	45	45	-				45	(2)		43
Boco Rock Contributions	229	229	(229)				-	-		-
Combined Water Supply Works Reserve	19,733	16,068	(704)				15,364	6,618		21,982
Combined Sewerage Works Reserve	18,635	15,889	(693)	(1,600)			13,596	2,436		16,032
Domestic Waste Management Reserve	-	2,273	-				2,273	(2,273)		-
<b>Total Externally Restricted</b>	<b>63,026</b>	<b>58,778</b>	<b>(11,872)</b>	<b>(1,621)</b>	<b>(21)</b>	<b>-</b>	<b>45,264</b>	<b>15,857</b>		<b>61,121</b>

(1) Funds that must be spent for a specific purpose

**Internally Restricted <sup>(2)</sup>**

Employee Leave Entitlement	1,383	1,383	-				1,383	150		1,533
Plant Replacement	1,294	716	(593)	(123)			-	242		242
Quarry Operations	-	300	-	(300)			-	-		-
Uncompleted Works & Projects	66	66	-	(66)			-	-		-
Waste Services (Non Domestic)	7,274	3,911	(310)	(2,930)			671	5,592		6,263
Deposits, Retentions & Bonds	682	682	-				682	1,140		1,822
Yallambee Lodge Building & Equipment	700	(1,471)	(139)	1,610			-	700		700
New Council Implementation Interest	378	378	(378)				-	378		378
Stronger Communities Fund Interest	1,326	1,326	(1,326)				-	-		-
Former Bombala LGA	1,718	173	(221)	48			-	-		-
Former Snowy LGA	699	699	(14)	(685)			-	-		-
<b>Total Internally Restricted</b>	<b>15,520</b>	<b>8,163</b>	<b>(2,981)</b>	<b>(2,446)</b>	<b>-</b>	<b>-</b>	<b>2,736</b>	<b>8,202</b>		<b>10,938</b>

(2) Funds that Council has earmarked for a specific purpose

<b>Unrestricted (ie. available after the above Restrictions)</b>	-	(6,633)	990	5,643	450		450	(444)		6
<b>Total Cash &amp; Investments</b>	<b>78,546</b>	<b>60,308</b>	<b>(13,863)</b>	<b>1,576</b>	<b>429</b>	<b>-</b>	<b>48,450</b>	<b>23,615</b>		<b>72,065</b>



Snowy Monaro Regional Council

**Quarterly Budget Review Statement**  
for the period 01/01/21 to 31/03/21

**Cash & Investments Budget Review Statement**

**Investments**

Investments have been invested in accordance with Council's Investment Policy.

**Cash**

The Cash at Bank figure included in the Cash & Investment Statement totals \$644,973

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.  
The date of completion of this bank reconciliation is 31/03/21

**Reconciliation Status**

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

**\$ 000's**

Cash at Bank (as per bank statements)  
Investments on Hand

645  
72,075

**Reconciled Cash at Bank & Investments**

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72,720

Snowy Monaro Regional Council

**Quarterly Budget Review Statement**

for the period 01/01/21 to 31/03/21

**Contracts Budget Review Statement**

Budget review for the quarter ended 31 March 2021

**Part A - Contracts Listing** - contracts entered into during the quarter;

Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)
Bucher Municipal	Replacement of two Council waste collection trucks	910,336	4/1/2021	On delivery	Y
McMahons Earthmoving	Kalkite STP Evap dam construction & liner install	151,875	15/3/2021	18 months	Y
Cardno	Bombala & Delegate WTP - Design & Construction tender development	821,700	11/3/2021	20 months	Y
Pebblecrete Insitu	Cooma Footpath Pavers CBD	375,862	5/3/2021	On delivery	Y
Snowy Valleys Council	Separable Portion 1A Back Creek Construction - Bobeyan Road	350,000	1/3/2021	6 months	Y

Snowy Monaro Regional Council

**Quarterly Budget Review Statement**  
for the period 01/01/21 to 31/03/21

**Consultancy & Legal Expenses Budget Review Statement**

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	538,861	Y
Legal Fees	159,700	Y

**Definition of a consultant:**

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.



Record No:

Responsible Officer:	Chief Strategy Officer
Author:	Chief Strategy Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	11.2 Council utilises sound fiscal management practices, pursues and attracts other sources of income
Delivery Program Objectives:	11.2.1 Council has best practice management for financial sustainability
Attachments:	<ol style="list-style-type: none"><li>1. Appendix B - Rate Structure Charts</li><li>2. Appendix C - Community Consultation - Your Say Feedback</li><li>3. Appendix D - Submission lodged</li></ol>

## EXECUTIVE SUMMARY

The recommendation provided is the only one possible under the current decision of Council to limit any increase to no more than 10%. This limitation means that the Council will need to reduce the level of rates received by \$2.35million. Council already needs to reduce its spending by \$1.5million, meaning that \$3.85million will need to be cut from next year's budget. This will impact on the level of service that can be provided.

There is also a rescission motion to be considered at this meeting. If that motion is passed this will allow other options to be considered. To cover off on this eventuality the consultation on rate structures has been assessed to determine what principles the community supports.

There is strong community support for a model that aligns the value people see they get from Council services with what they pay. While this can be done to a reasonable extent, the impact of this on the smaller communities is seen as not being equitable or fair. It would result in areas with relatively low household earnings paying the highest household rates. This also does not align with the principle that capacity to pay should be a strong consideration.

By undertaking the modelling on a range of options it can be seen that a simplified model with a single base and ad valorem applied across all land provides very similar outcomes to the model that is built off attributing costs to the various rate categories. The model does have a higher number of landowners negatively impacted. Offsetting this is that the maximum impact is slightly lower and a simpler system will be easier to run and explain. That members of the community have proposed this model and been able to gain support is also a positive for showing that the Council is a community partner.

**ALTERNATIVE RECOMMENDATION:** Should the rescission motion be accepted by Council it is recommended that Council include the rates policy from Option 2 in appendix A into the 2021-22 Revenue Policy and place this on public exhibition.

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**NOTE:** *The figures in the comparisons only compare the exiting rates against the equivalent in the modelled options to show the impact of the rate structure changes. The rate peg increase will be added on top of the changes modelled.*

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

#### **OFFICER'S RECOMMENDATION**

That Council:

- A. Include the rates policy from Option 1 in appendix A into the 2021-22 Revenue Policy and place this on public exhibition.
- B. Identify the reductions in services to cover the \$2.35million shortfall in revenue prior to adopting the next year's Operational Plan.

#### **BACKGROUND**

At Council's March 2021 meeting it was resolved to not proceed with any rates that led to an increase of more than 10% to any individual landowner. This impacts those rates categories and subcategories where the Council has to merge the current categories or would involve creating a new subcategory that crosses the former council boundaries. This impacts on some or all land currently classified as:

- Business - Bombala Golf Estate
- Business - Cooma (Outside the township of Cooma)
- Business - Delegate Golf Estate
- Business – General (Former Snowy LGA)
- Business - Snowy
- Business – Business other (Former Bombala LGA outside Bombala & Delegate townships)
- Farmland
- Residential - Cooma (Outside the township of Cooma)
- Residential – General (Bombala other than Bombala, Delegate and Village)
- Residential – General (Former Snowy LGA)
- Residential – Village (Former Bombala LGA identified villages)
- Residential – Rural.

Where rates categories did not spread across different former areas those rates were retained under their existing structures. Changing those would lead to some landholdings within those categories exceeding the 10% limit.

The combined categories were then checked against the existing similar base and minimum rate models to determine which approach led to the lowest maximum percentage increase.

This results in the following maximum percentage changes that exceed the adopted limit:

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- Business Electricity Generation (Caused by reclassification of properties) – 165.24%
- Business – 27.4%
- Farmland – 45.23%
- Residential – 95.05%

The rates for those categories then needs to be scaled back, shifting all of the rates within those categories down until the top percentage change is under the 10%. Where rates with a base and minimum rates were to be combined each structure was modelled and the structure having the lowest impact was then used.

For Business (General category excluding subcategories), which is a base rate, this required dropping the ad valorem until the maximum increase was below the cap. For Farmland, which is a minimum rate, this required a combination of dropping the minimum amount and the ad valorem until the target was achieved. For residential (General category excluding subcategories), which is a base rate, this required the dropping of the ad valorem rate until the target was achieved. The property in Business Electricity Generation was not scaled as the change related to changing the categorisation, not harmonisation.

The impact of these changes is to reduce the rate yield by \$2.89million. This equates to 37% of the remaining rate category yield. All categories and subcategories were then increased until the 10% cap was reached.

Where the rate is currently set at a different base or minimum rate these were brought to the same level where possible to simplify the rating structure. The ad valorem was then manipulated to increase the yield to the maximum permissible under the Council resolution.

This increased the overall yield, still leaving a drop in overall revenue of \$2.35million in rates.

Council is required to consider the long term and cumulative impact of the financial decisions. The impact of the 10% cap is to increase the unsustainability of the Council's financial position. Due to the low levels of available cash and existing deficit for general activities Council is not in the financial position to absorb the drop in revenue.

This means that there is a need to take actions to adjust the Council's financial plans to accommodate the reduced income. Council already needs to reduce the existing budgets by \$1.5million prior to the drop in revenue from the new rates structure. This means that the Council will need to drop \$3.85million in cash outgoings, from operations or capital, to stay within Council's available cash and revenue.

### **Consideration of Community Feedback**

Council has been undertaking community consultation on what the community considers to be a fair and equitable method of distributing the rates. This has involved on online sites providing information and community drop in sessions held in various areas.

The website has had 1,023 unique visitors with 160 surveys completed. 212 visitors downloaded files and 58 people watching the video on the site. The drop in sessions attracted 135 people. Many of those were already aware of the information online.

Many of those attending the drop in session had also been on the website and were attending at least partially informed on the models and the potential outcomes.

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Based on the number of responses the results of the survey and consultations cannot be considered statistically significant. This is particularly the case as is a self-selected cohort of people. The feedback that has been provided to the councillors and team members can provide a guide to what the community feels.

#### **Which principles are important (Survey Responses)**

Respondents were first asked to provide their thoughts on the main principles that should be applied in determining the distribution of rates. Responses were given to each of a range of questions. That those who benefit from the services provided should contribute to those services is the principle most supported by respondents. This was followed by that capacity to pay is important and there was substantially less support for the principle that everyone should pay the same.

This view was borne out in the conversations, where a number of people attending the pop up stated that they should not pay more rates as they received either no or very little services. There is clearly a strong sentiment that any variation in services should be reflective of the level of rates payable. The feeling that there were no services provided was more pronounced the smaller the settlements.

A question was included on whether the Council should be seeking to minimise the impact of changes. This concept also received strong support from the respondents.

Rate structures can use either a base rate, a minimum rate or only an ad valorem rate. Questions were included as to whether a base or minimum rate should be used. Both methods received similar support, with the support for base rates being slightly higher. To try and separate the results respondents who said that both base rates and minimum rates were important had their survey recorded against the form of rates they gave the highest support for. This still led to a near equal outcome.

To gauge the relative importance of the principles they were assessed against each other to determine if there is a stronger emphasis on and determining the weight based on a score created by any principle compared to others. The survey results were used to weight the various aspects to be considered. Two factors were included that were not part of the survey (Financial impacts and simplicity). The first factor was not required with the models on exhibition as all had the same financial impact. Given the Council does not have the capacity to absorb negative financial impact this was given a relatively high weighting. Based on the conversations with the community the need to understand how rates were allocated is very important. Complex systems detract from the feeling in the community that the approach taken by Council is fair and equitable.

#### **Which models are supported by the survey**

Those people on the website were asked if they felt a particular model was better than others. At the stage that the people undertook the survey they were able to have read information on the various models, seen how they may impact a sample of landowners in each current category and check how the models would affect their own situation.

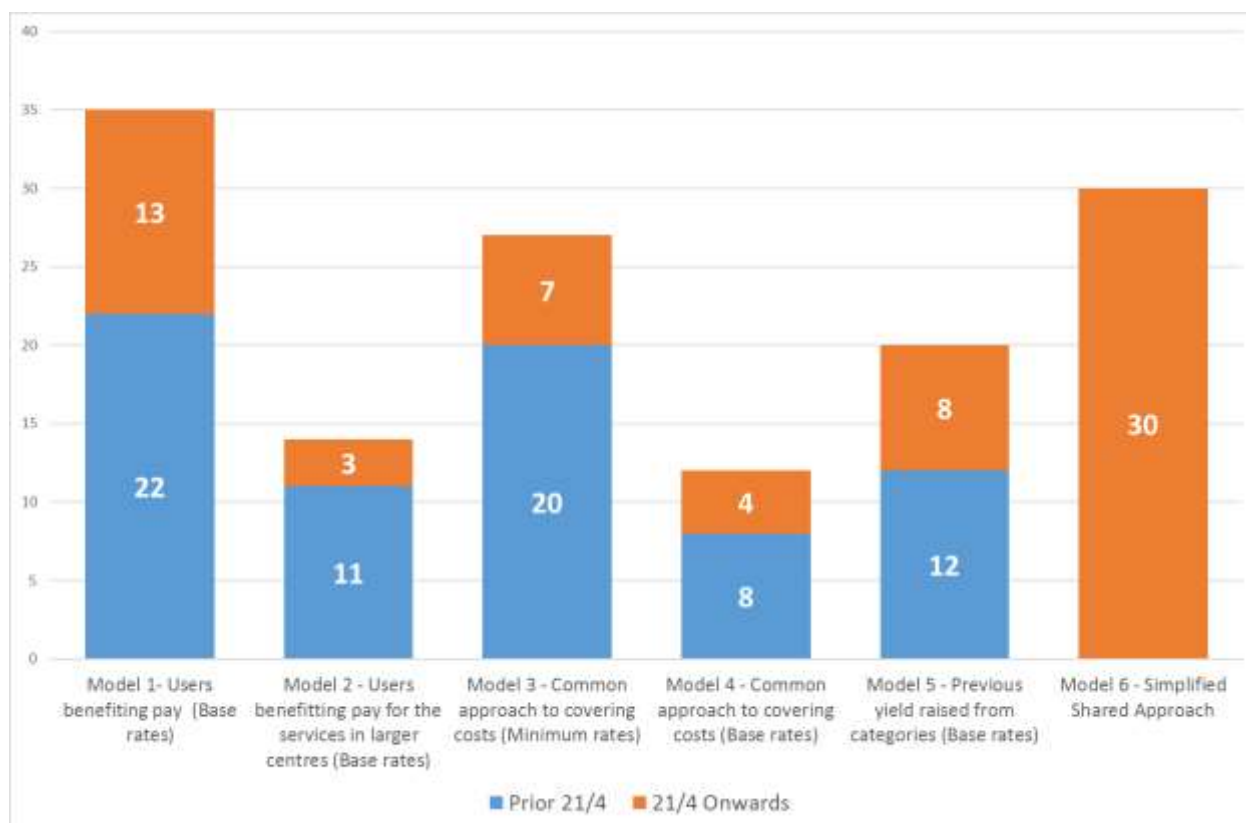
The results are consistent with the views on the principles, in that there is a wide range of differing views. 45% supported models that were based on the costs of providing services. 25% supported the minimum rate model provided. 36% supported models based on a shared approach to the cost of providing services.

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During the consultation the number of models changed from five to six. This needs to be considered when looking at the overall responses on which model is preferred by respondents. Considering that model 6 (The simplified model with a base rate) was only in the survey for one third of the consultation period this model has performed well. To assess the support for the model the selections prior to the model being included were compared separately from those lodged prior.

**Chart 1:** Survey responses to models



The similar split of the responses among the responses after model 6 (With the exception of model 5) was added indicates that that model would have previously drawn some responses from all of the previous option choices. It is reasonable to assume that model 6 would have been one of the more popular choices among the models and potentially the most favoured. It is also clear that model 1, based on putting the costs against those who benefits from the service being nearby, would be a strongly supported option. Model 3, using a common approach to providing services and a minimum rate is the third model that received reasonable levels of support.

While Council has stated that it does not support that approach, due to the impact on smaller towns and villages, this needs to be considered in light of its support in the survey. A check was undertaken as to whether the respondents views, as to whether they felt the information was sufficient, was done to see if the model was being chosen without knowledge of the impacts. The data does not indicate that this was the case, with a bit below half the support coming from those who felt the information available was good. It was decided to continue with the modified model that attributes costs based on the verbal interactions during the consultations, which indicated while there is a desire to have a user pays approach this is in reality tempered by the knowledge that smaller communities do need to be subsidised.

These three approaches, and a model that limits the increase to any landowner to no more than 10%, were assessed against how they perform against the principles and important factors, which were that:

- those benefiting from the service contribute to the costs of that service,
- the impact of changes is minimised,
- capacity to pay needs to be considered,
- everyone should contribute equally,
- it should be easy for landowners to understand how the rates are determined, and
- the council cannot withstand a financial shock.

Based on these models a number of variants were also tested to see if there were other options that may improve on the outcomes of the selected models. These models were developed in the current land, which has changed since the last model was built. To differentiate them from the models that were on exhibition they will be referred to as options.

Option 1: This is the model developed above to meet the resolution to limit the increases to 10% on any landowner. It has a mix of base and minimum rates and it split up to as many subcategories as possible to limit the need for change from the current rate structure.

Option 2: Most landowners pay the same base rate and ad valorem rate. The base rates is determined by looking at the highest level the base rate can be set at to not exceed the legislative requirement for less than 50% of the yield to come from the base rate. The ad valorem required to generate the remaining rate yield is then calculated and applied.

The sole exception is business land used for electricity generation. This type of landowner is considered to have a greater capacity to pay than other business. To test this hypothesis the valued added by the electricity generation business compared to all other business was assessed. Snowy Hydro uses 51 properties (A mix of business, farmland and residential) to generate most of its ABS industry classification value added to the economy, of \$114million. The balance of the 1,058 businesses generate the remaining \$823million. Based on this the electricity generator creates 2.8 time the value add per property to other business. To allow for the fact that this industry also includes other landowners, such as the Council itself and electricity providers, this has been scaled back to 2.5 times as the factor that applied to that land use. (Based on Model 6)

Option 3: Uses a base rate. Based on the cost of services available to major localities being covered by those landowners nearby and the cost of services in smaller villages and rural areas being shared among the rural categories. Costs are calculated and then rates are set to recover the amount that relates to each rate category. Base costs are set by the cost of services Council is required to provide by legislation and corporate costs. These costs are shared equally among all Landowners in the first instance. Where this leads to the yield from the base exceeding the legislative limit of 50%, the base rate is scaled back until the requirement is reached. (Based on Model 2)

Option 4: Uses minimum rates. Most landowners pay the same ad valorem rate. The ad valorem is set at the maximum allowable (Rounded to the nearest tens of dollars). The same capacity factor is applied to business land used for electricity generation as in option 2.

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9.4.2 PLACING REVENUE POLICY ON PUBLIC EXHIBITION

A pairwise style analysis was undertaken for each aspect, with the option that provides the best outcome being provided a score. These scores were then weighted leading to an overall score indicating which model provided the better outcome overall.

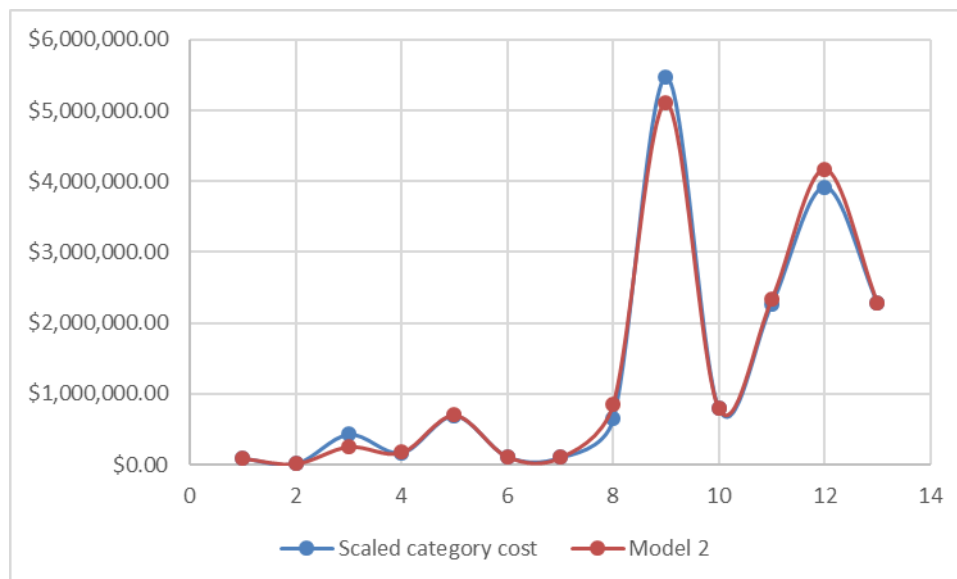
**Table1:** Relative advantage of different rating structures

	EQUALLY SHARED	BENEFITS PAYS	CAPACITY TO PAY	MINIMISE IMPACT	FINANCIAL	SIMPLICITY	SCORE
<b>WEIGHTING</b>	<b>2.2</b>	<b>3.2</b>	<b>3.1</b>	<b>3.3</b>	<b>4</b>	<b>4</b>	
Opt 1 - 10% cap	2.6	0	0	17.7	0	0	20.3
Opt 2 – pay same	5.7	5.8	6.2	4.6	5.6	5.6	33.5
Opt 3 – service costs	5.7	8.4	2.5	0	5.6	0	22.2
Opt 4 - minimums	0	3.2	1.9	2.0	5.6	5.6	18.3

The analysis indicates that a simple model (Option 2) provides the best overall outcomes for the community. This is primarily due to the fact that it provides a broad spread of relative advantages compared to the other models.

To further assess the more suitable model the ability of the simplified model to match the service costs to particular rate categories was undertaken. If the simplified model closely aligns with the model developed based on service costs it would be considered that the simplified approach would be the best option, with a check as to whether this model still aligns with costs to be taken following each election. The following chart shows the degree of alignment found.

**Chart 2:** Alignment to service costs



The following chart shows the alignment against a range of the localities across the region.

[illegible]

As with the previous models, different structures affect different segments of the landowners in different ways. While every individual impact cannot be identified. The first part looks at the existing structure. Currently landowners in different rate categories pay different amounts. This impacts on the changes in their rates. The extent of the variance can be indicated by looking at applying the same land values across the different rates:

Quartile	Value	Bombala Town	Cooma Town	Delegate	Snowy	Cooma Other	Bombala Other	Electricity Generation
Min	\$630	\$613.68	\$445.15	\$466.62	\$600.28	\$236.56	\$613.68	\$600.28
1st	\$45,300	\$1,001.67	\$1,019.79	\$466.62	\$600.28	\$425.52	\$613.68	\$600.28
Median	\$103,000	\$2,277.54	\$1,762.04	\$691.34	\$776.11	\$669.59	\$1,179.66	\$800.21
3rd	\$216,500	\$4,787.25	\$3,222.11	\$1,453.15	\$1,631.33	\$1,149.70	\$2,479.57	\$1,681.99

9.4.2 PLACING REVENUE POLICY ON PUBLIC EXHIBITION

Max	\$1,960,000	\$43,339.52	\$25,650.49	\$13,155.52	\$14,768.60	\$8,524.70	\$22,447.88	\$15,227.24
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**Table 3: Farmland Rates:**

Quartile	Value	Bombala	Cooma	Snowy
Min	\$270	\$613.68	\$580.38	\$600.28
1st	\$184,000	\$859.10	\$1,041.54	\$701.22
Median	\$306,000	\$1,428.71	\$1,347.76	\$1,166.17
3rd	\$518,000	\$2,418.54	\$1,879.88	\$1,974.10
Max	\$14,000,000	\$65,366.00	\$35,719.70	\$53,354.00

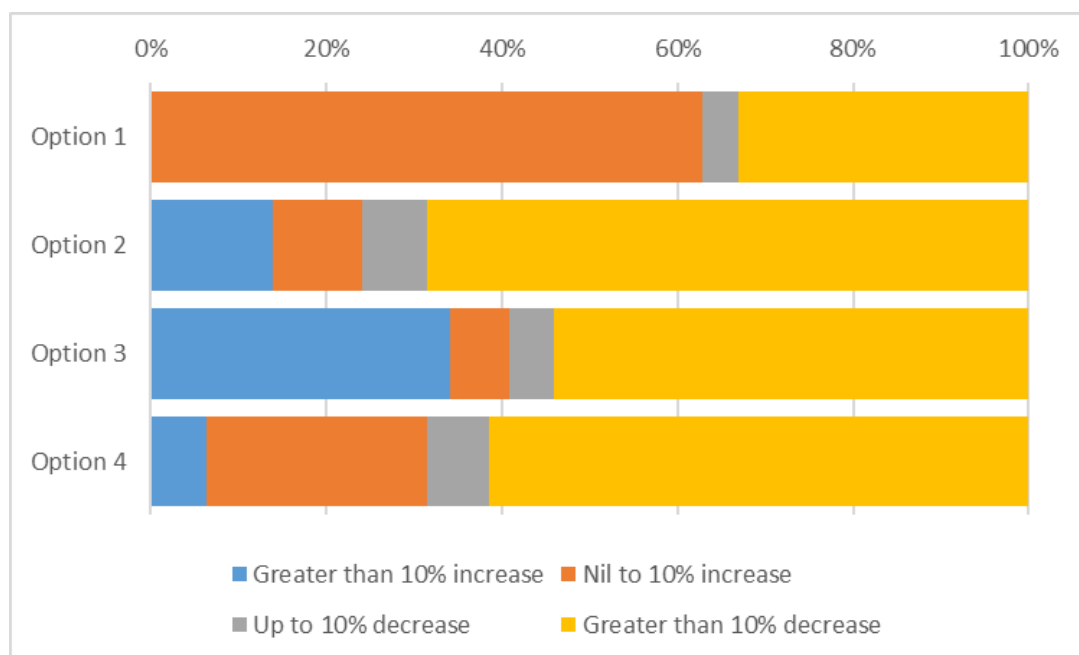
**Table 4: Residential rates:**

Quartile	Value	Cooma Town	Bombala Town	Delegate	Village (Bombala)	Residential (Bombala)	Residential (Cooma)	Residential (Snowy)	Residential Rural (Snowy)
Min	\$100	\$411.98	\$613.68	\$451.10	\$451.10	\$613.68	\$234.36	\$600.28	\$600.28
1st	\$68,600	\$812.44	\$1,072.08	\$451.10	\$661.30	\$613.68	\$547.54	\$600.28	\$600.28
Median	\$96,300	\$974.37	\$1,504.98	\$451.10	\$928.33	\$613.68	\$674.18	\$600.28	\$600.28
3rd	\$193,000	\$1,539.68	\$3,016.20	\$451.10	\$1,860.52	\$1,105.12	\$1,116.30	\$600.28	\$842.25
Max	\$2,150,000	\$12,980.30	\$33,600.20	\$4,220.45	\$20,726.00	\$12,310.90	\$10,063.70	\$6,297.35	\$9,382.60

## Option Comparison

Charts are included in Appendix B showing the rates based on the land value for each option.

**Chart 4: Percentage change for business**



The option that limits the increases to 10% leads to most business having an increase in the 0-10% bracket as a result of the need to scale up the business rates to compensate as much as possible for the lost revenue created by limiting the maximum increase. The large decreases occur for

businesses located in the rural areas (up to 70%). Bombala, Berridale and most Leesville based business see the largest increases (9-10%). Cooma business see changes in the range of 5-10%. Jindabyne businesses only see small increases in the order of 2%.

Option2, using the same base and ad valorem for most ratepayers, leads to a smaller number of businesses seeing an increase. As previously noted, most methods of determining rates indicates that less should be recovered from business. Businesses in Bombala and Cooma generally see large decreases, starting from just under 80%. At about the 50% drop rural and Leesville based businesses start to appear. Jindabyne businesses start to appear at the 20% drop level. Increases occur more predominantly in the rural based businesses. The top 16 increases all occur in government entity owned land. The highest percentage change for a privately owned business premises is 83.7%. This is an increase of \$224.42 (\$4.32 per week) on the current rate of \$268.25.

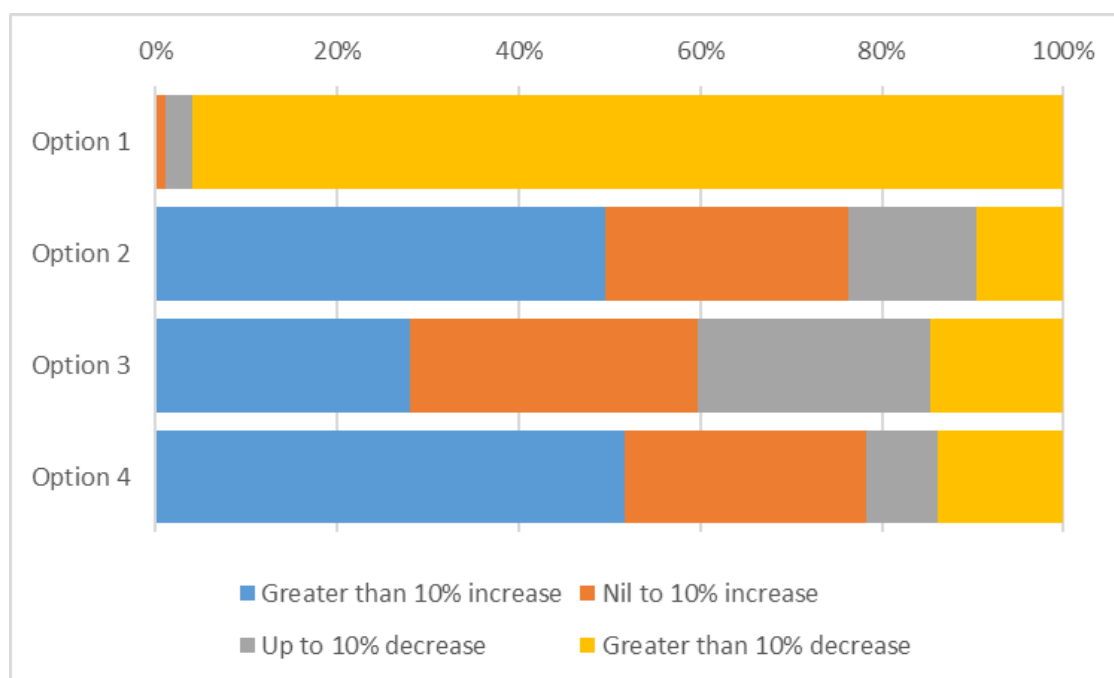
Option 3, based on the service costs, generates more increases for business than option 2. The decreases start lower, in the order of 55%, and businesses in Cooma see the greatest drops, along with some of the rural based businesses from the former Bombala area. By the 35% drop level Jindabyne based businesses are starting to appear along with more of the rural based businesses from the former Snowy and Bombala areas. Snowy businesses dominate through to around the 60% increase, with a range of Bombala and Delegate businesses also in this area. From about the 60% increase level it is Cooma area rural business that appears. Under this model the higher percentage increases are mostly on private land. The highest percentage increase is land in the former Bombala area, with an increase of 145%. This is an increase of \$1,716.29 from a current rate of \$699.78. This is reflective of the high cost per landowner that the smaller of the towns sees, which is typical of a structure that reflects the cost of providing services.

Option 4, using minimum rates on a common rate, has a lower level of increases for business than using a structure reflecting the cost of services, but less than using base rates. The decreases start slightly higher than in option 2, at 78%. The greatest drops are seen in the Bombala and Cooma towns. At around 57% this switches to rural business in the former Bombala area. Snowy businesses start to appear at the 36% drop mark and dominate through to the nil change level. From around a 15% increase the Cooma rural businesses start showing. Delegate businesses appear with a 30% increase. The Cooma businesses predominantly top the list, with the maximum increase being 65%. Most of the top increases are government property. The highest percentage increase is based in Chakola, with a 66% increase of \$182.67, on a base rate of \$275.14.

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Farmland:

**Chart 5: Percentage change for farmland**



Option 1, the 10% cap, gives most properties a drop. The largest percentage increase occurs in one of the top valued properties, so this drives the whole rates category down. This starts with 51% drops to farmland in the former Cooma area. At the 38% drop level this sees the Bombala properties appearing. Snowy farms start appearing at a 24% drop. From here there continues to be a mix of farms. The farms seeing an increase are from the former Cooma area. The highest increase permissible of 10% exists on a farm valued at \$5.08million of 3,918 hectares located at Countegany. This farm would see an increase of \$1,325.30 on a current rate of \$13,330.50.

Option 2 sees a large number of increases to farms. The drops start at \$27% in farmland within the former Bombala area. This would be because of the higher yield currently raised from farmland in this area under the current rate structure. While some Cooma and Snowy properties gain reductions, these do not commonly appear until the 10% drop mark. From here Cooma properties are in the majority. From around the 4% increase there is a relatively proportionate mix of Bombala, Cooma and Snowy properties. From around the 9% increase level Cooma properties are in the majority. From around the 18% increase properties from all three former areas are again showing. From the 28% increase mark the properties are former Snowy and Bombala properties. The highest increases all are in the former Snowy area, with increases from 46% to 64%. The highest change occurs for a farm in Dry Plain. This 123.6 hectare property sees a rate increase of \$382.69 from a base of \$602.14. This property is probably typical of the farmland properties being purchased more as lifestyle blocks, but which is resulting in the smaller farmland lots seeing higher valuations.

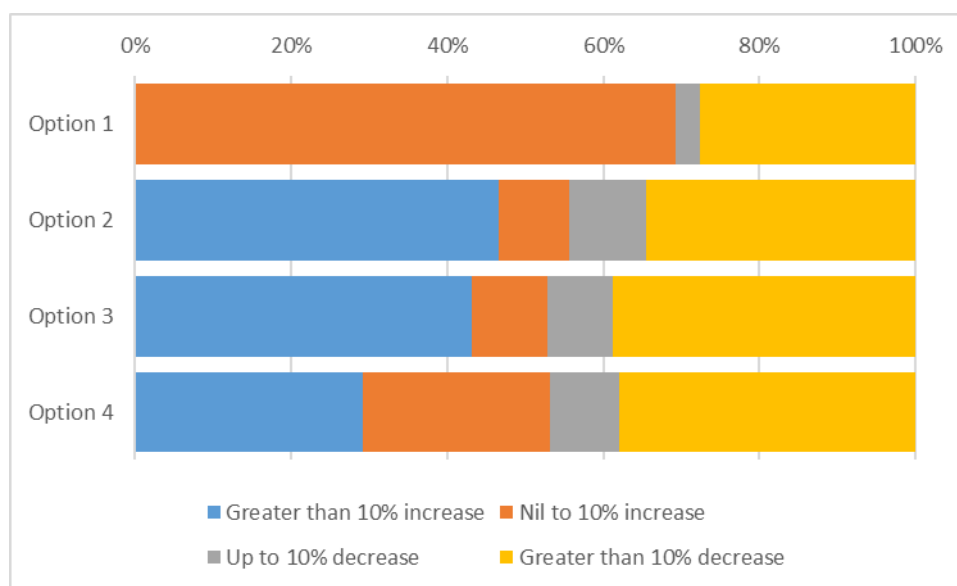
Option 3, the service cost method, has a higher number of negative impacts than options 2 or 4. It starts with slightly higher reductions (34%), again in the Bombala area. This continues nearly exclusively until the 18% drop level, where Cooma and Snowy properties begin to appear. The mix continues with mainly Bombala and Snowy properties until around the 10% drop level where Cooma properties start to increase in numbers and dominant by the 8% drop level. The mix of mainly Cooma and Snowy properties, with some Bombala, continues to around a 15% increase. At

this stage the mix changes to Bombala and Snowy properties, with a higher portion of snowy properties. This continues up to a 40% increase, at which time the properties are exclusively from the Snowy area. The highest percentage in this area is a property that is being categorised from farmland to business. Of the farms, the highest percentage increase is 56%, for the same Dry Plans property from option 2, being an increase of \$339.90 under this option.

Option 4, the minimum rate model, creates a similar level of increases as option 2, but slightly more above 10%. Reductions start from 32%, but occur for Cooma farmland. At the point where rates are relatively unchanged this swaps to Bombala properties, with some Cooma properties. Snowy properties appear with a 1.6% increase, which is those currently on a minimum rate and going to the new minimum rate. The list then reverts to Bombala and Cooma properties, primarily Bombala ones until a 4% increase. From here is it predominantly Cooma properties with Snowy properties mixed in. At the 27% increase level another groups of Snowy properties mixes in with the Cooma ones, but then it reverts to Cooma based properties for the highest changes leading to a maximum increase of 84.8%. Located at Countegany, this is the same property as in option 1. In this case seeing an \$11,308.11 increase on their current rates.

Residential:

**Chart 6: Percentage change for residential**



Option 1, the 10% limit, still has the highest number of landowners seeing an increase. This is because these categories need to be boosted up to the maximum increase of 10% to try and claw back the income lost from reducing the farmland rates. Some landowners do see reductions, of up to 61%. These larger decreases are spread between rural properties in the Bombala and Snowy areas. At the 50% drop level this swaps to predominantly the Cooma rural properties, a reasonable mix of Snowy and some Bombala. By the 38% drop stage the mix has changed to more evenly include Snowy rural properties and the proportion of properties from Snowy is growing. By the 20% drop stage the majority of properties are from the former Snowy area. This continues to the point where no change occurs. At this stage Bombala town properties start to appear. A large number of Snowy properties sit on a 2.2% increase as they move to a standardised minimum figure. Delegate properties see an increase around 3.4% due to their coming off a low minimum rate. The larger increases are within the Cooma township. This category is the bulk of properties past the 7% increase mark. At the nominal 10% cap a number of Bombala and Snowy properties



also appear. The highest change occurs in Nimmitabel, with the increase of \$94.22 off a base rate of \$947.13.

Option 2, the simple approach, creates a smaller number of increases. The decreases start from a similar 60% level. Almost exclusively the large decreases are from the Bombala area. Cooma properties appear once the drops reach 35%. By the time a 28% drop is reached the properties are mainly Cooma town properties. At around the 13% drop the mix changes to include properties from the three former areas. One increases are starting to be seen the mix is between Cooma and Snowy properties. Generally the Snowy properties outnumber the Cooma properties. A number of Delegate properties appear with a 13% increase (\$60.87) to 18% increase (\$82.87). From the 20% increase stage Snowy properties dominate the listing with Bombala, Cooma and Delegate mixed in. As the change grows so does the level of Cooma properties. At the 50% increase point the list is mainly back to Snowy properties. The greatest increases are properties at Delegate. Sitting on the edge of the village the property is 15 hectares of land valued at \$270,000. The current rates will increase by \$822.59, giving a 155% increase on the current rates of \$530.01.

Option 3, the cost based approach, give a slightly lower number of landowners seeing an increase. The reductions start at a much lower level (39%) and are based around a mix of Cooma and Snowy properties, mainly within the towns. A large number of Cooma township properties sit around a 20% drop. From the 15% drop mark this starts trending towards Snowy and Cooma rural properties. Bombala and Delegate properties start to appear once the increases reach 10%. A large number of Delegate properties appear showing a 16% increase. Bombala residential grows in numbers around the 63% increase level, mixing with Snowy properties. Bombala township properties dominate the higher increases. The same properties are at the top of the list as with option 3, in this case seeing an increase of \$743.08 (140%).

Option 4, the minimum rate, gives the highest percentage reduction (69%) as well as one of the two lowest numbers of landowners with increases. Bombala township residents see the greatest decreases, with this soon switching predominantly to the Cooma township. At around the 23% drop Cooma rural properties start to appear. From here Bombala and Cooma rural properties are generally appearing more frequently. Once increases are starting to occur Snowy properties show up. Snowy rural residential properties appear at a 10% increase mark. Snowy properties make up the list until around the 30% increase, at which time more Bombala and Cooma properties re-enter the listing as well as the Delegate properties. Snowy properties, and specifically, those in Jindabyne fill the top of the listing until 65% increases are reached. At this point the following properties come from Cooma rural areas. The highest, with a 160% increase is a property from near Cooma, with a land value of \$130. Its rates changed from \$234.49 to the proposed minimum, giving and increase of \$375.51.

### **Rural Residential**

A question was raised on the ability to rate rural residential separately. Under the legislation only land greater than 2hectares and less than 40 hectares can be classified as rural residential. This can be sub classified and rated separately from other residential land. However, rural land that is outside this size limitation cannot be included. This would mean that at 1.5 hectare block and a 41 hectare block neighbouring one that would meet the definition for rural residential would pay different rates. Based on the community feedback this would not be seen as equitable.

2,007 rate parcels fall within the size definition of rural residential. This is 28% of the rural land currently rates as residential. 3,268 rural rate assessments are larger than 40 hectares, yet not qualifying as farmland. It is clear that using the rural residential sub category will not capture all of

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the 'rural residential' landowners. This is better achieved by capturing those people in the same general residential category as other land outside the major towns.

#### **QUADRUPLE BOTTOM LINE REPORTING**

##### **1. Social**

The drop in revenue will impact on the ability of the Council to continue to provide services.

##### **2. Environmental**

N/A.

##### **3. Economic**

The impact of the rate structure will be a drop in revenue of \$2.32million. This needs to be offset by cuts to the cash outgoings of the service.

##### **4. Civic Leadership**

To adopt this rate structure the Council will need to identify how it will provide and maintain the assets and provide services within a lower level of revenue. This will require reductions in service levels to be put into place.

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## **Appendix A – Rate Policies for Inclusion on the Revenue Policy**

Based on the option taken the Council will place on public exhibition a Revenue Policy that needs to include the policy of the Council on how it determines the rates to be charged. Each of the options has a policy statement. Based on the policy statement adopted a table of rates will be generated for the 2021-22 year, implementing the policy and the 2.0% rate peg increase. Should Council adopt a policy other than those listed that will form the basis on which the calculations are developed.

### **Option 1 – Limit increases to no more than 10%**

#### **Rates Policy**

The policy of the Council is that:

- 1) The rates structure is not to change so that the variation from the former council's rates structures exceed 10% for any individual land holding as part of the harmonisation process.
- 2) The former base rates and minimum rates are to be retained where possible. Where this was not possible the decision on use of minimum and base rates was determined by which method leads to the lowest maximum percentage increases.
- 3) Those rate categories with an increase of greater than 10% due to harmonization are to be scaled down to ensure no landowner has an increase of over 10%.
- 4) Where this leads to the maximum permissible rate not being fully levied, those rate categories with a maximum increase of less than 10% will be scaled up to the point where the maximum increase is not greater than 10%.

### **Option 2 – Simplified rating structure**

#### **Rates Policy**

The policy of the Council is that:

- 1) There will only be one subcategory, which is for the centre of activity being electricity generation.
  - 2) The business, farmland and residential categories of rates will pay a base rate and an ad valorem rate.
  - 3) That rate will be the same for the business, farmland and residential categories.
  - 4) The subcategory of electricity generation will be set at 2.5 times the rate set for the business category, to reflect the increased capacity to pay of this business type.
  - 5) The category of mining will be set to 2.5 times the rate set for the business category, to reflect the increased capacity to pay of this business type.
  - 6) The base rate will be determined by calculating the maximum level that can be applied to not breach the requirement for only 50% of the rates levied to come from the base rate.
  - 7) The ad valorem will then be calculated to raise the maximum permissible yield.
  - 8) As part of developing the Delivery Plan following a Council election the Council will determine the proposed cost of delivering services to the different localities across the region and determine whether the rate structures align reasonably with the cost of providing services to the various areas.
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### **Option 3 – Service cost driven model**

#### **Rates Policy**

The policy of the Council is that:

- 1) For the purpose of attributing costs to various localities, it is recognized that smaller populations have a much higher cost per assessment to service. To avoid creating high rates in the areas with low household earnings only towns will be identified as separate localities for the purpose of distributing the cost of services.
  - 2) The rates will reflect the cost of providing services to the following categories and sub categories of landowners:
    - a. Business – All land not included in the following subcategories.
      - i. Electricity Generation, being land used for the purposes of the generation of electricity in the area including Lake Eucumbene, Lake Jindabyne and the associated rivers and creeks.
    - b. Farmland – All land within the region that meets the definition of farmland.
    - c. Mining – All land within the region that meets the definition of mining.
    - d. Residential – All land that meets the definition of residential land not included in the following subcategories
      - i. Residential within the Bombala town boundaries
      - ii. Residential within the Cooma town boundaries
      - iii. Residential within the Jindabyne town boundaries, East Jindabyne and Tyrolean Village areas.
  - 3) All categories and subcategories will have a base and ad valorem rate.
  - 4) The net cost of the services of Council will be determined following each Council election.
  - 5) Those services required to be provide under legislation specifically requiring the service and the corporate and governance services will be included in the base rate calculation.
  - 6) Other services will be included in the ad valorem calculation.
  - 7) Legislated services in the base rate will be applied across the categories and sub categories based on whether the services are primarily located within or provided to a category or subcategory of landowner. Each landowner within the category or sub category will pay an equal share of the costs attributed to that category or subcategory.
  - 8) Corporate support services will be shared equally by all landowners.
  - 9) The cost of other services will be attributed based on the locality where the actual service is provided where possible.
  - 10) The anticipated annual costs to each locality, including the estimated replacement cost of assets within the locality will be used to determine the relative portion of the service cost to attribute to each category or subcategory.
  - 11) If it is not possible to determine the costs to each category on the proposed spending, the service will be distributed by identifying the categories or subcategories that directly
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benefit from the service and including this in the amount of ad valorem to be distributed by rates parcel.

- 12) In distributing costs, costs distributed to a residential category or subcategory will be distributed equally to any business category or subcategory with a similar geographic area.
- 13) The amount calculated for each category and subcategory based on the calculations in points 9 and 10 will be combined and divided by the land value of all land within that category or subcategory to provide the ad valorem rate for the category or subcategory.
- 14) Where the net costs are not fully covered by rates (The Council operating at a deficit.) the amounts will be scaled equally across the categories and sub categories to raise the desired yield.

#### **Option 4 – Simplified minimum rates**

##### **Rates Policy**

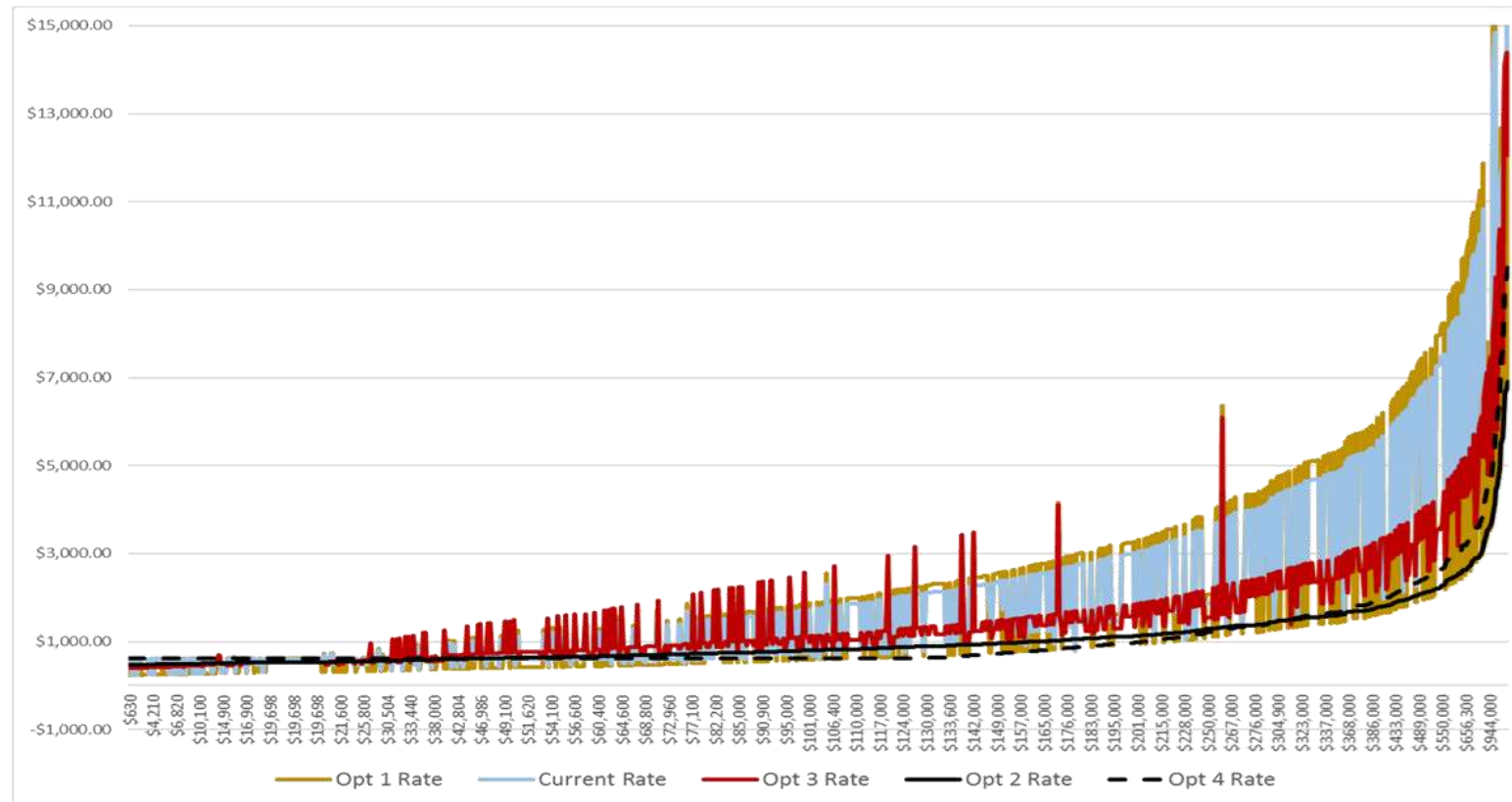
The policy of the Council is that:

- 1) There will only be one subcategory, which is for the centre of activity being electricity generation.
  - 2) The business, farmland and residential categories of rates will pay a minimum rate with an ad valorem rate.
  - 3) That rate will be the same for the business, farmland and residential categories.
  - 4) The subcategory of electricity generation will be set at 2.5 times the rate set for the business category, to reflect the increased capacity to pay of this business type.
  - 5) The category of mining will be set to 2.5 times the rate set for the business category, to reflect the increased capacity to pay of this business type.
  - 6) The minimum rate will be determined by the maximum permissible level approved under the former councils. In the first year this will be rounded down to the nearest ten dollar interval.
  - 7) The ad valorem will then be calculated to raise the maximum permissible yield.
  - 8) As part of developing the Delivery Plan following a Council election the Council will determine the proposed cost of delivering services to the different localities across the region and determine whether the rate structures align reasonably with the cost of providing services to the various areas.
-

## Appendix B – Charts showing rate modelling outcomes

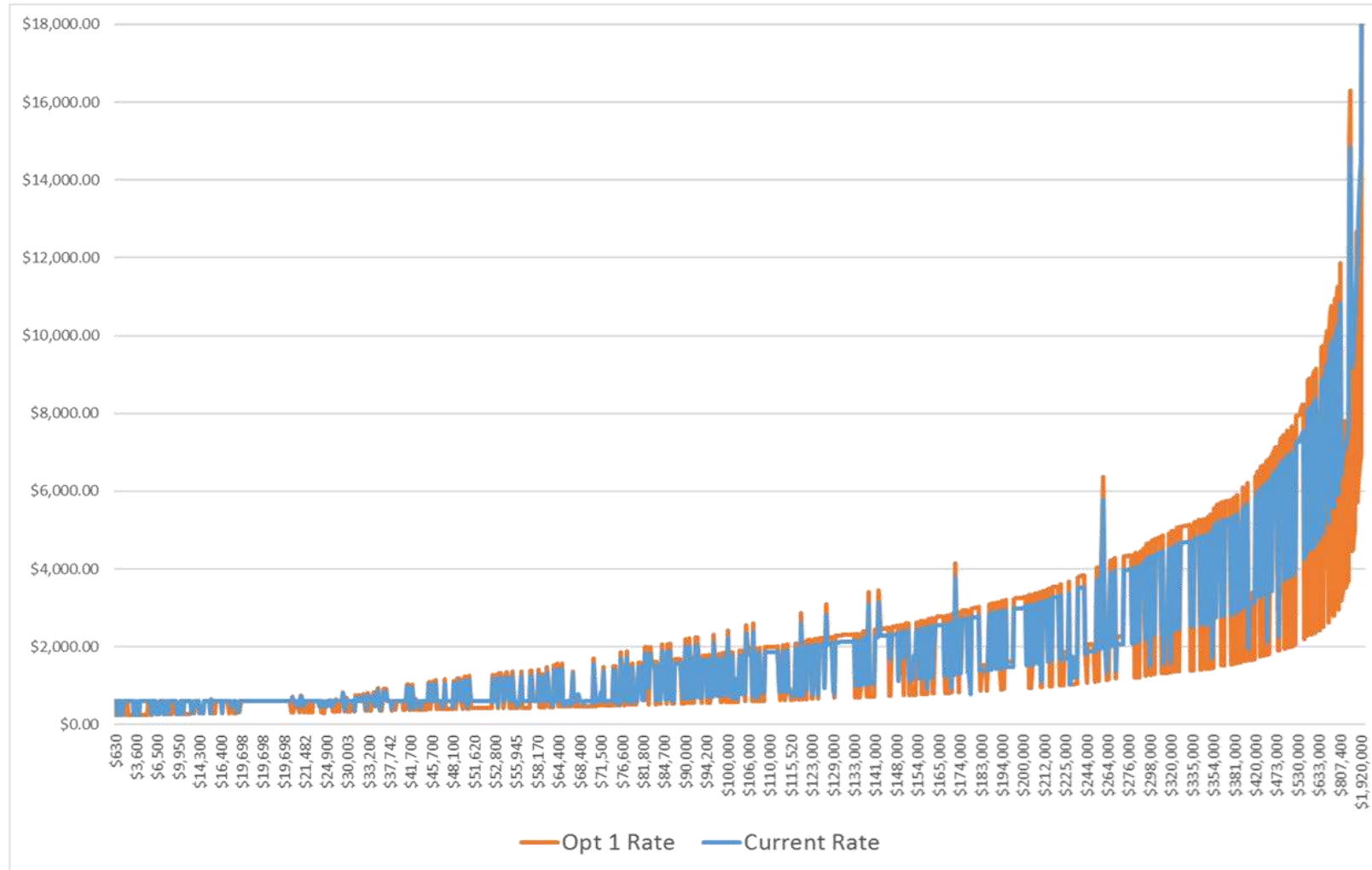
The following charts show the rate charged for each model against the valuations of the properties. Where structures lead to different category rates properties with the same value show as a range from the minimum to the maximum instead of a straight line.

**Chart 7: Comparison of Business options**

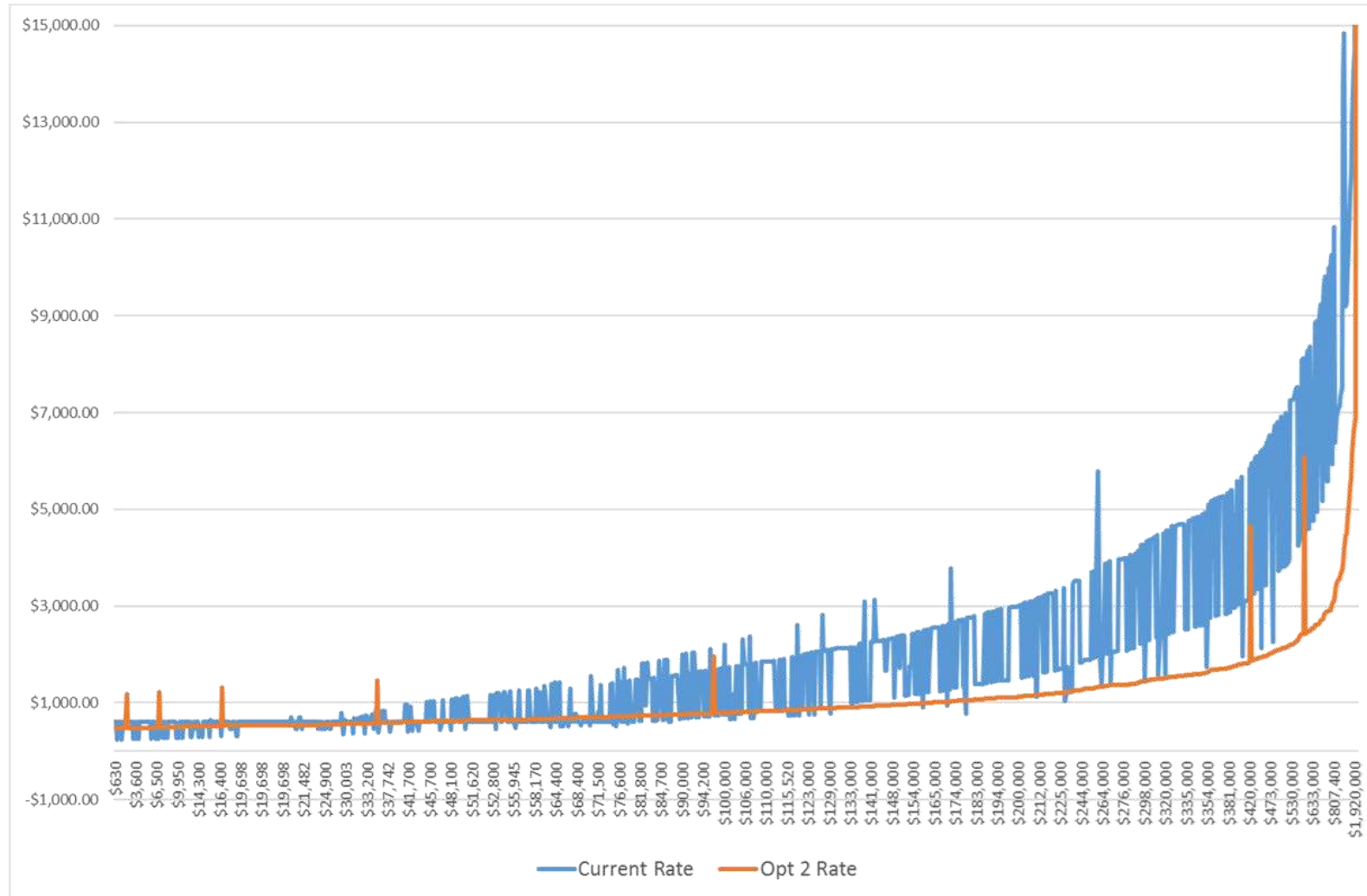


Note: The high option 1 (Gold) relates to business in Bombala. High option 3 (Red) results are Bombala township.

**Chart 8: Business Option 1**

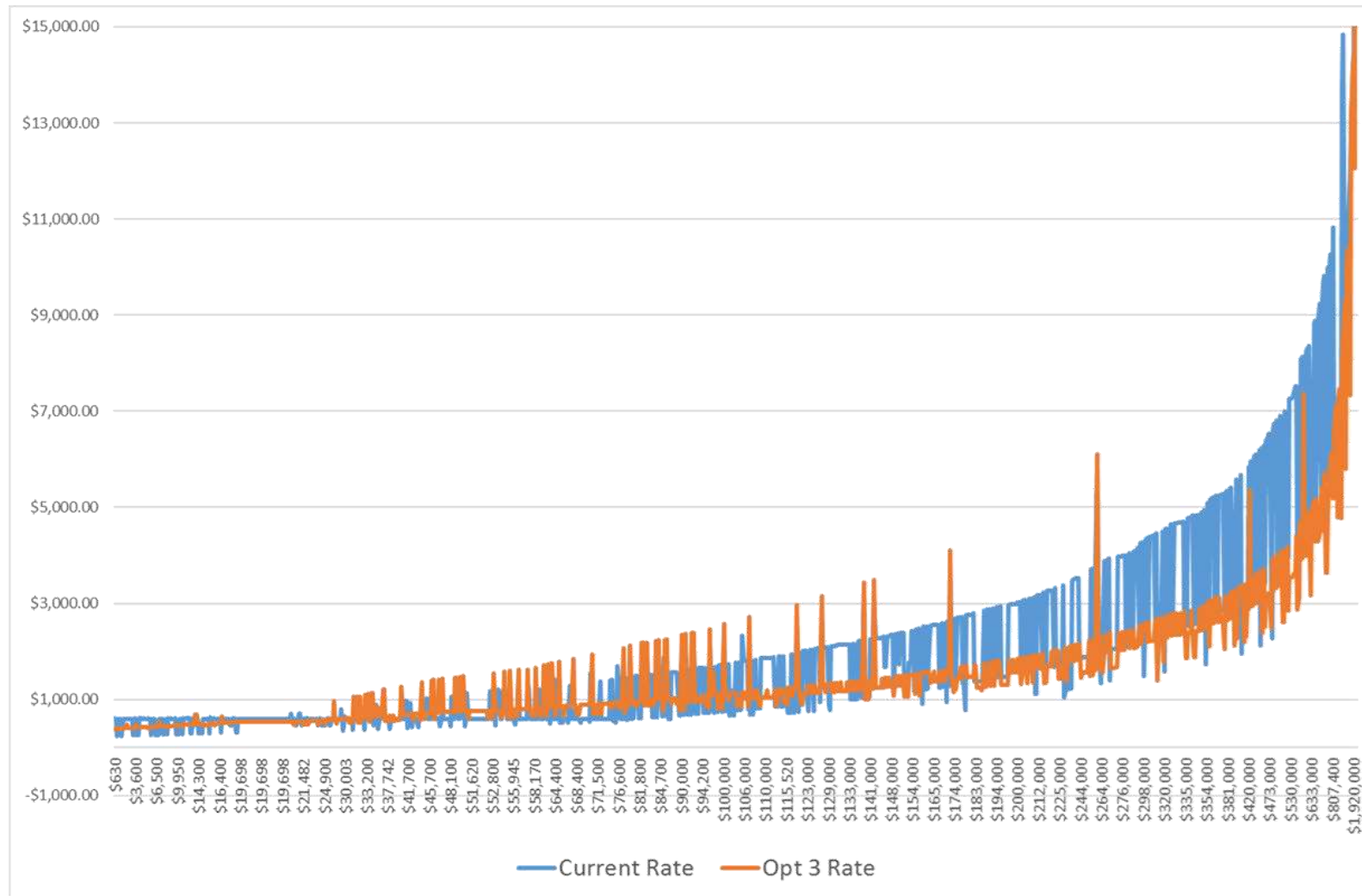


**Chart 9: Business Option 2**

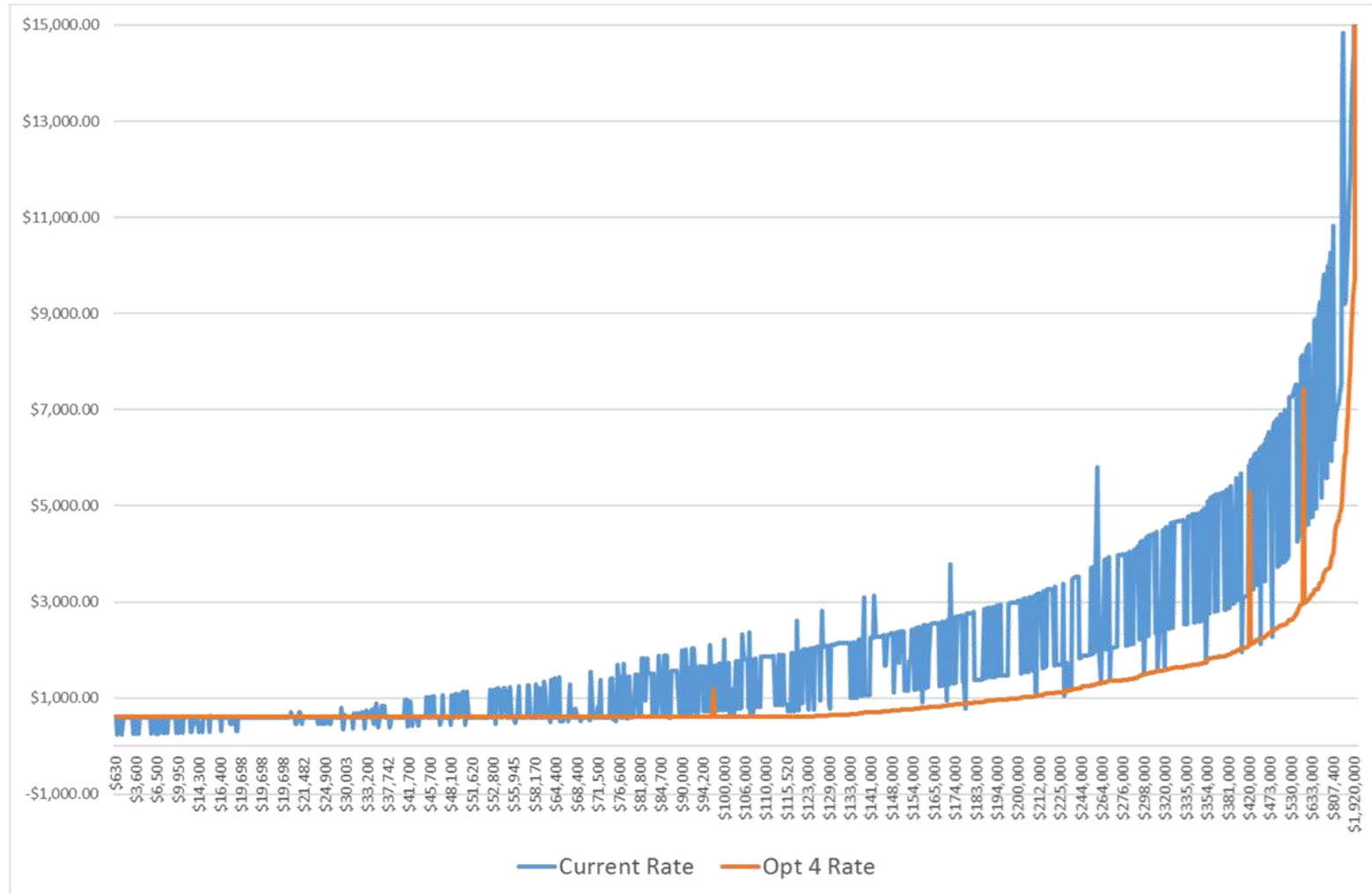




**Chart 10: Business Option 3**



**Chart 11:** *Business Option 4*



**Chart 12:** Comparison of Farmland options

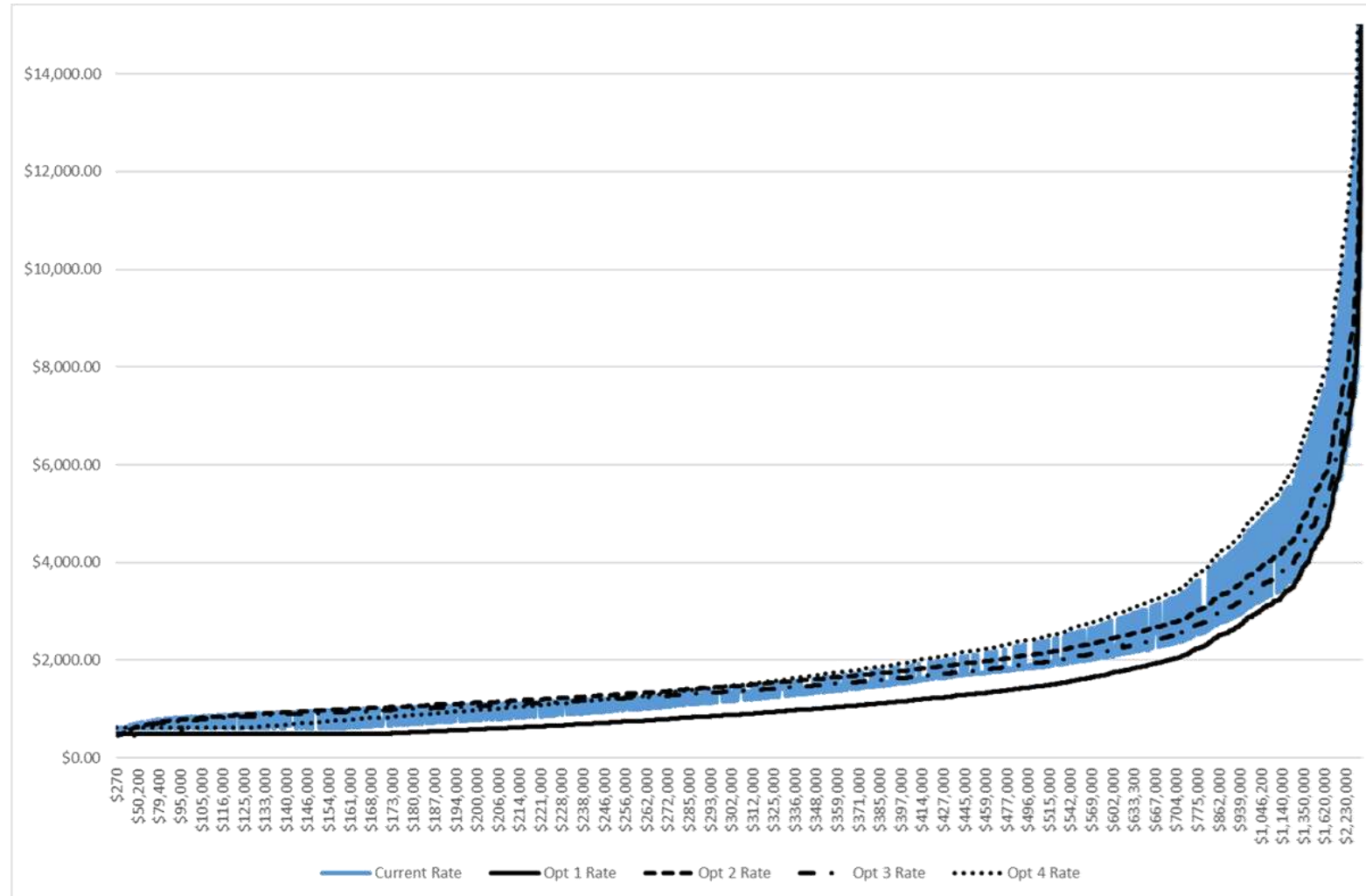
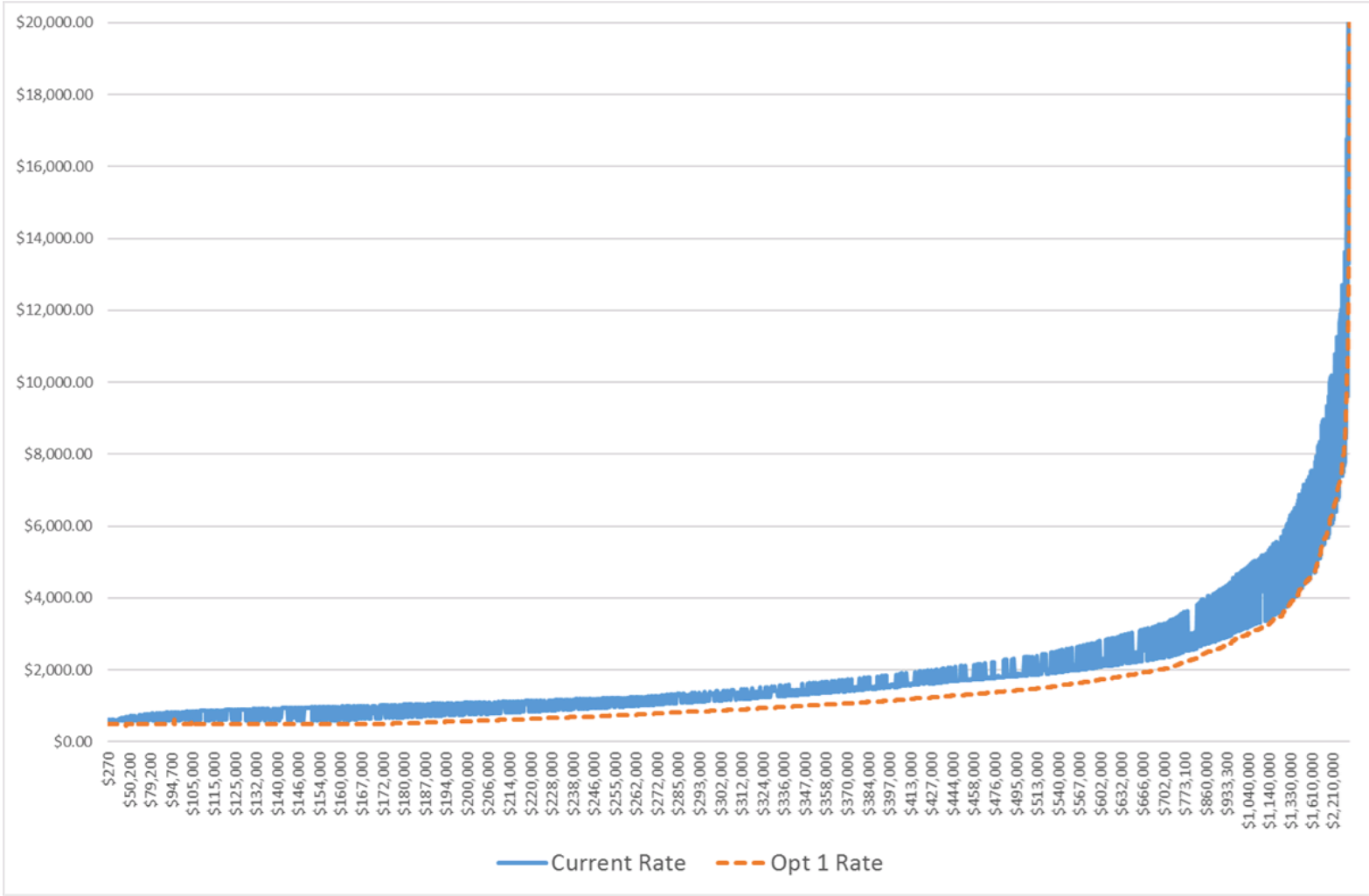
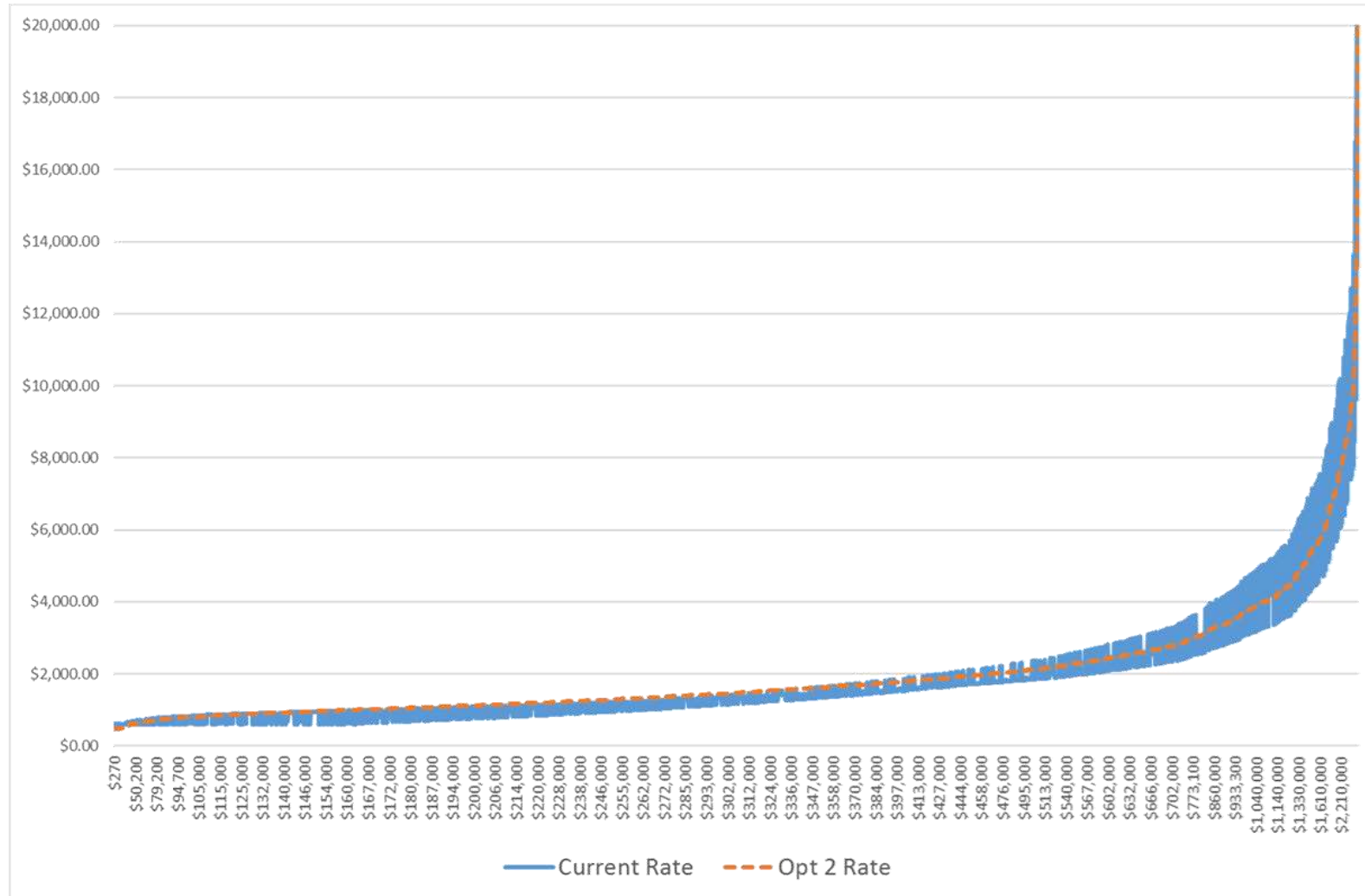


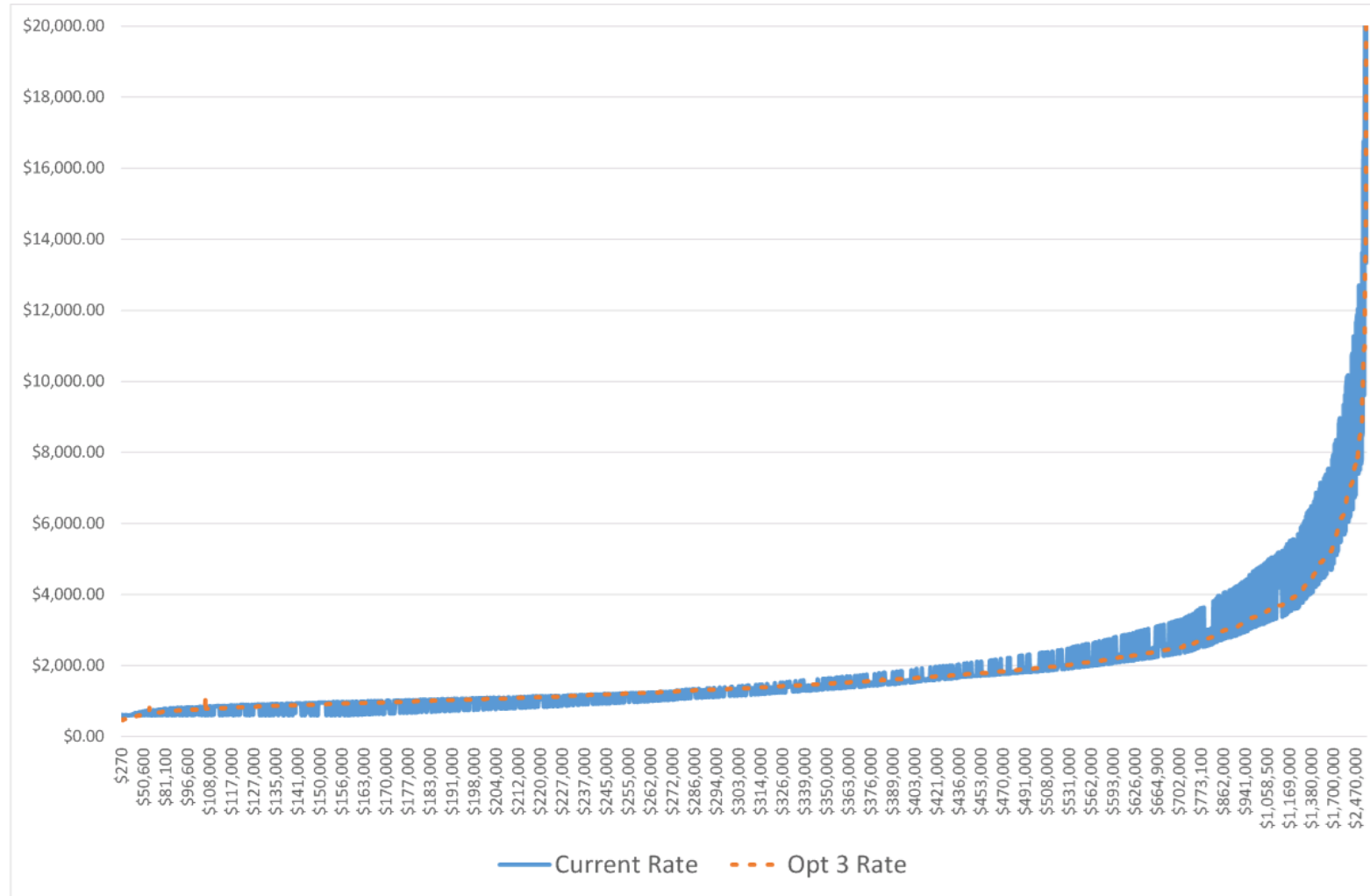
Chart 13: Farmland Option 1



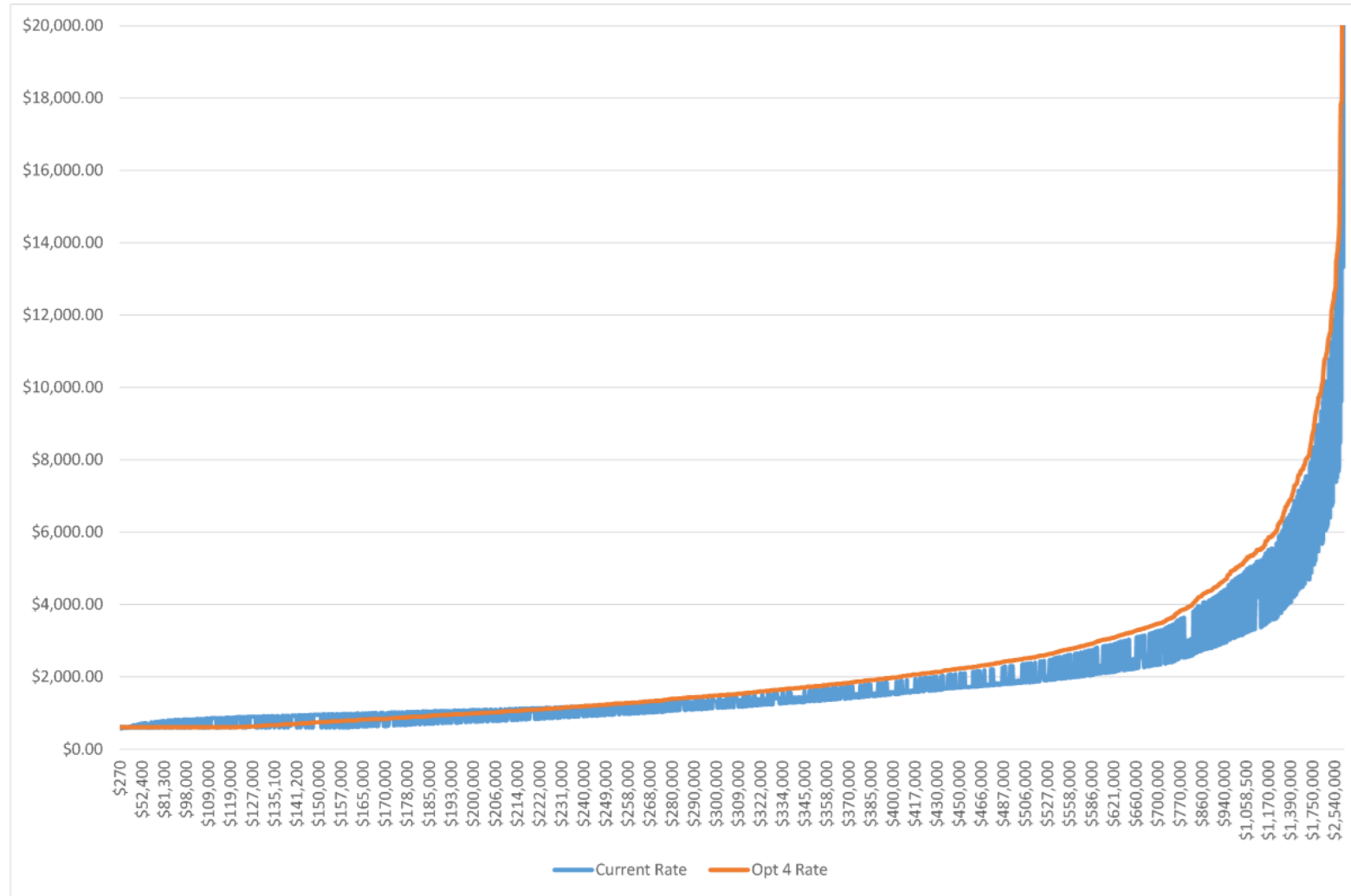
**Chart 14:** *Farmland Option 2*



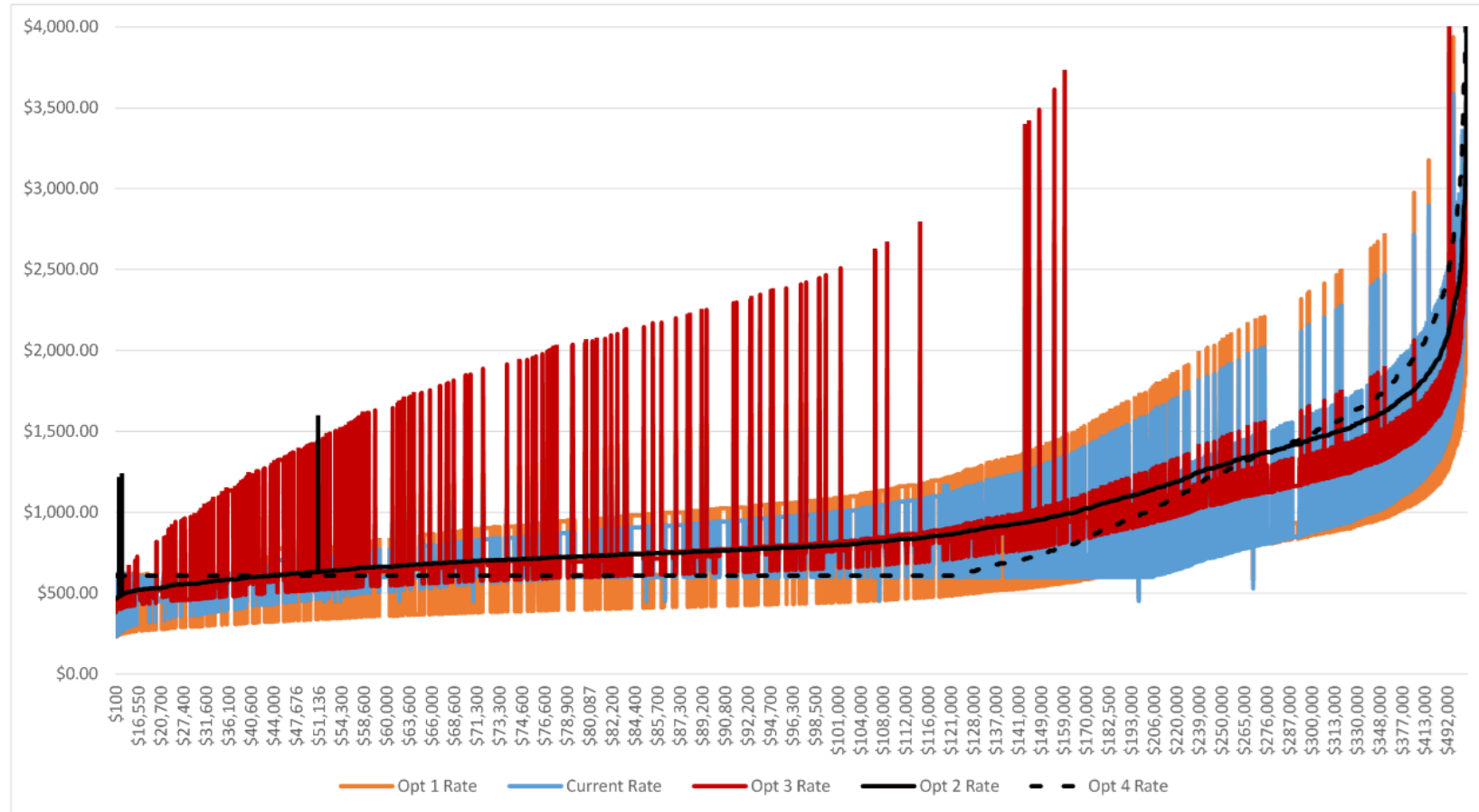
**Chart 15: Farmland Option 3**



**Chart 16:** *Farmland Option 4*



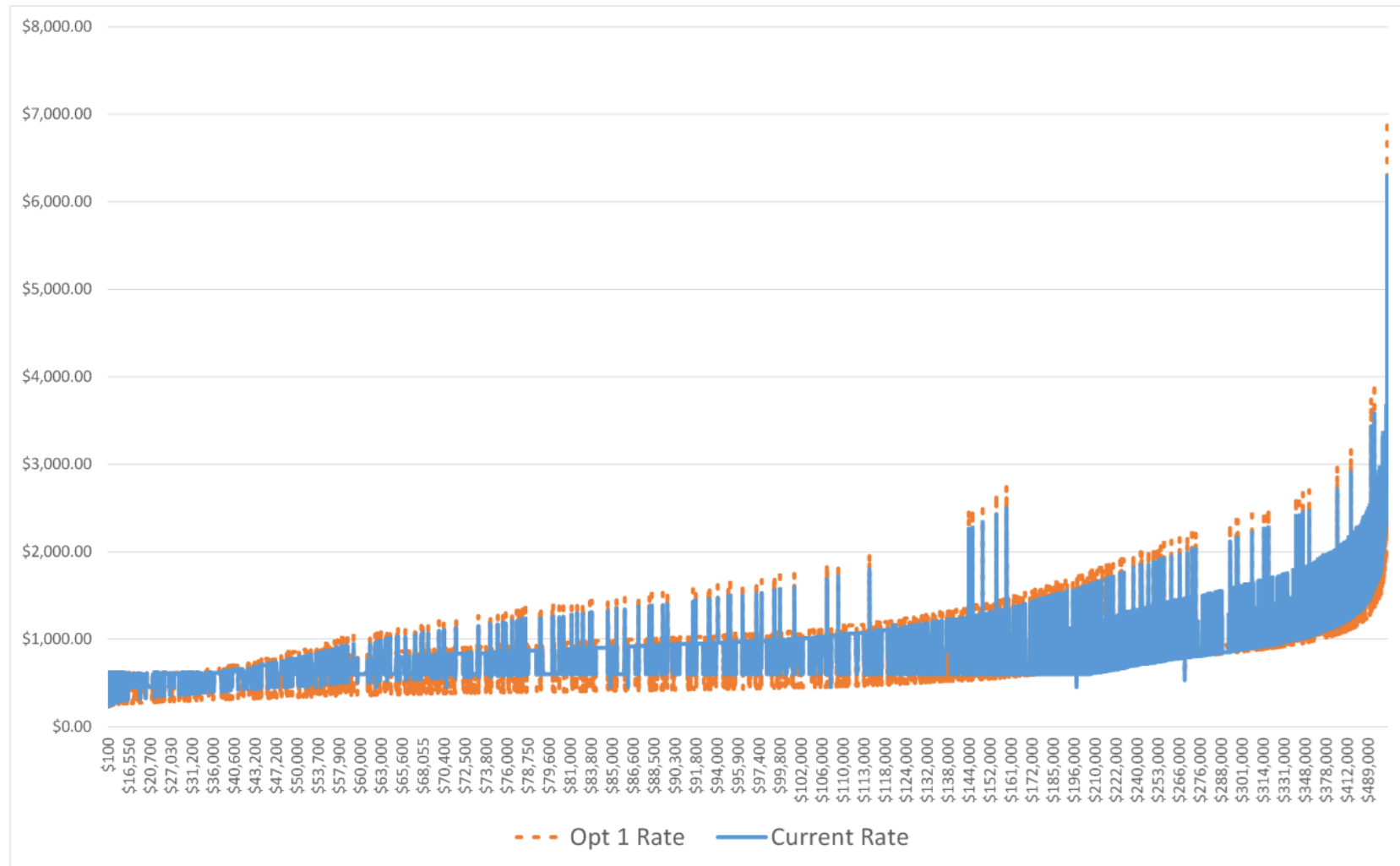
**Chart 17:** Comparison of Residential options



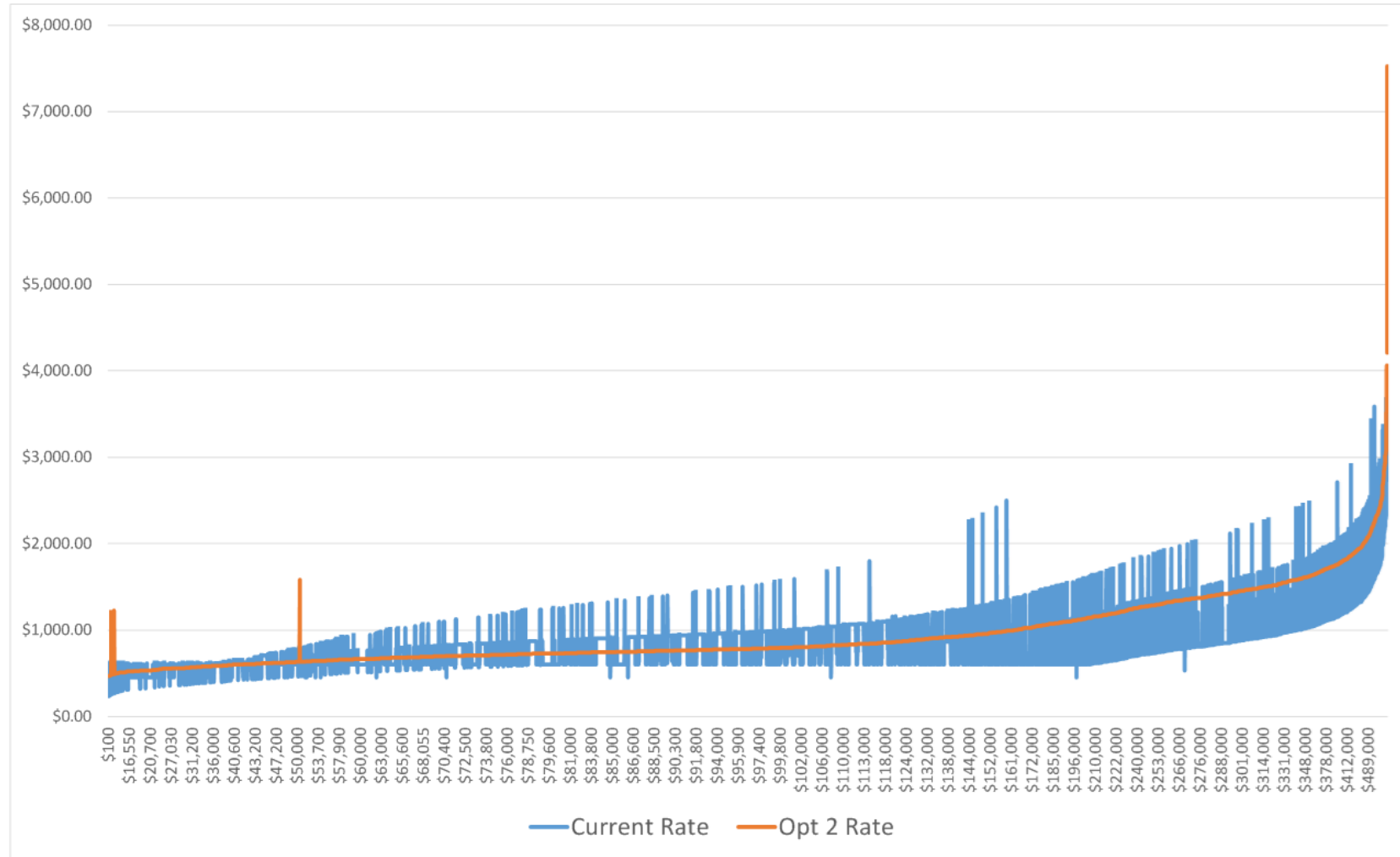
Note: Low current (blue) rates are Delegate township. The high option 2 (Black line) rates are properties being reclassified from residential to electricity generation. High option 3 (Red) values are Bombala township rates.



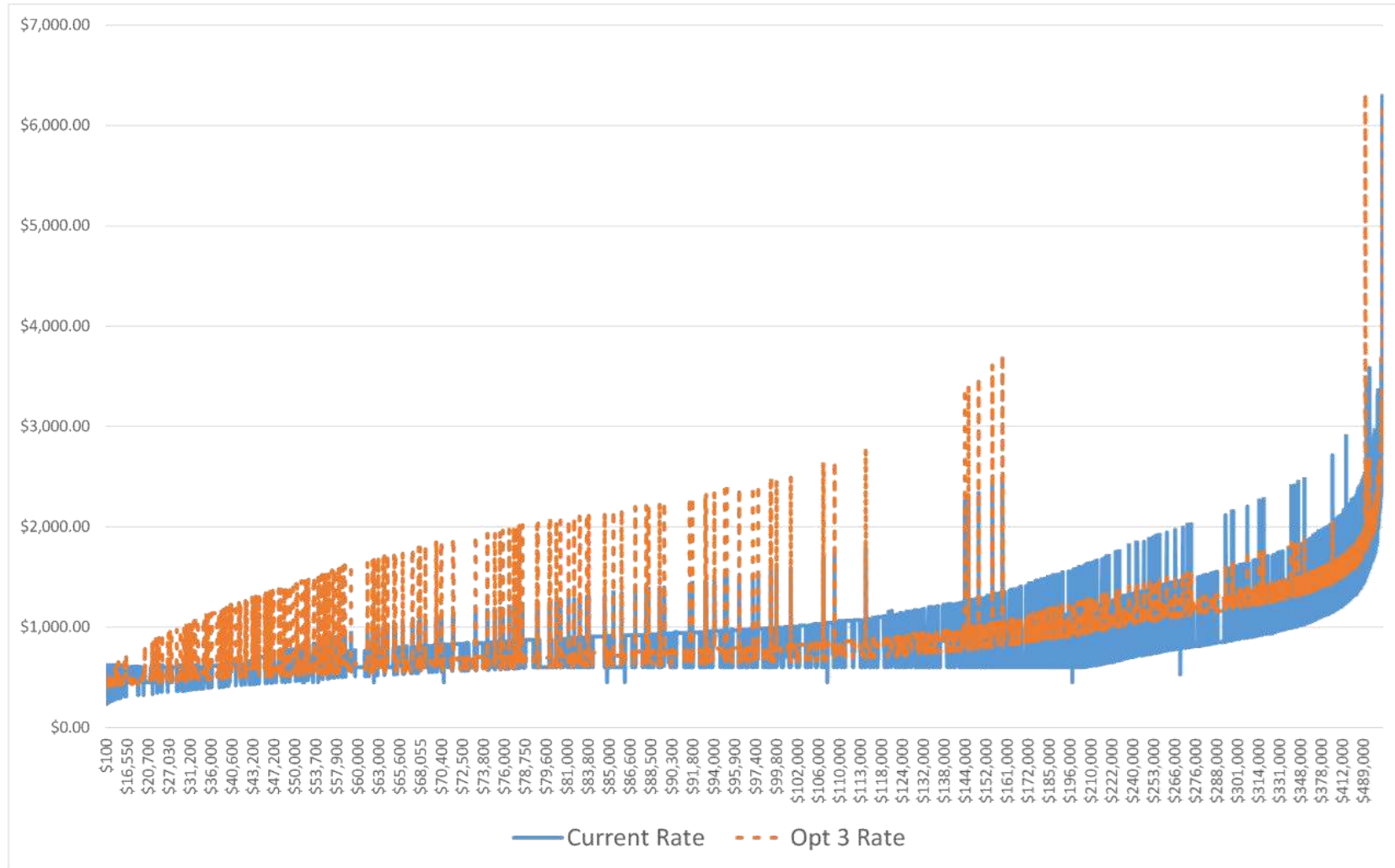
**Chart 18: Residential Option 1**



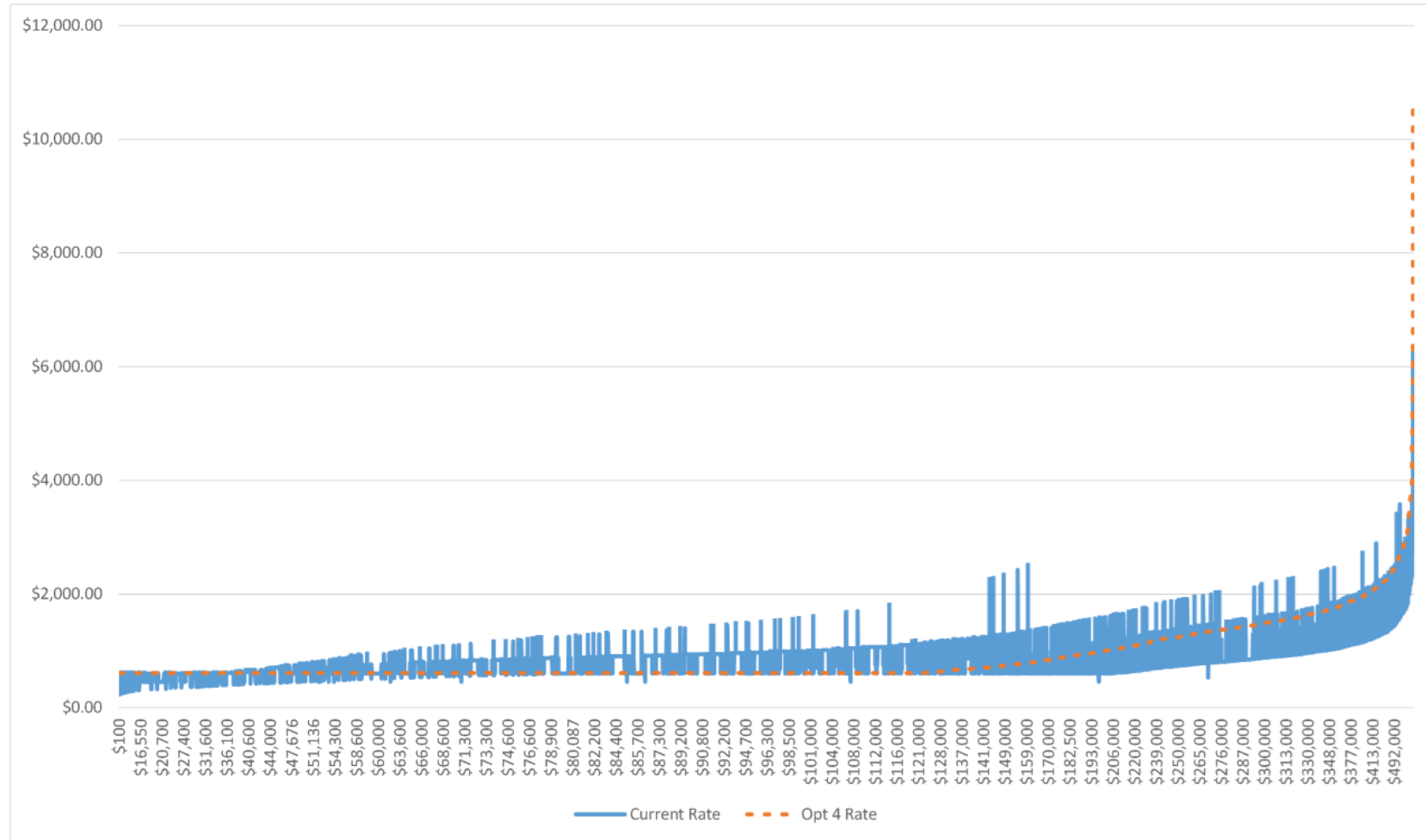
**Chart 19: Residential Option 2**



**Chart 20: Residential Option 3**



**Chart 21:** Residential Option 4



# Project Report

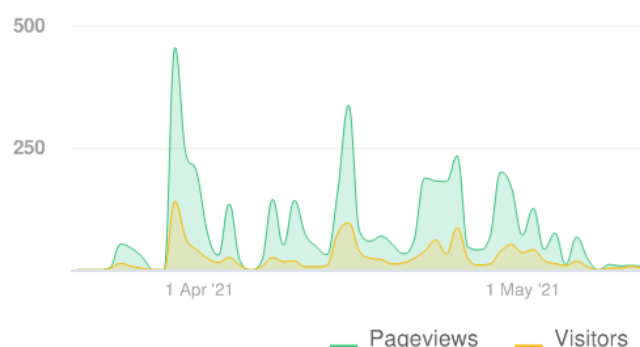
19 March 2021 - 10 May 2021

## Your Say Snowy Monaro

### A New Rates Structure - Community Consultation



## Visitors Summary



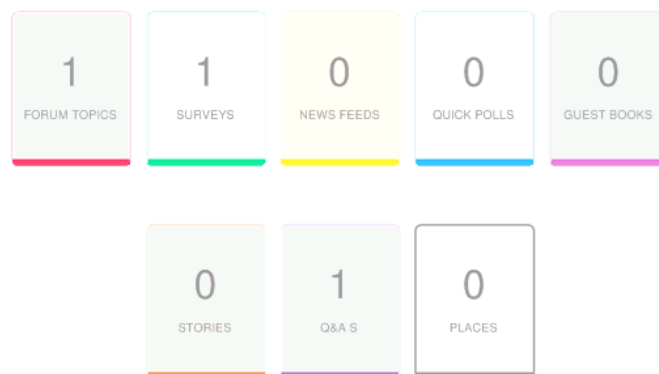
## Highlights

TOTAL VISITS	MAX VISITORS PER DAY	
1.4 k	140	
NEW REGISTRATIONS		
2		
ENGAGED VISITORS	INFORMED VISITORS	AWARE VISITORS
156	431	1 k

Aware Participants	1,032	Engaged Participants	156		
Aware Actions Performed	Participants	Engaged Actions Performed	Registered	Unverified	Anonymous
Visited a Project or Tool Page	1,032	Contributed on Forums	3	2	0
Informed Participants	431	Participated in Surveys	3	0	146
Informed Actions Performed	Participants	Contributed to Newsfeeds	0	0	0
Viewed a video	58	Participated in Quick Polls	0	0	0
Viewed a photo	0	Posted on Guestbooks	0	0	0
Downloaded a document	214	Contributed to Stories	0	0	0
Visited the Key Dates page	29	Asked Questions	3	1	0
Visited an FAQ list Page	5	Placed Pins on Places	0	0	0
Visited Instagram Page	0	Contributed to Ideas	0	0	0
Visited Multiple Project Pages	275				
Contributed to a tool (engaged)	156				

Your Say Snowy Monaro : Summary Report for 19 March 2021 to 10 May 2021

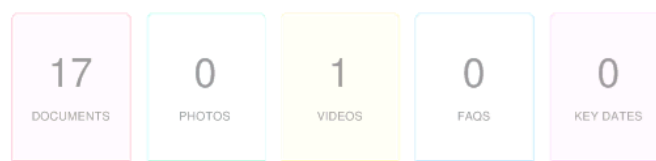
## ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Forum Topic	General Discussion	Archived	51	3	2	0
Qanda	Frequently Asked Questions (FAQs)	Archived	94	3	1	0
Survey Tool	Rating Principles	Archived	279	3	0	146

Your Say Snowy Monaro : Summary Report for 19 March 2021 to 10 May 2021

## INFORMATION WIDGET SUMMARY



Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Document	Fact Sheet 06 - Model 1	86	94
Document	Fact Sheet 11 - Detailed model comparisons	77	88
Document	Model Data - Updates 16/04/2021 to add Model 6.xlsx	63	97
Document	Fact Sheet 07 - Model 2	62	69
Document	Fact Sheet 10 - Model 5	52	56
Document	Fact Sheet 08 - Model 3	52	54
Document	Fact Sheet 09 - Model 4	45	48
Document	Fact Sheet 13 - Model 6	40	46
Document	Fact Sheet 04 - What Services are Included	40	40
Document	Rates Principles Paper	39	44
Document	Fact Sheet 12 - Model Rate Tables	38	43
Document	Fact Sheet 05 - What is a rate structure	36	40
Document	Fact Sheet 03 - How are Rate Categories Set	32	35
Document	Fact Sheet 01 - What is this change about	30	31
Document	Fact Sheet 02 - Can We Keep Rates The Same	18	18
Document	2021 Operational Plan	8	8
Document	Adopted Revenue Policy 2020-21	7	7
Video	Principles of rating	58	58

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Your Say Snowy Monaro : Summary Report for 19 March 2021 to 10 May 2021

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## INFORMATION WIDGET SUMMARY

Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Video	Principles of rating	58	58
Key Dates	Key Date	29	30
Faqs	faqs	5	5



Your Say Snowy Monaro : Summary Report for 19 March 2021 to 10 May 2021

## FORUM TOPIC

## General Discussion

Visitors	51	Contributors	5	CONTRIBUTIONS	9
29 March 21					
Andrew Thaler		What happens if the council cannot make a decision on which of the models they propose to adopt? Do we stay as we are now, or will one of the models be forced upon us?			
AGREES	DISAGREES	REPLIES			
0	0	1			
30 March 21					
David Rawlings		Council will have to adopt a rates structure that meets the legislative requirements. It may or may not be one of the models, but the current rate structure does not meet the legislation, so some changes will have to be made.			
AGREES	DISAGREES	REPLIES			
0	0	0			
13 April 21					
steph		i'm interested to know when the last date of valuation was made for the properties and if they are consistent. Also, I think given the nature of different parts of the area (ie high tourism areas result in higher council costs) that rates should also consider land usage as opposed to straight zoning. For example, my property is a residential property surrounded by farmland - i get no additional benefits for having residential zoning, but am classed similarly to those within town centres and because i have a larger sized block than most within town, the valuation is similar and therefore my rates would be the same as those which have direct benefit from council services, and are also being rented out for holidays and therefore putting additional strain on council services (this is in addition to water/wastewater/waste which i understand will still be managed separately). If all parts of the lga were serviced equally then i think you could do this harmonisation in the ways that you propose, but they are quite notably not.			
AGREES	DISAGREES	REPLIES			
0	0	0			

Your Say Snowy Monaro : Summary Report for 19 March 2021 to 10 May 2021

## FORUM TOPIC

## General Discussion

16 April 21

RJ

AGREES	DISAGRE	REPLIES
1	ES 0	1

The entire rating system is flawed; it is a land tax. How can a land evaluation determine what \$ amount the landholder should contribute to rates. It assumes that the paper value of the land (supposedly unimproved value) is based on recent comparative sales and is what the landholder can afford to contribute. I have no control over what other people pay for land of comparative size or usage. Its true value can only be determined at the time of sale. Otherwise holding land as an asset could actually be a liability if you have no intent of selling and others around you are selling at much greater prices than you purchased the land. The recent land evaluation increased on my three holdings by 86%, 60% & 45% (all adjoining, just acquired at different times) . Even though the land on two of the holdings is farmland the paper evaluation per Hectare is \$2441.64 & \$3,627.11 - absolutely outrageous evaluation on unimproved land and. With recent sales around me in the millions I hate to think what the land valuations and therefore rates will be next time. As a grazier I do not have the ability to increase my production on this land by 60% or 45%. In fact with the drought I had to downsize my carrying capacity to 70%. Charging rates based on the paper value of your holding is neither fair nor reasonable. The only way the council could determine the wealth or ability of a rate payer to pay more is by looking at a person's income. They cannot assume that a paper based value of an asset indicates wealth or the means of contributing more than someone in town with all the town services. This method of taking rates is driving people from their family farms as they can no longer afford to live on the land and that may have been in the family for generations. I wonder if government agencies won't be happy until Australia is held by foreign investors.

16 April 21

David Rawlings

AGREES	DISAGRE	REPLIES
0	ES 1	1

Thanks for letting us know your concerns. Council only has the ability to base rates in the land values. As part of this review we are also looking at household incomes in different localities to see if the variations in rates under the different models seems to align with the average earnings in different areas. We cannot do this for individual properties, we have to rate all properties in a category the same, but by looking at whether the incomes in an area align with the rates we hope that there is a closer match with capacity to pay. The impact of land values increasing around someone who has held a property for a long time is one of the issues that does come from basing the rates on land values. It is not something that the Council can change.

17 April 21

RJ

AGREES	DISAGRE	REPLIES
0	ES 0	0

Thinking outside the box - as a discussion point only - maybe rate collection should be taken out of the hands of Local Government and given to the Federal Government and form a % of income tax (rates are a tax after all). The Federal Government could then reallocate the % raised to the Local Governments based on the localities the money came from. This would address the issue of user pay and ability to pay, throwing the net over more users in the community i.e. not just the land holders. It would capture all tax payers. It goes without saying that it would also raise other issues . I know that this is not achievable under current legislation but it may be something that is worth putting out there.

Your Say Snowy Monaro : Summary Report for 19 March 2021 to 10 May 2021

## FORUM TOPIC

### General Discussion

04 May 21		
AI		
AGREES	DISAGREES	REPLIES
0	0	0

Under EVERY model it seems farmland is being sluggish. Councils provide services, rates should be relating to the services we receive NOT land value. Due to councils land rezoning, and copious subdivision approvals our land value has skyrocketed, we don't get any more (or even adequate) services from council yet paying based on the value of the land. Value of the land bears no relation to capacity to pay. Our Land value and hence rates increased 41% last year, my income ie capacity to pay didn't!!!!. Cant even get the council to grade the road to a reasonable standard. I object to the proposed models they are far from a user pays model that it should be.

Your Say Snowy Monaro : Summary Report for 19 March 2021 to 10 May 2021

## QANDA

### Frequently Asked Questions (FAQs)

Visitors 94	Contributors 4	CONTRIBUTIONS 4
-------------	----------------	-----------------

Q

Andrew THALER

30 March 21

Should council wait until after the Local Government Act 1993 (NSW) Amendment legislation is passed in its final form before pushing on with this rates harmonisation agenda, because there is always a risk that the legislation might not be passed now that the government is likely to lose its majority in the house of reps? Surely we would be better informed to make a decision on this important issue when we know the detail of the amended legislation? Andrew (of) THALER

A

Publicly Answered

Council has to meet the current legislation and this requires the Council to have in place a Operational Plan that includes a Revenue Policy, which has to include the rate structure, by 30 June 2021. The Office of Local Government has indicated that the plans are not required to be in place until 31 July, but the current regulation only provided that exemption for an Operational Plan commencing 1 July 2020. Our current rate structure does not meet the legislation as it stands. If the proposed changes do not go through, the Council will still need to change the rate structure. The earliest that the proposed bill can be passed is in May. This would not provide much time to develop models and undertake the required consultation. Council wants to consult on the general principles that it should apply and this will lead to a decision on the rate structure. That rate structure then needs to be placed on public exhibition. The proposed legislation will be closely monitored and may provide other options if passed. If it does the Council will consider how it can use those options to achieve the best outcomes for the community along with the feedback already received.

Your Say Snowy Monaro : Summary Report for 19 March 2021 to 10 May 2021

## QANDA

### Frequently Asked Questions (FAQs)

Q

Bill Stephens

31 March 21

How do I find the Model Data Spreadsheet?? Bill.

A

Publicly Answered

If you look on the right hand side there is a section called documents. Scroll down until you find the one called model data.

Q

....

12 April 21

I don't receive any council/government benefits (Live off grid) what changes will be made for each/all models?

A

Publicly Answered

You still have access to benefits such as a road network when you travel anywhere or need things brought in. Council's also pay for part of the costs of the Rural Fire Service, another service provided to your class of property. Then there are services that Council is required under the legislation to provide to the community. These have been included as being shared by the entire community, as they have to be funded irrespective of whether they are desired by the community. The other aspect to consider is that this is a tax to cover community services, not a user pays system. Model 1 and 2 are the models that reflect where the costs of Council link back to the various rate categories. The expectation is that a costs/benefit models will lead to lower rates outside the main townships. The models indicate that this is overall not the case. In the rural areas this is not because a higher level of service is provided, but due to the fact that the cost of the service needs to be spread over a much smaller number of landowners. As the largest cost of Council is roads, the impact of maintaining the road lengths in the rural areas well outweighs the cost per ratepayer of services such as pool, libraries, halls, parks, etc. The difference between the two models is that in Model 1 the costs are separated out for smaller village centres. This led to relatively high average rates in those centres. The average household income in those centres is lower than average, so Council does not see that outcome as fair and equitable. It also did not appear to align with the capacity to pay. This led to Model 2 being developed. In that model the cost of services to the villages is spread across all rural residential and farmland landowners. This cross subsidisation lowers the average rates in the villages and increases the average in the categories for those outside the villages. The legislation under which rates are calculated do not allow for variations based on whether land owners receive government benefits or whether they are connected to an electricity provider. There are separate rebates that are provided to certain pension recipients, but those are provided separately from the rate structure.

Your Say Snowy Monaro : Summary Report for 19 March 2021 to 10 May 2021

## QANDA

### Frequently Asked Questions (FAQs)

**Q** flora  
19 April 21

Does Sport and Recreation Jindabyne pay rates? I understand churches, Scouts do not pay rates however when they provide accommodation i.e. seventh day adventist camp and Scouts and Sport and Rec do they then pay rates???

**A** Publicly Answered

These types of land are exempt whether or not they provide accommodation. Sport and Rec Jindabyne is a facility owned and operated by the NSW Government. NSW Government properties are exempt from rates unless they are held under a lease for private purposes. (Local Government Act 1991, section 555 (1)(a)) Religious bodies are exempt on land that includes: (i) a church or other building used or occupied for public worship, or (iii) a building used or occupied for the purpose of religious teaching or training. (Section 555 (1)(e)). While there are provisions to allow for land to be rated based on part of the area being not used for the above purposes, if the facilities are used for those purposes it becomes exempt from rates even when used for other purposes. Properties owned by registered public benevolent societies are exempt only from general rates (Section 556 (1)(h)), but the same principles apply, that if it is used part time for the purposes of the PBI the exemption applies even if used for other purposes.

Your Say Snowy Monaro : Summary Report for 19 March 2021 to 10 May 2021

## ENGAGEMENT TOOL: SURVEY TOOL

### Rating Principles

Visitors <b>279</b>	Contributors <b>149</b>	CONTRIBUTIONS <b>160</b>
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#### Which principles do you think should be followed?

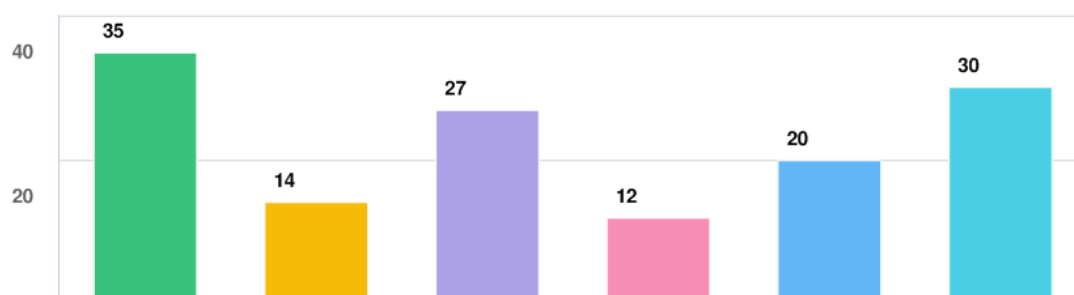


Optional question (154 response(s), 6 skipped)

Question type: Likert Question

Your Say Snowy Monaro : Summary Report for 19 March 2021 to 10 May 2021

### Do you think one model has better outcomes?



#### Question options

- Model 6 - Simplified Shared Approach
- Model 5 - Previous yield raised from categories (Base rates)
- Model 4 - Common approach to covering costs (Base rates)
- Model 3 - Common approach to covering costs (Minimum rates)
- Model 2 - Users benefitting pay for the services in larger centres (Base rates)
- Model 1 - Users benefitting pay for the services in their locality (Base rates)

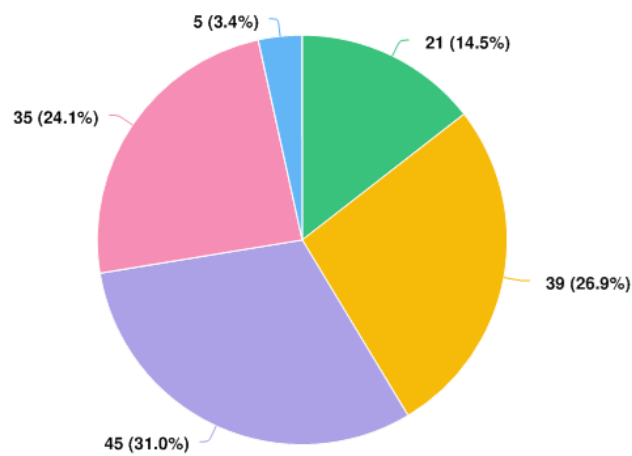
Optional question (138 response(s), 22 skipped)

Question type: Checkbox Question



Your Say Snowy Monaro : Summary Report for 19 March 2021 to 10 May 2021

### Did our information explain the issue?



#### Question options

Very well Most things were good OK To many gaps Not in the slightest

Optional question (145 response(s), 15 skipped)

Question type: Emoji Question



Mr David Rawlings  
Chief Strategy Officer  
Snowy Monaro Regional Council  
Via email: [Rates@snowymonaro.nsw.gov.au](mailto:Rates@snowymonaro.nsw.gov.au)  
CC: Councillors

7 May 2021

Dear David,

**RE: Matters of concern with the "A New Rates Structure" Community Consultation**

Thank you for your time on the phone a week or so ago discussing the proposed models for our future rates.

I appreciate how challenging harmonising our rates structure must be. Having spent a considerable amount of my time reading the information published by Council on its website, I would like to bring the following matters to your attention, and to also provide my recommendations for how to proceed.

**(1) Flawed survey design**

It is very clear that each of the different proposed models have both negative and positive impacts on different segments of our community. As such Council should expect that model preferences will differ widely by community segment. When facing this type of circumstance, surveys need to gather citizen's relative preferences, not just a single choice. Preferences are then used to ensure that decisions are made that reflect community's aggregate preference – which is often a compromise by all. We use this approach do this commonly in our election processes for example. Despite the starkly different outcomes for our different community segments under the six models, the survey published on the council's website only asks respondents to provide single choice of model. Therefore using the data collected to inform the selection of a model has the very real risk of disenfranchising most citizens.

Further issues exist in that the survey does not differentiate between direct rate paying respondents (i.e. landowners), indirect rate payers (e.g. tenants), and non-rate payers (e.g. children and people who live elsewhere, etc). Such information would of course had been very helpful for understanding and applying community attitudes to the different models.

It is my strong recommendation that the data collected using the current survey not be used to inform decision making as it is inadequate for this purpose.

**(2) Sample size**

I understood from our conversation that Council is expecting only a few hundred survey responses. This is far too few to provide meaningful data given the diverse nature of the models being considered. I have undertaken some "power" calculations. Given the stark difference in outcomes and the number of community segments involved, Council will need to achieve a survey response rate of at least 2000 in order for a valid sample to be achieved. Further, given the stark differences in the models for different community segments, Council will need to ensure that the sample is representative of the different community sectors and that no single sector's high response level has skewed the survey results – this being an issue even if preferences were being collected. However, as you have not collected data about the person completing the survey I do not see how this is possible.

As I explained to you over the phone, I am aware that some activists in the community are seeking to encourage residents in one location as so that it will greatly benefit if one particular model is introduced. However, I do not see evidence of other organised campaigns for other models in other locations. This has the very real potential to skew the results of the survey in a manner that is not representative of the whole community's preference.

### **(3) Bias impacting the current consultation and survey**

The current survey being conducted is significantly biased.

Overt bias has been introduced by including in Fact Sheet 06 describing Model 1 the statements that:

*"This model **is NOT favoured by the council**, but is here as this is expected to be what many people consider to be the principles they would like applied. The reason it is not favoured is because it leads to high rates for landowners in smaller village centres. This is created because the cost of providing services, such as halls parks and roads are higher the smaller the group serviced or widely separated the landowners are. It does not indicate a higher level of service is provided.*

*In addition, average household incomes in the smaller villages are lower than in the towns or the neighbouring rural areas. This means that this model does not align well with the capacity of those landowners to pay."*

These statements introduce bias that is entirely inappropriate in an open survey. This is especially true as Council has not made similar statements for other models that also have significant negative impacts other community segments. For example, Model 3 appears to significantly impact (relative to Model 1) business rates in the Cooma Rural region (see Chart 9, Fact Sheet 11), and is significantly worse for all but the largest Bombala Villages landowners (See Chart 16, Fact Sheet 11). However, Council has not strongly commented on these models as it has with Model 1.

I understand that the bias against Model 1 relates to concerns relation to the "ability to pay principle" (outlined in Rates Principles Paper). However, in stating that it does not support Model 1, Council has ignored the contemporary realities of our economy. For example, many farmers have made little or no income during the recent drought years and many have also suffered higher expenses (e.g. feed) to maintain minimal stocking levels. Post the recent breaking of the drought, most face below average incomes while their stocking levels recover. Many are also spending large amounts on fencing repairs and pasture recovery due to the impact of bushfire. So if Council does not support Model 1 for the reasons it has stated, surely it cannot support other models that significantly shift the rate burden to farmers at this time – yet you have not made statements to this effect. I also note that Model 1 is gentler on many farmers than a number of the other models and you have not stated this positive equity effect.

Council has compounded this overt bias by excluding a comparison of Model 1 for in the analysis of models 3 to 6 in their respective fact sheets. While Fact Sheet 11 provides a comparison of all models including Model 1, interested citizens will only read this document, if at all, after having read the earlier model fact sheets – with resulting cognitive bias introduced that should invalidate any survey results.

As a result of this bias the results of the survey will be skewed away from Model 1 and will likely not represent the actual preference of the community had we been allowed to consider the models based on the data provided.

### **(4) Late emergence of Model 6 and the treatment of existing response data**

The late inclusion of Model 6 means that Council has effectively conducted two surveys. As Model 6 did not exist when early survey responses were received, it could not have been considered by them completing then the survey. Therefore, we do not know if they would have selected Model 6, or indeed selected a different model to what they did select, had they also considered Model 6. Accordingly, there is no way to splice the data together and all responses received before Model 6 was added will need to be ignored in order to avoid making the wrong decision and disenfranchising respondents. No doubt Council staff are aware of this necessity.

### **My own view as to how we should proceed with rates harmonisation**

Harmonising rate calculation method has the potential for some rate payers to benefit at the cost of others. Indeed, this outcome will occur under each of the models proposed. However, such outcomes are themselves inequitable overall, are likely to result in many perverse outcomes at an individual level, and will lead to enmity increasing between rate paying segments of our community, and will also create wide dissatisfaction with Council. The potential for this should be avoided at all costs.

To avoid this issue, and to provide a more equitable outcome, I propose that Council adopt the following guidelines when designing the future rate model:

1. **That no landowner is made better off at the expense of another** – Put simply no landowner should realise a reduction in their rates when other landowners experience an increase. Such a guideline is acceptable as no landowners expect a reduction in rates.
2. **Equally weighting of the “ability to pay” and “who benefits” principles** – Council should equally weigh the application of these two principles. Doing so would mean that those with the higher existing rates that are less able to pay and that consume less services will face no or only modest rate increases only. Likewise, those with the lower existing rates, with a higher capacity to pay, and that consume the most services will receive the largest increases. Adopting this guideline, while also adoption (1) above, will deliver a the equitable possible.

As Council will not have access to individual landowner’s financial circumstances you will need to find data sets that will assist you determine an equitable approach. In doing so you must consider contemporary realities when applying these data sets and when making these decisions. For example, customer/retail businesses have suffered greatly during the recent economic turmoil, and our farming community has suffered through three long years of drought and recent bushfires. With these known facts, Council should not rely (for example) on 2017/18 Census data related to income and disposable income.

3. **That the rate of increase in rates be limited to a specific percentage (e.g. x%)** – Combined with my two guidelines above, adopting this guideline would mean that most rate payers could expect a modest increase in their rates but not suffer an extraordinary increases as outlined in each of the models you have proposed. In all cases rates should increase by a minimum of the CPI rate.

#### Conclusion

Thank you for time reading this letter.

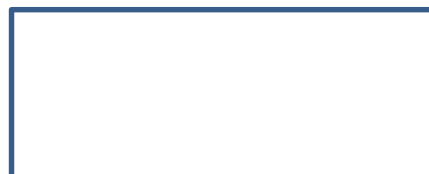
As an economist with more than 27 years’ experience in public policy, I believe that Council should not proceed with any of the six models proposed. Each have inherent inequities and the magnitude of the change in outcomes for different community segments are not appropriate and will likely contribute to community disharmony.

The consultation and survey being conducted is overtly and subtly biased, is incomplete (e.g. does not collect model preferences), and open to gaming by motivated community segments. The question asked has also been modified in the midst of the survey, creating a further critical flaw. I also understand that the survey will not achieve a representative sample size. As such none of the data collected should be used to inform decision making.

It is my recommendation that Council develop a new model utilising a base rate and ad valorem approach underpinned by the three guidelines that (1) no landowner is made better off at the expense of another, (2) equally weighting and application of the “ability to pay” and “benefits principle” (informed by contemporary data), and (3) setting a maximum percentage increase in rates.

As discussed I am more than happy to meet with you discuss the matter in this letter and my recommended guidelines.

Yours Sincerely



### 9.4.3 ANSWERS TO QUESTIONS WITH NOTICE

Record No:

Responsible Officer:	Chief Strategy Officer
Author:	CIS Project Administration Support Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments:	1. Answers to Questions

#### EXECUTIVE SUMMARY

As per clause 3.13 of Code of Meeting Practice a councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the Chief Executive Officer about the performance or operations of the Council.

In order to provide Councillors with updates on questions asked by Councillors, a report has been generated with a summary of questions that are current and have recently been completed, for the period ending April 2021.

#### OFFICER'S RECOMMENDATION

That Council receive the answers to questions with notice for the period ending April 2021.

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SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
186	15 October 2020	12.6	<b>Footpaths in the Region</b> Councillor Rogan Corbett Question: Can Council put together a plan for the Federal Government program for Community Infrastructure that will employ people and be a benefit for the whole community, in particular footpaths throughout the region are in need of attention?	Manager Corporate Projects	<p>04/05/2021 – GMC: Seeking funding opportunities for consultant to undertake Footpath and Shared Pathways Strategy.</p> <p>01/04/2021 – GMC: No further update</p> <p>03/03/2021 – GMC: This would require the development of a footpath strategy. A footpath strategy is required to ensure a regional and well planned approach to priorities for funding upgrades and new footpaths throughout the Region. Council adopted the Snowy Monaro Local Strategic Planning Statement on 21 May 2020. Action item 10.2 identified that Council will develop and implement a Footpath and Shared Paths Strategy with a timing of short/medium term; this equates to within the next 5-10 years. Continued investigations for external funding opportunities to develop a Footpath Strategy to inform future Asset Management, Developer Contribution Plans, and Council's next Delivery Program will be undertaken in the meantime.</p> <p>25/01/2021 – GH: This would require the development of a footpath strategy. A footpath strategy is required to ensure a regional and well planned approach to priorities for funding upgrades and new footpaths throughout the Region. There is currently no resources allocated to undertake this work, which would require other strategies or projects to be deferred if this was to become a higher priority. Council is currently delivering</p>	N

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>the Cooma Streetscape Beautification grant funded project that is focused on footpaths. In addition an application under BLERF has been prepared to address footpath issues around Denison Street, Adaminaby</p> <p>27/11/2020 – GH: No further progress.</p> <p>02/11/2020 – GH: Initial discussions have held to develop a planned approach to this request.</p>	
193	19 Nov 2020	12.5	<p><b>Signage for Dog Waste</b> Councillor Brian Old Question: Can Council put some signs up down at the lake walk, for owners to pick up their dog waste.</p>	Manager Infrastructure	<p>06/04/2021 – JM: No further update</p> <p>29/01/2021 – JM: Request still being reviewed.</p> <p>30/11/2020 – GS: This request is being reviewed by staff. It is noted that some signage already exists and will be reviewed. Pet clean up bag dispensers are also installed in two locations. Once an acceptable design/message has been agreed and optimal number of signs determined, signs will be ordered and installed.</p>	N
202	18 February 2021	12.1	<p><b>Bombala Bicentennial Gardens</b> Councillor Anne Maslin Question: Can Council fast-track inclusion of the Bombala Bicentennial Garden as a heritage precinct?</p>	Coordinator Strategy Development	<p>04/05/2021 – GMc: C. Council's Heritage Advisor has prepared a report recommending the trees within the Park are heritage listed.</p> <p>06/04/21 – JM: No further update.</p>	N



SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					03/03/2021 – JM: As advised against part C of resolution 240/20, heritage assessment has been completed and currently being reviewed by Council's Strategic Planning team.	
203	18 February 2021	12.2	<p><b>Cooma Main Street</b> Councillor Lynley Miners Question: Has Council had a conversation with TfNSW and or Snowy / Future Gen on the road pavement through Short Street (it is very rough) – it needs the hot mix cover.</p> <p>When the segment trucks start, the noise complaints will be horrific due to the roughness of the surface.</p>	Manager Infrastructure	<p>06/05/2021 – GS: A request to Transport NSW, Snowy Hydro and Future Generation dated 13 April 2021 in relation to noise reduction work and possible use of hot mix along Sharp Street, Cooma has received only 1 response from Future Generation. As Sharp Street is maintained by Transport NSW, a response from them has been requested.</p> <p>06/04/21 – JM: In the context of comment on non-PBS vehicle use, use of hot mix cover has been suggested to DPIE as the consent authority. No response received.</p> <p>1/3/2021 - TP: Response to this question to be tabled next month.</p> <p>02/03/2021 – TP: Response to this question to be tabled next month.</p>	N
209	18 February 2021	12.8	<p><b>Michelago Causeway</b> Councillor John Rooney Question: When will construction of the Michelago Causeway commence and when will it be completed?</p>	Manager Corporate Projects	<p>02/03/2021 – GH: - Design priorities are C/L of Ryrie Street and Michelago Road/Booroomba Creek Detail; - Bridge/Causeway draft designs to be revised based on detailed Survey &amp; Geotech data. Issues: - Funding allocated from LRCIP Program does not cover design only. Need to commence planned work on Telstra and Booroomba Creek ASAP.</p>	N



SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<ul style="list-style-type: none"> <li>- LRCIP funding of \$872,161.00 to be spent by June 2021.</li> <li>- Available timeframe in LRCIP funding is inadequate to permit completed construction;</li> <li>- Initial concept based on LIDAR survey levels;</li> <li>- Detailed Survey of the creek bed indicates an additional 2m depth in creek C/L;</li> <li>- Additional crossing length and low flow capacity required to meet Fisheries minimum requirements;</li> <li>- Est for crossing will need to cover BC (\$400K Dual Lane) + bridge (\$960K Dual Lane) + Telstra relocation (TBA) + Road approaches (TBA) + Micalago Road inc Booroomba BC's (TBA).</li> </ul>	
211	18 March 2021	12.2	<p><b>Re Zoning</b></p> <p>Councillor Lynley Miners</p> <p>Question: How is Council going to get the much needed housing shortage in our towns and villages fixed in the short term?</p> <p>We keep coming up against zoning problems which will take a long term solution to fix.</p>	Coordinator Strategy Development	<p>04/05/2021 – GMc: Council's Draft Settlements Strategy identifies land for future growth within our towns and villages. This is not a short term fix, however, where appropriate Planning Proposals can be considered for re-zoning of land.</p> <p>06/04/2021 – GMc: Council's Strategic Planning Team has identified land for future growth and development through the Draft Settlements Strategy that will inform part of our new LEP, however, this is not a quick fix. Land that is not currently zoned suitable for development can be subject to a Planning Proposal made by the owner of the subject land, and determined by NSW Planning and Council.</p>	N
212	18 March 2021	12.3	<p><b>Accommodation Crisis</b></p> <p>Councillor Anne Maslin</p> <p>Question: Can Council use its communications</p>	Coordinator Engagement	<p>30/04/2021 - CP: Since the last update there has been significant coverage in both traditional and social media in our region on this issue. A number of meetings have also</p>	N

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
			platforms and communications team to ensure all owners of unused accommodation such as houses and cottages in local towns and on farms, are aware of the housing crisis and the urgent need of rental accommodation across the region?  The aim being that some rental accommodation might become available in the short term, to alleviate the crisis affecting schools, emergency services and the tourism industry, which cannot find accommodation for staff. Local owners of unused housing may not be aware of the current opportunity to rent out their cottages.		been held (or are scheduled) to work with local community groups and stakeholders to find solutions. We will continue to use our channels to support messaging on this issue.  06/04/2021 – CP: Development of a communications campaign is currently in progress. Consideration being given to the message, resources and appropriate channels. Target date for rollout is by 19 April 2021.	
213	18 March 2021	12.4	<b>Michelago Causeway</b> Councillor John Rooney  Question: Can the Executive guarantee that the grant money for the Michelago Causeway will not be lost, and that the causeway will eventually be built?	Manager Corporate Projects	06/05/2021 - GH: The Michelago Causeway has been allocated \$876k from the LRCI program. To date we have received the first instalment - 50%. Council has expended \$25k to date and committed \$173k to design and Telstra asset relocation. A variation request is to be submitted detailing activity to date and a revised completion date to ensure we retain the funding. A further update will be provided to Council regarding this for the June meeting.  07/04/2021 – DR: [EOM]	
214	18 March 2021	12.5	<b>Industrial Land</b> Councillor Brian Old  Question: Can Council receive a report on	Coordinator Land & Property	05/05/21 - TP: Report scheduled for June 2021  05/05/21 - TP:	N

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
			releasing more industrial land in Jindabyne – how are we progressing with that and what will happen to the future of the Leeseville land.		No further update.  06/04/21 – JM: A report will be prepared for a future Council meeting to proceed with releasing more industrial land at Leeseville Estate.	
215	15 April 2021	12.1	<b>Bed Tax for SMRC</b> Councillor Anne Maslin  Could Council provide options for introducing a Bed Tax for SMRC, looking at comparable regions in Australia (for example Byron Bay) and if necessary, overseas, and present to councilors at the next Councillor workshop.	Chief Communications Officer & Coordinator	04/05/2021 - GW & MA: Discussions are underway with local chambers, tourism bodies and other regions who have considered this process. A briefing will be provided to Councillors at the August Councillor Briefing Session, with subsequent briefings as the project continues. This will be part of a longer project and something to aim towards implementing into the new Council post September. The Economic Development team will construct a framework and principles to develop ideas, followed by discussions and agreements with our accommodation providers.	N
216	18 Mar 2021	12.1	<b>Historic Society</b> Councillor John Last  Did the Historical Society approach the GM to occupy the old building alongside the Heritage Barber Shop?  Did the GM say no on the basis that the building is contaminated even though he allowed the tourist bureau to occupy the building? Is he looking for space for the Historical Society?	Chief Executive Officer	30/04/2021 – JB: Update provided 6/4/21: JB: Yes, the Historical Society approached the CEO to occupy the old building alongside the Heritage Barber shop. The back section of the building in question is contaminated and not connected to services, as the old pipes have collapsed. The estimated repair cost (as at 2018) was \$250,000 to fix the back end of the building. Council has received a number of requests for accommodation from a number of community organisations, however has been unable to identify affordable accommodation solutions.	N
217	18 Feb 2021	12.8	<b>Michelago Causeway</b>	Manager Corporate	27/04/2021 – GH: Progress	N

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
			<p>Councillor John Rooney</p> <p>Question: When will construction of the Michelago Causeway commence and when will it be completed?</p>	Projects	<ul style="list-style-type: none"> <li>- Review of Hydrology report by Fisheries undertaken.</li> <li>- Fisheries comments applied to draft design and SMRC to develop a compliant option.</li> <li>- Report required providing cost Est for single and dual lane Xing options for approval on construction approach.</li> <li>- Budget (\$872,161) established under LRCI Program.</li> <li>- Design Contractor engaged and revised concepts under development.</li> <li>- Detailed survey of the creek bed undertaken.</li> <li>- Geo-tech survey underway.</li> <li>- LRCIP 1st and 2nd Quarterly Reports submitted.</li> <li>- Work Schedule appears approved as Funding received.</li> <li>- Geotechnical investigation and site specific survey undertaken.</li> <li>- Engaged approved Telstra contractor to undertake the relocation of Telstra Assets South end of Ryrie Street.</li> <li>- Review of Micalago/Ryrie Intersection and approach roads underway</li> <li>- Design of Bridge crossing underway.</li> <li>- Note initial concept designs were based on LIDAR survey. Subsequent survey has creek bed 2m+ deeper</li> </ul> <p>Planned Works-</p> <ul style="list-style-type: none"> <li>- Commence construction of the Booroomba Creek Culvert.</li> <li>- Begin construction of the Nth end of the Ryrie St approaches.</li> <li>- Design priorities are C/L of Ryrie Street and Micalago Road/Booroomba Creek Detail.</li> </ul>	



SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<ul style="list-style-type: none"> <li>- Complete detailed designs for Micalago/Ryrie intersection Inc. Booroomba Creek culverts.</li> <li>- Complete detailed designs for Ryrie Street from the edge of existing seal to Michelago Creek.</li> <li>- Finalise concept for waterway Bridge/Causeway draft designs based on detailed Survey &amp; Geotech data.</li> <li>- Funding allocated from LRCIP Program does not cover design only. Need to commence planned work on Telstra and Booroomba Creek ASAP.</li> <li>- LRCIP funding of \$872,161.00 to be spent by June 2021. Available timeframe in LRCIP funding is inadequate to permit completed construction - variation to be submitted</li> </ul>	
218	15 April 2021	12.3	<b>Premises for the Historical Society</b> Councillor John Last Question: Can the council obtain premises for the Historical Society? Why can't they occupy the old Medicare building?	Coordinator Land & Property	05/05/21 - TP: Land & Property is not aware of a mandate to acquire premises specific to the Historical Society. Council has received requests for accommodation from a number of community organisations, however has been unable to identify affordable solutions. The habitable front section of the former Medicare building (57 Vale Street, Cooma) is currently occupied in alignment with Council Resolution 229/20; operating as the Snowy Monaro Business and Recovery Hub.	N
219	15 April 2021	12.4	<b>Criticism on Facebook</b> Councillor John Last Question: Why hasn't Councillor Old been given the protection of the Council form attacks on his good name and character? I note staff are protected, why not Councillor?	Chief Strategy Officer	06/05/2021 - DR : Council's staff have actively sought to have inappropriate social media postings made in regards to Councillor Old removed where these have come to the attention of staff. The Council cannot undertake legal actions on behalf of councillors. Neither does the Council have powers to compel third parties to change what they say or do on media outside the Council's platforms.	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
220	15 April 2021	12.2	<p><b>Cooma Entrance Sign</b></p> <p>Councillor Rogan Corbett</p> <p>Question: Why is council talking about taking down an entrance message sign, when we have an opportunity to advertise events for our whole region?</p> <p>With 1 million cars passing that sign every year it can be updated, with no cost to Council, through Snowy Hydro. This is a valuable asset that needs to be used for the best advantage for our region.</p>	Chief Communications Officer	<p>30/04/2021 - GW:</p> <p>This messaging sign has not worked since a short time after it was installed so it is appearing as an unworking sign and has done so for a long time. It adds no value. Costs to fix it have been reviewed and it's cost prohibitive and now old technology.</p> <p>There is a more effective way to address entrance signage for Cooma and it's not through a broken electronic sign that is low to the ground with poor visibility. There are already a number of signs at the entrance to the town already that are visually confusing and don't support any cohesive brand for the destination nor clear brand to the visitor.</p> <p>There may be scope for Snowy Hydro to support fixing this sign but Council does not have budget to do this. Currently Snowy Hydro are renting the flag entrance space from Council for a trial period of six months utilising fresh and playful signage to welcome visitors to the region around the theme of stop, play, discover.</p>	

#### 9.4.4 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer:	Chief Strategy Officer
Author:	CIS Project Administration Support Officer
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1.1.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.
Operational Plan Action:	OP7.7 Provide timely, accurate and relevant information to Council to enable informed decision making.
Attachments:	1. Action Sheet Updates
Cost Centre	3120

#### EXECUTIVE SUMMARY

In order to provide Councillors with updates on resolutions of Council, a report has been generated with a summary of actions that are current and have recently been completed, for the period ending April 2021.

The In Progress Resolution Action Sheet for period ending April 2021 is attached to this report.

#### OFFICER'S RECOMMENDATION

That Council receive the In Progress Resolution Action Sheet Update for the period ending April 2021.

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SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Action	R/Officer	Progress	Estimated Comp Date	Comp Y/N
16	05 April 2018	118/18	<p><b>Proposed Road Closure &amp; Sale of old Lions Park at Bombala</b> That Council;</p> <p>A. Approve the partial road closure on the corner of High Street and Stephen Street Bombala so that the fence line becomes the boundary of lot 9 DP 995614;</p> <p>B. Engage the services of a land surveyor to provide a plan for the boundary adjustment;</p> <p>C. Authorise the General Manager to execute any documents necessary to complete the boundary adjustment and sale of the property;</p> <p>D. Readvertise the property on the open market for auction with an appropriate reserve; and</p> <p>E. Make the Report public once the matter is settled.</p>	Property Officer	<p>05/05/2021 – TP: No further update.</p> <p>23/03/2021 – JH: No further update on this item due to waiting for reply from LRS</p> <p>24/02/2021 - JH: Target date now 30 June 2021, Waiting for return of lodged documents from LRS.</p> <p>12/01/2021 - JH: No further update.</p> <p>27/11/2020 – JH: C. Solicitor is preparing documents to have a certificate of title (CT) created over the portion of the road to be closed so consolidation can take place. Recent verbal feedback from NSW Land Registry Services to the surveyor indicates that a further survey of the original lot may need to occur to complete the registration due to the age of the original plan's survey. This will be reviewed once the CT has been assigned.</p> <p>20/10/2020 - JH: A. Finalised. B. Finalised. C. Solicitor is preparing documents to have a CT created so consolidation can take place. D. Once notified of completed registration the property can be placed on the open market. E. To take place at completion of D.</p>	30/06/2021	N



					<p>23/09/2020 - JH: C Consolidation Plans lodged, surveyor has advised that a CT was not created and the solicitor is now preparing this so that registration can take place.</p> <p>26/08/2020 JH: C. Finalised. D. Finalised. C. Consolidation Plans lodged, Surveyor is following up on progress of same. D. Once notified of completed registration the property can be placed on the open market. E. To take place at completion of D</p> <p>22/07/2020 – JH: C. Consolidation Plans received from Surveyor and signed by CEO, returned to Surveyor for lodging for registration of same. D. Once notified of completed registration the property can be placed on the open market. E. To take place at completion of D.</p> <p>24/06/2020 – JH: E. Finalised. F. Finalised. C D and E: Still waiting finalised consolidation plans from surveyor for this item to be completed. Have sent numerous email requests to Surveyor.</p> <p>28/05/2020 – JH: Surveyor again requested to provide the final plan, no response and will continue to follow up. This plan is in draft form with the Surveyor and would not be cost effective to engage another surveyor to finalise the plan.</p>		
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					<p>27/04/2020 - JH: Email sent to Surveyor requesting a definite date for plan to be registered. Surveyor advised he will review the current draft of this consolidation plan this week and submit for Registration.</p> <p>26/03/2020 - JH: Followed up with Surveyor and was advised this item is going to be delayed due to the large scale workload he has in place.</p> <p>27/02/2020 - JH: Followed up with Surveyor and was advised this item is going to be delayed due to the large scale workload he has in place.</p> <p>15/01/2020 - JH: The Surveyor has advised that he is hoping to have the consolidation plan ready for the end of January 2020.</p>		
20	07 May 2018	162/18	<p><b>Proposal to Realign the Barry Way Jindabyne and to Address Issues with the Intersections of Barry Way with Eagle View Lane and Bungarra Lane</b> That Council</p> <p>A. Approve the proposal to realign The Barry Way over the constructed road from the intersection with MR286 to the boundary of the national park.</p> <p>B. Approve the proposal to apply to the Crown to transfer those sections of The Barry Way which are Crown reserve road to Council.</p> <p>C. Authorise staff to negotiate with landowners for acquisition of the constructed Barry Way and, where possible, to offer to close</p>	Land & Property Officer	<p>05/05/21 - TP: No further update at this point.</p> <p>31/03/2021 – TP: No further update at this point.</p> <p>01/03/2021 – TP: A&amp;C Further follow up email (3/2/021 LB) has been sent to landowner on Eagle View Lane requesting contact be made with Council to discuss the way forward., B. Application is being prepared to apply for sections of Crown Road to be transferred to Council. 4/2/21 Query tabled to</p>	31/08/2022	N

			<p>corresponding sections of paper road and to dedicate the land to the landowner in compensation.</p> <p>D. To engage the services of a surveyor to identify those sections of the Barry Way which are not on line with the constructed road.</p> <p>E. To acquire any Crown land upon which the Barry Way has been constructed through the process of the Land Acquisition (Just Terms Compensation) Act 1991 through the authority of the Roads Act 1993.</p> <p>F. Authorise the General Manager to execute any documents necessary to complete the project.</p> <p>G. Authorise the expenditure and allocate an amount of \$135,000 in the 2018/19 year Budget with funding to be provided from Stronger Communities Project PP-219 (Undertake project to align the road with road reserves).</p>	<p>Coordinator Development relaying landowner query.</p> <p>22/01/2021 – LB: A&amp;C Follow up email has been sent to landowner on Eagle View Lane requesting that he contact the Land and Property Officer to discuss the way forward.</p> <p>B. Application is being prepared to apply for sections of Crown Road to be transferred to Council.</p> <p>4/12/2020 – LB: A&amp;B. Waiting on response from landowner who does not live locally.</p> <p>C. Letters are currently being prepared to commence negotiation with landowners adjoining Barry Way on Cobbon Hill. A quote has been sought from Public Works Advisory to carry out the compulsory acquisition of Crown land on Cobbon Hill.</p> <p>03/11/2020 – LB: A&amp;B. Surveyor has provided necessary information which has now been provided to the land owner. Provision of this information will now allow action C to be completed.</p> <p>24/09/2020 – LB: A&amp;B. Surveyor has addressed questions relating to the plan at the intersection of Eagle View Lane. The landowner was notified and again posed a number of questions. Most of these have been answered and the answer to the last question will be provided this week.</p> <p>C. Negotiation will commence next week with landowners adjacent to Cobbon Hill. This</p>		
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					<p>section of realignment of the Barry Way will involve compulsory acquisition from the Crown.</p> <p>D. This project has been divided into sections so that the surveyor completes the survey work as Council is ready to address each section.</p> <p>E. The section of the Barry Way which passes through Crown land without a road reserve is at the southern end and will be addressed as that stage is reached.</p> <p>26/08/2020 – LB: A&amp;B Surveyor has notified Council that due to workload this plan may take a little longer.</p> <p>C Landowner has been notified that there is a delay involved in obtaining the information that they have requested.</p> <p>E-G Ongoing.</p> <p>29/07/2020 – LB: A &amp; B Surveyor has been requested to provide the plan for the second section which will involve Eagle View Lane.</p> <p>C. Landowners have been notified that Council is waiting on plan.</p> <p>E-G. Ongoing.</p> <p>26/06/2020 – LB: The draft plan may be expected. The landowner is waiting on this information before proceeding.</p> <p>A. Survey is being done in sections</p> <p>B. Request for sections of Crown road to be transferred to Council will be carried out at the end of the project.</p> <p>C. Negotiations with landowners are ongoing.</p> <p>D. See A. above.</p>		
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				<p>E. Acquisition will be carried out as necessary when the plan for individual sections is finalised.</p> <p>F-G Ongoing.</p> <p>28/05/2020 – LB: The surveyor has promised to have the draft plan with the area of road to be closed and the area of the area to be acquired marked on the plan sent to Council within the next week. This plan will then be sent to the landowner.</p> <p>24/04/2020 – LB: Contacted the landowner on Eagle View Lane who has requested information. He wants to know how much land Council will require for the road and how much land he will receive in compensation. Will there be sufficient space for him to construct an eco-hut. The surveyor has been requested to calculate the area of both areas so that an accurate answer can be provided.</p> <p>26/03/2020 – LB: In view of the fact that the landowner has not contacted the Land and Property Officer to date a letter has been sent asking him to contact the Land and Property Officer to discuss his consent to the creation of the road reserve over the road in its current location through his property.</p> <p>02/03/2020 – LB: The Land and Property Officer met with the landowner and he said he will respond after consultation with his wife.</p> <p>20/01/2020 – LB:</p>		
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					Waiting on response from landowner on Eagle View Road. He resides in Tasmania.		
29	21 June 2018	253/18	<b>Council Property - Town View, Waterworks Hill, Bombala</b>  That Council A. Approve the proposal to demolish the residence located on lot 1 DP 1216130 B. Serve notice on the tenant to vacate the premises in accordance with the Residential Tenancy Act. C. Engage the services of a suitably qualified contractor to demolish the residence, clear the site and dispose of any asbestos in accordance with the EPA Act; and D. Authorise the expenditure and allocate an amount in the 2018 Financial Year Budget with funding to be provided from the Former Bombala LGA Reserve.	Manager Water and Wastewater Operations	05/05/21 - TP: No further update at this point.  31/03/2021 – TP: No further update.  28/2/21 - TP: No further update.  29/01/2021 - JM: No further update.  25/11/2020 – JM: A-D. The demolition of the building will take place with the facility upgrade.  03/11/2020 – JM: DPIE Water comments received on 3/11/2020 for Bombala. Currently being reviewed prior to community consultation commencing. 24/09/2020 – JD: Both Bombala and Delegate option reports complete and with DPIE for comment. Both now endorsed by Council. Community consultation with both communities will be held once comment from DPIE received.  27/08/2020 – BC: A-D. Option Study Report for Bombala sent to DPI Water for comment. Email sent to DPI on 11 August 2020 attaching Delegate Option Study	30/03/2021	N

					<p>Report and also sought comments from DPI on Bombala Options Study Report.</p> <p>28/07/2020 – MR:</p> <p>A. Under the provision of the State Environmental Planning Policy (Infrastructure) 2007, development for the purpose of water treatment facilities may be carried out by or on behalf of a public authority without consent on land in a prescribed zone. No DA would be required to rebuild the water treatment works in Bombala, however it will need an REF.</p> <p>The demolition of the existing building will be included as part of the REF for the rebuild.</p> <p>B. The tenant has vacated the dwelling and all utility services have been disconnected.</p> <p>C. Demolition will be a component of the WTP rebuild in accordance with the Options Study and REF.</p> <p>D. Expenditure is expected to be incorporated in the \$10M options funding grant.</p> <p>25/06/2020 – GS:</p> <p>Options study is complete covering Security of supply, alternate water sources and quality issues driving a new water treatment plant with presentation by designer to Councillors scheduled for 2 July 2020.</p> <p>01/06/2020 – MR:</p> <p>No further update until adoption of final options study.</p> <p>22/04/2020 – GS:</p>		
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					<p>Demolition of BWTP Cottage on hold pending Bombala/Delegate Water Supply Options Study recommendations.</p> <p>23/03/2020 – MR: Demolition of BWTP Cottage to coincide with Bombala WTP refurb or rebuild in accordance with Bombala/Delegate Water Supply Options Study recommendations.</p> <p>02/03/2020 – MR: Demolishment of the residence will depend on the outcome of the Options Study and recommendations. Options Study will be provided to Council when received.</p> <p>14/01/2020 – AS: Still waiting on the Bombala/Delegate Water Options Study Report – expected finalisation April 2020.</p>		
57	6 September 2018	314/18	<p><b>Proposed Acquisition of Land in Cooma</b> That Council</p> <p>A. Acquire Lots 400 and 434 DP 750535 and lot 461 DP 41999 by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Local Government Act 1993 for the purpose of saleyards.</p> <p>B. That the land be dedicated as Operational land in accordance with the Local Government Act 1993</p> <p>C. That minerals be included in this acquisition</p> <p>D. That this acquisition is not for the purpose of resale</p>	Property Officer	<p>3/5/2021 - JH: No further update at this point.</p> <p>23/03/2021 JH: Acquisition process has been completed and consolidation of lots has begun by the Surveyor.</p> <p>28/2/21 TP: A-F Completed; G Consolidation process in progress; H All costs will be funded from the former Cooma Monaro Shire Council reserve fund.</p> <p>12/01/2021 – JH: The acquisition process is finalised, Gazette notice featured in Government Gazette of 11 December</p>	28/02/2021	N



			<p>E. That the necessary applications be made to the Minister for Local Government and the Governor.</p> <p>F. That the Common Seal be affixed to all documentation required to be sealed to give effect to this resolution.</p> <p>G. That following the acquisition of the three Crown allotments, the eleven lots comprising the Cooma saleyards be consolidated into a single allotment.</p> <p>H. That this project be funded from the former Cooma Monaro Shire Council reserve fund.</p>	<p>2020. The solicitor is preparing First Title on each lot.</p> <p>27/11/2020 – JH: A to F: Awaiting the acquisition notice number to be issued from the Office of Local Government, which is required prior to publishing the gazette notice.</p> <p>20/10/2020 - JH: A to F: After PAN notification date of 13 November OLG will send the relevant paperwork to both the Minister and Governor for approval. Once documents are approved OLG will send notice and then gazettal will occur 120 days after this notice.</p> <p>G: This will take place once the acquisition has been approved and finalised by OLG and Crown.</p> <p>H: All costs will be funded from the former Cooma Monaro Shire Council reserve fund.</p> <p>23/09/2020 JH: A to F: Proposed acquisition notice (PAN) lodged now waiting for Acquisition Number to prepare Gazette Notice. Compensation monies deposited to Crown as per PAN.</p> <p>26/08/2020 - JH: A to F: Notice from OLG to lodge PAN (proposed acquisition notice) and PAN lodgement was completed and lodged with Crown, NTSCORP and NSWALC. There is a 90 day period that OLG has now to complete the notice and gazette the acquisition, subject to no submissions are received from NTSCORP and NSWALC. Submissions from</p>		
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					<p>NTSCORP and NSWALC are not expected as this was reviewed prior to the PAN being sent during the original application, but is a requirement of the PAN.</p> <p>G: This will take place once the acquisition has been approved and finalised by OLG and Crown.</p> <p>H: All costs will be funded from the former Cooma Monaro Shire Council reserve fund.</p> <p>22/07/2020 – JH: A to f: Updated Valuation report submitted to Crown to enable a faster completion of this acquisition once approval received from OLG. Latest email received from OLG is that they are following up on our application and have not forgotten about it. No further response from Crown as to permission to begin project whilst waiting for OLG to send documentation of approval. None of these items can be finalised until a response from OLG is received.</p> <p>G: This will take place once the acquisition has been approved and finalised by OLG and Crown.</p> <p>H: All costs will be funded from the former Cooma Monaro Shire Council reserve fund.</p> <p>24/06/2020 – JH: A to H: Latest email received from OLG is that they are following up on our application and have not forgotten about it. No response from Crown as to permission to begin project whilst waiting for OLG to send documentation of approval. None of these</p>		
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					<p>items can be finalised until a response from OLG is received.</p> <p>28/05/2020 – JH: Email received from OLG on 20/5/2020 advising they can confirm that it has been processed, unfortunately they are unable to advise as to when/if it will be approved. Following up with Crown as to the option to gain approval for works to begin prior to acquisition taking place. Unfortunately with most staff working remotely responses are slower than usual.</p> <p>27/04/2020 - JH: Numerous requests have been sent to Office of Local Government asking for this matter to be finalised. Council does not have the option to gain approval for acquisitions from anyone other than OLG.</p> <p>26/03/2020 - JH: Waiting on response from OLG.</p> <p>27/02/2020 - JH: All information is with OLG and waiting for approval to come through.</p> <p>15/01/2020 - JH: Waiting on response from Crown to advise that the Special Lease will be extinguished after acquisition has been completed to finalise documents required by OLG.</p>		
74	4 October 2018	353/18	<p><b>Clr Castellari Notice of Motion - Rooftop Solar</b> That Council A. Support the Albury City Council motion regarding legislative changes to enable the</p>	Executive Assistant to Chief Executive	<p>28/04/2021 - JB: Nil update received.</p> <p>06/04/2021 - JB:</p>	Ongoing	N

			<p>implementation of a program similar to that implemented by Darebin City Council in Victoria;</p> <p>B. Advocate for the legislative changes to local members and relevant Ministers;</p> <p>C. Carry out due diligence with a business case which includes funding options, power under current legislation that would provide solar subsidy schemes for residence and businesses within the SMRC council area; and</p> <p>D. Provide for public consultation process once the above has been carried out.</p>	Officer, Mayor and Councillors	<p>Nil update received.</p> <p>6/4/21 – JB: Nil update received.</p> <p>03/03/2021 – PB: Nil update received.</p> <p>03/03/202 – PB: Nil update received.</p> <p>28/01/2021 – JB: The CEO requested an update from LGNSW regarding to their advocacy of behalf of the local government sector (as per resolution 100 Solar Buy Back - from the 2018 LGNSW Conference).</p> <p>Following is their update:</p> <p>LGNSW advocated for changes to legislation, including the Local Government Act, to provide incentives and mechanisms for households to adopt renewable energy systems through:</p> <ul style="list-style-type: none"> <li>• Writing to the (then) Minister for the Environment and Minister for Local Government, Gabrielle Upton</li> <li>• Follow up letter with Minister for the Environment, Matt Kean and Minister for Local Government, Shelley Hancock (see attached)</li> <li>• Submission to <u>Treasury Laws Amendment (Improving the Energy Efficiency of Rental Properties) Bill 2018</u> (Federal)</li> <li>• Input to the Department of Planning, Industry &amp; Environment project to identify how NSW councils could be further supported to reduce emissions (report not public).</li> </ul>		
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					<p>While a response was not received from the Minister for the Environment and Minister for Local Government, Gabrielle Upton from the 2018 conference letter, a response was received from Minister Upton the previous year on the same policy matter. The response noted the State Government's actions to improve energy efficiency, however did not address the request to amend the Local Government Act.</p> <p>LGNSW continued to advocate to the NSW Government but has not yet received a response from Minister Kean or Hancock.</p> <p>Unfortunately the Federal Treasury Laws Amendment (Improving the Energy Efficiency of Rental Properties) Bill 2018 has since lapsed. However the second reading speech notes elements of LGNSW's submission regarding split incentives, indicating that there is support for this kind of measure at the federal sphere of government.</p> <p>The <u>LGNSW Policy Platform</u> has also been updated to support new and fairer financing opportunities for local government including for fees and charges, a range of funding mechanisms to allow councils to build climate resilience in their communities, and enabling the update of zero and low carbon technologies through appropriate investment, concessions and legislation (see Finance Position Statement and Climate Change Position Statement).</p> <p>LGNSW will continue to advocate on this matter and others matters of importance to our members</p>		
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					<p>and especially those arising from annual conference resolutions.</p> <p>26/11/2020 – JT: Investigation underway for further information.</p> <p>23/10/2020 – JT: No further update.</p> <p>28/09/2020 – JT: No further update.</p> <p>03/08/2020 – JT: No further update</p> <p>29/06/2020 – SC: A. Motion supported at LGNSW Annual Conference. B. Raised in conversation with Local Member and LGNSW. C &amp; D. No action.</p> <p>29/05/2020 – SC: No further update.</p> <p>29/04/2020 – SC: No further update.</p> <p>04/03/2020 – SC: No further update. 06/02/2020 – SC: No further update.</p> <p>03/12/2019 – SC: B. The CEO requested an update from LGNSW in regarding to their advocacy of behalf of the local government sector (as per resolution 100</p>		
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					<p>Solar Buy Back - from the 2018 LGNSW Conference).</p> <p>LGNSW has made representations to the previous Minister for the Environment and Minister for Local Government prior to the latest cabinet reshuffle.</p> <p>The matter was also raised in LGNSW's submission to the Senate Standing Committee on Environment and Communications Inquiry into Treasury Laws Amendment (Improving the Energy Efficiency of Rental Properties) Bill 2108.</p> <p>Further to this, LGNSW also raised this matter at their liaison meeting with the Office of Environment and Heritage and will continue to advocate on the issue as opportunities arise.</p>		
88	1 November 2018	394/18	<p><b>Planning Proposal 461 Barry Way, Moonbah to Amend Snowy River Local Environmental Plan 2013</b></p> <p>That:</p> <p>A. The report from the Senior Strategic Land Use Planner on the Planning Proposal 461 Barry Way (Lot 101 DP 817374) be received.</p> <p>B. The Planning Proposal be submitted to the Minister of NSW Planning &amp; Environment for a Gateway Determination in accordance with Section 3.34 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>C. The Department of Planning and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the Planning Proposal.</p> <p>D. In the event NSW Department of Planning &amp; Environment issues a Gateway Determination to proceed with the Planning Proposal,</p>	Senior Strategic Land Use Planner	<p>03/05/2021 – AA: No further update.</p> <p>22/03/2021 – AA: No further update.</p> <p>26/02/2021 – AA: No further update, further update will be provided at conclusion of SAP Masterplan</p> <p>14/01/2021 – AA: No further update.</p> <p>26/11/2020 – AA: No further update.</p> <p>30/10/2020 – AA: No further update.</p> <p>25/09/2020 – AA:</p>	Ongoing	N

			consultation be undertaken with the community and government agencies in accordance with Schedule 1, Division 1, Clause 4 of the <i>Environmental Planning and Assessment Act 1979</i> and any directions of the Gateway Determination.	<p>No further update.</p> <p>28/08/2020 – AA: No further update. Proposal is waiting for proponent to respond to agency concerns and is on hold to the conclusion of the SAP Masterplan. The following sections of the Council resolution have been completed. A. No action required. B. Completed. C. Completed. D. Referred to relevant Government Agencies. An objection was received from OEH. Further information was requested from proponent. Awaiting response.</p> <p>30/07/2020 – AA: No further update.</p> <p>22/06/2020 – AA: No further update.</p> <p>03/06/2020 – MA: No further update and not expected to be any significant progress until the SAP masterplan is more fully developed.</p> <p>05/05/2020 – AA: An altered Gateway determination was issued by the Department of Planning Industry and Environment extending the timeframe for completion by 24 months to 7 June 2022. This allows the proposal adequate time to be considered and finalised after the Snowy Mountains Special Activation Precinct Masterplan is completed.</p>		
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					<p>19/03/2020 – MA: No response received from DPIE regarding request for extension of time due to SAP Masterplan. In process of following up with DPIE.</p> <p>31/03/2020 – AS: No further update.</p> <p>02/03/2020 – BD: No further update.</p> <p>20/01/2020 – AA: A letter has been forwarded to State Government requesting the Gateway Determination date be extended to coincide with the conclusion of the Go Jindabyne masterplan.</p> <p>06/12/2018 – MA: B. Planning proposal has been submitted to the Minister of NSW Planning and Environment for a Gateway Determination. C. Council has advised Department of Planning and Environment that Council wishes to be issued with an authorisation to use Delegation for the Planning Proposal Cannot be actioned until a determination is given.</p>		
165	21 February 2019	68/19	<p><b>Parking in the laneway at the rear of the Jindabyne Town Centre</b> That Council</p> <p>A. Approve the proposal to enter into public consultation with the shopkeepers and owners in Jindabyne Town Centre regarding changes to the laneway at the rear of the shops.</p>	Manager Corporate Projects	<p>05/05/21 - TP: No further update at this point</p> <p>31/3/21 - TP: No further update at this point.</p> <p>28/2/21 - TP: Further advice as to SAP intentions pending. Once more integrated planning has occurred the project</p>	31/08/2021	N

			<p>B. Receive a further report regarding the results of the public consultation and the proposed way forward together with detailed costings.</p>	<p>will be in a position to progress, in consult with Corporate Projects team.</p> <p>25/01/2021 – GH: Awaiting indication of SAP intentions for the Jindabyne Town Centre precinct.</p> <p>4/12/2020 – LB: A. This project needs to be incorporated within a range of projects currently underway in the Jindabyne town centre to ensure that a good outcome is achieved. Once more integrated planning has occurred the project will be scheduled.</p> <p>23/10/2020 – LB: A. This project has temporarily been place on hold. B. Further report will be presented to Council at the appropriate time.</p> <p>24/09/2020 – LB: A. Amended plan still to be received by Council.</p> <p>26/08/2020 – LB: A. Council has requested a minor adjustment to the concept plan. When the concept plan is amended it is proposed to form a Steering Committee to guide the project to completion. B. Further report will be submitted for Council's consideration when the public consultation has taken place.</p> <p>29/07/2020 – LB: A. Council is in receipt of the draft survey plan and is currently waiting on the design plan. When</p>		
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					<p>both plans are to hand Council will undertake public consultation.</p> <p>B. Following public consultation a further report will be prepared for Council with detailed costings.</p> <p>26/06/2020 – LB: The Road Safety Officer advised that the surveyor has been selected and the project is progressing.</p> <p>A. Public consultation will take place when the survey and design is completed.</p> <p>28/05/2020 – LB: RFQ sent out to four surveyors for quotation for survey and design. This is to be funded by RMS.</p> <p>28/05/2020 – LB: RFQ sent out to four surveyors for quotation for survey and design. This is to be funded by RMS.</p> <p>24/04/2020 – LB: Specification for the tender is currently underway. Collaboration between the Special Projects Officer and the Road Safety Officer is being undertaken in view of the issues encountered with the proposed construction of the public toilets in Jindabyne.</p> <p>26/03/2020 – LB: Tenders will need to be called for the survey and design work. When survey &amp; design is completed, staff will arrange for public consultation.</p> <p>02/03/2020 – LB: Waiting on survey and design so that public consultation can be arranged.</p>		
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					03/02/2020 – LB: Shopkeepers and shop owners in the Jindabyne Town Centre have been notified by letter that Council has been successful in securing grant funding for survey and design of the back lane.		
211	21 March 2019	127/19	<b>Delegate Disadvantaged Housing</b> That Council continue with the current arrangement of Facilities staff managing the tenants and maintenance on the properties pending community consultation, and bring a report back to Council.	Coordinator Land & Property	<p>05/05/21 - TP: Updated option details being sought from Southern Cross Housing to enable accurate analysis in the present housing needs environment. Council continuing to manage properties.</p> <p>31/3/21 - TP: Consult with Community Engagement to enable concise information release after Easter period. Intended timing adjusted due to staff resource changes and competing active consultations. Council continuing to manage properties.</p> <p>28/2/21 TP: Forward advice and notice the community to occur in March 2021. Profile flagging the general topic &amp; basic elements of consideration.</p> <p>27/01/2021 – TP: No further update.</p> <p>27/11/2020 – TP: No further update.</p> <p>26/10/2020 – TP: Design of consultation mechanics pending, with input from former Facilities staff to be included.</p> <p>25/09/2020 – TP:</p>	30/06/2021	N

					<p>It is anticipated that community consultation will be initiated in first quarter of 2021 calendar year.</p> <p>27/08/2020 – TP: Council continuing to manage properties. Review of the background and full context relating to this item required by Land &amp; Property unit.</p> <p>24/07/2020 – KH: This area is now under the Land &amp; Property Portfolio. An initial handover has been conducted with a more detailed one to follow explaining what steps have been taken so far and why, and to work together moving forward on this.</p> <p>26/06/2020 – KH: There is no further update as there has been too much occurring with bushfires and COVID.</p> <p>01/06/2020 – KH: No further update.</p> <p>28/04/2020 – KH: No further update.</p> <p>27/03/2020 – KH: No further update.</p> <p>02/03/2020 – KH: Mail out to the community at Delegate seeking their feedback to be arranged asap to gauge thoughts.</p>		
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227	17 April 2019	151/19	<p><b>Consolidation of Reserve no. 530002 Centennial Park and Lot 6 DP 758280 Cooma Visitors Centre as one Crown Reserve for General Community Use</b></p> <p>That Council</p> <p>A. Request that the Crown add lot 6 DP 758280 to Reserve 530002 comprising Centennial Park and add an additional purpose of "General Community Use" to the Reserve.</p> <p>B. Relinquish Licence LI 453017 for the use of the Cooma Visitors Centre when Lot 6 DP 758280 is added to Reserve 530002.</p>	Land & Property Officer	<p>05/05/21 - TP: No further update at this point.</p> <p>31/3/21 - TP: Further prompts to Crown Land actioned. No further update.</p> <p>28/2/21 – TP: No further update at this point in time.</p> <p>28/2/21 – TP: Application for possessory title lodged with NSW LRS. Further legal paperwork being formatted including the Statutory Declarations of two "disinterested witness" to support Council's possessory claim.</p> <p>22/01/2021 – LB: A. Follow up phone calls to Crown Lands has confirmed that Crown Lands is still awaiting the native title assessment to be completed.</p> <p>4/12/2020 – LB: A. Crown Lands are waiting on a native title assessment to be completed internally prior to approval and gazettal.</p> <p>26/10/2020 – LB: A. A further email has been sent to Crown Lands requesting an update. B. The licence will be relinquished when Crown Lands has completed their processes.</p> <p>24/09/2020 – LB: A. An email has been sent to Crown Lands asking for an update on the progress of this matter.</p>	28/02/2021	N
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					<p>26/08/2020 – LB:</p> <p>A. Crown Lands has assured the Land and Property Officer that the documentation recommending the amendment to both reserves has gone before the Minister.</p> <p>B. The licence will be relinquished when Crown Lands has completed their processes.</p> <p>29/07/2020 – LB:</p> <p>This matter needs to be signed off by the Minister and then must be advertised in the Government Gazette as a part of the process. It is anticipated that it may take some months to finalise.</p> <p>26/06/2020 – LB:</p> <p>Communication with NSW ALC confirmed that the claim over the Visitors Centre has been rescinded. This information will be relayed to Crown Lands with a request to expedite the matter.</p> <p>A. Crown Lands is presently preparing the documentation for transfer to Council as Crown Land Manager</p> <p>B. The licence will be relinquished in conjunction with transfer to Council Management.</p> <p>28/05/2020 – LB:</p> <p>Reminder was sent to Crown Lands last week. This matter will take some time to resolve at the Crown Lands level.</p> <p>24/04/2020 – LB:</p> <p>Crown Lands has advised that due to the COVID-19 Pandemic this process may suffer some delays.</p> <p>26/03/2020 – LB:</p> <p>Crown was sent a second reminder today. It is an involved process, and will take a while to review,</p>		
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					<p>given the current COVID-19 pandemic and the recent bushfires.</p> <p>02/03/2020 – LB: Negotiations with the Crown are ongoing. It is likely that the Crown would prefer lot 6 to be placed under Council management &amp; that the lease be rescinded. We are currently waiting on a reply.</p> <p>20/01/2020 – LB: This matter has been escalated at Crown Lands to achieve a decision on the way forward.</p>		
290	20 June 2019	227/19	<p><b>Application to Crown Land to be appointed as Land Manager to Various Waste Management Sites</b></p> <p>That Council requests to be appointed as Land Manager of the following Reserves:</p> <p>A. Dalgety Landfill Lot 2 DP 837128, Reserve 88070 for Rubbish Depot under Crown control;</p> <p>B. Bombala Landfill Lot 123 DP 756819, Reserve 15472 for Night Soil Depot under Crown control;</p> <p>C. Bombala Landfill Lot 300 DP 756819, Reserve 49491 for Night Soil Depot under Crown control;</p> <p>D. Berridale Transfer Station Lot 178 DP 756837, Reserve 73609 for Sanitary Purpose under Crown control;</p> <p>E. Berridale Landfill Lot 153 DP 756694, Reserve 47391 for Rubbish Depot under Crown control; and Request the purpose of land be changed to Urban Services for Reserves 15472 &amp; 49491</p>	Manager Resource and Waste	<p>06/05/2021 – MD: No further update from Crown.</p> <p>30/03/2021 – MD: No further update from Crown.</p> <p>02/03/2021 – MD: E. No further update from Crown.</p> <p>12/01/2021 – MT: E. No further update from Crown.</p> <p>25/11/2020 – JH: E. No further update from Crown.</p> <p>20/10/2020 - JH: A, B, C &amp; D. Complete. E. No further update.</p> <p>23/09/2020 - JH: A, B, C &amp; D. Complete. E. NSW ALC are following up on this item they referred to the Local Aboriginal Land Council (LALC) with the recommendation that the CEO of</p>	Ongoing	N



					<p>the LALC refer it to the LALC Board for consideration of claim withdrawal. NSWALC will advise of the outcome when received, they have advised that the LALC are not meeting regularly during this COVID pandemic.</p> <p>26/08/2020 -JH: A, B, C &amp; D. Complete. F. NSW ALC are following up on this item they referred to the Local Aboriginal Land Council (LALC) with the recommendation that the CEO of the LALC refer it to the LALC Board for consideration of claim withdrawal. NSWALC will advise of the outcome when received, they have advised that the LALC are not meeting regularly during this COVID pandemic.</p> <p>24/06/2020 – JH: A, B, C &amp; D. Complete. E. This item has been referred by NSWALC to the Local Aboriginal Land Council (LALC) with the recommendation that the CEO of the LALC refer it to the LALC Board for consideration of claim withdrawal. NSWALC will advise of the outcome when received.</p> <p>28/05/2020 – JH: E: Email received from NSWALC requesting further information on this Reserve. Gazette notices were researched and supplied to NSWALC. They still require any information that Council may have on the lawful use and occupation of this land and/or need for this land for an essential public purpose, as at 8 June 2010. Following up on this request with Waste Team. Spoke again to NSWALC 27/5/2020 advice they are also now discussing with LALC with regard to their interest</p>		
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					<p>in the land due to it not being used for many years, as such they may wish to keep the land claim active.</p> <p>30/03/2020 – JH: No further update.</p> <p>22/01/2020 – JH: E. Property officer has written to the NSW Aboriginal Land Council to see if they wish to revoke their interest as ALC 25795 is current on this reserve.</p> <p>09/01/2020 – MD: A. Confirmation has been received Council is the Land Manager of Dalgety Landfill Lot 2 DP 837128, Reserve 88070 for Rubbish Depot; B. Confirmation has been received Council is the Land Manager of Bombala Landfill Lot 123 DP 756819, Reserve 15472 for Night Soil Depot; C. Confirmation has been received Council is the Land Manager of Bombala Landfill Lot 300 DP 756819, Reserve 49491 for Night Soil Depot; D. Confirmation has been received Council is the Land Manager of Lot 178 DP 756837, Reserve 73609 for Sanitary Purpose under Crown control; E. Awaiting confirmation.</p>		
333	18 July 2019	277/19	<p><b>Australian Tourist Park Management - NRMA - Caravan Park Jindabyne</b> That Council consider the approval for the Lessee to execute the 2 x 5 terms on the Lease Agreement when the first option to renew is due in October 2019 which will take the Lease Agreement through until October 2029.</p>	Commercial Land Officer	<p>06/05/2021: KH - Awaiting confirmation that lease has been registered with Crown Land.</p> <p>22/03/2021 – KH: Solicitors have sent lease to be registered with Crown Land</p>	28/02/2021	N

				<p>02/03/2021 – KH: Correspondence dated 10 February 2021 received from Blaxland, Mawson and Rose confirming the lease has been forwarded to Crown Lands with a request for provision of the necessary forms to record Council as the Crown Land Manager on the register and to update the Crown restriction currently noted on the register.</p> <p>12/01/2021 – KH: Correspondence received from BMR that lease has been lodged for registering. Council was requested to execute the lease as a crown land manager and pay a further \$345.40 payable to Land Registry Services to formalise this.</p> <p>27/11/2020 – KH: Awaiting confirmation from BMR on registration of the lease.</p> <p>26/10/2020 – KH: BMR is finalising the registration.</p> <p>24/09/2020 – KH: BMR is actioning the registration of the lease</p> <p>25/08/2020- KH: Documents with BMR for action.</p> <p>24/07/2020 – KH: CEO has signed, awaiting a cheque to be drawn to go with signed lease back to BMR for action</p> <p>26/06/2020 – KH: Signed lease has been received and forwarded onto the CEO Office for signing.</p>		
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					<p>28/05/2020 – JH: Solicitors have advised the signed lease agreement should be returned to Council next week.</p> <p>27/04/2020 - JH: Correspondence has been received by Council's Solicitor advising the Lease Agreement has had a few minor amendments and is with NRMA for exaction of same.</p> <p>26/03/2020 - JH: Council is liaising with NRMA in regard to this item.</p> <p>27/02/2020 -JH: Council Solicitor and NRMA Solicitor are reviewing Agreement and making some minor amendments.</p> <p>15/01/2020 - JH: Solicitor has sent through an updated Agreement with some changes that were required to be made for further review. This is now back with the Solicitor.</p>		
315	18 July 2019	258/19	<p><b>Establishment of Access to Lot 10 DP 7505534 and lot 73 DP 750565 - Southern Tablelands 4 Wheel Drive Club</b></p> <p>That Council</p> <p>A. Negotiate with the owner of lot 15 to realign the road over the track through his property.</p> <p>B. Engage the services of a surveyor to survey the off-line section of Bundarra Road through lot 15.</p> <p>C. Close the section of Bundarra Road which is off line.</p> <p>D. Dedicate the section of Bundarra Road to be closed to the landowner in compensation.</p>	Chief Operating Officer	<p>05/05/21 - TP: Surveyor has submitted compilation plan to the Land Registry Service for road (path) closure and subsequent first Certificate of Title (CT) creation &amp; issue. The CT will reflect that that the lot is vested with Council, in readiness for subdivision and sale.</p> <p>05/05/21 - TP: No further update at this point.</p> <p>31/3/2021 - TP: Further action by Council is dependent on the nature of the adopted Minutes of the 18 March 2021 meeting, due to a report having been tabled</p>	30/06/2021	N

			<p>E. Take ownership of the bridge which has been constructed over the creek.</p> <p>F. Acquire the land within the proposed road reserve 20 wide in accordance with a survey plan.</p> <p>G. Apply to the Crown to have the Crown reserve road which passes through lot 20 transferred to Council as a Council public road.</p> <p>H. Acquire approximately 3ha of lot 20 around the Crown reserve road in order to create a more viable access to the bridge.</p> <p>I. Gazette the length of Bundarra Road as a Council public road from the intersection of Jerangle Road to the creek.</p> <p>J. Authorise the expenditure amount of \$60,000 in the 2020 Financial Year Budget with funding to be provided from Other Internal Reserves account 35116.</p>		<p>at this meeting which related to Resolutions 258/19 and 368/19.</p> <p>28/2/2021 TP: No further update at this point in time.</p> <p>08/02/2021 – JM: A. Letter sent to owner of lot 15 enquiring if owner is willing to negotiate to realign road over track through his property. B – D; F – Subject to outcome of part A. G – Completed. E, H, I – not to be completed due to resolution 368/19.</p>		
347	15 August 2019	296/19	<p><b>Road Closure and Creation of Road Reserve - Badja Road</b> That Council</p> <p>A. Approve to formally close the Council public road that traverses lot 1 DP 124507, Lot 2 DP 1195991 and Lots 15,16 &amp; 81 of DP 752146;</p> <p>B. Engage the services of a Surveyor to prepare a plan of subdivision for the creation of a road reserve over Badja Road;</p> <p>C. Agree to exchange the former closed road through the affected properties in compensation of the area required of the privately owned properties for the road reserve to be created over Badja Road; and</p> <p>D. Authorise the General Manager to execute the documents to give effect to the above</p>	Land and Property Officer	<p>05/05/21 - TP: No further update at this point.</p> <p>31/3/21 - TP: Administration sheet signing in progress by required parties.</p> <p>28/2/2021 TP: Review of intended timeline to be conducted due to staff resource changes.</p> <p>01/03/2021 – TP: Review of intended timeline to be conducted due to staff resource changes.</p> <p>22/01/2021 – LB:</p>	30/03/2021	N

					<p>A&amp;B Landowner has been contacted by phone to advise that Council is going to commence the road closing process in early 2021. Letters and advertising will commence in late January.</p> <p>4/12/2020 – LB: A&amp;B. Letters to affected landowners and notifiable authorities being prepared. The road closing will effectively commence when the 28 day advertising period has ended. C. Letters to appropriate landowners include proposal to dedicate closed road in compensation for the area to be acquired.</p> <p>23/10/2020 – LB: A. Subject of resolution 296/19 B. Survey plan has been received C. Exchange will occur at the appropriate time D. Documents will be executed at the appropriate time.</p> <p>24/09/2020 – LB: B. The plan has been received and letters regarding road closure in accordance with legislative requirements are being prepared.</p> <p>27/07/2020 – LB: A &amp; B. Council is in receipt of a draft plan which has been checked and the surveyor has been requested to provide the final plan with Administration Sheet. When the final plan is received an application will be submitted for Subdivision Certificate.</p> <p>26/06/2020 – LB: A. Surveyor has given assurance that the plan will be sent to Council in the next two weeks.</p>		
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					<p>B. This will be done in consultation with landowners after plan of subdivision is received.</p> <p>28/05/2020 – LB: Contractor has been asked to forward plan and it is anticipated that it will be available very shortly.</p> <p>24/04/2020 – LB: Discussion with the contractor revealed that due to COVID-19 there would be some delay but the plan is now expected any day.</p> <p>26/03/2020 – LB: Council is waiting on survey plan before proceeding.</p> <p>02/03/2020 – LB: Survey work is currently being carried out.</p> <p>20/01/2020 – LB: Landmark Surveys have been engaged to carry out the survey and produce a plan.</p>		
352	15 August 2019	301/19	<p><b>Proposed Closure and Sale of Public Pathway in Kalkite</b> That Council</p> <p>A. Agree to close the pathway and sell the land 50% to each adjoining landowner for \$10,000 including GST each with each party to pay their own legal fees;</p> <p>B. Notify the owners of lots 38 and 39 that Council approves the payment for 50% of the pathway as a “repayment schedule” to be paid in conjunction with the land rates to be fully paid prior to 30 June 2020;</p>	Land & Property Officer	<p>05/05/21 – TP: Surveyor has submitted compilation plan to the LRS for road (path) closure and subsequent first Certificate of Title (CT) creation &amp; issue. The CT will reflect that that the lot is vested with Council, in readiness for subdivision and sale.</p> <p>31/3/21 – TP: No further update.</p> <p>28/02/2021 – TP: Awaiting plan of subdivision from surveyor. , Note: Linkage exists with Resolution 57/20.</p>	30/06/2021	N

			<p>C. Apply to the Crown to close the public pathway;</p> <p>D. Engage the services of a surveyor to create a plan of subdivision with the pathway to be divided along its length (front to back);</p> <p>E. Engage the services of a solicitor to draw up contracts for the sale of the land; and</p> <p>F. Authorise the General Manager to execute the documents for the sale of the property</p>		<p>22/01/2021 – LB:</p> <p>A. Surveyor has been asked to lodge the plan of the pathway to close the road and to provide the plan of subdivision for the pathway.</p> <p>C. Response has been received from Crown Lands.</p> <p>D. Plan of subdivision will be available shortly.</p> <p>E. When the plan of subdivision is being processed Council’s solicitor will be asked to arrange for the contracts for the sale of the land.</p> <p>F. Council’s CEO will execute the contracts at the appropriate time.</p> <p>4/12/2020 – LB:</p> <p>A. Closure process progressing.</p> <p>B. Owners notified. Payment plan now subject to Council resolution 57/20.</p> <p>C. Currently waiting on response from Crown Lands</p> <p>D. Surveyor notified that plan of subdivision will be needed shortly.</p> <p>E. Solicitor asked to commence drawing up contracts for the sale of the land.</p> <p>23/10/2020 – LB:</p> <p>A &amp; B. Advertising period has ended and one objection was received. The objection was a general one, which objected to any pathway in Kalkite being closed.</p> <p>C. Process has changed and new application to Crown Lands has been submitted</p> <p>D. Surveyor has been asked for an anticipated date for the plan of subdivision</p> <p>E. Contracts will be drawn up based on the plan of subdivision when the plan is available.</p>		
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					<p>F. Documents will be executed at the appropriate time.</p> <p>24/09/2020 – LB: A&amp;B. Advertising period has ended and one objection was received. The objection was a general one, which objected to any pathway in Kalkite being closed.</p> <p>C. Waiting on response from Department of Industry - Crown Lands then the plan for road closing will be lodged and gazetted.</p> <p>D. The plan of subdivision will be available in approximately two weeks.</p> <p>E. The solicitor has been requested to get the contracts for the sale of the land ready for when the plan of subdivision is received.</p> <p>26/08/2020 – LB: A&amp;B. Letters to landholders and notifiable authorities have been sent. At this time all responses have been positive. Waiting on response from Crown Lands for consent to proceed and for public pathway to vest in Council following closure.</p> <p>G. This is no longer a requirement under the Act.</p> <p>H. The plan of subdivision will be available in approx. 6 weeks. In the meantime, the road closure is progressing.</p> <p>E&amp;F. This will take place at the appropriate time.</p> <p>27/07/2020 – LB: Follow-up with Council's surveyor determined that the plan to close the pathway will be received at Council by the end of July. Letters have been prepared to notify the local community of the</p>		
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					<p>proposal to close the pathway. The letters will be posted.</p> <p>26/06/2020 – LB:</p> <p>A. Landowners have been notified of Council resolution. Resolution /19 reviews the payment period until 30/6/2023.</p> <p>B. Application cannot be made until plan of subdivision is to hand.</p> <p>C. Plan of subdivision to divide the pathway lengthwise cannot be done until the pathway is closed.</p> <p>D. Contracts will be drawn up as soon as closure of the pathway is registered and the plan of subdivision is ready.</p> <p>28/05/2020 – LB:</p> <p>Council's Finance Dept. are unable to set up a Special Rate in the rating system and they have suggested that Sundry Debtor accounts be set up with regular quarterly payments to be fully paid prior to March 2023. This will enable the sale of the land to proceed prior to 30/06/2020.</p> <p>24/04/2020 – LB:</p> <p>Arrangements are currently underway to set up a payment plan and a surveyor has been engaged.</p> <p>26/03/2020 – LB:</p> <p>All parties have been notified of the Council resolution and quotes for the survey of the pathway have been sought. This resolution is now superseded by resolution 57/20.</p> <p>02/03/2020 – LB:</p> <p>Purchasers were not happy with the timeline for completion set by the Council resolution and a</p>		
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					<p>further report has been submitted to the March Council meeting.</p> <p>20/01/2020 – LB: Landowners were notified of Council resolution via mail but are intending to write to Council requesting more time to pay.</p>		
379	19 September 2019	333/19	<p><b>Finalisation of Draft Bush Fire Prone Lands Map 2019</b> That Council</p> <p>A. Receive and note the report of the Senior Strategic Land Use Planner on the finalisation of the draft Bushfire Prone Land Map;</p> <p>B. Submit the draft Bush Fire Prone Land Map and associated supporting documentation to the NSW Rural Fire Service for certification and provide a letter (attachment 3) to the NSW RFS Commissioner;</p> <p>C. Consent to a public notice (attachment 4) being attached to Section 10.7 (formerly Section 149) Planning Certificates advising of the bushfire prone lands changes until such time as the draft map is certified; and</p> <p>D. Advise the community and stakeholders via its website and the local newspaper once the Bush Fire Prone Land Map has come into effect.</p>	Senior Strategic Land Use Planner	<p>03/05/21 - AA: No Further Update</p> <p>22/03/2021 – AA: Working with RFS to address some minor inconsistencies with mapping prior to certification.</p> <p>26/02/2021 - AA: RFS have sent final draft map for review. Final draft map has been reviewed by strategy and GIS and comments have been provided to RFS finalisation is anticipated in coming months.</p> <p>14/01/2021 – AA: RFS have advised Snowy Monaro BFPL map is a priority and will be certified early 2021.</p> <p>26/11/2020 – AA: Council staff met with RFS and this matter was discussed. RFS is undergoing a restructure in which mapping certification will be prioritised.</p> <p>04/11/2020 – AA: No further update.</p> <p>25/09/2020 – AA: RFS have advised that draft map is with a commissioner to be signed.</p>	31/03/2021	N

					<p>30/07/20250 – AA: Council staff have sought update from NSW RFS on this topic, awaiting response.</p> <p>22/06/2020 – AA: Letter sent to RFS in October 2019 requesting the Commissioner of the RFS to certify the draft map. Council Staff awaiting update from RFS on this certification process.</p> <p>03/06/2020 – MA: No further update. Waiting for RFS to finalise.</p> <p>30/09/2019 – AA: A. Noted. B. Letter will be forwarded the Rural Fire Service on 1 October 2019. C. Information has been circulated to all relevant planning administration officers to be distributed with all 10.7 certificates Will be actioned once the Rural Fire Service have advised that the map will be certified by the commissioner.</p>		
388	19 September 2019	343/19	<p><b>Proposed Compulsory Acquisition of Part Lot 7002 DP 1028529 Crown Land Travelling Stock Reserve</b> That Council</p> <p>A. Approves the acquisition of the constructed section of Dalgety Road 20m wide which traverses lot 7002 DP 1028529 for the purpose of public road through the process of <i>Land Acquisition (Just Terms Compensation) Act 1991</i> for the purposes of s.178 of the Roads Act 1993;</p> <p>B. Seek approval from the Minister for Local Government and/or the Governor in</p>	Land & Property Officer	<p>27/4/2021 - JH: Draft plans have been produced and are being reviewed by relevant staff and key delivery consultants.</p> <p>27/4/2021 - JH: Draft plans have been produced and are being reviewed by relevant staff and key delivery consultants.</p> <p>25/03/2021 - JH:</p>	28/02/2021	N

			<p>accordance with section 187 of the Local Government Act 1993 to give all necessary Proposed Acquisition Notices in accordance with the Land Acquisition (Just Terms Compensation) Act 1991;</p> <p>C. Upon receipt of the Minister's/Governor's approval, Council serve each PAN and take each other action necessary to carry out the acquisition;</p> <p>D. Upon receipt of the Minister's/Governor's approval Council give effect to the acquisition by publication of an Acquisition Notice in the NSW Government Gazette and such other publication as may be required by law;</p> <p>E. Pay compensation to all interest holders entitled to compensation by virtue of the compulsory acquisition on the terms set out in the Land Acquisition (Just Terms Compensation) Act 1991;</p> <p>F. That Council authorise the General Manager and the Administrator to complete and execute all documentation necessary to finalise and bring into force Council's acquisition of the land and if necessary to affix the Council seal to any documents related to the acquisition; and</p> <p>G. That upon acquisition the acquired Property is dedicated as road following gazettal of the acquisition;</p>		<p>Survey Plan being prepared with the aim for Deposited Plan Administration Sheet for signing early April.</p> <p>04/03/2021 - TP: No further update at this point in time.</p> <p>22/01/2021 – LB: A. Quotation for Public Works Advisory has been approved and PWA has been asked to proceed.</p> <p>4/12/2020 – LB: A-G. Quote from Public Works Advisory to complete the acquisition of the travelling stock reserve is awaiting approval. NSW Aboriginal Land Council is considering the request to excise the road from their claim.</p> <p>03/11/2020 – LB: A-G. Quotation has been received from Public Works Advisory to carry out the compulsory acquisition process. Currently finalising approval. Also waiting on reply from the NSW Aboriginal Land Council.</p> <p>24/09/2020 – LB: A-G. Currently waiting on a reply from the NSW Aboriginal Land Council.</p> <p>26/08/2020 – LB: A-G. This acquisition has been placed on hold while further investigations through Local Land Services and Aboriginal Land Council are carried out.</p> <p>29/07/2020 – LB: A. Council is waiting on the survey to be completed.</p>		
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					<p>B. When the survey plan is received the application to the Minister and the Governor will be made.</p> <p>C. PANs will be served after the Minister and Governor's consent is received</p> <p>D. Gazettal will take place after consent of the Minister and the Governor is received</p> <p>E. Valuation has been requested from the Dept. of the Valuer General for land to be acquired without consent.</p> <p>F. Documents will be sent to the CEO for execution when appropriate.</p> <p>G. Upon acquisition the acquired property will be dedicated as road.</p> <p>26/06/2020 – LB: Surveyor is presently carrying out the work.</p> <p>28/05/2020 – LB: Surveyor advised that he will commence the survey in the next week.</p> <p>24/04/2020 – LB: Surveyor has been engaged and expects to commence the survey in the immediate future.</p> <p>26/03/2020 - LB: The NSW ALC has requested a survey plan be provided prior to proceeding. Quotations are currently being sought for the survey.</p> <p>02/03/2020 – LB: The NSW Aboriginal Land Council has given consent in principal and is waiting on a survey plan.</p> <p>20/01/2020 – LB:</p>		
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					Currently waiting on survey plan.		
408	17 October 2019	369/19	<b>Arts and Culture Advisory Committee Meeting held 11 September 2019</b> That Council A. Receive and note the minutes of the Arts and Culture Advisory Committee meeting held 11 September 2019; B. Support the Committee recommendations relating to Item 5.3 – Community Arts and Culture facility in Cooma; C. Support the Committee recommendation relating to Item 5.5 – Communication / Promotion of Committee; and D. Supports the Committee recommendation relating to Item 5.6 – Bombala Arts and Innovation Hub.	Coordinator Economic Development	27/04/21 – HK: No reportable actions - work continues to secure appropriate funding (B&D) and site (B).  27/04/21 – KH: No reportable actions - work continues to secure appropriate funding (B&D) and site (B).  30/03/2021 – AA: No further update at this time.  04/03/2021 – GT: No action required at this time. Awaiting grant funding decisions.  29/01/2021 – AM: B. No further update D. An application for additional works has been lodged within the BLER Fund.  30/11/2020 – AM: B. No further update D. After a meeting of the committee the need for further community consultation to refine options for future use was identified as being required. A further \$700K minimum is required for building upgrade works. Opportunities for further grant funding are being investigated.  30/10/2020 – KH: A. facilitated workshop has been held by the Community Arts and Culture group during	Ongoing	N

					<p>October 2020 to develop a plan forward for the facility.</p> <p>28/09/2020 – AM: No further update.</p> <p>02/09/2020 – AM: A. No action required. B. No further update. C. No further update. D. The Bombala Arts and Innovation Hub working group has been formed and had its first meeting, attended by Cllr Haslingden.</p> <p>02/07/2020 – MA: Nothing further to update over June.</p> <p>03/06/2020 – MA: Bombala Arts and Innovation Hub committee has been advertising for members and is in progress of beginning. Continuing to investigate opportunities and options for the Arts and Culture Facility in Cooma that are compatible with the funding available in grant.</p> <p>29/04/2020 – MA: The Arts and Culture Committee minutes 25/03/2020 will recommend a request for extension of time for the funding programme.</p> <p>03/03/2020 – KH: B. Relevant stakeholder meetings will soon recommence. C. No update. D. Committee positions have been advertised and recruitment will commence shortly.</p>		
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					<p>04/02/2020 – KH: No further updates.</p> <p>02/12/2019 – KH: B. A small working group continues to meet to work towards the goal of establishing a community arts and culture facility in Cooma. C. A media release will be released early January 2020. Updates to the website have been drafted and are expected to go live in the next 2 weeks. D. To be actioned after December Arts and Culture 355 meeting.</p> <p>4/11/2019 – KH: A. Noted. B. The GM is to negotiate with Land and Property NSW to transmit the property at 5 Dawson St Cooma to SMRC for the nominal fee of \$1, inclusive of related fees and charges such as stamp duty. C. The communications team are to prepare a media release and additional website to be included on the website. D. Community Development Planner &amp; Support to form working group.</p>		
429	17 October 2019	389/19	<p><b>Proposed Acquisition of Part Lot 6 DP 218752 for the Purpose of Road</b> That Council, consistent with the guidelines contained within with the body of report: A. Authorise the General Manager to negotiate the purchase of 0.2542ha of lot 6 DP 218752; B. That Council be responsible for any additional costs including survey, legal fees, fencing;</p>	Land & Property Officer	<p>05/05/21 - TP: No further update at this point.</p> <p>31/3/2021 - TP: No further update.</p> <p>28/2/2021 - TP: Discharge authority received from Landowner (due to Landowner having made error in initial</p>	28/02/2021	N

			<p>C. Authorise the General Manager to execute all necessary documents and affix Council's Seal if required; and</p> <p>D. Approach the plantation owners for a contribution towards the works prior to commencing the project.</p>		<p>document) and forwarded to bank to progress necessary mortgage discharge.</p> <p>22/01/2021 – LB:</p> <p>A-C A phone conversation with the landowner on 13/1/21 revealed that he has been communicating with the Rural Bank who are slow to respond. The landowner has been asked to send the phone contact number to Council so that we can contact the Rural Bank and try to fast-track the process.</p> <p>D. A letter was sent to the plantation owners who responded to say that they declined to contribute to the project.</p> <p>4/12/2020 – LB:</p> <p>A-C. Email from the Bega Branch Manager of the Bendigo and Adelaide Bank this morning to confirm that they are waiting on a response from Rural Bank. Bega Branch Manager will notify Council when the discharge of mortgage has been registered.</p> <p>D. Letter has been sent to Plantation Owners.</p> <p>23/10/2020 – LB:</p> <p>A-C. Application for discharge of mortgage completed by landowner and sent to the bank for processing.</p> <p>Signed application for subdivision certificate and the Administration Sheet received from landowner.</p> <p>As soon as the landowner receives his Certificate of Title from the bank the plan of subdivision will be registered and contracts will be exchanged.</p>		
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					<p>D. Letter is being prepared for the plantation owners requesting that they contribute to the works.</p> <p>24/09/2020 – LB:</p> <p>A-C. The Title to lot 6 has a mortgage noted in the second schedule. The landowner has verified that the loan has been paid out. A discharge of mortgage application was forwarded to the landowner to complete and return to Council so that the mortgage can be removed from the title. Council is also waiting on the application for a subdivision certificate to be signed by the owner of the property.</p> <p>D. Nearby plantation owners to be approached in writing seeking contribution to the purchase.</p> <p>26/08/2020 –LB:</p> <p>A-C. When Land and Property receives the subdivision certificate the landowner can sign off on the plan and arrange for his bank to sign off after which the plan can be submitted to the LRS for registration. Waiting on landowner to sign the application for the subdivision certificate or send an email giving consent for the application to be lodged. The subdivision certificate has been done but can't be released until consent is received from the landowner.</p> <p>C. Council has paid for survey and legal fees will be paid upon receipt of invoice</p> <p>D. Documents will be signed by the CEO when appropriate.</p>		
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					<p>E. Plantation owners are not affected and therefore will not be asked for a contribution.</p> <p>27/07/2020 – LB: Council is currently waiting on the subdivision certificate so that the plan can be registered prior to settlement.</p> <p>26/06/2020 – LB: Council’s solicitor has been asked to produce the contracts. Application for subdivision certificate has been submitted.</p> <p>A. Purchase price has been negotiated and agreed by both parties.</p> <p>C. This acquisition does not affect the plantation owners.</p> <p>28/05/2020 – LB: An email has been sent to the surveyor each week asking for the plan of subdivision so that contracts for the purchase of the land can be exchanged. The plan has not been registered so the plan will need to be attached to the contract.</p> <p>24/04/2020 – LB: Council’s solicitor is organising the contract and it is anticipated that exchange will take effect within the next month.</p> <p>27/03/2020 – LB: MOU has been returned to Council and Council’s solicitor has been asked to arrange a contract.</p> <p>27/02/2020- JH: MOU with property owner, waiting return of same.</p> <p>15/01/2020 - JH:</p>		
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					Staff have spoken to land owner and are waiting for a written response.		
439	21 November 2019	408/19	<b>Closure of Part of the Road Reserve in Barrack Street Cooma</b> That Council A. Approve the proposal to close part of the Barrack Street Cooma road reserve in accordance with the plan in this report; B. Classify this new lot as operational land; C. Approve the consolidation of lot 4 DP 32321 with the new lot to be created by the road closure; and D. Classify the new consolidated lot as operational land.	Land & Property Officer	05/05/21 - TP: Follow up with solicitor and surveyor actioned to progress.  31/3/2021 - TP: No further update.  28/2/2021 - TP: No further update.  22/01/2021 – LB: A&B Plan has been lodged with LRS for registration when it will be classified as operational land.  4/12/2020 – LB: A. An email was received from Crown Lands seeking clarification of the section of Barrack Street for investigation; clarified via email.  23/10/2020 – LB: A. Awaiting information from Crown Lands. Email sent to Crown Lands requesting that this matter be expedited. B-D. These actions will be carried out at the appropriate time.  24/09/2020 – LB: A-B. Crown Lands responded to Council's email to say that the Old Title search is currently underway and we should receive the results shortly. C. A plan of consolidation will be prepared as soon as the road closing is registered.	30/03/2021	N

					<p>D. The consolidated lot will be classified as operational land upon registration of the plan.</p> <p>26/08/2020 – LB: Crown Lands have been reminded via email that we are still waiting on the results of the search to fulfil the requirements of the requisition. This action cannot proceed until plan is Registered.</p> <p>29/07/2020 – LB: Application has been sent to Crown Lands for an Old Title Search in accordance with the requisition from the LRS.</p> <p>26/06/2020 – LB: When the plan of subdivision was lodged, Council received requisitions on Title. A request has been sent to Crown Lands for evidence of gazettal of Barrack Street as a Council public road. Despite extensive research by Council staff and Council's solicitor definitive evidence was not found.</p> <p>B. Plan of consolidation will be sought after the road closing is complete through lodgement of the plan.</p> <p>28/05/2020 – LB: Council's solicitor is currently carrying out investigations to provide information to the LRS.</p> <p>24/04/2020 – LB: The plan was lodged at the LRS and the surveyor is presently addressing a requisition from the LRS regarding the date of gazettal of Barrack Street Cooma as a Council public road.</p> <p>26/03/2020 – LB:</p>		
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					<p>The subdivision certificate has been released and the documents executed by Council. The documents have been delivered to the surveyor for lodgement at the LRS.</p> <p>02/03/2020 – LB: The plan will be lodged as soon as the subdivision certificate is to hand.</p> <p>20/01/2020 – LB: Registration of the plan should be gazetted soon.</p>		
449	21 November 2019	418/19	<p><b>Minutes of the Water and Sewer Committee held on 29 October 2019 and adoption of recommendations</b></p> <p>That the recommendations of the meeting of the Water and Sewer Committee held on 29 October 2019 be adopted.</p>	Engineer Capital Projects	<p>04/05/21 – JD: No further updates</p> <p>30/03/2021 – JD: No further update.</p> <p>02/03/2021 – JD: No further update.</p> <p>15/01/2021 – JD: No further update.</p> <p>25/11/2020 – JD: No further update.</p> <p>23/10/2020 – JD: No further update.</p> <p>24/09/2020 – JD: Proposed charges presented to Councillors. There were concerns that Bombala and Delegate would get an increase in charges while all other areas were decreasing. Considering options to include a</p>	30/06/2021	N

					<p>discount for the first year of 30% for Bombala and Delegate so all areas would see a decrease.</p> <p>03/09/2020 – JD: Proposed charges presented to Councillors. There were concerns that Bombala and Delegate would get an increase in charges while all other areas were decreasing. I have proposed to DR that we offer Bombala and Delegate a discount for the first year of 30% so then all areas would see a decrease. Awaiting feedback from DR on this proposal.</p> <p>24/06/2020 – JD: Proposed charges presented at ELT meeting on 3 June 2020. DSP values accepted by ELT and will be presented at the next council meeting on 2 July 2020 for acceptance by the Councillors.</p> <p>28/05/2020 – JD: Proposed charges agreed on with Chief Strategy Officer. A report is being prepared to ELT recommending these charges and the way forward.</p> <p>30/04/2020 – DR: Matter deferred due to impacts of COVID-19.</p> <p>24/03/2020 – JD: Awaiting further Advice on charges from Acting Director Corporate and Community Services following meetings and discussions. A meeting will then be scheduled with Councillors.</p> <p>02/03/2020 – JD:</p>		
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					<p>A. Discussions were held with DPIE Water and they indicated that all towns/villages must have charges.</p> <p>B. DPIE Water indicated we can look at only future assets when determining the charges which could bring the charge amount down. They also indicated we can set the charges ourselves for the smaller villages and present these to Council for approval.</p> <p>C. Charges have been proposed and a meeting will be set up with the councillors to discuss these proposed charges.</p> <p>24/01/2020 – GA:</p> <p>A. S64 Workshop was held with ELT and the Consultant on 16 January 2020. As the charges were very high for the villages, advice is being sought from DPIE Water if the villages can be exempt from charges and any other changes that will meet the guidelines.</p> <p>B. Awaiting advice from DPIE Water prior to Councillor workshop and date for workshop to be determined after receipt of advice.</p> <p>27/11/2019 – GA:</p> <p>Noted and the following actions will be taken:</p> <p>A. The draft minutes will be adopted at the next water and sewer committee meeting.</p> <p>B. Adopted Terms of Reference will be sent to document control for finalising.</p> <p>C. Amendments to sewer pricing and billing was reported to Council on 21 Nov 2019. S64 DSP Councillor workshop has been proposed to be held on 19 Dec 2019.</p>		
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553	21 November 2019	422/19	<b>Managing Heavy Vehicles in Bombala Town Centre - Community Consultation</b> That the matter be deferred for further consultation with the public including correspondence from the Bombala Chamber of Commerce.	Manager Corporate Projects	04/05/21 - GMc: No further update - Strategic Planning to seek further information.  01/04/2021 - GMc: No further update - Strategic Planning to seek additional information.  03/03/2021 – GMc: No further action at this stage.  25/01/2021 – GH: An informal meeting was held between Bombala based councillors and relevant staff. The outcome of the meeting is to proceed with further community consultation.  27/11/2020 – GH: A meeting has been arranged with Bombala based councillors to discuss options for further community consultation. Meeting proposed to be held on 4 December 2020 and is open to any other interested councillor to attend.  05/11/2020 – JM: No further update.  25/09/2020 – GH: No further update.  03/09/2020 – GH: No further update.  01/07/2020 – AS: No further update. Consultation occurred from September 2019 to October 2019.	Ongoing	N
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					<p>01/06/2020 – GH: Communication distribution proposed re Bombala Town Centre Community Consultation:</p> <ul style="list-style-type: none"> <li>• Noticeboards – IGA and Newsagency</li> <li>• Bombala Times and Monaro Post</li> <li>• Facebook – Bombala Noticeboard</li> <li>• Facebook – SMRC page</li> <li>• Facebook – SMRC Business Forum Group</li> <li>• Radio – capital network and 2MNO</li> <li>• Notice at SMRC office</li> <li>• Info sent to SMRC customer service for any enquiries</li> <li>• SMRC website</li> </ul> <p>27/04/2020 – LN: Working with Chief Communications Officer to establish a strategy for community consultation during the COVID-19 restrictions.</p> <p>24/03/2020 – LN: No further update.</p> <p>28/02/2020 – LN: Ongoing.</p> <p>03/02/2020 – LN: Ongoing.</p>		
573	21 November 2019	443/19	<p><b>Werralong Road - Proposed Acquisition With and Without Consent</b> That Council</p> <p>A. Approves the acquisition without consent of proposed lots 4, 5, 7, 8 and 10 in the plan of acquisition for the purpose of public road under the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> in</p>	Land & Property Officer	<p>05/05/21 - TP: No further update at this point.</p> <p>31/3/2021 - TP: Updated application lodged with OLG to match the revised PAN (already executed) and reflects the inclusion references related to Lots 5 &amp; 7, as these lots are now actually now part of Lot 1 DP 1172849</p>	28/05/2021	N

			<p>accordance with Division 1 Section 177 of the Roads Act 1993 and the making of the necessary application to the Minister and/or Governor.</p> <p>B. Approves the acquisition of proposed lots 1, 2, 3, 6 and 9 with consent for the purpose of public road under the provisions of the <i>Land Acquisition (just Terms Compensation) Act 1991</i> in accordance with Division 1 Section 177 of the Roads Act 1993 and the making of the necessary application to the Minister and/or Governor.</p> <p>C. To authorise the General Manager to execute all documents relevant to the acquisitions both without consent and with consent on behalf of Council.</p> <p>D. Agrees to bear all costs for the acquisition of the proposed lots.</p>	<p>(Downs's ownership). Letters sent to all involved landowners with status update.</p> <p>28/2/2021 - TP: Amended proposed acquisition notice tabled to the registered proprietor (external party) to ensure Lot 5 &amp; Lot 7 DP 1245630 (formerly Crown Reserve Roads) are encompassed, being as they are actually now part of Lot 1 DP 1172849 (Downs).</p> <p>22/01/2021 – LB: A. The OLG has confirmed that the application has been approved and is awaiting execution by the Minister. B. The land which was to be gifted to Council which is subject of the acquisition with consent cannot be gazetted as road until Council receives consent from the OLG to the acquisition without consent. The land to be gifted to Council was gifted on the condition that Council is successful in acquiring the land without consent.</p> <p>4/12/2020 – LB: A&amp;B. The paperwork returned from Office of Local Government appears to have overlooked sections of closed Crown reserve road, which have been sold prior to the adjoining landowner. Council is clarifying whether this was an oversight to ensure there are no future delays in the process of acquisition.</p> <p>23/10/2020 – LB: A. An email was received from one of the landowners on Werralong Road attaching an email from John Barilaro's office dated 23 October. The email from John Barilaro referred</p>		
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					<p>to a reply from the Minister for Local Government responding to correspondence from the landowner. The email inferred that the OLG has made a recommendation to the Minister to be considered in the near future.</p> <p>24/09/2020 – LB: No further update.</p> <p>26/08/2020 – LB: A&amp;B. OLG has not released consent for acquisition. Currently Council is unable to proceed until consent for acquisition without consent is received from OLG C&amp;D. Documents will be executed at the appropriate time. Costs are paid on invoice.</p> <p>27/07/2020 – LB: A. Application was sent to OLG for consent to the acquisition. Email reply from OLG received 27/7/2020 consenting to the acquisition with consent. B. Application for acquisition of lots 4, 8 and 10 without consent is currently being assessed separately. C. The necessary documents will be sent to the CEO when necessary for execution. D. All costs are being paid by Council.</p> <p>26/06/2020 – LB: Council received a letter from the OLG to say that the process for requesting a shorter timeframe would result in the process taking longer due to their process. Therefore Council has withdrawn its application to reduce the notification time. The legislated timeframe for notification is 90 days and Council should not anticipate a decision from</p>		
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				<p>the OLG for at least 3 months. Recent experience has demonstrated that the OLG is not providing decisions on applications for 6 months or more.</p> <p>28/05/2020 – LB: There has been no response from the OLG with respect to the application to reduce the notification time. The application is with the OLG.</p> <p>24/04/2020 – LB: The application for acquisition of Werralong Road has been lodged with the OLG. At the same time an application to reduce the notification time to 30 days has been lodged with the OLG.</p> <p>26/03/2020 – LB: The OLG returned the application. A new application is currently being prepared by Council's solicitors for submission to the OLG.</p> <p>02/03/2020 – LB: When consent is received from the OLG Werralong Road will be gazetted to Council.</p> <p>28/01/2020 – LB: Council's solicitor is presently preparing Section 30 Agreements for execution by landowners who are gifting their land to Council. The solicitors are also preparing the application to the OLG for consent to acquire a portion of the land for road through the process of acquisition without consent.</p> <p>02/12/2019 – LB: Resolution of Council has been sent to Council's solicitor to lodge with OLG for consent of the Minister and the Governor.</p>		
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607	19 December 2019	490/19	<p><b>Chief Executive Officer's Annual Review</b> That Council:</p> <p>A. Approve the variation of the Chief Executive Officer's contract by:</p> <ul style="list-style-type: none"> <li>a) Extending the term from three years to five years;</li> <li>b) Increasing the total remuneration package from \$300,000 pa to \$320,000;</li> <li>c) Permitting the CEO to participate in Council's leaseback vehicle arrangements in a manner consistent with other senior staff.</li> </ul> <p>B. Authorise the Mayor to develop an appropriate Deed of Variation to give effect to the above;</p> <p>C. Authorise the Performance Review Panel to determine a new performance agreement with the Chief Executive Officer's.</p>	<p>Executive Assistant to Chief Executive Officer, Mayor and Councillors</p>	<p>28/04/2021 - JB: Item Complete. CEO performance review completed as per council resolution 66/21. Item to be closed.</p> <p>03/03/2021 – JT: Following a Council resolution in the December council meeting, a further update will be provided at the March council meeting.</p> <p>27/01/2021 – JB: Performance review was completed on 18/12/2020.</p> <p>26/11/2020 – JT: Preparations are underway for a review in December 2020.</p> <p>23/10/2020 – JT: No further update.</p> <p>24/09/2020 – JT: No further update.</p> <p>28/08/2020 – JT: A. Complete. B. Complete. C. Drafted performance agreement still in progress.</p> <p>03/08/2020 – JT: C. Updated performance agreement is being drafted by the panel.</p> <p>24/06/2020 – SC: A. Complete. B. Complete.</p>	Ongoing	N
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					<p>C. Panel scheduled to meet 7 July 2020</p> <p>29/05/2020 – SC: A. Complete. B. Complete. C. Not yet finalised.</p> <p>29/4/2020 – SC: A. Complete. B. Deed under review. C. Not yet finalised.</p> <p>30/03/2020 – SC: No further update.</p> <p>04/03/2020 – SC: A. In progress B. Deed under review. C. Completed. D. Not yet Finalised</p> <p>04/02/2020 – SC: A. In progress. B. Not yet finalised.</p>		
615	20 February 2020	12/20	<p><b>Request to Acquire and Repair/Replace Bairds Crossing Bridge over Snowy River</b> That Council:</p> <p>A. Receive and note the report on the request to acquire, repair/replace Bairds Crossing Bridge over the Snowy River;</p> <p>B. Reject the proposal for Bairds Crossing Bridge to become a Council Asset and be subject to Council's asset maintenance/replacement program; and</p> <p>C. After the Proponent receives the advice from the minister with that advice, he consults with</p>	Manager Infrastructure	<p>06/05/21 – GS: No Further Update.</p> <p>6/04/21 - JM: No further update.</p> <p>01/03/21 - TP: No further update.</p> <p>01/03/2021 – GS: No further Update.</p>	28/02/2020	N



			the council staff with a view of preparing a report to the council.	<p>18/01/2021 – GS: As advised to residents and Council in December 2020; without any information to progress part C of council resolution 12/20; Part B remains extant i.e. Council reject the proposal for Bairds Crossing Bridge to become a council asset.</p> <p>27/11/2020 – GS: Residents have been advised that this matter cannot progress until the proponent has met with the relevant minister and have provided the advice received to Council.</p> <p>The Manager, Monaro District NSW Rural Fire Service, has advised that the RFS will not be writing to Council to recommend the crossing be reinstated.</p> <p>23/10/2020 – GS: The Minutes of the LEMC meeting held on 23 September 2020 contained actions relating to Bairds Crossing Bridge. These were:</p> <ul style="list-style-type: none"> <li>• LEMC to approach Council to explore options for Bairds Crossing and repairs.</li> <li>• Assess choke points and fire load – Bairds Crossing road.</li> <li>• Contact Manager Infrastructure re: over hanging trees and road edges – Bairds Crossing road.</li> </ul> <p>A copy of the meeting minutes were provided to the Manager Infrastructure on 13 October. At the time of this update, no further information has been received from the LEMC.</p> <p>24/09/2020 – GS: LEMC meeting was held after this update was provided. Therefore any recommendations from</p>		
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					<p>the LEMC that might influence Council deliberation on this issue are not yet known.</p> <p>26/08/2020 – GS: No change from previous update other than conversations with Mr Makhoul and other residents of Bairds Crossing Road and Punt Hill Road have been informed of the intention to have this matter discussed at the LEMC in September 2020.</p> <p>24/07/2020 – GS: C. As per previous update, the issue of Bairds Crossing Bridge is to be discussed at the next LEMC meeting in September 2020.</p> <p>26/06/2020 – GS <b>There is no action for A and B.</b> <b>A.</b> The latest update from Mr Makhoul dated 15 June was as follows: <b><i>“We have received a recommendation letter from our local fire brigade for the need of an access bridge at Bairds Crossing, this has been sent to the RFS and meet with open arms. Please see attached for your perusal, the bridge will be a topic at the next Local Emergency Management Committee meeting for recommendation to be replaced with an adequate structure”</i></b> Councils response to that update was as follows: Thank you for your email and update on discussions relating to Bairds Crossing Bridge. I think a discussion at the Local Emergency Management Committee is excellent progress.</p>		
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					<p>Without being a pain, could I please ask for an update on the part of Council's resolution that stated:</p> <p>C. After the Proponent receives the advice from the minister with that advice, he consults with the council staff with a view of preparing a report to the council</p> <p>Has anything from the Ministers Office been received? This would allow a further report to be prepared for Council consideration.</p> <p>29/05/2020 – GS: The latest update was an email from Mr Makhoul to John Barilaro MP on 30 April 2020 that stated:</p> <p>In reply to your below email, we would like to advise that</p> <ul style="list-style-type: none"> <li>• We are expecting documentation in support of our request for <b>retention and upgrade of the Bairds Crossing Bridge</b> from local <b>Fire Brigade at Numbla Vale</b> and in turn the <b>RFS NSW</b>.</li> <li>• We are expecting that funding can come from the recently advised increase in Safety/Fire expenditure budget</li> <li>• Our understanding is that ownership of the land upon which the bridge stands is passed onto Council</li> <li>• After ownership of the land is finalised, the State funding is allocated to Council, for the bridge works.</li> </ul> <p>As soon as these documents are to hand we will forward them to you.</p> <p><b>Note: - No documentation has yet been received from any agency supporting the proposal</b></p>		
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					<p><b><i>for a retention and upgrade of Bairds Crossing Bridge.</i></b></p> <p>29/04/2020 – GS: On 6 April 2020 A letter was drafted for CEO approval in response to questions raised by John Barilaro MP on behalf of Mr Joseph Makhoul and in relation to Council’s decision on Bairds Crossing Bridge.</p> <p>On 23 April 2020, Council staff wrote to Mr Makhoul and other residents seeking any information “the proponent” may have received from the relevant minister in relation to safety concerns should Bairds Crossing Bridge not be repaired or replaced. This correspondence reiterated the decision of Council from the February 2020 meeting, suggesting this information would assist in preparing a further report on Bairds Crossing Bridge for Council consideration. Unfortunately no reply has been forthcoming.</p> <p>27/03/2020 – GS: There has been no confirmation of any advice from the Minister to the proponent and therefore this action has not been progressed.</p> <p>28/02/2020 – GS Residents near Bairds Crossing Bridge were informed of Councils decision and amendment to the report recommendations; especially the inclusion of recommendation.</p> <p>A. Staff now await the advice from the minister, through the proponent in order to provide a further report for Council consideration.</p>		
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636	19 March 2020	COV4/20	<p><b>No Stopping Zones along the Lake Jindabyne foreshore - review of the 2019 winter traffic / camping management campaign.</b></p> <p>That Council:</p> <p>A. Note the successful outcomes of the 2019 “No Stopping Zone” campaign;</p> <p>B. Note that the demand for budget camping / parking, both in summer and winter, is increasing as tourist and visitor numbers coming to Jindabyne and the Snowy Monaro Region continue to grow;</p> <p>C. Allocates an annual budget to maintain this campaign during the 2020 winter ski season and subsequent seasons;</p> <p>D. Notes a feasibility study will be undertaken during the 2020 winter ski season to investigate the strengths, weakness, opportunities and threats associated with the introduction of a paid parking permit for the Claypits carpark;</p> <p>E. Approves the installation of “No Stopping Zone” signs in the following designated areas restricting parking from 6pm until midnight and from midnight until 7am between 01 June and 31 October annually:</p> <ol style="list-style-type: none"> <li>Wollondibby Inlet (6 sites)</li> <li>Claypits (8 sites)</li> <li>Town Centre (2 sites)</li> <li>Townsend Street / Cobbon Crescent (5 sites)</li> <li>Other areas identified throughout the course of the campaign; and</li> </ol> <p>F. Embark on a campaign for a permanent solution to control and regulate camping around Lake Jindabyne.</p>	Chief Operating Officer	<p>06/05/21 – JM: 2020 regulatory actions and proposed actions being assessed and to be reported in June. Continuing to work with community and land holders on solutions for seasonal worker accommodation.</p> <p>06/04/2021 – JM: D&amp;F: community forum held on 23 March. Discussions ongoing with key stakeholders to confirm approach prior to reporting back to Council.</p> <p>29/01/2021 – JM: No further update.</p> <p>30/11/2020 – JM: D&amp;F. Briefing for Council held in November 2020. Preparations underway for community engagement.</p> <p>23/10/2020 – MR: F. Collating evidence and preparing a preliminary briefing for Council’s November 2020 briefing.</p> <p>28/09/2020 – JG: F. Evidence is being gathered looking at long term solutions.</p> <p>28/08/2020 – MR: A. No further action required on this one. It is for Council to note. B. No further action required on this one. It is for Council to note the additional operational costs of enforcement. C. Budget was allocated for the program. No further action required.</p>	30/06/2021	N
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					<p>D. Evidence is presently being gather to prepare a feasibility study.</p> <p>E. No Stopping Signage zone signage installed. No further action required. Evidence is being gathered looking at long term solutions.</p> <p>22/07/2020 – MR:</p> <p>F. No further action required on this one. It is for Council to note.</p> <p>G. No further action required on this one. It is for Council to note the additional operational costs of enforcement.</p> <p>H. Budget was allocated for the program. No further action required.</p> <p>I. Evidence is presently being gather to prepare a feasibility study.</p> <p>J. No Stopping Signage zone signage installed. No further action required Evidence is being gathered looking at long term solutions.</p> <p>24/06/2020 – MR:</p> <p>The winter Lake Jindabyne Foreshore Parking program has commenced. Council Rangers are undertaking morning and evening patrols of the area. The number of campers are presently low. This is due to the Covid-19 restrictions and associated ski field access limitations. The patrols will continue throughout the ski season, with the initial focus on education moving to enforcement in early July 2020.</p> <p>28/05/2020 – MR:</p> <p>Everything is ready for the 2020 ski season winter parking and camping campaign. This includes the collection of intelligence to undertake a feasibility study for the introduction of paid parking.</p>		
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					<p>05/05/2020 – MR: The no stopping signage has been installed at the areas noted. I have confirmed that Council's Ranger working in collaboration with the Ranger for the area are ready for the winter ski season. Meeting held last week at the Clay Pits to discuss future works on the foreshore. These works will include the potential of charging a parking fee for long term parkers at the Clay Pits. This concepts discussed are going to be included in the community consultation for the proposed works and will form part of the feasibility study and long term strategies mentioned in the resolution.</p> <p>23/03/2020 – BJ: "No stopping zone" signs have been ordered. Feasibility study to be undertaken throughout Winter 2020 season. Snowy Hydro, NSW Police and other key stakeholders to be consulted in identifying a permanent solution to camping arrangements around Lake Jindabyne.</p> <p>03/08/2020 – MR: A. No action required. B. No action required. C. Budget was allocated for the program. No further action required. D. Evidence is presently being gather to prepare a feasibility study. E. No Stopping Signage zone signage installed. No further action required F. Evidence is being gathered looking at long term solutions.</p>		
643	19 March 2020	44/20	<b>Acquisition by Possessory Title - Lot 16 Section 1 DP 1242 - Berridale Memorial Park</b> That Council	Land & Property Officer	<p>05/05/21 - TP: Solicitors have confirmed that the required supporting statutory declarations from independent persons (2) have been obtained. NSW</p>	28/02/2021	N

			<p>A. Apply for possessory title over lot 16 Section 1 DP 1242 (Berridale Memorial Park)</p> <p>B. Classify lot 16 Section 1 DP 1242 as community land upon acquisition.</p>		<p>Revenue documentation finalised to enable transfer of land to be completed exempt payment of duty.</p> <p>31/3/21 - TP: LRS requested details of two disinterested persons requested willing to provide Statutory Declarations related to prior treatment &amp; use of land in question; details of such provided (with permission) to Solicitors.</p> <p>28/2/2021 - TP: Application for possessory title lodged with NSW LRS. Further legal paperwork being formatted including the Statutory Declarations of two "disinterested witness" to support Council's possessory claim.</p> <p>14/01/2021 – LB: A&amp;B Application for possessory title has been lodged with the LRS after discussions with the RSL. RSL has been assured that the land will be classified as community land upon acquisition.</p> <p>4/12/2020 – LB: A. A letter was received from Head Office of NSW RSL to say that Council should deal with the Snowy River Branch of the RSL with respect to future management of the park. An email was sent to the local RSL branch requesting consent for Council to proceed with the application for possessory title, with the assurance that the park would be classified as community land upon acquisition. The relevant sections of the Local Government Act pertaining to management of community land were also sent</p>		
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					<p>in the email as a link to assist the RSL in determining their response.</p> <p>23/10/2020 – LB: A. An email was sent to the local branch of the RSL asking for an update. B. To be completed upon acquisition of the land.</p> <p>24/09/2020 – LB: A. The Snowy River branch of the RSL was notified of Council's intention to apply for possessory title and the branch has sent the notification to The RSL's head office for a response.</p> <p>26/08/2020 – LB: Requisition on Title has requested an Old Title search which is currently being carried out by Crown Lands.</p> <p>26/8/2020 – LB A. Requisition on Title has requested an Old Title search which is currently being carried out by Crown Lands. B. Lot 16 will be classified upon acquisition through the resolution of Council.</p> <p>29/07/2020 – LB: The CEO has executed the documents.</p> <p>26/06/2020 – LB: Application is proceeding.</p> <p>28/05/2020 – LB: Documentation is being prepared to lodge an application for Possessory Title.</p> <p>24/04/2020 – LB:</p>		
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					<p>Council's solicitor is presently gathering all the evidence to lodge with the application for possessory title. A surveyor has been engaged to do a survey plan for identification purposes.</p> <p>26/03/2020 – LB: Council's solicitor has been requested to prepare the documentation.</p>		
660	19 March 2020	55/20	<p><b>Proposed Acquisition of Easement for Access to Middlingbank Quarry</b> That Council</p> <p>A. Enter into negotiations with the owner of lot 1 DP 1022898 for a right of way for access across his land.</p> <p>B. Engage the services of a surveyor to create a plan for registration of a right of way across lot 1 DP 1022898.</p> <p>C. Council to be responsible for all costs for creation and registration of the plan for the right of way.</p> <p>D. Authorise the Chief Executive Officer to negotiate the compensation for the easement.</p> <p>E. Authorise the Chief Executive Officer to sign all necessary documents to give effect to the above.</p>	Land & Property Officer	<p>05/05/21 - TP: No further update at this point.</p> <p>31/3/2021 - TP: No further update.</p> <p>28/2/2021 - TP: A Negotiations continue with Manager Infrastructure spearheading discussions. B Draft plan for right of access pending results of A. C-E These actions will take place at the appropriate time.</p> <p>22/01/2021 – LB: A. Letter has been sent to Council's solicitor requesting that he commence negotiations with the landowner for a right of way for access to the Quarry. B. Surveyor has submitted a draft plan for right of access and this will be finalized as soon as negotiations are completed.</p> <p>4/12/2020 – LB: A. Completed. B. Discussions are ongoing to decide the best approach for a permanent access.</p> <p>23/20/2020 – LB:</p>	30/03/2021	N

					<p>A. The temporary agreement between SMRC and Mr Thomas for access to Middlingbank Quarry has been signed and is active from 2 November 2020 through to 30 April 2021. Notice has been provided to Mr Thomas, in accordance with the agreement that Council intend to access Middlingbank Quarry to extract material in November 2020. Work to ensure the access road is suitable for heavy traffic will commence on Monday 2 November.</p> <p>B. The process to secure permanent access will commence shortly</p> <p>C. These actions will take place at the appropriate time.</p> <p>24/09/2020 – LB:</p> <p>A. The agreement has been executed by both parties and Council is planning dates for access to the quarry to extract material.</p> <p>26/08/2020 – LB:</p> <p>A. Council is currently negotiating an agreement with the landowner that will create a temporary access agreement for a 6 month period between November 2020 and April 2021.</p> <p>B. The surveyor has completed the survey for the easement for access subject to negotiation with the landowner.</p> <p>C. Council has engaged the surveyor and will be responsible for all costs.</p> <p>D. Further negotiations are required to understand if a permanent agreement for access to Middlingbank Quarry, through Mr Thomas's property is possible.</p>		
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					<p>28/07/2020 – LB: A. No update. B. Quotations for the survey were received. Despite numerous emails being sent to the surveyors only one surveyor responded and he has been requested to proceed as soon as possible.</p> <p>26/06/2020 – LB: A. Negotiations with landowners are ongoing. B. Requests for quotations for survey have been advertised.</p> <p>28/05/2020 – LB: A meeting took place with the landowner, his father, Manager of Infrastructure, Land and Property Officer and Council's solicitor, Mark Herbert. Negotiations are ongoing.</p> <p>24/4/2020 – LB: An email was sent to the landowner but there has been no response. A second email will be sent this week to be followed up with a phone call.</p> <p>26/03/2020 – LB Negotiations have commenced with the landowner.</p>		
662	19 March 2020	57/20	<p><b>Proposed closure and sale of public pathway in Kalkite</b> That Council</p> <p>A. Extend the maximum term for repayment of the purchase of the land, being the closed public pathway, to 30 June 2023 for both purchasers.</p>	Land & Property Officer	<p>05/05/21 - TP: 28/2/21 No further update at this point. Note: Linkage exists with resolution 301/19.</p> <p>31/3/21 TP: No further update.</p> <p>28/2/2021 - TP:</p>	31/05/2020	N

			<p>B. Place a caveat on the subject land requiring payment for the outstanding amount before sale.</p>	<p>A Completed; B Caveat will be placed in the land when the road closing is registered. Note: Linkage exists with Resolution 301/19.</p> <p>22/01/2021 – LB: No further update.</p> <p>4/12/2020 – LB: A. Completed.</p> <p>23/10/2020 – LB: A. Landowners have been notified of the extension of the maximum time to repay the purchase price B. Caveat will be placed on the land after the road closure is completed and before any subdivision takes place.</p> <p>24/09/2020 – LB: A Landowners have been notified of the extension of the maximum time to repay the purchase price.</p> <p>26/08/2020 – LB: A. Letters to landholders and notifiable authorities have been sent. At this time all responses have been positive. Waiting on response from Crown Lands for consent to proceed and for public pathway to vest in Council following closure. B. Caveat will be placed on the land after the road closure is completed and before any subdivision takes place.</p> <p>28/07/2020 – LB: Request for quotations were sent to three surveyors but only one responded. Surveyors were sent a follow up email inviting quotations but</p>		
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					<p>only the one response remained. The surveyor has been asked to proceed with the survey.</p> <p>26/06/2020 – LB: Application forms for Sundry Debtor accounts have been sent to both landowners. Solicitor has been requested to arrange for caveat on title of both properties.</p> <p>28/5/2020 – LB: Sundry Debtor accounts are being arranged with a repayment schedule to be agreed with the landowners. As the public pathway does not have a registered title it is not possible to place a caveat on the land until the pathway is closed. It is intended to address the issue that payment for the land must be finalised by both parties prior to June 2023.</p> <p>24/04/2020 – LB: Arrangements are currently underway to set up a payment plan and a surveyor has been engaged.</p> <p>26/03/2020 – LB: The landowners have been notified of Council's resolution and quotations are currently being sought for the survey work.</p>		
669	16 April 2020	69/20	<p><b>Bombala Commercial Precinct Painting</b> That Council</p> <p>A. Note the previous resolution ADA96/16 adopted by the Administrator;</p> <p>B. Note the previous resolution 297/17 adopted by Council;</p> <p>C. Rescind Part C of resolution 297/17 and replace it with: Authorise expenditure of \$10,000 directly to the Bombala and District Chamber of Commerce to assist with the</p>	Coordinator Economic Development	<p>27/04/2021: SB No further update.</p> <p>25/03/2021 - SBly: No further update.</p> <p>25/02/2021 – SBly: No further update.</p> <p>29/01/2021 – MA:</p>	31/05/2021	N

			current street upgrade project. The Chamber must agree to use the money on paint and provide supporting documentation to Council once the project is completed.		<p>No further update.</p> <p>30/11/2020 – MA: Update received from Bombala Chamber of Commerce. They are still negotiating with main street businesses to cover the cost of labour for the painting, given the cost of the actual paint is covered by the project. Aiming for completion of project by May 2021.</p> <p>04/11/2020 – MA: Still in progress by Bombala Chamber.</p> <p>28/09/2020 – MA: No further update.</p> <p>02/09/2020 – MA: Still in process of being implemented by Bombala Chamber.</p> <p>02/07/2020 – MA: Project in progress and resting with Bombala Chamber – no further update from below.</p> <p>03/06/2020 – MA: Arrangements for payment finalised. Awaiting reports from the chamber on execution of the project in due course.</p> <p>05/05/2020 – SB: A purchase order will be issued to the Chamber of Commerce this week so that they can send us an invoice and be paid.</p>		
696	21 May 2020	102/20	<b>Design for truck Parking Area at Adaminaby</b> That Council	Manager Corporate Projects	06/05/2021 - GT: Design review meeting was held with TfNSW, and design team on 30th April to discuss minor changes	Ongoing	N

			<p>A. Agrees to proceed with further investigative works and to seek endorsement from Transport for New South Wales for the proposed design;</p> <p>B. Allocates \$50,000 for investigation and assessment from internal reserves for the 2020/2021 financial year;</p> <p>C. That the project be included in the listing of projects for consideration for grant applications; and</p> <p>D. Approach Snowy hydro or Future Gen for funding towards the project</p>	<p>to the version 3 concept which will be included in the detailed design.</p> <p>07/04/2021 – GH: Awaiting response from Transport for NSW.</p> <p>02/03/2021 – GH: Planned Teams Meeting with TfNSW following submission of V3 and Traffic Study., - Traffic Count to be completed by 10/03/2021., - V3 Plans and Traffic Count data to be submitted to TfNSW for comment., - Construction costing for approved concept to follow TfNSW agreement with the concept., - Report to Council on Proposed Design and Costing once TfNSW have responded., Issues:, - TfNSW concerned over the number of access points to the Hwy at the Denison St intersection., - HV parking separated from the Light Vehicle Parking at the Trout., - Both parking areas will have a significant impact on the current grassed/treed medians adjoining the Hwy.</p> <p>25/01/2021 – GH: TfNSW have provided comment on concept revision, two of which incorporates both long vehicle/RV and truck parking concepts. Minor issues identified and expected to be addressed by design consultant and submitted back to TfNSW. Project being considered for BLERF application should it proceed to a suitable level of shovel readiness prior to applications closing.</p> <p>27/11/2020 – GH: Revised concepts with 4 options have been received in draft form and are being reviewed by relevant staff before submitting to TfNSW.</p>		
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					<p>02/11/2020 – GH: A review of the requirements for intersections and heavy vehicle movements indicates that it will not be possible to locate a heavy vehicle stop close to the Adaminaby town centre without extensive roadworks.</p> <p>25/09/2020 – GH: TfNSW requirements will require a significant change to the proposal and it may not be possible to establish the location as a truck stop and meet the required specifications for the intersections.</p> <p>28/08/2020 – GH: TfNSW have provided feedback on the concept design. Staff are reviewing this feedback to factor into the detailed design and funding solutions.</p> <p>31/07/2020 – GH: Infrastructure Engineer seeking feedback from RMS on proposal assessment prior to proceeding to scoping and subsequent full design.</p> <p>30/06/2020 – GH: Project preliminary investigations underway.</p> <p>04/06/2020 – DR: The project has been included within the work schedule to be actioned.</p>		
715	21 May 2020	119/20	<p><b>Judgment of Court of Criminal Appeal on Tropic Asphalts case</b> That Council</p> <p>A. Get report on the costing; B. Report from staff on the progress of the case; C. Proceed with the case; and</p>	Coordinator Economic Development	<p>30/04/2021 - MA: The prosecution case for the trial is in the process of being developed ahead of the due date in May for the submission of a plea by Tropic.</p> <p>06/04/2021 – DR:</p>	Ongoing	N

			<p>D. Receive and note the information in the report on the Court of Criminal Appeal's judgment in the Tropic case.</p>	<p>The judgement on the appeal has been received. The appeal has been dismissed. The court found:</p> <ul style="list-style-type: none"> <li>• The arguments Tropic sought to appeal are without merit and, at least for that reason, leave to appeal should be refused.</li> <li>• The present application for leave to appeal has caused an unjustifiable interference with the criminal proceedings at first instance.</li> </ul> <p>This means that Council has access to the documentation that shows the quantity of material Tropic Asphalt tendered to supply to the RMS and the detail of the deliveries made. It also shows a low tolerance by the court for the actions being followed by Tropic Asphalt. Tropic Asphalt are required to lodge their plea by 7 May 2021. New hearing dates have been set for 18-22 October 2021.</p> <p>26/2/2021 – MA: The CCA heard the appeal by Tropic in relation to the subpoena matter on 8 February. Council's legal team thought the proceedings went well and the judges were receptive to their arguments. The judgment is expected to be handed down on 3 March 2021.</p> <p>06/02/2021 – MA: The CCA heard the appeal by Tropic in relation to the subpoena matter on 8 February. Council's legal team thought the proceedings went well and the judges were receptive to their arguments. The judgment is expected to be handed down on 3 March 2021.</p>		
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					<p>29/01/2021 – MA: Preparations continue for CCA Appeal hearing in CCA on 8 February.</p> <p>30/11/2020 – MA: Preparations underway for appeal hearing in CCA in early February 2021.</p> <p>04/11/2020 – MA: C. Tropic have appealed against the subpoena judgment which will result in a delay to the trial. Appeal listed for hearing in CCA in early February.</p> <p>28/09/2020 – MA: C. Trial preparation continues. Council successful in subpoena matter judgment.</p> <p>02/09/2020 - MA: A. Complete – report provided to August Council meeting B. Complete – report provided to August Council meeting C. In progress – preparing for trial in November. D. Complete.</p> <p>02/07/2020 – MA: Expecting the outcome of a hearing into a subpoena issued by Council in the early days of the original investigation within the next fortnight or so. A further report will be provided to Council once the outcomes of the hearing are known.</p> <p>03/06/2020 – MA:</p>		
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					Proceeding with the case and further report(s) with requested details will be provided to future Council meeting(s).		
718	18 June 2020	80/20	<p><b>Acquisition of Land - RFS Shed Michelago</b> That Council</p> <p>A. Proceed with the compulsory acquisition of the Land described as part Lot 5405 DP 1244970 Land fronting Ryrie Street, Michelago between 369.945 Km and 370.000 Km and having an area of approximately 1,162.6m<sup>2</sup> for the purpose of Rural Fire Shed in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>;</p> <p>B. Make an application to the Minister and the Governor for approval to acquire part Lot 5405 DP 1244970 Land fronting Ryrie Street, Michelago between 369.945 Km and 370.000 Km and having an area of approximately 1,162.6m<sup>2</sup> by compulsory process under section 186(1) of the Local Government Act 1993;</p> <p>C. Classify the land as operational land in accordance with the Local Government Act 1993;</p> <p>D. Note that this acquisition is not for the purpose of resale; and</p> <p>E. Authorise CEO to sign any documentation required for this Acquisition process.</p>	Property Officer	<p>27/4/2021 - JH: No further updated at this stage</p> <p>23/3/2021 - JH: The survey plan has been prepared by PWA to enable the acquisition process to continue.</p> <p>28/02/2021 – JH: No further update.</p> <p>12/01/2021 – JH: No further update.</p> <p>25/11/2020 – JH: A to C: This process will take approximately 18 months.</p> <p>20/10/2020 - JH: A to C: Acquisition process underway. D &amp; E: Will be adhered to throughout this process.</p> <p>23/09/2020 - JH: A to C: Survey Plan Quote to be received shortly.</p> <p>26/08/2020 - JH: A to C: Acquisition process underway. Research has to take place to find gazette notices, survey plans to be prepared etc. D &amp; E: Will be adhered to throughout this process.</p> <p>22/07/2020 – JH: A to C: Acquisition process underway. D &amp; E: Will be adhered to throughout this process.</p>	28/02/2022	N

					24/06/2020 – JH: A to C: The Acquisition process will begin, this is a lengthy process as all items take place under strict timelines. D&E. Complete.		
723	18 June 2020	85/20	<b>Cooma Regional Sports Hub Funding Agreement</b> That Council receive and note this update on the Cooma Sports Hub project and agree to: A. Proceed with signing the funding agreement of \$15M to design and construct a 3 court indoor sports facility and synthetic athletics track at the Snowy Oval and Monaro High School Precinct; B. Continue negotiations with Department of Education and Monaro High School for a Joint Use arrangement of the indoor sports facility while maintaining Council's right to withdraw if the long term business case places too much stress on Council's financial viability; and C. Undertake consultation with the community sporting clubs on the concept design phase.	Recreation Planner, Environmental Services	03/05/21 - AA: A. Completed B. Ongoing negotiations with Schools Infrastructure are underway. C. Completed, consultation with sporting groups will be ongoing throughout the project.  22/03/2021 - AA: Council endorsed preferred tenderer. Relevant Consultant has been informed and will commence detailed design work.  26/02/2021 – AA: 22 response to tender were received these have been assessed against set criteria and short listed. Evaluation report has been drafted for Councils consideration at March meeting.  14/01/2021 - AD: A. The concept plan has been completed. Tender documents for detail design will be released before the end of January. Detail design is scheduled for completion by June 2021. B. Negotiation with the Project Working Group will be ongoing throughout the design and construction phase. Negotiation with NSW School's Infrastructure regarding the joint use planning arrangements are ongoing.  26/11/2020 – AD:	January 2023	N

					<p>B. Further progress on the joint use planning agreement (JUPA) with Schools Infrastructure has occurred. Council will be updated when a draft JUPA has been completed.</p> <p>C. Consultation with the Community Sporting Ground has been ongoing. The group has provided important input into the design and location of the facilities throughout the concept planning stages. This will be ongoing through the detail design phase.</p> <p>30/10/2020 –AD: No further update.</p> <p>23/09/2020 - AD: The draft concept design has progressed and consultation with the project and community working groups has been ongoing throughout the design process. Council will be updated following the completion of the draft concept plan.</p> <p>23/06/2020 - AD: A. Completed. The Funding Agreement was signed by the CEO 22/06/2020. No Further action is required. B. Negotiation with the Project Working Group will be ongoing throughout the design and construction phase. Council will be updated on the Joint Use Planning arrangements at the September Council meeting. Consultation with the Community Sporting Groups has commenced and will be ongoing throughout the design process. Council will be updated on the Sports Hub design at the September Council meeting.</p>		
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746	16 July 2020	107/20	<p><b>Health One Facility, Jindabyne</b> That Council</p> <p>A. Authorise the Chief Executive Officer to execute the Building Management Statement and take steps to finalise and sign the land sale agreement; and</p> <p>B. Approve the establishment of a Building Management Committee to oversee obligations of the Building Management Statement.</p>	Facilities Officer Snowy River Health Centre	<p>27/04/21 – NW: Waiting on subdivision certificate approval.</p> <p>26/03/2021 – NW: Subdivision Certificate and Modifications now lodged by Dabyne Planning.</p> <p>02/03/2021 – NW: Discussions ongoing between Dabyne Planning and Kleven Spain Surveyors. Subdivision application forms submitted to CEO for signature.</p> <p>12/01/2021 – NW: A. Surveyor provided plans although further information still required. Waiting on information to be forwarded.</p> <p>27/11/2020 – TP: No further update</p> <p>27/10/2020 – NW: A. Awaiting surveyor to provide further information to enable registration of subdivision. Other party (HealthOne) still to sign the Land Sale Agreement. B. Building Management Committee to be formed with HealthOne once above items have been finalised.</p> <p>24/09/2020 – NW: A. Status remains unchanged. Building Management Statement signed by Chief Executive officer. Information has been returned to surveyor for creation of subdivision. Waiting on lawyers for other party regarding the Land Sale Agreement.</p>	28/02/2021	N
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					<p>B. Building Management Committee to be formed with HealthOne.</p> <p>26/08/2020 – NW:</p> <p>A. Building Management Statement signed by Chief Executive officer. Information has been returned to surveyor for creation of subdivision. Waiting on lawyers for other party regarding the Land Sale Agreement.</p> <p>B. Building Management Committee to be formed with HealthOne.</p> <p>22/7/2020 – NW</p> <p>A. Building Management Statement sent to Chief Executive Office for signing.</p> <p>B. Will work on creation of Building Management Committee once BMS signed.</p>		
756	16 July 2020	115/20	<p><b>Floodplain Risk Management Study and Plan That Council</b></p> <p>A. Adopt the SMRC Flood and Floodplain Risk Management Studies – Flood Studies (April 2019);</p> <p>B. Notify the property owners identified at significant flood risk, prior to the March 2020 Floodplain Risk Management Studies and Plans being placed on Public Exhibition;</p> <p>C. Agrees to the public exhibition of SMRC Flood and Floodplain Risk Management Studies – Floodplain Risk Management Studies and Plans (DRAFT) report (March 2020);</p> <p>D. Liaise with the NSW SES and landowners at risk to develop an Evacuation Plan for a significant rain event; and</p> <p>E. Submit a Variation Request to the Department of Planning, Industry and Environment (DPIE) Floodplain grant program seeking funding and</p>	Coordinator Strategy Development	<p>27/04/21 – VP:</p> <p>DRAFT Cooma Flood Warning Analysis Report submitted to Council for review 23/04/2021. GRChydo and DPIE representative will be presenting at June councillor briefing meeting.</p> <p>07/04/2021 - PV:</p> <ul style="list-style-type: none"> <li>- The final Floodplain Risk Management Plan and Studies (FRMP&amp;S) has been submitted and been out on public submission (very few submissions from the public);</li> <li>- We have applied for 2 variations which have been approved by Dept. Planning, Industry and Environment. One variation is to determine the existing flood warning system in Cooma and if it is in fact fit for purpose (report pending but on its way) and the other report is for further detailed analysis of Cooma Back Creek (DRAFT report received (feedback given to</li> </ul>	28/02/2021	N



			an amended scope of works to investigate mitigation options for Cooma Back Creek.		<p>consultant and awaiting final report)– at this stage confidential report so not sure how much detail should go into your business paper, that is your call;</p> <p>- Gina and I are going to prepare a report for council with all updates and for recommendation to adopt the FRMP&amp;S Report.</p> <p>04/03/2021 - PV: Still awaiting Cooma Back Creek Study Report - expected by mid-March.</p> <p>04/03/2021 – PV: Still awaiting Cooma Back Creek Study Report - expected by mid-March.</p> <p>31/12/2020 – GM: Awaiting Cooma Back Creek Study variation report, due 31 January 2021.</p> <p>26/11/2020 – GM: No further update.</p> <p>23/10/2020 - PV: A. Completed. B. Letters were sent out to identified landholders at risk advising of Public Exhibition of FRMP &amp; S. Two residents called me as a result of letters. Concerns over the level of non-native vegetation in that stretch of Cooma Back Creek. Nil comments on the actual study. C. Public exhibition period closed. Total of 4 submissions received. Submissions forwarded to GRChydro to incorporate into final study document. D. No further discussion until Cooma Back Creek</p>		
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					<p>study variation report completed (delays due to modelling, now expected to be finalised early 2021).</p> <p>E. Variation approved, works have commenced on the study, as per previous comment report expected early 2021.</p> <p>24/09/2020 - PV:</p> <p>A. Completed.</p> <p>B. Discussions with GRChydro (contractor) SES, DPIE and SMRC staff now decided to hold off contacting landholders until the Cooma Back Creek study finalised. SES aware of properties at risk.</p> <p>Letters have been sent out to residents in high risk areas (entire streets not just the identified 11 properties at significant risk) to advise of the FRMS &amp; P being on public exhibition and how to access copies.</p> <p>C. Floodplain Risk Management Studies and Plans (DRAFT) report on public display – Now extended to 7 October.</p> <p>D. Discussions have taken place with SES and SES keen to support SMRC. Decided to hold off actioning EP until end of consultation process – see what comes back from the community. SES happy to support liaison with relevant landholders.</p> <p>E. Variation request approved by relevant DPIE staff.</p> <p>25/08/2020-PV:</p> <p>A. Request sent to Communications to upload document.</p>		
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					<p>B. Discussions with GRChydro (contractor) SES, DPIE and SMRC staff now decided to hold off contacting landholders until the Cooma Back Creek study finalised. SES aware of properties at risk.</p> <p>C. Floodplain Risk Management Studies and Plans (DRAFT) report on public display – closes 23<sup>rd</sup> September.</p> <p>D. PV to liaise with SES – discussions have taken place. SES keen to support SMRC. Decided to hold off actioning EP until end of consultation process – see what comes back from the community. SES happy to support liaison with relevant landholders.</p> <p>E. Variation request approved by relevant DPIE staff. Expect ‘official’ approval to come through in the next few days.</p> <p>31/07/2020-PV:</p> <p>A. Adopted. Environmental Technical Officer organising to have documents uploaded onto the Council website.</p> <p>B. Discussions have taken place. Agreed managers will send a letter to high risk landowners and invite them in to inform them of their level or risk, plans to develop an Evacuation Plan and undertake further studies to try to mediate risks.</p> <p>C. Hard copies printed, need to be bound and Appendices with maps printed and bound ready for display once Action B addressed.</p> <p>D. Relevant managers aware and need to decide who will liaise with SES to commence this process.</p> <p>Variation documentation 75% complete, should be submitted to DPIE by the end of this week (31 July)</p>		
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771	20 August 2020	142/20	<b>Harmonisation of Commercial Waste - Method of Charging</b> That Council; A. Harmonise commercial waste charging methods from 1 January 2021, and B. Inform the commercial/business community regarding the proposed harmonisation of commercial waste charging methods.	Manager Resource and Waste Services,	<p>03/05/21 – MT: Further contact and notification of changes to commercial charging methods is being undertaken with owners of commercial properties to receive a third and final reminder. This will be undertaken prior to end of financial year.</p> <p>30/03/2021 – MT: The second reminder letter has been posted out during March and a the third and final will be mailed once the 21/22 fees and charges have been adopted by council, advising the commercial business and building owners of the charges that will be applied for commercial waste/recycling/fogo collection for the 21/22 financial year.</p> <p>02/03/2021 – MT: Harmonisation of Commercial Waste method of charging will be implemented on or after 1 July 2021, in the meantime notification of change letters have been sent to commercial businesses and commercial building owners explaining the pending changes to the charging methods. A second notification letter reminding commercial businesses and building owners will be sent out during March as a reminder.</p> <p>12/01/2021 – MT: First consultation letter has been delivered to commercial customers with only 2 inquiries, the second consultation letter will be send early February 2021.</p> <p>25/11/2020 – MT:</p>	01/07/2021	N
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					<p>Due to the delay in distributing the first of the consultation letters, harmonisation of charging methods will commence from 1 July 2021. As a result the first consultation letter has now been mailed with the second consultation letter to be sent late February 2021.</p> <p>23/10/2020 – MT: Final letter ready to be distributed to commercial customers as first form of consultation towards harmonising commercial charging methods.</p> <p>24/09/2020 – MT: Final draft letter out for comment.</p> <p>25/8/2020 – MT: Commercial/business consultation will take place prior to the introduction to the changes in charging methods from 1 January 2021 First commercial/business consultation letter has been drafted and sent to finance for final input and comment. Once comments have been received the letter will be amended and then posted to the commercial property owners.</p>		
775	20 August 2020	146/20	<b>Endorsement of SMRC Section 355 Manual</b> That Council send out a draft s355 manual to Committees for review and defer item until a Council workshop can be held.	Governance Officer	<p>01/04/21 – ED: No further update.</p> <p>30/03/2021 – ED: No further update.</p> <p>24/02/2021 – ED No further progress.</p> <p>19/01/2021 – JM: No further progress.</p>	Ongoing	N

					<p>26/11/2020 – JM: The consultation period for the committees closed on 12 November 2020 and Council has received 16 comments. Comments are currently being reviewed a report will be presented to the Councillors at the 4 February 2020 briefing session.</p> <p>02/11/2020 – JM: A webinar was held on 29 October 2020 with all section 355 committees. A workshop will be conducted with councillors on 3 December 2020.</p> <p>25/09/2020 – JM: Documentation has been subjected to a final review and proof read prior to being sent out.</p> <p>31/08/2020 – JM: The Chief Communications Officer is currently reviewing the manual, after which it will be circulated to all committees to review for one month. A webinar will be conducted with all committees to explain the changes and answer questions. A Council workshop will be conducted on 5 November 2020.</p>		
789	17 September 2020	167/20	<p><b>Acquisition - Easement for Access Adaminaby Sewage Treatment Plant and Town Water Supply</b></p> <p>That Council:</p> <p>A. Proceed with the compulsory acquisition of the interest in the land described as part Lot 287 DP 729870 Land fronting Snowy Mountains Highway, Adaminaby and having an area of approximately 22m for the purpose of easement for access to essential services being the Sewage Treatment Plant in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>;</p>	Manager Water & Wastewater	<p>04/05/21 – JD: No further updates.</p> <p>30/03/2021 – JD: No further updates.</p> <p>02/03/2021 – JD: Acquisition currently underway.</p> <p>15/01/2021 – JH: No further update.</p>	30/04/2022	N

			<p>B. Proceed with the compulsory acquisition of the interest in the land described as part Lot 292 DP 729876 having an area of approximately 200m and part Lot 292 DP 729876 Land fronting Chalker Street, Adaminaby and having an area of approximately 344m for the purpose of easement for access to essential services being Town Water Supply in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>;</p> <p>C. Make an application to the Minister and the Governor for approval to acquire part Lot 287 DP 729870 Land fronting Snowy Mountains Highway, Adaminaby and having an area of approximately 22m and Part Lot 292 DP 729876 having an area of approximately 200m and part Lot 292 DP 729876 Land fronting Chalker Street, Adaminaby and having an area of approximately 344m for the purpose of easement for access to essential services by compulsory process under section 187(1) of the <i>Local Government Act 1993</i>;</p> <p>D. Classify the land as easement for access in accordance with the <i>Local Government Act 1993</i>;</p> <p>E. Authorise the CEO to sign any documentation required for this Acquisition process.</p>		<p>25/11/2020 – JH: No further update</p> <p>25/11/2020 – JH: A-D. Acquisition process underway and being managed by the Water/Wastewater Team. E. This will take place when required.</p> <p>23/09/2020 - JH: A-D. Acquisition process underway. E. This will take place when required.</p> <p>23/09/2020 - JH: A-D. Public Works Advisory (PWA) is being engaged to action this process so that Council secures permanent legal access swiftly. E. This will take place when required.</p>		
794	17 September 2020	172/20	<p><b>Proposal to Close Part Mittagang Road - Yallambee Lodge</b> That Council;</p> <p>A. Approve the road closing of part of Mittagang Road in accordance with the <i>Roads Act 1993</i>;</p> <p>B. Consolidate the new lot with lot 1 DP 841447 (Yallambee Lodge); and</p> <p>C. Authorise Council's CEO to execute all necessary documents to complete the road</p>	Land & Property Officer	<p>05/05/21 - TP: No further update at this point.</p> <p>31/3/21 - TP: No further update.</p> <p>28/2/2021 - TP: A-C - Corporate Projects consolidated land adjacent to the service station at Yallambee, and</p>	28/02/2021	N

			closing and lodgement of the plan of consolidation.		<p>inadvertently used the incorrect resolution; thus road closure plan is required to be redone by surveyor to accurately reflect 'new' lot footprint &amp; labels.</p> <p>22/01/2021 – LB: No further update.</p> <p>4/12/2020 – LB: A. Letters have been posted. There is a 28 day period for reply.</p> <p>23/10/2020 – LB: A. Letters have been prepared and are ready to be posted. B. After the road is closed a plan of consolidation will be prepared by a surveyor and the plan will subsequently be lodged.</p> <p>24/09/2020 – LB: A. Letters will be sent in the next two weeks to the notifiable authorities and to properties surrounding Yallambee notifying them of the proposal to close the road. B. After the road is closed a plan of consolidation will be prepared by a surveyor and the plan will subsequently be lodged.</p>		
795	17 September 2020	173/20	<b>Delegate Water Supply Options Report – Update</b> That Council endorse the Options Assessment Report–Delegate Water Supply for public exhibition.	Manager Water & Wastewater	<p>04/05/21 – JD: No further updates</p> <p>30/03/2021 – JD: Project and Contract Manager appointed (Cardno) and compilation of tender documents underway to appoint Design and Construction contractor.</p> <p>02/03/2021 – JD:</p>	30/06/2021	N



					<p>Comments received from DPIE Water on 8/2/2021. Public meeting with Delegate Community scheduled for 9/3/2021.</p> <p>15/01/2021 – JD: Still awaiting endorsement from DPIE Water.</p> <p>25/11/2020 – JD: No further update.</p> <p>05/11/2020 – JD: Awaiting comments on the Options Report from DPIE. Community consultation to take place once comments received.</p>		
798	17 September 2020	176/20	<p><b>Request for Easement Over Council Land in Cooma</b> That Council</p> <p>A. Approve the request to create an easement for water supply over Lot 2 DP 224408 subject to:</p> <ul style="list-style-type: none"> <li>i. All costs being borne by the owner of Lot 1 DP 224408.</li> <li>ii. Any disturbance to Lot 2 DP 224408 to be remediated by the applicant, as soon as possible, to the same condition as prior to disturbance.</li> <li>iii. The owner of Lot 1 DP 224408 obtaining a licence to pump water from Cooma Creek prior to installing the pipeline for water supply; and</li> </ul> <p>B. Authorise Council's CEO to execute any documents necessary to register the easement.</p>	Land & Property Officer	<p>05/05/21 - TP: No further update at this point.</p> <p>31/3/2021 - TP: No further update.</p> <p>01/03/2021 – TP: No further update.</p> <p>14/01/2021 – LB: A. The landowner has been requested to notify Council when the pipeline has been installed so that Council has an opportunity to inspect the area to ensure that Council property has been remediated. He has agreed to be responsible for all costs and will send a copy of the water licence to Council when he is in possession of the Licence.</p> <p>4/12/2020 – LB: A&amp;B. Council will await notification from landowner that he has achieved a licence to</p>	30/03/2021	N

					<p>pump water and that he has a plan ready to create the easement.</p> <p>23/10/2020 – LB</p> <p>A. Landowner has been notified and is proceeding with the plan.</p> <p>B. Landowner is aware that he needs a licence to pump water from Cooma Creek prior to Council signing off on the plan for easement.</p> <p>24/09/2020 – LB:</p> <p>A. The landowner will be notified of the Council resolution including the conditions of approval so that he can arrange for a surveyor to do a plan for the easement and an 88B for the terms of the easement.</p> <p>B. The owner of lot 1 will be notified that Council will not permit registration of the plan until he has obtained a licence to pump water from NSW Water. Documents will be sent to the CEO for execution when they are ready.</p>		
836	15 October 2020	217/20	<p><b>Zoom attendance at meetings</b></p> <p>That Council:</p> <p>A. Support the continuation of the option for Councillors to attend Council meetings via remote teleconference technology, e.g. Zoom or Team Viewer, to ensure equal opportunity for all;</p> <p>B. Support the Motion to the LGNSW Conference 2020 put by Orange Council, to continue teleconference attendance at Council meetings; and</p> <p>C. Makes webinar facilities available for a 6 month trial at the Cooma Council Offices so that all members of the public, including those in</p>	Coordinator Governance	<p>06/05/21 – LO: A letter will be drafted to the Minister of Local Government, setting out Council's support.</p> <p>04/03/2021 – GT: No further progress</p> <p>19/01/2021 – JM: No further progress.</p> <p>26/11/2020 – JM: Risk assessment has been completed and mitigating controls will be in place for the level of risks identified. The committee room will be</p>	Ongoing	N

			wheelchairs and anyone unable to negotiate the stairs, can attend Council Meetings.		available for the next Cooma meeting, which will be on 18 March 2020.  02/11/2020 – JM: A. No action required. B. Email send to LGNSW advising of intention of council to support motion. C. No action required. Note: A risk assessment will be shortly undertaken and the IT requirements will be determined after that for the trial to commence from the December Council meeting.		
840	19 November 2020	225/20	<b>Peak View Hall</b> That Council, in order to facilitate the Peak View community's access to Lions International funding to upgrade the Peak View Community hall: A. Support the proposal to relinquish care and control of Crown Reserve 56109 with care and control being transferred to an appropriate community based incorporated association such as the proposed Peak View Progress Association Inc.; B. Authorise the CEO to negotiate with relevant parties an outcome to satisfy the requirements of all parties including the Peak View Community, the Crown, the NSW Aboriginal Land Council, Lions International and the Rural Fire Service.	Executive Assistant to Chief Executive Officer, Mayor and Councillors	03/05/21 - JB: Chris Reeks of Lions Club Cooma advised that there has been no further update regarding this funding.  6/4/21 – JB: Chris Reeks has advised that Lions Club is to meet 7/4/21 and this item will be discussed then. The estimated timing for funding is April 2021.  26/02/2021 – JB: SMRC is waiting on advice from the Lions Club regarding their success in the grant before proceeding.  27/01/2021 – JB: A. Completed B. Discussions in progress  26/11/2020 – JT: Discussions are in progress.	Ongoing	N
843	19 November 2020	228/20	<b>Strategy Review - Vale Street Land</b> That Council defer the report to a later date following a Councillor workshop.	Chief Strategy Officer	06/05/2021 – DR:	28/02/2021	N

					<p>The closing date for expressions of interest to review options for the future use of the site have not yet closed.</p> <p>02/03/2021 – DR: Briefing completed in the Councillor Briefing Session on 04/02/21 with a Vale Street Property Workshop.</p> <p>29/01/2021 – DR: Time has been scheduled in an upcoming councillor briefing session for councillors to discuss this issue.</p> <p>27/11/2020 – DR: Time will be arranged for a fuller discussion on the options for the Council offices.</p>		
844	19 November 2020	229/20	<p><b>Proposed use of 57 Vale Street Cooma - Snowy Monaro Business and Recovery Hub</b></p> <p>That Council open 57 Vale Street Cooma as the Snowy Monaro Business and Recovery Hub for 12 months.</p>	Economic Development Officer	<p>27/04/2021: SB Official opening held Monday 26 April 2021.</p> <p>25/03/2021: SB: Opening April 2021. Invitation to an official opening will be sent to all Councillors.</p> <p>01/02/2021 – SB: Anticipated for opening in March 2021.</p> <p>29/01/2021 – MA: Work continuing on building compliance matters and draft agreement with Business Australia prepared.</p> <p>30/11/2020 – MA: Staff are currently working to address building compliance matters.</p>	Ongoing	N

850	19 November 2020	235/20	<p><b>Mature Tree Re-Location Policy</b> That Council:</p> <p>A. Where the removal of mature trees is deemed necessary for Council works of any kind within any urban, village, park or reserve area, the targeted trees are first assessed by a qualified arborist or like expert, for suitability for relocation;</p> <p>B. Where trees are found suitable for relocation Council takes every necessary step to safely relocate the trees;</p> <p>C. As part of its BAU practices, Council identify and maintain a register of relocation sites for mature trees, such as public parks, playgrounds, sporting venues or other appropriate locations;</p> <p>D. Contractors are advised of the relocation policy and where practicable, the costs of relocation are negotiated when contracts are let; and</p> <p>E. Council affirms the value of mature trees for their social and economic benefits to the community.</p>	Chief Operating Officer	<p>27/04/2021 - JM: No further update.</p> <p>06/04/2021 – JM: No further update.</p> <p>03/03/2021 – JM: No further update.</p> <p>29/01/2021 – JM: No further update.</p> <p>02/12/2020 – JM: A&amp;B: Complete. All relevant Council managers and coordinators have been informed of these parts of the resolution. C: Register of relocation sites to be prepared. D. Complete. All relevant Council managers and coordinators have been informed of this part of the resolution. E. Completed.</p>	30/03/2021	N
853	19 November 2020	238/20	<p><b>Transition to an electric and other low greenhouse gas (ghg) emissions vehicle fleet</b></p> <p>A. Engaging with other councils such as Newcastle, operating EVs/low emissions vehicles, and the NSW and ACT Governments, as a first step towards determining how Snowy Monaro can transition to an EV and other low GHG emissions fleet, and the practicable extent and timing of the transition.</p> <p>B. Provide a comprehensive report to Council no later than the March 2021 Councillor briefing, outlining an initial transition plan which</p>	Manager - Fleet & Plant	<p>27/04/21 – SS: Action completed.</p> <p>30/03/2021 – SS: No further updates at this time.</p> <p>01/03/2021 – SS: Collating information to develop report via IPWEA, AFMA and Better Fleet program supported by Electric Vehicle Council. April delivery.</p> <p>12/01/2021 – SS:</p>	27/04/2021	Y

			provides the stages and extent of the transition, based on current and reasonably expected future developments in the EV industry.		<p>C. Feedback received from various government bodies, with information to be reviewed. Compiling EV infrastructure establishment costs.</p> <p>25/11/2020 – SS: A. Contact has been made with various council s and government departments to establish mapping of the process required to transition to a low emission fleet.</p>		
854	19 November 2020	239/20	<p><b>Monaro Rail Trail Draft Feasibility Report</b> That the Council action Resolution Number 68/20 Monaro Rail Trail Draft Feasibility Report 16 April 2020 to:</p> <p>A. Receive and note that the reinstatement of the Queanbeyan to Bombala rail line and extension to Eden has been intensely investigated through the Canberra to Port of Eden Feasibility Study. The publically available Executive Summary states on page 10 that “None of the options are shown to be economically viable. All have BCRs that are much less than 1. The present value of benefits is far outweighed by the present value of costs in all options considered.”;</p> <p>B. Receive and note all the reports presented as attachments, Senator Jim Molan’s letter and support in principle the Monaro Rail Trail recommendations as presented to Council on 5 November 2020 as per the ten recommendations provided in their submission.</p>	Coordinator Economic Development	<p>30/04/2021 - MA: Amendment to the MoU with MRT Inc. and formal commencement of the working group is still in progress.</p> <p>01/04/2021 – MA: Council resolved at its extraordinary meeting on 4 March not to become the applicant for the BBRF application. A meeting has subsequently been held with MRT Inc. to move forward and a working group will be established until such time as an appropriate 355 Committee can be formed as per the Council resolution. A meeting between Council and TfNSW has also been held to clarify preferred arrangements over the rail corridor should the rail trail proceed. TfNSW appear generally supportive and flexible to a point but will fundamentally require Council to assume responsibility for the asset regardless of the exact legal mechanism used. They encouraged Council to view this as a long term project as the processes to set up a rail trail can take time.</p> <p>26/02/2021 – MA:</p>	Ongoing	N

					<p>Liaison with MRT Inc. has continued in February as they aim to submit an application to the Commonwealth Building Better Regions Fund. A difficulty has arisen in relation to TfNSW requiring as a condition of owners consent for the application that Council agree to accept a lease or transfer of the rail corridor including responsibility for all existing leases and agreements over the rail corridor, and responsibility for its other assets such as heritage buildings. MRT Inc. have been advised previously the Council was not prepared to accept the risks and liabilities this entails at this early stage of the project, however MRT Inc. have written to the Mayor requesting Council change this position to facilitate the BBRF application.</p> <p>29/01/2021 – MA: Staff worked constructively with MRT Inc. throughout December-January to assist with development of a grant proposal which was lodged by MRT Inc. to the BLER Fund.</p> <p>30/11/2020 – MA: A. No action required. B. Meeting held with MRT Inc. group to discuss resolution. Priority is sending letters to TfNSW, ACT Government and QPRC as well as organising a BLER funding application. Meeting with QPRC staff and MRT Inc. has also been arranged by MRT Inc.</p>		
855	19 November 2020	240/20	<p><b>Bicentennial Garden/ Parks – Bombala</b> That Council:</p> <p>A. Ensures that gardens, trees and significant plantings in all parks throughout Snowy Monaro Regional Council area are to be protected by a Plans of Management that will</p>	Chief Operations Officer	<p>04/05/21 – GMc C. Council's Heritage Advisor has prepared a report recommending the trees within the park are heritage listed.</p> <p>06/04/2021 – JM: No further update</p>	30/06/2021	N

			<p>manage parks and gardens, with a Tree Management Plan developed to ensure that trees are conserved into the future;</p> <p>B. Acknowledge that the Bombala Bicentennial Garden is significant to the community; and</p> <p>C. Assess the Bombala Bicentennial Garden by a heritage expert for inclusion on Council's Heritage Listing.</p>		<p>03/03/2021 – JM: C. Assessment completed, currently being reviewed by Council's Strategic Planning team.</p> <p>29/01/2021 – JM: C. Assessment completed, currently being reviewed by Council's Strategic Planning team</p> <p>25/01/2021 – AA: C. Heritage consultant has undertaken an independent review of the Bicentennial Garden/Park against the NSW Heritage Councils criteria for local heritage listing. The heritage consultant concluded that Bicentennial Park meets the threshold for local heritage listing. The proposed listing will be incorporated into Councils new Snowy Monaro LEP and relevant planning proposal.</p> <p>30/11/2020 –JM: A. To be incorporated into draft the Plans of Management which will go out for community consultation planned for early March 2021. B. Completed. C. A request has been sent to Council's Heritage consultant to consider this item for heritage listing.</p>		
863	17 December 2020	253/20	<p><b>Regional Cultural Fund - Proposed grant variation request for Jindabyne Library and Innovation Hub</b></p> <p>That Council:</p> <p>A. Endorse the submission of a grant variation request to Create NSW seeking to install a modular library of approximately 500m<sup>2</sup> gross floor area on Lot 31 DP 227005 (adjacent the</p>	Coordinator Economic Development	<p>30/04/2021 - MA: Still awaiting an approved variation to the funding agreement from Create NSW.</p> <p>01/04/2021 – MA: MA - A draft varied funding agreement has now been received from Create NSW and is under</p>	Ongoing	N



			<p>Jindabyne Memorial Hall) to remain on site as a library for at least five years;</p> <p>B. Authorise the CEO to sign the grant variation request; and</p> <p>C. Acknowledge that additional operational costs (estimated to be around \$100,000 annually in 2020 dollars) will result from the new library, with these costs needing to be included in the 2022-23 operational budget.</p>		<p>review. A response will be provided to Create and following this it is anticipated an approved amended agreement will be received from Create without further undue delay.</p> <p>26/2/2021 – MA: Awaiting determination of the grant variation request (submitted in December) by Create NSW</p> <p>29/01/2021 – MA: A. A request to vary the funding agreement was lodged with Create NSW prior to Christmas and is currently under assessment by them. B. Completed. C. No further action required.</p>		
864	17 December 2020	254/20	<p><b>Water and Wastewater Easement Acquisitions - Adaminaby and Bombala</b></p> <p>That Council:</p> <p>A. Application be made to the Minister for Local Government and the Governor to acquire easements for water supply purposes being 3 metres wide within (or over) Lot 287 DP 729870 and Lot 292 DP 729876 at Adaminaby by compulsory process in accordance with Council's power under Section 187(1) of the Local Government Act 1993 and in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act;</p> <p>B. Application be made to the Minister for Local Government and the Governor to acquire easements for purpose of sewer services being 3 metres wide within (or over) Lot 287 DP 729870 and Lot 292 DP 729876 at Adaminaby by compulsory process in accordance with Council's power under Section 187(1) of the Local Government Act 1993 and in accordance</p>	Manager Water & Wastewater	<p>04/05/21 – JD: No further updates</p> <p>30/03/2021 – JD: No further update.</p> <p>02/03/2021 – JD: Acquisition of easements has commenced. PWA procured to undertake this acquisition.</p> <p>15/01/2021 – JD: Process has commenced. PWA engaged to assist SMRC with the applications.</p>	30/06/2021	N

			<p>with the provisions of the Land Acquisition (Just Terms Compensation) Act;</p> <p>C. Application be made for a Licence from Department of Planning, Industry &amp; Environment, Crown lands for purpose of town water supply infrastructure on Lot 291 DP 729876 at Adaminaby;</p> <p>D. Application be made to the Minister for Local Government and the Governor to acquire easements for purpose of sewer pump station on Lot 5 DP 758129 and sewer line being 3 metres wide within (or over) Lot 5 DP 758129 at Bombala by compulsory process in accordance with Council's power under Section 187(1) of the Local Government Act 1993 and in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act; and</p> <p>E. Authorise the CEO to sign any documentation required for the acquisition processes</p>				
869	17 December 2020	259/20	<p><b>Bombala Sewerage Infrastructure Project - Relocation of Mahratta Street Pump Station and Bombala STP and Sewerage Infrastructure Budget Summary</b></p> <p>That Council:</p> <p>A. Approve installation of the Mahratta Street Pump Station at the option 2 site being north east of the skate park;</p> <p>B. Approve an additional budget of \$230,000 from the water and sewer reserve; and</p> <p>C. Receive and note the information on previous budget variations for the Bombala STP Augmentation and Sewerage Infrastructure Upgrade projects as listed in this report.</p>	Manager Water Wastewater Operations	<p>04/05/21 – JD: Application submitted to John Holland Group for construction approval and owners consent on heritage application.</p> <p>30/03/2021 – JD: Heritage advisor currently progressing with the Heritage exemption application.</p> <p>02/03/2021 – JD: Design of the pump station in the new location is underway by GHD. The heritage consultant has carried out an assessment and this assessment and application for exemption in terms of the Heritage Act to commence shortly.</p>	30/06/2021	N

					<p>15/01/2021 – JD:</p> <p>A. Council approved new location. Design work for new location has commenced.</p> <p>B. Complete.</p> <p>C. Complete.</p>		
881	17 December 2020	271/20	<p><b>Rates Harmonisation Project Timeline and Community Consultation</b></p> <p>That Council:</p> <p>A. Endorse the formation of a Community Reference Group (CRG) by invitation from selected community groups (Attachment 2)</p> <p>B. Authorise the Mayor and Chief Executive Officer, acting jointly, to appoint additional members if it is considered that the membership does not adequately reflect the community.</p>	Manager Finance	<p>06/05/21 – DR:</p> <p>Purpose of the working group is complete.</p> <p>09/03/2021 – DR:</p> <p>The group met again on 08/03/2021 to further consider the models that had been developed and provide staff feedback on the principles and information provided.</p> <p>02/03/2021 – DR:</p> <p>The rates harmonisation Group has met to discuss the principles that they felt should apply to the development of a new rate structure. Two main models have been developed (Principles of equity on services available, equal sharing based on land values) and 8 variations on those to see the impact of different approaches to applying the principles. A third model is being developed around minimum changes to the existing structure so it can be identified what the minimum change would look like. This may drive the development of other alternatives.</p> <p>29/01/2021 – DR:</p> <p>The groups included for the committee have been requested to provide nominees. A number of nominations have been received and the process of providing background information to allow them to be informed before the discussion on the issues around rates harmonisation commences.</p>	06/05/2021	Y

884	18 February 2021	5/21	<p><b>Planning proposal - reclassification of land community to operational</b></p> <p>That Council:</p> <p>A. Submit a Planning Proposal for proposed amendment to Snowy River 2013 and Cooma-Monaro LEP 2013 to reclassify Lot 10 DP 1130244 in Berridale and Part Lot 10 DP 1266613 in Cooma from community to operational land to the Minister of NSW Planning &amp; Environment for a Gateway Determination in accordance with Section 3.34 of the <i>Environmental Planning and Assessment Act 1979</i>; and</p> <p>B. Subject to receipt of a gateway determination from the NSW Department of Planning and Environment, proceeds with the planning proposal and consultation is undertaken with the community and government agencies in accordance with Schedule 1, Division 1, Clause 4 of the <i>Environmental Planning and Assessment Act 1979</i> and any directions of the Gateway Determination.</p>	Strategic Land Use Planner	<p>29/04/21 – BD: Planning Proposal commenced public exhibition as of 28 April, to 26 May 2021.</p> <p>Public exhibition comprised of notice in newspaper, letter to all land owners within 200m of site, on Council's website (with link through to Planning Portal) and copies at all 4 Council administration buildings across the LGA.</p> <p>22/03/2021 – AA: Planning proposal submitted to the Department of Planning on 10 March. Awaiting a gateway determination.</p> <p>09/03/2021 – DB: Planning Proposal submitted to planning portal on March 4th 2021. Awaiting a gateway determination.</p>	22/03/2021	N
893	18 February 2021	14/21	<p><b>Bombala region softwoods industry bushfire recovery study</b></p> <p>That Council receive the information and recommendations made to Council in the Bombala Region Softwoods Industry Bushfire Recovery Study and further consider implementation of relevant recommendations in the process of developing Council's next operational plan.</p>	Economic Development Officer	<p>27/04/2021: SB No further update.</p> <p>25/03/2021 - SBly: Reviewed the recommendations and have included one which can be implemented in Council's next operational plan.</p> <p>25/02/2021 – SBly: Economic Development Team will review the recommendations and consider those which could be implemented in Council's next operational plan.</p>	22/03/2021	N

894	18 February 2021	15/21	<p><b>South east Australia transport strategy membership</b></p> <p>That Council resolve not to renew its membership of SEATS.</p>	Manager Infrastructure	<p>06/05/21 – GS: Letter sent to SEATS cancelling membership sent 26 April 2021</p> <p>06/04/2021 – JM: SEATS informed that SMRC is not renewing membership</p> <p>1/3/2021 – TP: Process of notifying SEATS of withdrawal underway.</p> <p>01/03/2021 – TP: Process of notifying SEATS of withdrawal underway.</p>	22/03/2021	N
901	18 February 2021	24/21	<p><b>Nominations for Michelago Hall s355 management committee and management of assets in Michelago</b></p> <p>That Council:</p> <p>A. Disband the current Michelago Hall Committee members and appoint all six applicants to form a new committee;</p> <p>B. Develop a new constitution incorporating the tennis courts and club house within the areas managed by the committee; and</p> <p>C. Only agree to taking over the lease agreement for the Michelago Railway Station Building and surrounding lands when an agreed plan has been developed that shows how this can be achieved without increased cost to Council and that the facility can be managed by the Michelago Hall S355 Management Committee.</p>	Governance Officer	<p>30/03/2021 – ED: A. Action complete. The newly elected Michelago Hall Committee held its first meeting on 30 April, this meeting was attended and Chaired by Councillor Rooney. The next meeting is scheduled for 20 April. B. Constitution drafted for committee review. C. No further update.</p> <p>04/03/2021 – ED: Successful members have been notified. Staff are communicating with the new members to arrange a suitable date and time for the first meeting.</p>	22/03/2021	N

902	18 February 2021	25/21	<b>Application to set maximum level of minimum rates</b>  That Council seek approval to set the maximum amount of the minimum rate in all categories at \$625.95.	Chief Strategy Officer	06/05/2021 - DR: This action is on hold pending the decision of Council on what rate structure to pursue.  02/03/2021 – DR: A request for an extension was granted after a discussion with The Office of Local Government.	22/03/2021	N
910	18 March 2021	49/21	<b>Draft Snowy Monaro Regional Council Waste Management Strategy for Public Exhibition</b>  That Council endorse the Draft Snowy Monaro Regional Council Waste Management Strategy and Draft Snowy Monaro Regional Council Waste Management Strategy Summary to be placed on public exhibition for a period of 28 calendar days.	Project Specialist	06/05/21 - MD: In progress. Closes 6 May 2021. Follow up action present findings to ELT and Council.  Awaiting update from MD		N
911	18 March 2021	50/21	<b>Michelago Master Plan Growth Scenarios</b>  That Council: A. Receive and note the report by the Team Leader of Strategic Planning on Michelago Master Plan Growth Scenarios B. Place Michelago Master Plan Growth Scenario's on public exhibition for a minimum of 28 days.	Team Leader Strategic Planning	03/05/21 – AA: A. No action required. B. Consultation material being prepared public exhibition commenced on Friday 9 April and will conclude Monday 10 May. Two drop in sessions were held in Michelago on 26 April and 1 May.  06/04/2021 – AA: No action required.	Ongoing	N
912	18 March 2021	51/21	<b>Highdale Carpark Improvements - Design Endorsement and Approval to Implement</b>  That Council: A. Acknowledge completion of the targeted consultation process in relation to proposed improvements to Highdale Carpark, Berridale; B. Endorse the current 80% design to progress to 100% design ready for construction; and	Manager Infrastructure	06/05/21 – GS: No Further Update at this stage. As per the resolution of Council, designs are progressing to 100% ready for construction and work is scheduled post Winter 2021.  06/04/2021 – JM A – completed B – completed – design will now proceed to 100% design for construction.	30/12/2021	N

			C. Approve construction to commence with the aim of delivering proposed improvements by 30 December 2021.		C – to commence on completion of 100% design and after 2021 ski season		
913	18 March 2021	52/21	<p><b>Post Exhibition Report Land Use Strategies</b></p> <p>That Council:</p> <p>A. Receive and note the post exhibition report <i>Consultation Report – Draft Rural Landuse Strategy March 2021</i>;</p> <p>B. Send the <i>Consultation Report – Draft Rural Landuse Strategy March 2021</i> to all who provided written feedback and place the report on SMRC YourSay page for community view;</p> <p>C. Publish all submission with personal details of all individuals redacted;</p> <p>D. Amend proposed Environmental zones to be maintained as existed in the Bombala, Cooma-Monaro and Snowy River LEP's prior to merger. (i.e. remove all proposed new environmental zones as identified in the Draft Rural Landuse Strategy and Draft Settlement Strategy.);</p> <p>E. Consult and work with individual landowners on the revised approach;</p> <p>F. Establish a steering/advisory working group/committee as soon as practical, consisting of all Councillors and relevant staff. Permit this working group/committee to invite representatives, as necessary. The working group/committee's principle aim is to:</p> <p>a. Review and progress land use planning, zoning and methodologies used in the Draft Rural Landuse Strategy consistent with Ministerial direction(s), legislation(s) and regulation(s).</p> <p>b. Completely review the methodology behind Minimum Lot Sizes</p>	Team Leader Strategic Planning	<p>03/05/21 – AA:</p> <p>A. - No action required.</p> <p>B. - Completed, consultation report was sent to all submitters on 24 March 2021.</p> <p>C. - Completed - All submissions were posted on the YourSay page on Tuesday 13 April</p> <p>D. - noted this would be amended as part of a revised draft.</p> <p>E. further consultation will be undertaken when Council exhibit revised draft documents.</p> <p>F. A charter for the working group is being drafted for consideration by Council at its May meeting. First working group meeting is expected for Thursday 6 May</p> <p>G. revised drafts are to be developed in conjunction with Council working group.</p> <p>H. revised drafts are to be developed in conjunction with Council working group.</p> <p>I. Noted an amendment will be made to Councils LSPS following completion of SAP and Michelago Masterplans. These amendments will be incorporated at this time.</p> <p>06/04/2021 – AA:</p>	Ongoing	N

			<p>c. Review and progress the relationship between the Draft Rural Landuse Strategy and Settlement Strategy</p> <p>d. Report to the Council briefing sessions, as necessary</p> <p>e. Consider all feedback and amend the Draft Rural Landuse Strategy;</p> <p>G. When developed, re exhibit the revised Draft Rural Landuse Strategy for 56 days for feedback;</p> <p>H. When developed, re exhibit the Draft Settlement Strategy for 56 days further feedback</p> <p>I. Cooma and Berridale heavy vehicle alternate routes be moved to the long term strategic plan</p>		<p>A. - No action required. B. - Completed, consultation report was sent to all submitters on 24 March 2021.</p> <p>C. - All submitters were advised that submissions will be posted online on 13 April 2021. Any submitter who does not want their submission published must advise Council by CoB 12 April.</p> <p>D. - noted this would be amended as part of a revised draft.</p> <p>E. further consultation will be undertaken when Council exhibit revised draft documents.</p> <p>F. A charter for the working group is being drafted for consideration by Council at its May meeting.</p> <p>G. revised drafts are to be developed in conjunction with Council working group.</p> <p>H. revised drafts are to be developed in conjunction with Council working group.</p> <p>I. Noted an amendment will be made to Councils LSPS following completion of SAP and Michelago Masterplans. These amendments will be incorporated at this time.</p>		
916	18 March 2021	55/21	<p><b>Nomination of Councillor to NSW Asbestos Coordination Committee</b></p> <p>That Council nominate Clr Ewart to the NSW Government's Asbestos Coordination Committee.</p>	Chief Operating Officer	<p>29/04/2021 - JM: Closed. Nomination sent.</p> <p>6/4/21 – JM Nomination submitted. Anticipated close date 30 April.</p>	29/04/2021	Y
917	18 March 2021	57/21	<p><b>Nomination of Councillors for Cooma Saleyards Committee</b></p> <p>That Council</p> <p>A. Appoint Clr Stewart and Clr Corbett to the Sale Yard Committee;</p> <p>B. Appoint the Chief Operations Officer, Manager Community Services as staff</p>	Governance Officer	06/05/21 – No Update provided		N



			members and Coordinator Community Facilities as alternate.				
918	18 March 2021	58/21	<b>Development of Rates Structure (Harmonisation)</b> That Council undertake consultation on the following rate structure models: A. The full cost recovery model with localities (Model 1A). B. The full cost recovery model without localities (Model 1C). C. The community sharing model using minimum rates (Model 2A) D. The community sharing model using minimum rates (Model 2D) E. The minimum change model (Model 3E) F. The maximum minimum model (Model 3E)	Chief Strategy Officer	06/05/2021 - DR: The consultation period has finished, with a report being generated.		N
919	18 March 2021	61/21	<b>Affordable Housing</b> That Council (a) As a matter of urgency, request that the NSW Minister for Housing Melinda Pavey, release the housing blocks in Cooma at Zelka Heights, for sale or auction on the open market, in order to help address the current chronic housing shortage within Cooma, the surrounding towns, including Jindabyne and Berridale. Given that local schools are unable to employ teachers, and emergency services are unable to procure accommodation, this initiative is urgently required. In addition many locals on lower incomes are struggling to meet current rental payments, and find their housing needs.	CEO	03/05/21 - JB: Peter Stutchbury presentation will be held on 10 May 2021.  06/04/2021 – GMc: GMc 06/04/2021 a) Correspondence will be drafted by Council's Strategic Planning Team seeking the NSW Minister for Housing Melinda Pavey, to consider the release of the the blocks of land at Zalka Heights, Cooma for either development, or to place on the market for sale. b) Council's Economic Development Team will investigate the number of vacant lots in our towns and villages with a view to communicate and encourage development of additional housing. c) Council Strategic Planning Staff will communicate with the CEO of Southern Cross	Ongoing	N

			<p>(b) Encourage construction of new housing in all villages and towns to assist in the alleviation of housing stress.</p> <p>(c) Encourage the local non-for-profit company Southern Cross Housing to join Council in providing more affordable housing within the LGA.</p> <p>(d) That the Mayor and Council invite Peter Stutchbury Architect to present to Council new and emerging thoughts/philosophies around creating and developing Snowy Monaro residential areas that are environmentally respectful and sustainable.</p>		<p>Housing to discuss the provision of affordable housing in the region.</p> <p>d) Council staff to make contact with Architect, Peter Stutchbury to discuss feasibility of a presentation to Council.</p>		
922	18 March 2021	65/21	<p><b>Cooma Sports Hub Detailed Design Tender Approval</b></p> <p>That Council</p> <p>A. Endorse CK Architecture as the winning tenderer for the Cooma Sports Hub Detailed Design contract</p> <p>B. Authorise the CEO to sign the relevant contractual documents.</p>	Chief Operating Officer	<p>29/04/21 – AD:</p> <p>A. No action required</p> <p>B: is complete, CK Architecture have been awarded the contract. The contract has now been signed by both parties and work has commenced. The detail design will be complete by September 2021 Item to be closed</p> <p>06/04/2021 – AA:</p> <p>A: is complete, Council have endorsed CK Architecture as preferred tenderer</p> <p>B: is being actioned.</p>	Ongoing	N
923	15/04/21	88/21	<p><b>Adoption of recommendations from the Local Traffic Committee Meeting held on 18 March 2021</b></p> <p>That the recommendations of the meeting of the Local Traffic Committee held on 18 March 2021 be adopted:</p> <p>A. <b>LTC7/21 MOUNT GLADSTONE HILL CLIMB</b></p>	Chief Operating Officer	<p>04 May 2021 – CR:</p> <p>Responses sent</p>	30/06/2021	N

			<p>That Council approve the application from Cooma Car Club to conduct the Mount Gladstone Hill Climb over the weekend of the 10<sup>th</sup> and 11<sup>th</sup> April and 20<sup>th</sup> and 21<sup>st</sup> November 2021 temporary close Mount Gladstone Road from 8:00am-5:00pm.</p> <p><b>B. LTC8/21 DELEGATE ANZAC DAY MARCH</b></p> <p>That Council approve the request from Delegate Sub-Branch of RSL NSW to conduct an Anzac March on the 25<sup>th</sup> April 2021, requiring temporary road closures of Bombala St between Church St and Victoria Parade and Campbell Street between Bombala Street and William Street from 10:30am-11:45am.</p> <p><b>C. LTC9/21 BAKER STREET, DENISON STREET ADAMINABY INTERSECTION</b></p> <p>That Council approve the change from a Give Way sign to a Stop sign – as an interim solution, until parking requirements in this area can be assessed.</p> <p><b>D. LTC10/21 COBBON CRESCENT – JINDABYNE</b></p> <p>That Council:</p> <p>A. Approve the installation of NO STOPPING signs in Cobbon Crescent between the two arms of Townsend Street, outside of Lot 1 Strata Plan 16516 and Lot 3 Strata Plan 15738.</p> <p>B. Approve the installation of a frangible barrier be placed on the nature strip to stop vehicles and boats being parked there.</p>				
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924	15/04/21	68/21	<b>Approving Councillor Attendance By Audio-visual Link</b>  That Council, consistent with Council's adopted <i>Procedures for attendance by councillors at meetings by audio-visual link</i> :-  A. Note the requests to attend by remote audio-visual link from Councillor Maslin.  B. Approve the attendance of Councillor Maslin via remote audio-visual link.	CEO	03/05/21 - JB: Approving Councillors attendance via audio visual link to be adopted each meeting.	17/05/2021	N
925	15/04/21	85/21	<b>Council's Transition to Electric Vehicles and Low Greenhouse Gas Emissions Fleet</b>  That Council  A. Develop a project plan for the transition to EV or alternative fuel uses that reduce the emissions of Council.  B. Write to the Premier seeking the NSW Government not implement taxes on environmentally friendly vehicles as this will create a disincentive to uptake.  C. Write to LGNSW asking them to lobby the State government not to implement taxes on environmentally friendly vehicles as per B above.  D. Contact DPIE for information about their co-funding scheme for Council fleet operators to procure BEV passenger vehicles as per their net zero emissions policy Stage 1.	Chief Strategy Officer	06/05/21 – SS: No further update.	17/05/2021	N

			E. Contact the Electric Vehicle Council to discuss becoming a site host for ESV chargers.				
926	15/04/21	89/21	<b>Draft Operational Plan Including Budget and Fees and Charges</b> That Council A. Include the rating model presented by Andrew Thaler, Olivier Kapetanakis and Nicole Small in the public consultation on rates harmonisation. B. Place the operational plan and associated revenue policy and fees and charges on public exhibition for the statutory period of 28 days	Chief Strategy Officer	04/05/2021 GMc: Draft Operational Plan, Draft Revenue Policy, Draft Fees and Charges are currently on public exhibition seeking community feedback. Exhibition period closes 16 May 2021.	17/05/2021	N
927	15/04/21	87/21	<b>Land Surplus to Council's Needs</b> That Council authorise the Chief Executive Officer to place the following parcels of land on the market for sale; <ul style="list-style-type: none"> <li>• Lots 2,3 4 DP852884 Rosemeath Road, Bombala</li> <li>• Lot 77 DP 512739 Adams Avenue, Cooma</li> <li>• Lot 78 DP512739 Adams Avenue , Cooma</li> <li>• Lot 81 DP747169 Baroona Avenue, Cooma</li> <li>• Lots 1, 2 and 3 DP 537242, Mulach Street, Cooma</li> <li>• Lot 2 DP 817452 Mulach Street, Cooma</li> </ul>	Chief Operating Officer	04/05/21 – GMc: Council's Land and Property team will prepare a plan for the sale of these parcels. Council's Strategy Development Team has met with appropriate staff to facilitate this action.	30/09/2021	N
928	15/04/21	95/21	<b>Legal actions and potential claims against SMRC as at 31 March 2021</b>			17/05/2021	N

			That Council receive the information in the Legal Actions and Potential Claims Against SMRC as at 31 March 2021 report.				
929	15/04/21	79/21	<b>Little Paupong Road</b>  That Council <ul style="list-style-type: none"> <li>A. Approve the proposal to create a road corridor over the constructed section of Little Paupong Road through Lots 69 and 70 DP 756708; with acknowledgement that all costs relating to the project will rest with Council.</li> <li>B. Request that Crown Lands transfer the nominated two sections of Crown road, which adjoin Lots 69 DP 756708 and 70 DP 756708, to Council as public road. With Council to then subsequently approve the road closing of these segments in accordance with the Roads Act 1993.</li> <li>C. Matter be brought back to Council for approval.</li> </ul>	Chief Operating Officer	05 /05/21 – PT: The resolution actions will be initiated.	30/12/2021	N
930	15/04/21	75/21	<b>Monthly funds management report - March 2021</b>  That Council: <ul style="list-style-type: none"> <li>A. Receive the report indicating Council's cash and investments position as at 31 March 2021; and</li> <li>B. Receive the Certificate of the Responsible Accounting Officer.</li> </ul>	Chief Financial Officer		17/05/2021	

931	15/04/21	74/21	<b>Rainbow Pines Caravan Park Lease</b> That Council approve the CEO to negotiate and enter into a new 20 year lease with the current lessees of Rainbow Pines Caravan Park.	Chief Operating Officer	06/05/2021 – KH: Working with current leasee to ascertain what they would like to be covered in the lease. Appointed Blaxland, Mawson & Rose to proceed with writing up a draft lease.	30/06/2021	N
	15/04/21	76/21	<b>Snowy Monaro Regional Council Cemetery Advisory Committee Minutes</b> That Council <ul style="list-style-type: none"> <li>A. Endorse the Cemetery Advisory Committee minutes for the 10 March 2021 meeting;</li> <li>B. Issue the permit for Jake Wertenbach's plaque; and</li> <li>C. Cemetery Advisory Committee review the ordering of plaques policy</li> </ul>	Chief Operating Officer	03/05/2021 – MR: The 250.2020.582.1 - SMRC Ordering of Cemetery Plaque - Policy and 250.2020.583.1 - Ordering of Plaques for Council Cemeteries - Procedure will both be reviewed. This will involve external community consultation, prior to bringing the policy back to Council for consideration. The Wertenbach's were formally advised in writing of Council's decision to approve the plaque.	30/09/2021	N
932	15/04/21	93/21	<b>Rate Harmonisation Legislation Changes</b> That Council <ul style="list-style-type: none"> <li>A. Write to the Premier, Deputy Premier and Minister of Local Government raising Council's concerns over the inequity of the harmonisation of rates within our Local Government area; and</li> <li>B. Not proceed with harmonisation of rates unless Council can come up with a model with no rate payer being more than 10% worse off.</li> </ul>	Chief Strategy Officer	06/05/2021 - DR: A model which includes no more than a 10% has been developed and included in the report to this meeting. Letters have been drafted so that they can be sent should the motion not be rescinded.	17/05/2021	N
933	15/04/21	77/21	<b>Residential Aged Care Resident Handbook</b> That Council approve the Residential Aged Care Resident Handbook.	Chief Operating Officer	06/05/2021 - KS: Copy editing of handbook completed. Brochure being prepared.	30/06/2021	N



934	15/04/21	82/21	<b>Secondary Dwellings in Rural Zones</b> That Council write to the NSW Government to include Clause 5.5 of the Standard Instrument Local Environmental Plan in the Bombala, Cooma-Monaro and Snowy River LEPs respectively with the following provisions: <ul style="list-style-type: none"> <li>i. If development for the purposes of a secondary dwelling is permitted under this Plan on land in a rural zone; and</li> <li>ii. the distance between the secondary dwelling and the principal dwelling must not exceed 200 metres.</li> </ul> <b>LOST</b>	Chief Operating Officer	03/05/21 – AA: Motion was lost, no action required. , Item to be closed	17/05/21	Y
935	15/04/21	78/21	<b>Section 355 SMRC Tourism Advisory Committee - February 2021 - DRAFT Minutes</b> That Council <ul style="list-style-type: none"> <li>A. Receive the Draft Minutes of the Section 355 SMRC Tourism Advisory Committee meeting, held on 17 February 2021; and</li> <li>B. Council receive and note the resignation of Committee member Mr Barry Wrenford.</li> </ul>	Chief Strategy Officer	29/04/2021 - JT: Item is complete.	29/04/2021	Y
936	15/04/21	84/21	<b>Snowy 2.0 - Movement of Segments from Polo Flat Segment Factory and Installation of Temporary Traffic Lights at Sharp/Bombala Street Roundabout.</b> That Council <ul style="list-style-type: none"> <li>A. Endorse the comments from TfNSW in relation to the installation of temporary</li> </ul>	Chief Operating Officer	06/05/2021 – GS: All actions required have been completed and letters released to DPI&E plus Snowy Hydro in April 2021.	06/05/2021	Y



			<p>traffic lights at Sharp/Bombala Street roundabout, Cooma.</p> <p>B. Responds to NSW Department of Planning, Industry and Environment in relation to Snowy Hydro's request for approval to use other suitable vehicles for transportation of concrete segments until the arrival of Performance Based Standard vehicles advising that in the absence of any detailed information and consultation on the impacts of this request, Council is unable to provide a further response.</p> <p>C. Request further modelling be undertaken by Snowy Hydro Ltd in consultation with Snowy Monaro Regional Council to determine whether traffic lights are required.</p> <p>D. Any costs be borne by Snowy Hydro Ltd.</p>				
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## 10.1 REQUEST FOR AFFORDABLE HOUSING REPORT

Record No:

Responsible Officer: Chief Executive Officer  
Author: Councillor John Castellari  
Attachments: Nil

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Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 20 May 2021, he will move the following motion.

### MOTION

That Council that Council receive a report at the July Council meeting concerning how we can best leverage the State Government's recently announced policy on temporary supportive accommodation to relieve the strain on current access to affordable and emergency housing within our region.

### BACKGROUND

As part of the State Government's Housing 2041 housing strategy (<https://www.planning.nsw.gov.au/Policy-and-Legislation/Housing/A-Housing-Strategy-for-NSW>) the Minister Melinda Parvey released on 5 May 2021 a media statement that outlined, inter alia, the intention of the State Government to encourage State and Local Government public lands to be made available for temporary supportive accommodation.

Key points from that media release are:

- Leveraging vacant buildings and land to deliver immediate accommodation for people experiencing homelessness via the Temporary Supportive Accommodation (TSA) pilot
- A TSA discussion paper seeking input from local governments, NGOs, and the private sector to pitch projects
- The Premier has identified a priority of reducing homelessness by 50%.

The Strategy and inaugural two-year action plan provide initiatives to support better housing outcomes including:

- Establishing a cross-sector Expert Housing Advisory Panel to guide delivery of Housing 2041 and increase collaboration across Government and the housing sector
- Better use of government-owned land and information to develop new housing types, tenures and delivery models
- Strengthening relationships with local governments, the community housing sector and developers to trial new innovative housing solutions.

To date Council's response to local housing shortages has been about releasing land, an ad hoc and unplanned response that may help a few local developers but won't have much LGA wide beneficial social impact.

We know that older renters in Cooma are being forced out of the market by higher rents because of the supply pressures from Snowy 2.0. We also know that winter in Jindabyne means unhoused workers sleeping in cars; we know that there are youths and single parents sleeping rough in our region. Domestic violence, exacerbated nationally by the lock downs, is another driver of homelessness.

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The recent cessation of the rent amnesty and no-eviction policies that helped poorer renters through the pandemic is about to unleash a tsunami of homelessness; and right now in Australia there are only three rentals that are within the financial reach of renters who may be on jobseeker allowances and payments.\*

Our region has a large number of individuals who occupy the lower income groups and who do not have secure housing; this is a growing problem we need to do our best to mitigate locally. The TSA pilot and other elements of the Housing 2041 policy could provide ways for us to assist vulnerable people in our area and it is important to have a sound understanding of how we can leverage it to our advantage.

\*<https://themarketherald.com.au/just-three-rentals-in-australia-are-affordable-for-singles-on-jobseeker-anglicare-study-2021-04-29/>

## **CHIEF EXECUTIVE OFFICER'S RESPONSE**

## 10.2 MOTION TO RESCIND - RATES HARMONISATION LEGISLATION CHANGES

Record No:

Responsible Officer: Chief Executive Officer  
Author: Councillor John Castellari  
Attachments: 1. Motion to rescind motion carried - Rates Harmonisation Legislation Changes

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Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 20 May 2021, he will move the following motion.

### MOTION

We hereby give notice of the following motion of rescission:

“That the Council rescind resolution 93/21 from the meeting held 15 April 2021:

That Council:

- A. Write to the Premier, Deputy Premier and Minister of Local Government raising Council’s concerns over the inequity of the harmonisation of rates within our Local Government area; and
- B. Not proceed with harmonisation of rates unless Council can come up with a model with no rate payer being more than 10% worse off.”

### BACKGROUND

The above motion carried 15 April 2021 sets a cap of ten percent on rates, a value nominated without any research or any evidence that the figure is even achievable. An artificial ten percent cap is putting the cart before the horse. We can’t know what the actual percentage impact of rates will be on various segments of the community, without developing and running mathematical models (options) and then assessing those models against criteria provided for that purpose by State Government.

Council, working with its community reference group, completed this time-consuming and complex work of rates modelling, producing six models (options). The models have been constructed with fairness, equitability, simplicity and transparency in mind; none of these six mathematical models generated a ten percent across-the-board cap, so it is highly unlikely that the motion to be rescinded is realisable.

A ten percent figure plucked out of the air is not transparent. We cannot go to the public or to the State government and justify our demand for a ten percent cap. It would be regarded as incompetent, arrogant and risible. No can we claim that ten percent is fair, when we have not been able to model it or prove it to be fair; the same could be said of equitability, and while it may at first glance appear simple, it is useless if it is so simple as to be unworkable in a complex rating environment.

If we continue to insist on a ten percent cap we will fail to set rates as required, by the set date. If we fail to set rates we risk having an administrator brought in to fix what we actually could have

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done ourselves, had we only go on with what is legitimately our, not the State's, job, that is to set rates, choosing from the six current models and taking into account public response.

An additional worrying aspect of the motion to be rescinded is that it directs the CEO to write to State government essentially telling them that they have to make the ten percent cap work for us. The State government has recently put a number of Councils under administration and will not be shy about applying the same tactics with us, indicating to the public that we have failed.

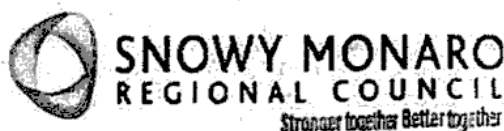
We urge you to rescind this motion and allow the process of rates harmonisation to proceed. Anything else is playing with our community's well-being and our reputation as a competent and responsible cohort of Councillors.

#### **CHIEF EXECUTIVE OFFICER'S RESPONSE**

This rescission motion was received prior to the letters were finalised and consequently the letters were not sent.

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## Notice of Motion



Submitted for Meeting of **Snowy Monaro Regional Council**

(Council or name of Committee) **Council Meeting**

Date of Meeting **20 May 2021**

Submitted by **Councillor John Castellari**  
(Councillor Name)

**Motion to rescind motion carried under item 9.4.5 Rates Harmonisation Legislation  
Changes at Council meeting of 15 April 2021.**

That Council rescind the following motion:

"That Council

- A. Write to the Premier, Deputy Premier and Minister of Local Government raising Council's concerns over the inequity of the harmonisation of rates within our Local Government area.
- B. Not proceed with harmonisation of rates unless Council can come up with a model with no rate payer being more than 10% worse off.

### Record of Voting

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

Councillors Against: *Councillor Castellari, Councillor Corbett, Councillor Old and Councillor Rooney.*

Moved Councillor Stewart Seconded Councillor Haslingden **CARRIED"**

### Rationale

The above motion carried 15 April 2021 sets a cap of ten percent on rates, a value nominated without any research or any evidence that the figure is even achievable. An artificial ten percent cap is putting the cart before the horse. We can't know what the actual percentage impact of rates will be on various segments of the community, without developing and running mathematical models (options) and then assessing those models against criteria provided for that purpose by State Government.

Council, working with its community reference group, completed this time consuming and complex work of rates modelling, producing six models (options). The models have been constructed with fairness, equitability, simplicity and transparency in mind; none of these six mathematical models generated a ten percent across the board cap, so it is highly unlikely that the motion to be rescinded is realisable.

A ten percent figure plucked out of the air is not transparent. We cannot go to the public or to the State Government, and justify our demand for a ten percent cap. It would be regarded as incompetent, arrogant and risible. Nor can we claim that ten percent is fair, when we have not been able to model it or prove it to be fair; the same could be said of equitability, and while it may at first glance appear simple, it is useless if it is so simple as to be unworkable in a complex rating environment.

If we continue to insist on a ten percent cap we will fail to set rates as required, by the set date. If we fail to set rates we risk having an administrator brought in to fix what we actually could have done ourselves, had we only got on with what is legitimately our, not the State's job, that is, set rates choosing from the six current models and taking into account public response.

Issue Date:

Revision Date:

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An additional worrying aspect of the motion to be rescinded is that it directs the CEO to write to State government essentially telling them that they have to make the ten percent cap work for us. The State government has recently put a number of councils under administration and will not be shy about applying the same tactics with us, indicating to the public that we have failed.

We urge you to rescind this motion and allow the process of rates harmonisation to proceed. Anything else is playing with our community's well-being and our reputation as a competent and responsible cohort of Councillors.

Signed:

Councillor John Castellari

16/4/21

Councillor John Rooney

16/4/21

Councillor Rogan Corbett

19/4/21

Councillor Peter Beer (Mayor)

19/4/21

PO Box 714 COOMA NSW 2630 | 1300 345 345 | council@snowymonaro.nsw.gov.au | www.snowymonaro.nsw.gov.au

Issue Date:

Revision Date:

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### 10.3 MOTION TO GET A REPORT ON A BED TAX

Record No:

Responsible Officer: Chief Executive Officer  
Author: Councillor Anne Maslin  
Attachments: 1. OLG Special Variation Guidelines

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Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 20 May 2021, she will move the following motion.

#### **MOTION**

That Council:

- A. Provide a report on the benefits, possible charges, and methods of implementing a bed tax, modelled on successful tourist towns which use a bed tax system in Australia and overseas.

#### **BACKGROUND**

SMRC is fortunate to have the unique and beautiful Snowy Mountains in our region, which attracts visitors keen to experience what this alpine environment has to offer.

The costs to Council, however, of the increasing numbers of tourists through our region are increasing year by year.

The pressures on services including sewerage, roads, and rubbish, all come at an increasing cost to SMRC council, which is currently borne by SMRC ratepayers.

A user-pays system, whereby visitors to the region pay a small nightly rate, would help cover the costs to Council. Other towns in Australia and overseas have used a bed tax with success.

#### **CHIEF EXECUTIVE OFFICER'S RESPONSE**

While the goal of additional revenue for fund tourism related expenditure can be achieved by levying a charge on selected properties any such additional revenue is considered a Special Variation (SV) requiring approval from the Independent Pricing and Regulatory Tribunal (IPART). The current SV guidelines for are attached.

Any charge for a specific purpose will need to be considered in context of Council's overall need, in the near future, to apply for a more general special variation to enable it to meet expected service levels.

As councillors have previously been advised it is estimated that Council, over the next 15 years, needs to spend an additional \$60million over current expenditure levels to prevent further deterioration in the unsealed road network, and an extra \$81million to actually improve the road conditions.

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Office of  
Local Government

## **GUIDELINES FOR THE PREPARATION OF AN APPLICATION FOR A SPECIAL VARIATION TO GENERAL INCOME**



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## 1. Introduction

Special variations provide an opportunity for councils to vary general income by an amount greater than the annual rate peg.

The Independent Pricing and Regulatory Tribunal (IPART) will assess and determine special variation applications by councils under powers delegated to it by the Minister for Local Government<sup>1</sup>. These powers include:

- setting the annual rate peg based upon an IPART-published Local Government Cost Index; and
- assessing and determining applications for special variations.

The Office of Local Government (OLG) establishes guidelines for applying for special variations. These guidelines set the criteria against which applications will be assessed and provide information on how and when to apply.

Councils must take these guidelines into consideration before applying for a special variation.<sup>2</sup>

In addition to these guidelines, IPART may publish fact sheets on how it will assess applications for special variations. Councils are encouraged to review any fact sheets available on IPART's website before making an application for a special variation.<sup>3</sup>



*Only those councils that have the additional funding decision i.e. special variation in their Integrated Planning and Reporting process should consider applying.*



*All special variation applications must comply with the requirements set out in these guidelines.*  
*It is the responsibility of councils to ensure their application is fully compliant and that all relevant information is provided as part of their application.*



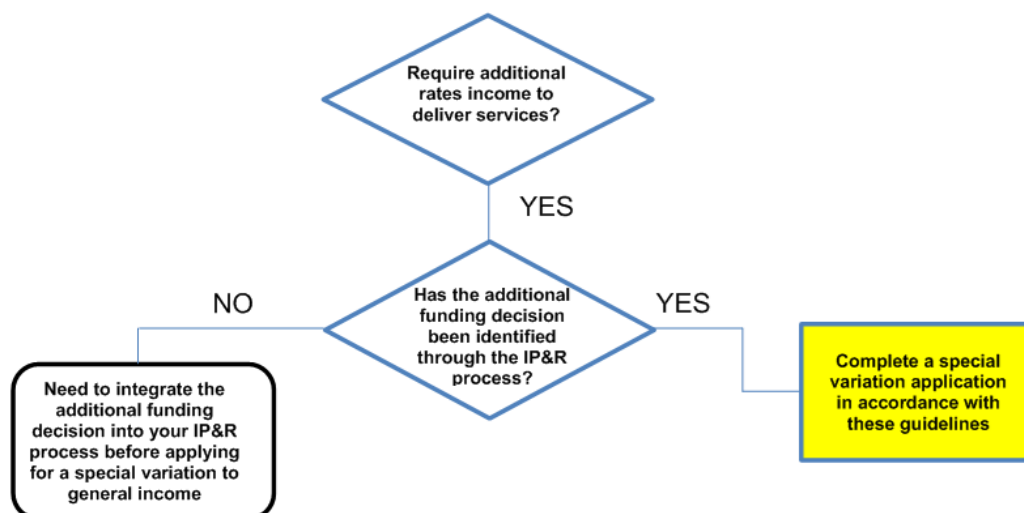
*Any inquiries regarding these **Guidelines** should be directed to the Office of Local Government on (02) 4428 4100.*  
*Council must apply to IPART for a special variation.*

<sup>1</sup> On 6 September 2010, the Minister for Local Government, delegated authority under the following sections of the Local Government Act 1993: sections 506, 507, 508(2), 508(3), 508(6), 508(7), 508A, 548(3) and 548(8) to IPART.

<sup>2</sup> Local Government Act 1993 (NSW) sections 23A(3) and 508A(3).

<sup>3</sup> <https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/For-Councils/Apply-for-a-special-variation-or-minimum-rate-increase>

## 1.1 Flowchart



This document is structured as follows:

- **Section 2** discusses the importance of the Integrated Planning and Reporting framework (IP&R) in informing a council's decision to apply for a special variation.
- **Section 3**, and in particular subsection 3.1, outlines the criteria that IPART will assess a council's special variation application against.
- **Section 4** outlines which councils may apply for a special variation.
- **Section 5** explains the purpose and types of special variations available, providing scenarios and the impact of each type.
- **Section 6** outlines how IPART will assess special variation applications.
- **Section 7** provides other information such as link to the IPART website, reporting mechanisms and council resolution.
- **Section 8** outlines the application process, including application forms.

There are 4 attachments to this document as follows:

- Attachment 1 – Calculation of expiring special variations
- Attachment 2 – Other adjustments to general income
- Attachment 3 – Increasing minimum rates
- Attachment 4 – SV application checklist

## 2. Integrated planning and special variations



The Integrated Planning and Reporting (IP&R) framework provides a mechanism for councils and the community to engage in important discussions about service levels and funding priorities and to plan in partnership for a sustainable future.

IP&R therefore underpins decisions on the revenue required by each council to meet the

community needs and demands, and in particular, whether the council requires a special variation to meet those needs.

All NSW councils have implemented IP&R. The special variation guidelines and IPART's assessment process are based on an expectation that councils will have engaged the community in a discussion about the funding required to deliver community priorities through the IP&R process.

Before applying to IPART for a special variation to general income, councils must adopt the Community Strategic Plan, Delivery Program, Long Term Financial Plan and where applicable, Asset Management Plan. Absent any exceptional circumstances, councils may only apply to IPART for a special variation to general income on the basis of those adopted IP&R documents. However, councils do not have to adopt their Operational Plan for the coming year before applying to IPART for a special variation.

More information on implementing IP&R can be found in the Integrated Planning and Reporting Manual for local government in NSW located on OLG's website at the following link:

- <https://www.olg.nsw.gov.au/councils/integrated-planning-and-reporting/>



### 3. Assessment criteria for special variation applications

When IPART assesses applications for a special variation, it will examine the extent to which councils have fulfilled their obligations under IP&R, in accordance with the criteria.

The IP&R Manual for Local Government *“Planning a Sustainable Future”*, March 2013, outlines what is expected of councils in completing IP&R. In particular it discusses the importance of linking community outcomes and aspirations (as identified in the Community Strategic Plan) to key actions (the Delivery Program). It also identifies the need for councils to ensure that the appropriate resources are available at the right time (Resourcing Strategy).

The IP&R Manual states that in considering the likely revenue that will be available to meet the community’s long term objectives, the Long Term Financial Planning process needs to address capacity for rating, fees and charges, grants and subsidies, borrowings and cash reserves. In particular page 69 of the IP&R Manual states:

*“The planning process should include an assessment of the community’s capacity and willingness to pay rates and whether there is the potential for changes in that capacity. In making that judgement, the council might review information relating to:*

- *Separate or specific rates and charges*
- *The potential to reduce the reliance on rates through increased revenues from other sources e.g. fees and charges*
- *Potential growth/decline in rating revenues from changing demographic and industry makeup*
- *Possible need to increase reliance on rating due to reduction of revenues from other sources e.g. a decline in grants or subsidies*
- *Projected impact of the rate peg*
- *Opportunities for a special variation to general income*
- *Council’s current rating policy and likely changes to that policy in the future.”*

#### Impact of COVID-19

The Special Variation process applies as normal during the COVID-19 pandemic period. IPART expects councils to complete the process and meet the criteria to the fullest extent possible.



To the extent compliance has been or is anticipated to be affected by COVID-19, councils should explain this impact in their application. IPART will take these explanations into consideration when assessing the application.

For example:

- Where some consultation strategies such as face-to-face meetings are not possible, IPART expects that the council will provide evidence that the council has pursued alternative arrangements such as virtual meetings or the use of electronic platforms.
- Councils should be mindful of the impact of COVID-19 when assessing the ratepayer impact of a proposed Special Variation. This may include consideration of hardship measures the council may have implemented.

### 3.1 Criteria for special variation applications

Undertaking the IP&R process, and in particular developing the Long Term Financial Plan as outlined in the IP&R Manual, should provide sufficient information to meet the criteria against which IPART assesses applications provided that the special variation is clearly identified in this process.

The criteria against which IPART is to assess each application are based on what councils are required to do under IP&R. These criteria are:

1. **The need for, and purpose of, a different revenue path for the council's General Fund (as requested through the special variation) is clearly articulated and identified in the council's IP&R documents**, in particular its Delivery Program, Long Term Financial Plan and Asset Management Plan where appropriate. In establishing need for the special variation, the relevant IP&R documents should canvas alternatives to the rate rise. In demonstrating this need councils must indicate the financial impact in their Long Term Financial Plan applying the following two scenarios<sup>4</sup>:

- Baseline scenario – General Fund revenue and expenditure forecasts which reflect the business as usual model, and exclude the special variation, and
- Special variation scenario – the result of implementing the special variation in full is shown and reflected in the General Fund revenue forecast with the additional expenditure levels intended to be funded by the special variation.

The IP&R documents and the council's application should provide evidence to establish this criterion. This could include evidence of community need/desire for service levels/project and limited council resourcing alternatives. Evidence could

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<sup>4</sup> Page 71, IP&R Manual for Local Government "Planning a Sustainable Future", March 2013

also include analysis of council's financial sustainability conducted by Government agencies.

In assessing this criteria, IPART will also take into account whether and to what extent a council has decided not to apply the full percentage increases available to it in one or more previous years under section 511 of the Local Government Act. If a council has a large amount of revenue yet to be caught up over the next several years, it should explain in its application how that impacts on its need for the special variation.

2. **Evidence that the community is aware of the need for and extent of a rate rise.** The Delivery Program and Long Term Financial Plan should clearly set out the extent of the General Fund rate rise under the special variation. In particular, councils need to communicate the **full cumulative increase** of the proposed SV in percentage terms, and the total increase in dollar terms for the average ratepayer, by rating category. Council should include an overview of its ongoing efficiency measures and briefly discuss its progress against these measures, in its explanation of the need for the proposed SV. Council's community engagement strategy for the special variation must demonstrate an appropriate variety of engagement methods to ensure community awareness and input occur. The IPART fact sheet includes guidance to councils on the community awareness and engagement criterion for special variations.<sup>5</sup>
3. **The impact on affected ratepayers must be reasonable**, having regard to both the current rate levels, existing ratepayer base and the proposed purpose of the variation. The council's Delivery Program and Long Term Financial Plan should:
  - clearly show the impact of any rate rises upon the community,
  - demonstrate the council's consideration of the community's capacity and willingness to pay rates, and
  - establish that the proposed rate increases are affordable having regard to the community's capacity to pay.

In assessing the impact, IPART may also consider:

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<sup>5</sup> <https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/For-Councils/Apply-for-a-special-variation-or-minimum-rate-increase>

- Socio-Economic Indexes for Areas (SEIFA) data for the council area; and
- Whether and to what extent a council has decided not to apply the full percentage increases available to it in one or more previous years under section 511 of the Local Government Act.

4. **The relevant IP&R documents<sup>6</sup> must be exhibited (where required), approved and adopted by the council** before the council applies to IPART for a special variation to its general income. It is expected that councils will hold an extraordinary meeting if required to adopt the relevant IP&R documents before the deadline for special variation applications.

5. **The IP&R documents or the council's application must explain and quantify the productivity improvements and cost containment strategies** the council has realised in past years and plans to realise over the proposed special variation period.

Councils should present their productivity improvements and cost containment strategies in the context of ongoing efficiency measures and indicate if the estimated financial impact of the ongoing efficiency measures have been incorporated in the council's Long Term Financial Plan.

6. **Any other matter** that IPART considers relevant.

The criteria for all types of special variation are the same. However, the magnitude or extent of evidence required for assessment of the criteria is a matter for IPART.



***Smaller councils** with limited resources with which to prepare an application or councils that are considering a very small increase should still consider applying.*

*IPART is required to consider the assessment criteria and the level of information required in relation to the **particular circumstances of individual councils**. Generally the application and evidence required is to be in keeping with the scale of the variation sought.*

*Councils are strongly encouraged to contact IPART early in the application process, to discuss the information requirements for their particular circumstance.*

<sup>6</sup> The relevant documents are the Community Strategic Plan, Delivery Program, and Long Term Financial Plan and where applicable, Asset Management Plan. Of these, the Community Strategic Plan and Delivery Program require (if amended), public exhibition for 28 days. It would also be expected that the Long Term Financial Plan (General Fund) be posted on the council's web site.

### **3.2 Exemption**

There may be exceptional circumstances in which unforeseen events have occurred outside a council's control, which:

- have a demonstrated material impact on the council's general income, and
- prevent the council from being able to reflect the special variation in its IP&R documentation.

Should these conditions occur, IPART may consider and approve the council's application for a special variation where it determines that the approval is appropriate, including whether the council would have met the criteria for a special variation even though the evidence that it would have done so is not necessarily reflected in the council's IP&R documentation. Councils considering doing this are advised to contact IPART as soon as possible to discuss the implications and their options in this regard.

## **4. New councils**

With the rate path protection ending in the 2020/21 rating year, any new council must submit a Special Variation application in line with these guidelines to IPART if the council wishes to harmonise rates in a way that increases general income above the rate peg from the 2021/22 rating year onwards.

## **5. Purpose and types of special variations**

Special variations are an important means of providing additional funding to councils to allow them to deliver services and infrastructure that the community has requested, and the council is unable to fund within its existing revenue.

The reasons an individual council may require a special variation are wide and varied. Special variations do not have to be tied to a particular project or series of projects. A council may need a special variation to either maintain current service levels or to increase service levels where the community has clearly indicated a desire to do so.

The need for additional funding through a special variation must be identified through the Council's IP&R processes. The adopted Delivery Program should include the rationale, impact on ratepayers and the benefits of the proposed special variation.<sup>7</sup>

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<sup>7</sup> The Delivery Program is required to outline the impact of the proposed special variation, including the annual, cumulative dollar and percentage increases in rates for the various rating categories respectively.

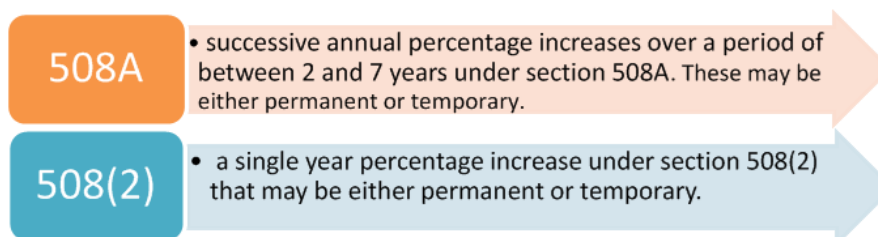


This framework provides councils with a clear path for consulting with their communities on needs, priorities and willingness to pay rates at levels above the projected rate peg. However, where there are exceptional circumstances that prevent councils from reflecting the special variation in their IP&R documentation, IPART may approve a special variation (see section 3.2 for further details).

The type of special variation that is appropriate will depend on councils' IP&R deliberations. The criteria for assessing both types of special variation are the same, but councils are required to specify the type of special variation for which they are applying. Further information on this is contained at section 5.1 below.

### 5.1 Types of special variations

There are two special variation options under the *Local Government Act 1993*. When seeking a special variation, councils may apply under section: -



The type of special variation that is appropriate for each council will be determined by the General Fund revenue requirements of the council, as outlined in the adopted Long Term Financial Plan. This will depend on a number of factors including:

- the size of the variation required,
- the reason for the variation,
- the need for the increase to be either permanent, or temporary for a fixed term,
- the fluctuation of expenditure over time,
- the financial objectives of a council, and
- the rate at which a council wishes to recover its costs.

It is important to understand the difference between each type of variation and the impact each will have on a council's financial position, the provision of services and the ability of ratepayers to pay the additional rates.

In general, a council's general income could follow one of five paths:

**Scenario 1**  
*s508A  
permanent*

- Successive annual percentage increases (between 2 and 7 years), which remain permanently in the rate base;
- **Example Scenario 1 - s508A permanent** – successive annual percentage increases (5 years) of 7.0%, 7.0%, 6.0%, 5.0%, 4.0%, which are permanently retained within the rates base (ie, General Income). The rate peg increase applies from Year 6 (or in any of the five years if the rate peg for that year is greater than the percentage for that year under the special variation).

**Scenario 2**  
*s508A  
temporary*

- A council may be given a s508A special variation subject to a condition to reduce its general income at the expiry of the special variation to the level that it would have been without the special variation (i.e. the rate peg path) or to some other level. This is referred to as a 's508A temporary' special variation.
- **Example Scenario 2 - s508A temporary** - successive increases of 7.0%, 7.0%, 6.0%, 5.0%, 4.0%, including the rate peg. The cumulative increase above the rate peg is removed from the rate base in year 6.

**Scenario 3**  
*s508(2)  
permanent*

- a one-off (single year) percentage increase that remains permanently in the rate base.
- **Example Scenario 3 - s508(2) permanent** – one off increase of 7.0% in Year 1 which is retained within the rates base permanently. Rate peg increases apply from Year 2.

**Scenario 4**  
*s508(2)  
temporary  
for x years*

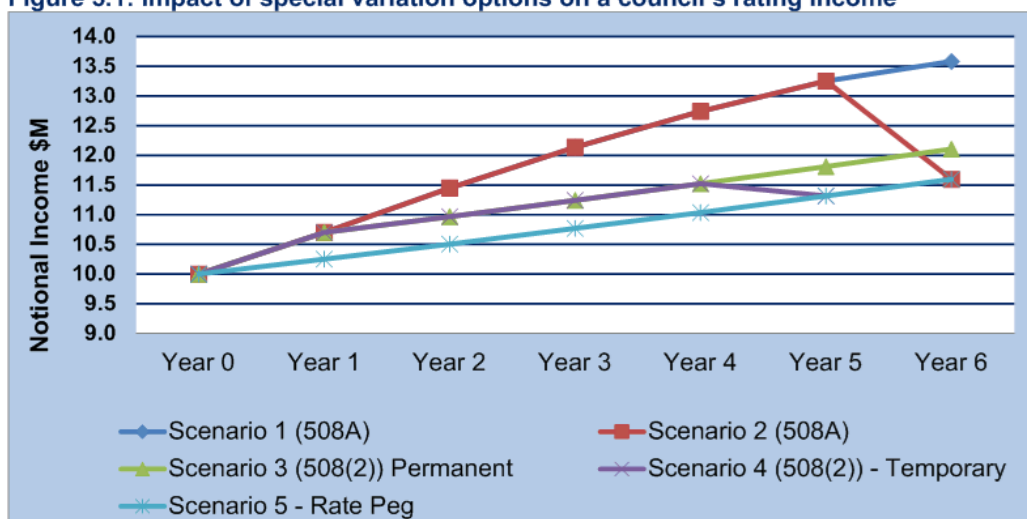
- a one-off (single year) percentage increase subject to a condition to return to the rate peg path (or some other level) after a period of x years.
- **Example Scenario 4 - s508(2) temporary** – one off increase of 7.0% in Year 1 which is retained within the rates base for four years. Rate peg applies from Year 2 with general income returning to the rate peg path in Year 5

**Scenario 5**  
*Rate Peg*

- IPART determined rate peg applies each year.
- Scenario 5 – annual rate peg increases are 2.5% in Years 1 to 6.

Figure 5.1 charts the resulting revenue path for a council under each of these scenarios.

**Figure 5.1: Impact of special variation options on a council's rating income**



#### Scenario 1 – 508A permanent special variation

Scenario 1 allows successive annual percentage increases to a council's general income for between 2 to 7 years.

The council identifies the additional revenue required over the period of the proposed increases, as indicated by the IP&R. The council then determines the annual percentage increases for the proposed special variation (including the assumed rate peg of 2.5% pa) required over the period to match this total amount.

There is no automatic adjustment to the approved percentage as a result of the actual rate peg in a particular year being higher or lower than what was assumed when the increase was approved. However, if the percentage approved for the special variation is lower than the rate peg in that year, the rate peg applies.

The increases for each year for this special variation are cumulative and compounding. The following example, scenario 1, illustrates how this variation would operate for a council that was seeking to increase its general income by \$3.25 million by the end of a five year period. In doing so, the council is proposing to increase its rates by 7%, 7%, 6%, 5% and 4% over a 5-year period or a total amount of 32.52%. It is assumed that the rate peg is 2.5% in Year 6:

**Table 5.1: Impact of a scenario 1 (508A) variation on total income yield**

Year	Special Variation	Cumulative increase	Notional General Income (\$000s)
0	-	-	\$10,000
1	7%	7.00%	\$10,700
2	7%	14.49%	\$11,449
3	6%	21.36%	\$12,136
4	5%	27.43%	\$12,743
5	4%	32.52%	\$13,252
6	2.5% (rate peg)	35.84%	\$13,584

Under scenario 1, a council is able to phase in a potentially significant rate increase over a number of years, rather than concentrate the increase in rates in one year, as under scenario 3. This type of variation can have a significant impact on a council's rating income and ratepayers. This is due to the cumulative nature of the rate increases over successive years and because the increases are retained permanently in the revenue base.

#### **Scenario 2 – 508A temporary special variation**

Scenario 2 is the same as scenario 1 but subject to a condition that makes it temporary. With a 508A temporary special variation the council must either adjust its general income to the level that it would have been without the SV (or some other level required by the relevant condition) or apply for a new special variation on expiry of the fixed term (see expiring scenarios 2 & 4 below).

#### **Scenario 3 – 508(2) permanent special variation**

Scenario 3 allows a single percentage revenue increase for a specified year that is greater than the rate peg for that year.<sup>8</sup>

While the percentage increase in general revenue is only for a specific year, the period to which the increase in general income is to be retained in the council's income base may be permanent (scenario 3) or temporary for a determined number of years (scenario 4).

Under scenario 3, the percentage increase is a permanent one and therefore has a greater impact on income. That is, the additional revenue generated from the special variation in the specified year permanently goes into the council's revenue base.

<sup>8</sup> Note: An instrument under section 508(2) may require a council to *reduce* its general income.



#### **Scenario 4 – 508(2) temporary (for x years) special variation**

Under scenario 4, the single percentage increase is subject to a condition to adjust the council's general income to a certain level after a fixed period of time. The condition will typically require a council to remove the additional revenue generated from the special variation (excluding the rate peg increases) from the rate base after a fixed period of time. This provides the council with the additional revenue for every year of a fixed term, indexed by the rate peg amount. On expiry of the fixed term, the council must either adjust its general income in accordance with the conditions of the SV or apply for a new special variation (see expiring scenarios 2 & 4 below).

The council should be aware that while a temporary variation may allow infrastructure upgrades to be undertaken, these assets may require ongoing maintenance on completion. Additional funding may therefore still be required on an ongoing basis to meet this commitment.

#### **Scenarios 2 and 4 – expiring special variations**

Where a s508(2) or s508A special variation is subject to a condition to remove a certain amount from its general income, a council must comply with that condition. A typical condition will require a council to deduct the value of an expiring special variation on the date of the special variation's expiry or at some other point in the future.

The value of the deduction will typically be equal to the total increase in general income under the special variation less the general income the council would have received under the rate peg had the special variation not been approved.

Councils that currently have a temporary (i.e. fixed term) special variation approaching its expiry date may:

- accept the required income adjustment on expiry of the variation, usually reflecting that the council no longer needs the additional funds, or
- apply for a new special variation to partially or fully continue the funding from the expiring variation and, in effect, avoid the income adjustment that would otherwise occur.

It is important for the council to clearly communicate the impact of the expiring variation when consulting with the community on a special variation proposal. This applies even if the new special variation is to continue essentially the same level of funding for the same projects.

For expiring variations, councils are required to contact the Office of Local Government to confirm the calculation of the expiring variation (see Attachment 1 for more information).

In exceptional circumstances a council may need to end an existing special variation earlier than its approved term to form part of a new special variation application. Councils considering doing this are advised to contact IPART to discuss the implications and their options in this regard.

## **5.2 Variations to ongoing s508A special variations**

Where a council has an ongoing s508A special variation and the council is seeking additional changes to its general income during the term of that existing special variation, the council must apply to IPART for a variation of the existing instrument.

IPART will assess an application for a variation using the same broad criteria (set out in section 3.1) as for an original application. While IPART's assessment will typically focus on the *additional* percentage sought, IPART may also consider whether it is appropriate to maintain the *existing* component of the s508A special variation.

In demonstrating the need for the variation to the ongoing s508A special variation, councils must indicate the financial impact of the special variation in their Long Term Financial Plan applying the following three scenarios:

- Baseline scenario – General fund revenue and expenditure forecasts that would apply if there was no special variation. This excludes the already approved component of the special variation and the additional percentage applied for.
- The status quo scenario – General fund revenue and expenditure forecasts which reflect the status quo. This includes the already approved component of the existing special variation but excludes the additional percentage applied for in the application for variation.
- The varied special variation scenario – the result of implementing the varied special variation in full is shown and reflected in the General Fund revenue forecast with the additional expenditure levels intended to be funded by the varied special variation.

When communicating the full cumulative increase of the proposed varied special variation, the council must communicate the full cumulative increase of the whole special variation (including the previously approved component of the existing special variation) to place the variation application in context. However, the focus of the community consultation may be on the difference between the status quo scenario and the varied special variation scenario.

### **5.3 Other types of income adjustment**

Councils must identify in their application any other adjustments to their general income such as:

- catch up or excess results from previous years,
- valuation objections successfully claimed in the previous year, and
- Crown land adjustments for newly rateable Crown land.

The requirements of these guidelines do not apply to these adjustments. See Attachment 2 for further information.

Councils can also apply to increase minimum ordinary rates or special rates above the statutory limits under sections 548(3) (a) and (b) of the *Local Government Act 1993*. Applications to increase minimum amounts above the statutory limit are the subject of a separate assessment process also undertaken by IPART in accordance with the “*Guidelines for the Preparation of an Application to Increase Minimum Rates above the Statutory Limit*” (see also Attachment 3) or visit the Office’s website link:

- <http://www.olg.nsw.gov.au/strengthening-local-government/supporting-and-advising-councils/directory-of-policy-advice/rating-and-special-variations>

## **6. IPART’s assessment approach for special variation applications**

The Independent Pricing and Regulatory Tribunal (IPART) comprises three permanent members appointed by the Premier.

IPART will assess applications for special variations against the criteria set out in these guidelines. Councils should be aware that if they provide all of the required information, this does not guarantee that applications will be approved by IPART. IPART will assess each application on its merits. In doing so, IPART may consider:

- size of the council,
- resources of a council,
- size (both actual \$ and %) of increase requested,
- current rate levels and previous rate rises,
- purpose of the special variation,
- compliance with this or any other applicable guideline,
- compliance with the conditions of any previous special variations, and
- any other matter considered relevant in the assessment of a special variation application.

Based on these considerations, IPART will determine the level and length of the increase in general income. It is generally expected that special variations will be for up to four years, to align with a council's Delivery Program and to avoid committing future councils to rate rises. However, in some circumstances a period of longer than four years (and up to seven years) may be appropriate.

IPART will assess each application based on its merits. To assist IPART in assessing the application while also reducing the burden on councils to provide additional documents, council applications must be based on their adopted IP&R documentation and relevant application forms should provide IPART with relevant extracts of the IP&R documentation (including web links to the relevant plans once they have been finalised and published on a council's website). IPART does not anticipate that a council will provide a complete suite of IP&R documents to IPART, unless IPART requests it. Some supplementary material will also be necessary, as outlined in the application forms.

IPART will publish on its website a statement of reasons for its decision to approve, either in full or in part, or not approve an application. Where an application is approved, IPART will issue the council with an instrument setting out the amount approved and any conditions applying to the approval.



*IPART will make the **final decision** as to whether the proposed special variation is approved, partially approved or not approved. This decision is final and IPART will not reassess an application after it has made its decision.*

## 7. Other information requirements

In its application forms IPART may require councils to provide specific information to address the assessment criteria. These application forms are available on the IPART website link:

- <https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/For-Councils/Apply-for-a-special-variation-or-minimum-rate-increase>

Councils are encouraged to read these guidelines in conjunction with the application forms.

### 7.1 Reporting mechanisms

Where a special variation is approved, IPART issues the council an Instrument which sets out the conditions of that approval. These conditions typically include minimum annual reporting requirements.

IPART expects that councils seeking a special variation will propose, as part of their application, annual reporting requirements to transparently report to their communities. This may be done through supplements to existing reporting processes and should include reporting on the additional income obtained through the variation, and if the special variation relates to a specific project:

- the projects or activities funded from the variation,
- details of any changes to the projects or activities funded from the variation compared with the council's initial proposal (any such changes must be consistent with the terms of the Instrument of Approval), and
- the outcomes achieved as a result of the projects or activities.

The application should include the reporting mechanisms which should align with the reporting processes identified through IP&R. A council's Annual Report must provide a report on the achievements through the Delivery Program. The End of Term report should also outline detailed performance indicators to report against the Delivery Program achievements in relation to the special variation.

### 7.2 Council resolution

A council must supply a copy of the resolution(s) to apply for the special variation, with its application. IPART will not assess a special variation application unless the council demonstrates its commitment to its proposal. It is expected that councils will hold an extraordinary meeting if necessary to meet this requirement.



## 8. Application process

### 8.1 Application forms

The forms for a special variation application consist of 2 separate parts:

- SV Part A – Microsoft Excel form that gathers data to calculate the amount of the special variation in terms of the dollar and percentage amounts, the impact on rates and the proposed program of expenditure. The form also seeks a council's contact information. Note that merged councils are required to use the 'merged councils' version of the Part A application form.
- SV Part B – Microsoft Word template for providing information to assist IPART in assessing the merits of the application. It also includes a certification page that must be signed by the council's General Manager and Responsible Accounting Officer.

Information on the application process and forms is available from the IPART website link:

- <https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/For-Councils/Apply-for-a-special-variation-or-minimum-rate-increase>



***Councils that are seeking to apply for a Special Variation are urged to notify IPART of their intention to apply***



*Any inquiries regarding the application process should be directed to IPART via phone 02 9290 8400 or email [localgovernment@ipart.nsw.gov.au](mailto:localgovernment@ipart.nsw.gov.au)*

IPART will not accept late applications, unless it grants an extension to a particular council. IPART encourages councils to submit applications as early as possible.

## **Attachment 1 – Calculation of expiring special variations**

For illustration, a council is approved a scenario 3 – s508(2) special variation for a fixed term of three years to fund infrastructure projects with a new infrastructure levy.

This special variation will expire at the end of the third rating year, having been in place for three years.

When this infrastructure levy ends, the council must comply with the terms of any conditions included in the special variation instrument. The conditions in a 'temporary' s508(2) special variation will typically require a council to deduct the additional income from the levy (or the value of this expiring variation) from the council's notional general income (rate base) before the council may apply the rate peg or other special variation percentage in the fourth rating year.

The value of the expiring variation will typically equate to the original value of the special variation plus the equivalent cumulative proportion of this increase under the rate peg or a subsequent special variation.

If the special variation approved in the first year was 6% and the rate peg increase in the second and third year were 2.5% and 2.6% respectively, the value of the expiring variation would equate to the dollar value of the initial special variation (detailed in the original special variation approval instrument) plus 2.5% for the second year, plus a further 2.6% for the third year (note: each annual increase is cumulative).

Another example shows the impact on a council's general income where the council is seeking to continue the funding from an expiring special variation and at the same time increase its general income over two years. The value of the expiring special variation shown in Table A1 is \$50,000, but the council wants to continue the expiring special variation and further increase its income by \$45,000. In the following year council wants an increase of \$104,500 (Note that this proposal would require a scenario 1 (s508A) application as it represents two years of increases above the rate peg percentage).

**Table A.1: Example of the impact of an expiring special variation on permissible general income in a special variation application**

Year	Unadjusted or Permissible General Income	Value of expiring variation	Adjusted General Income	Special Variation	Increase in income due to special variation	Net increase to income on previous year
Year 1	\$1,000,000	\$50,000	\$950,000	10%	\$95,000	\$45,000
Year 2	\$1,045,000	-	\$1,045,000	10%	\$104,500	\$104,500

In this example, the net increase in income in Year 1 is \$45,000. This is less than the increase due to the special variation of 10% (\$95,000) due to the deduction of the expiring special variation. The net increase in income in Year 1 is 4.5%, not the special variation percentage of 10%.

In these circumstances, the net increase in average rates levels in the first year is also likely to be around 4.5%. However, if the special variation was not approved, and assuming that the rate peg is 2.5% in the first year, the council's general income and average rates would actually fall by approximately 2.6% without the new special variation.



## Attachment 2 – Other adjustments to general income<sup>9</sup>

Councils may also be entitled to other adjustments to their permissible general income in the coming financial year (generally the first year of a new special variation period).

These adjustments are for:

- a) catch up or excess results from previous years,
- b) valuation objections successfully claimed in the previous year, or
- c) Crown land adjustments (CLA) for newly rateable Crown land.

The requirements of these guidelines do not apply to these adjustments.

### **Catch-up or excess results from previous years and valuation objections claimed for previous year**

The adjustments to the income base for a) catch up/excess amounts and b) valuation objection income successfully claimed in the previous year will not form part of the special variation percentage which may be approved by IPART. Should the special variation not be approved by IPART, the council will still be entitled to these income adjustments in addition to the rate peg.

### **Newly ratable Crown Land**

Any income adjustment for c) newly ratable Crown Land must be approved by IPART. A council wishing to make a crown land adjustment (CLA) may apply to IPART for a discrete special variation under s508(2) of the *Local Government Act 1993*. The requirements of these guidelines do not apply to such applications. However, if a council is also applying for a broader special variation, it may request that a percentage component for a CLA form part of the total percentage to be approved in the s508(2) special variation or s508A special variation.

Where a council has an ongoing s508A special variation and the council is seeking a CLA, the council's application will be taken to be an application to vary the existing instrument. As part of its assessment of the CLA application, IPART may consider any significant developments that have taken place since the original special variation

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<sup>9</sup> This information is provided as a brief summary of the various adjustments which may be applicable to councils on an annual basis. For more detail, councils should refer to the Office's Rating and Revenue Raising Manual located at: [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)

application was made and determine whether the existing component of the special variation should be maintained. This assessment may include consideration of any subsidies or grants that have affected the financial need for the existing component of the special variation as well as the council's compliance with the conditions of the existing special variation.

Councils are generally not expected to undertake further community consultation where they are only seeking a special variation to effect a CLA.

Where a council is not applying for a broader special variation, it should submit its request for a CLA to IPART. IPART will send all requests to OLG to confirm the amount of additional general income, and IPART will separately assess those where the council is also asking for a SV. IPART will make the final assessment as to whether or not to grant a CLA.

IPART will then decide whether to approve the increase having regard to OLG's assessment of eligibility, the council's application for the adjustment and any other matter considered relevant to the application.



*Catch up/excess amounts and adjustments to income for successful valuation objection income claimed in the previous year **do not form part of the special variation percentage, but Crown Land adjustments do.***

### Attachment 3 – Increasing minimum rates

Section 548 of the *Local Government Act 1993* (Act) allows a council to specify a minimum amount of a rate to be levied on each parcel of land within a particular category or sub-category.

The size of any minimum amount must not exceed the relevant permissible limits provided for in section 548(3) and clause 126 of the *Local Government (General) Regulation 2005*, unless Ministerial approval for a higher amount has been granted or where the council is entitled to increase its minimum rate under section 548(4) and (5) of the Act.

The Minister for Local Government has delegated to IPART responsibility for approving higher minimum rates.

A council must apply to IPART for an increase in minimum rates above the statutory limit when:

- it is seeking to increase its ordinary minimum rates above the statutory limit for the 'first time' with or without increasing its general income above the rate peg limit,
- it is already above the statutory limit but is seeking to increase its ordinary minimum rates by a higher percentage than it is permitted to under section 548(4) and (5) of the Act, or
- it is seeking to increase the minimum amount of its **special rates** above the statutory limit.



***Council should contact IPART to confirm whether or not an application is necessary.***

If a council is seeking to apply a higher rate of increase to its minimum rates than to its other rates in a special variation application, this must be clearly identified and addressed in the special variation application.

#### Ordinary rate minimums

Clause 126 of the Regulation is typically amended each year to increase the statutory limit on ordinary rate minimums by the rate peg increase for that year. This means that

councils do not need to make applications for ordinary rate minimum increases if the amount proposed is within that limit.

Under section 548(4) and (5) of the Act, a council is also entitled to increase the minimum amount of an ordinary rate in line with an approved special rate variation, if the council was previously granted approval to increase its minimum rate above the statutory limit provided for in section 548(3) of the Act and clause 126 of the Regulation.

### Special rate minimums

For special rates, s548(3)(b) of the Act specifies that the minimum amount of a special rate (other than a water supply special rate or a sewerage special rate) may not exceed \$2 unless Ministerial approval for a higher amount has been granted. The Minister for Local Government has delegated the function of approving higher amounts to IPART.

Unlike the minimum amount for an ordinary rate, the Act does not provide the flexibility to increase the special rate limit through an amendment to the Regulation. Rather, a council must obtain approval on **every** occasion (including the application of the rate peg) that it wishes to increase the minimum amount on special rates.

Once a council receives approval to increase a special rate minimum, this increase is ongoing and continuing. However, should a council wish to increase the approved special rate minimum by the rate peg, by virtue of s 548(3)(b) of the Act, a council must complete an application.



*If a council levies minimum amounts for ordinary or special rates **and** it is seeking a special variation, it must show the impact on these minimum rates by its proposed special variation as part of its special variation application.*

### Minimum rates applications

Where a council wishes to increase its minimum rates above the statutory limit as part of a special variation application, it should submit *both* a special variation application and a minimum rate increase application.

A council that is considering increasing its minimum rates (ordinary or special) above the statutory limit must refer to the *Guidelines for the Preparation of an Application to*

*increase Minimum Rates above the Statutory Limit.* These guidelines are available from the Office's website link:

- <http://www.olg.nsw.gov.au/strengthening-local-government/supporting-and-advising-councils/directory-of-policy-advice/rating-and-special-variations>

Applications to increase minimum rates must be made on the Minimum Rates Application Form available on the IPART website link:

- <https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/For-Councils/Apply-for-a-special-variation-or-minimum-rate-increase>

## Attachment 4 – SV Application Checklist

- ☐ Council has contacted IPART early in the application process to discuss the information requirements for its particular circumstance.
- ☐ Council resolution has been passed to apply for a special variation.
- ☐ Council has notified IPART of their intention to apply for a special variation on or before the due date as specified by IPART.
- ☐ Council's application is based on adopted IP&R documentation which identifies: -
  - ☐ The need and purpose of a different revenue path is clearly articulated and identified in the councils Delivery Program.
  - ☐ Evidence that the community is aware of the need for and extent of a rate rise.
  - ☐ The impact on affected ratepayers is reasonable.
  - ☐ IP&R documents are exhibited, approved and adopted by council.
  - ☐ IP&R documents explain the productivity improvements and cost containment strategies.
- ☐ Council has completed special variation application forms Part A (excel workbook) & Part B (word document) (available on IPART's website).
  - ☐ SV Part B certification page has been signed by the council's General Manager and Responsible Accounting Officer.
- ☐ Council's application includes a copy of the council's resolution(s) to apply for the special variation.
- ☐ Application which includes Part A and B, certification and council resolution and other supporting documentation, is lodged on or before the due date as specified on the OLG Council Circular and on the OLG and IPART websites.

## **10.4 ALLOCATION OF COUNCIL BUDGET FOR THE FIRST PHASE OF THE MONARO RAIL TRAIL PROJECT PLANNING.**

Record No:

Responsible Officer: Chief Executive Officer  
Author: Councillor Anne Maslin  
Attachments: 1. MRT Main Trail Proposed Development

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Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 20 May 2021, she will move the following motion.

### **MOTION**

That Council allocate \$90,000 in the Council budget to ensure detailed planning can be conducted for the first phase of the Monaro Rail Trail project. The sections of the project to be planned in detail are the Nimmitabel – MacLaughlin River (10km), and the Bombala – Jincumbilly (24km) sections. It is important to make a start on this much needed project before the end of 2022.

### **BACKGROUND**

Council requires detailed analysis of key design, construction, and maintenance considerations in order to confidently progress the Monaro Rail Trail project. MRT Inc. has already undertaken preliminary investigations, however, the full body of planning is yet to be undertaken for all stages of the proposal.

Mike Halliburton and Associates, authors of SMRC's Feasibility Study, produced an estimate to develop the Trail Development Plan for these sections.

This process will fully explore all issues associated with this section of the MRT and provide a blueprint for future investigation and design work. Based on similar projects, the Trail Development Plan should include:

- Precise route alignment and rail corridor width
  - Road crossing design and location
  - Fencing requirements
  - Roll-over grids and gates to enable movement of stock and equipment between paddocks
  - Management of biosecurity along the trail
  - Commercial opportunity sites on private land
  - Steel rails and sleeper removal and disposal options
  - Trail surface treatment options such as gravel or spray seal
  - Location and design of bridges including those to retain, restore, replace with culverts.
  - Heritage considerations, especially relating to bridges, tunnels, and buildings.
  - Location of public amenities and potential re-use of existing assets for this purpose
  - Signage and interpretative information (public safety, biosecurity, heritage and local features, advertising, and promotions) and trackside furniture
-

Cost Estimate for Trail Development and associated works:

- \$30k Trail Development Plan – Bombala section (based on estimate from Mike Halliburton Associates, who did the MRT Feasibility Study 2019)
- \$25 Trail Development Plan- Nimmitabel –MacLaughlin River section.
- \$5k Accommodation & travel
- \$5k Bio-security field assessment (to confirm preliminary desktop Risk Assessment)
- \$5k Environmental assessment
- \$5k Economic assessment
- \$5k Project management
- \$10k Contingencies
- Total- \$90k

The Monaro Rail Trail Inc. Steering Group and Committee has members who are qualified and experienced in engineering, town planning and project management, and who have kindly offered to assist pro bono where required by Council.

This work will enable Council to consider all risks associated with the trail, including financial, public safety, and asset liability which will place Council in a strong position to negotiate a governance arrangement with the NSW Government, and Federal Government.

**CHIEF EXECUTIVE OFFICER'S RESPONSE**







10.5 BOMBALA STREETSCAPE REMEDIATION WORK

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**10.5 BOMBALA STREETSCAPE REMEDIATION WORK**

Record No:

Responsible Officer: Chief Executive Officer  
Author: Councillor Anne Maslin  
Attachments: Nil

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Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 20 May 2021, she will move the following motion.

**MOTION**

That Council:

- A. That SMRC instruct the CEO to take all steps available to Council to ensure the Bombala Streetscape Upgrade project is completed to the agreed professional standard, by June 30, 2021. Given the contract was expected to be complete at the start of 2020, the contractor has had many months to remediate the aspects of the contract which were not fulfilled. Ratepayers have waited almost five years for this project to be complete.

**BACKGROUND**

**CHIEF EXECUTIVE OFFICER'S RESPONSE**

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**10.6 POLL TO ACCOMPANY COUNCIL ELECTIONS BALLOT PAPERS.**

Record No:

Responsible Officer: Chief Executive Officer  
Author: Councillor John Castellari  
Attachments: Nil

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Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 20 May 2021, he will move the following motion.

**MOTION**

That Council:

A. That Council conduct a poll concurrent with the September 2021 council elections and that the poll questions are:

Do you support the demerger of the former Bombala Council? Yes No

Do you support the demerger of the former Cooma Monaro Shire Council? Yes No

Do you support the demerger of the former Snowy River Shire Council? Yes No

**BACKGROUND**

The merger of our three former Councils in 2016 by the Baird Liberal National State Government was opposed by many in the broader community and a majority of elected members of their respective Councils. Five years on the merger remains a cause of dissatisfaction and conflict within our communities and a continuing source of distraction and disunity within our current Council as it labours to consolidate and complete, the complex requirements, both social and economic, of the merger process.

This motion will provide clarity for the incoming Councillors concerning the views of constituents on this fundamental issue of community support, and allow them to make informed decisions around how the Snowy Monaro Council positions itself to best serve the community.

The communities of Tumbarumba and Gundagai have fought and won the right to a Boundaries Commission review of their merged councils. The merged Council of Gundagai Cootamundra have unanimously resolved to support the demerger of their own Council. Communities in Young, Guyra, Sydney's Inner West, Holroyd and Northern beaches, among others, are all active in seeking to demerge.

Locally, the Save Bombala group has collected more than 1,500 signatures on the demerger petition from across the council area and has done so in a time of fires and a pandemic. While most of those signatures are from residents of the former Bombala shire, there are also signatures from residents of the former Cooma Monaro and Snowy River shires.

The results of a poll are not binding but will provide our new Councillors with a current understanding of the views of the community. Under the legislation the poll questions must be answered by a Yes or No. It is understood that a council resolution is required by end of May to allow for the timing of the election processes.

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Financial impact:

The additional costs will be minor if held in conjunction with the council elections.

**CHIEF EXECUTIVE OFFICER'S RESPONSE**

Council has previously been advised that the cost of a poll is approximately 10% of the election costs. This would indicate a cost in the order of \$27,000. This has not been budgeted for and will require a decision on where to fund this poll from.

### 13. CONFIDENTIAL MATTERS

In accordance with Section 10A(2) of the Local Government Act 1993, Council can exclude members of the public from the meeting and go into Closed Session to consider confidential matters, if those matters involve:

- (a) personnel matters concerning particular individuals; or
- (b) the personal hardship of any resident or ratepayer; or
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; or
- (d) commercial information of a confidential nature that would, if disclosed;
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law; or
- (f) matters affecting the security of the council, councillors, council staff or council property; or
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege or information concerning the nature and location of a place; or
- (h) an item of Aboriginal significance on community land.

and Council considers that the closure of that part of the meeting for the receipt or discussion of the nominated items or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information, and discussion of the material in open session would be contrary to the public interest.

In accordance with Section 10A(4) of the Local Government Act 1993 the Chairperson will invite members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential matters.

#### RECOMMENDATION

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

##### **13.1 Request for investigation**

Item 13.1 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

##### **13.2 Legal actions and potential claims against SMRC as at 30 April 2021**

Item 13.2 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

##### **13.3 Request for CEO performance review**

Item 13.2 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

2. The press and public be excluded from the proceedings of the Council in Closed Session on the basis that these items are considered to be of a confidential nature.
3. That the Minutes and Business Papers including any reports, correspondence,

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documentation or information relating to such matter be treated as confidential and be withheld from access by the press and public, until such time as the Council resolves that the reason for confidentiality has passed or become irrelevant.

4. That the resolutions made by the Council in Closed Session be recorded in the Minutes of the Council Meeting.
5. That upon this recommendation being moved and seconded, the Chairperson invite representations from the public as to whether this part of the meeting should be closed to consider the nominated item.