



SNOWY MONARO
REGIONAL COUNCIL

BUSINESS PAPER

PUBLIC EXHIBITION COPY

**Ordinary Council Meeting
16 May 2024**

STATEMENT OF ETHICAL OBLIGATIONS

Councillors are reminded of their oath or affirmation of office made under section 233A of the Local Government Act 1993 and their obligations under the Council's code of conduct to disclose and appropriately manage conflicts of interest.

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 Part 2, Division 1 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 Mayor, members of staff, delegates of the Council and members of the public attending a Council or a meeting of a committee of Council.

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

**ORDINARY COUNCIL MEETING
TO BE HELD IN JINDABYNE MEMORIAL HALL, THREDBO TERRACE, JINDABYNE NSW
2627**

**ON THURSDAY 16 MAY 2024
COMMENCING AT 1:00 PM**

BUSINESS PAPER

1.	OPENING MEETING	
2.	ACKNOWLEDGEMENT OF COUNTRY	
3.	COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL	
4.	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS	
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 18 April 2024	
7.2	Closed Session of the Ordinary Council Meeting held on 18 April 2024	
7.3	Extraordinary Council Meeting held on 2 May 2024	
8.	PLANNING AND DEVELOPMENT APPLICATION MATTERS	
8.1	Development Application 10.2022.307.1 10 Lot Subdivision - 9 Lots Large Lot Residential & 1 Lot Primary Production	3
8.2	Development Application 10.2023.200.1 - Ecotourism Facilities (5 Cabins & 5 Carports), Dwelling House, Garage & Machinery Shed	32
8.3	Development Application 10.2021.325.1 - Proposed Large Lot Residential Subdivision - Stage 2A (Lots 201 - 230)	85
8.4	Development Application 10.2021.321.1 - Proposed Large Lot Residential Subdivision - Stage 2B (Lots 231 - 237)	119
9.	OTHER REPORTS TO COUNCIL	
9.1	OPERATIONS	
9.1.1	Snowy River Hostel Expression of Interest (Update)	153
9.1.2	Restructure of the Chief Operating Officer (COO) Role	154
9.1.3	Bombala Laundromat Update	158

9.2	FINANCE	
9.2.1	Monthly Funds Management Report - April 2024	161
9.2.2	Quarterly Budget Review Statement (QBRs) 31 March 2024	165
9.3	STRATEGY	
9.3.1	Proposed public exhibition of draft Disability Inclusion Action Plan 2024-2028	179
9.3.2	Donations and Sponsorships 2024 Applications	257
9.3.3	Delivery Program Progress Report	260
9.4	COMMUNICATIONS	
	Nil	
9.5	EXECUTIVE OFFICE	
9.5.1	Resolution Action Sheet Updates	269
9.6	WORKFORCE	
	Nil	
10.	REPORTS OF COMMITTEES	
10.1	Minutes from Management and Advisory Committees	368
11.	NOTICE OF MOTION	
11.1	To hold a poll in conjunction with the 14 September 2024 Council Elections regarding de-amalgamation	376
12.	MAYORAL MINUTES	
13.	QUESTIONS WITH NOTICE	
13.1	Questions related to the new sports centre - Cr Williamson	381
14.	CONFIDENTIAL MATTERS	388
14.1	Legal Actions and Potential Claims Against SMRC	
	<i>Item 14.1 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	
14.2	Awarding of SMRC Waste Services Contract 002/2024	
	<i>Item 14.2 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and (dii) of the Local Government Act because it contains and information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

Record No: I24/189

Applicant Number:	10.2022.307.1
Applicant:	Donald Southwell
Owner:	D V Southwell & L M Southwell
DA Registered:	01/08/2022
Property Description:	Lot: 38 DP 635407 Lot: 39 DP: 635407 Lot: 1 DP: 47154
Area:	94.333ha
Zone:	R5 – Large Lot Residential & RU1 Primary Production
Current Use:	Agriculture and dwelling house
Proposed Use:	10 lot subdivision – 9 residential lots and 1 agricultural lot
Permitted in Zone:	Permitted
Recommendation:	Approval

RECOMMENDATION

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that Council grants consent to DA 10.2022.307.1 for 10 lot subdivision at Lot: 38 DP 635407; Lot: 39 DP: 635407; and Lot: 1 DP: 47154, with conditions of consent attached to this report.

BACKGROUND

The purpose of the report is to seek approval for the subdivision of lot 38: DP 635407, lot: 39 DP: 635407 and lot: 1 DP: 47154, to create ten (10) new lots, nine (9) of which are proposed to be residential lots within zoning Large Lot Residential (R5), and one (1) lot proposed to be a rural lot within zoning Primary Production (RU1), which will not have dwelling entitlement.

It is proposed that a new access road will be formed, intersecting with Jerangle Road, providing legal and practical access to all lots proposed as part of this subdivision application. It is proposed that this access road will be a public Council road, owned and maintained by Council. This is in accordance with Council's Development Control Plan (DCP), and highlights that new assets can be created for Council to own and maintain under existing Council Local Environmental Plan (LEP) and DCP provisions.

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

The application was notified and publicly advertised for a period of 14 days, and no submissions were received. The application was referred to NSW RFS as Integrated Development and general terms of approval were issued with conditions of consent. The application was referred to Transport NSW and Essential Energy for development concurrence, which was received from each entity.

PROPOSAL IN DETAIL

Site Context

The development site is located to the east of the town of Bredbo.

The development site is isolated from the town via the (at present) disused railway line.

The land at this area of Bredbo is generally of an agricultural nature, and is generally cleared of non-grass vegetation. The land to the west of the railway corridor is generally medium sized residential lots, many of which have not been developed.



Figure 1: Site locality at Bredbo. Monaro Highway (purple), railway corridor (green) and site (red outline)

Site

The site is cleared rural land with undulating terrain.

The land is zoned R5 Large Lot Residential and RU1 Primary Production.

A map showing land parcels with various labels and boundaries. The map includes several yellow triangular areas labeled SP1, SP2, and SP3. A large green area is labeled PG1. A central brownish-grey area contains a grid pattern and is labeled RL10. To the right, there are two red-outlined rectangular areas; one is labeled 38 and the other is labeled 39. A red arrow points from the number 1 towards the boundary between the two red-outlined areas. Other labels include RO and RLO.

Lot 1 appears to be a former road reserve converted to freehold status, and is entirely within R5 zoning. Lot 38 is predominantly within R5 zoning, with a small area of land at the southern corner which is RU1 zoning. Lot 39 is approximately 60% within R5 zoning, whilst the southern 40% is within RU1 zoning.

Figure 3: Local Roads

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

Access to the site is currently gained via Braidwood Street/Jerangle Road, which connects to the Monaro Highway. The access trail to the site crosses over the rail corridor immediately north-west of the southern boundary point of lots 38 and 39. The crossover into the land is on the eastern side of the rail corridor.

Easements

There is an existing powerline easement 45m wide which passes through lots 38 and 1.

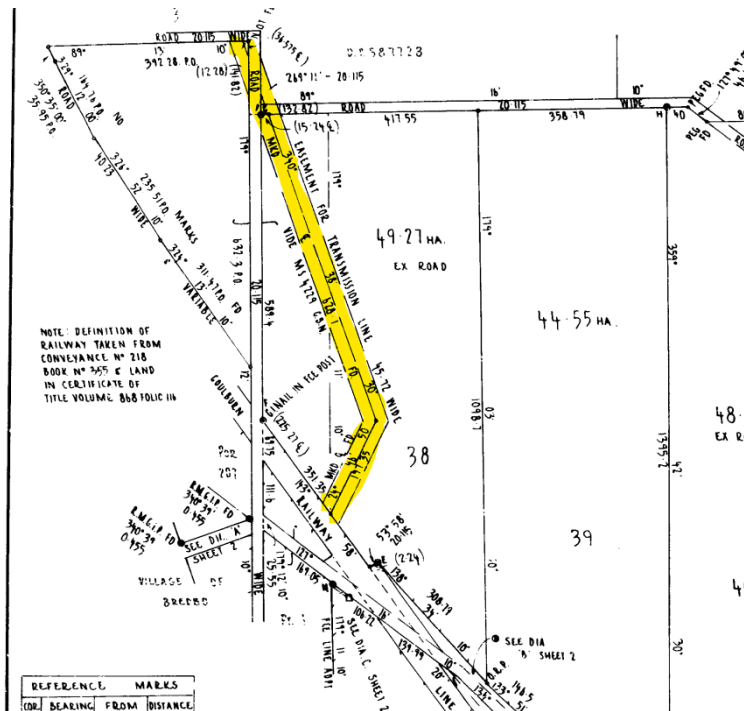


Figure 4: Powerline easement

Site Photos



Figure 5: Powerlines extending over rail corridor into site.

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION



Figure 6: Rail corridor adjacent to western boundary of site



Figure 7: Existing access to site, with rail corridor in immediate foreground visible at left.



Figure 8: Jerangle Road as it curves to the south adjacent to the subject site, within the rail corridor.



Figure 9: Existing access track from Jerangle Road, through site.

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION



Figure 10: Gully though site



Figure 11: View from site towards Bredbo town



Figure 12: View within site towards dwelling and associated development within site.



Figure 13: View within site, looking north

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

Previous Development History

2017: Telecommunications Tower on lot 38

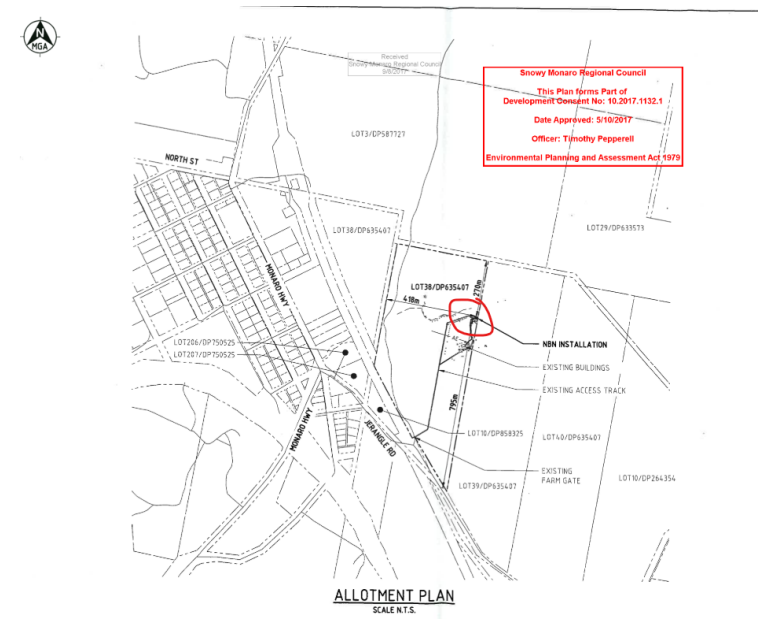


Figure 14: Location of telecommunications tower

2014: Additions to Existing Dwelling on lot 38

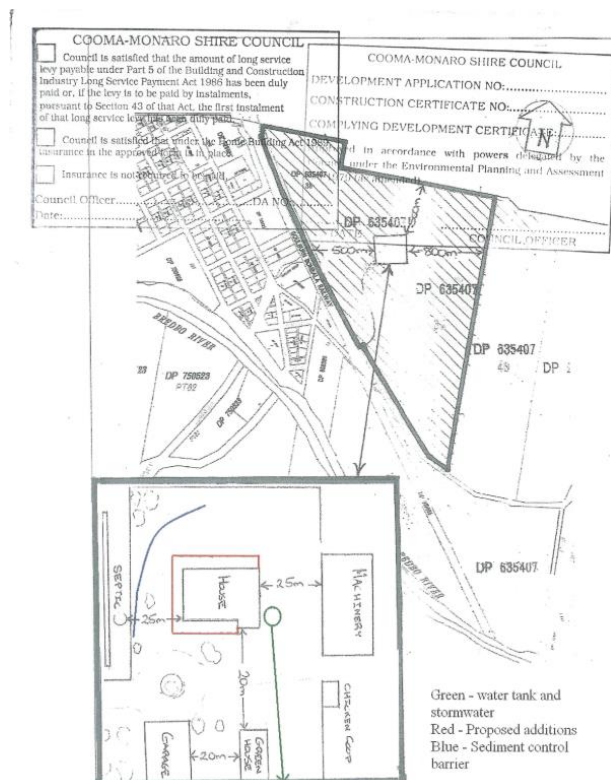


Figure 15: Site Plan

2003: Erect 2 sheds on lot 38

Prior to 2003, a dwelling house has been erected on lot 38.

Proposal

It is proposed to subdivide lots 38, 39, and 1, into 10 new lots.

Proposed lots 1-9 are sited within the land zoned R5 large lot residential. They are proposed to be accessed via a new road, which joins to Braidwood/Jerangle Roads at a location adjacent to the current crossover to the subject lands.

Proposed lot 9 incorporates the existing residential and shed developments on the subject land.

Lots 1-8 contain proposed building envelopes.

Proposed lot 10 consists of that portion of the subject land which is zoned RU1 Primary Production. This land is approximately 18.41ha.

It is proposed that lot averaging will be implemented to create the proposed lot sizes.

Minimum lot size is 8ha on proposed lots 1-9 (R5 zone), permissible to 2Ha using averaging.

Minimum lot size is 80ha on proposed lot 10 (RU1 zone), permissible to 20Ha using averaging.

The proposed lot sizes are as follows;

- Lot 1: 5.6576ha
 - Lot 2: 4.29ha
 - Lot 3: 2.55ha
 - Lot 4: 2.64ha
 - Lot 5: 3.1ha
 - Lot 6: 6.12ha
 - Lot 7: 2.98ha
 - Lot 8: 2.37ha
 - Lot 9: 44.6ha
 - Lot 10: 18.41ha
-

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

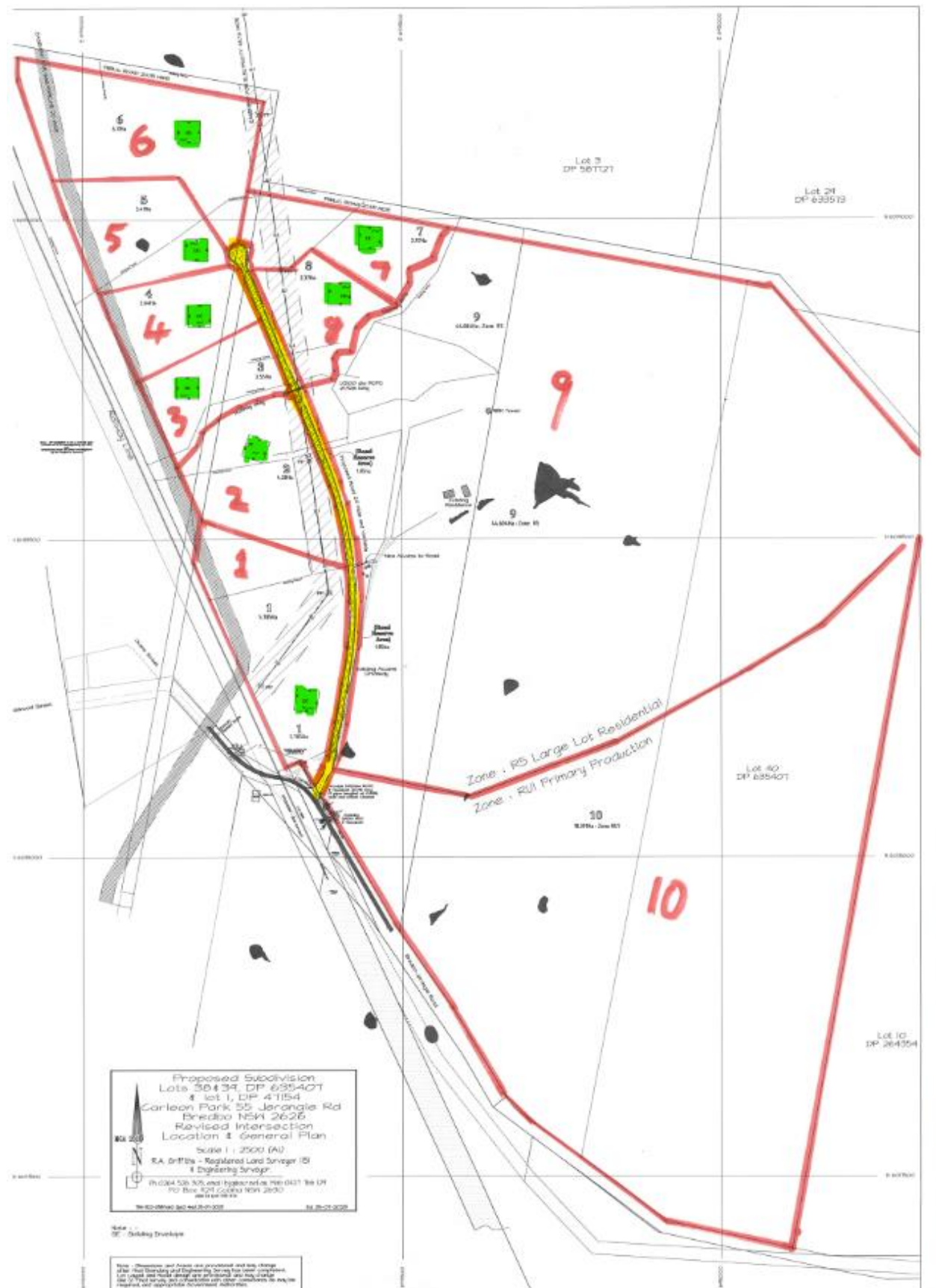


Figure 16: Proposed subdivision plan. Lot boundaries marked in red. Proposed public road marked in yellow. Proposed building envelopes on lots 1-9 coloured green.

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

RESPONSIBLE OFFICER ASSESSMENT

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

State Environment Planning Policies (SEPPs)	State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021
Local Environmental Plan (LEP) (including draft LEPs)	Cooma-Monaro Local Environmental Plan 2013 (CMLEP 2013)
Development Control Plans	Cooma-Monaro Development Control Plan 2014 (CMDCP 2014)

Section 4.15 and EP&A Act Checklist

The suitability of the site for the development:	The site is generally suitable for development.
The provisions of any environmental planning instrument and draft environmental planning instrument:	The proposal has been assessed against the provisions of all relevant SEPP's and the development has been found to achieve an acceptable level of compliance. The proposal has been examined in detail against the provisions of SRLEP 2013 and has been found to achieve an acceptable level of compliance.
The provision of any development control plan:	The application generally complies with the provisions of Council's Development Control Plan.
Any matters prescribed by the regulations:	The application generally complies with the EP&A Regulation 2000 and 2021.
The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality:	The likely impacts of the development have been appropriately considered and assessed as part of this application and appropriately addressed.
Any submissions made in accordance with the EP&A Act or the regulations:	The application was notified and advertised in line with the provisions of the Snowy Monaro Planning and Development Community Participation Plan 2019. A total of 6 submissions were received. Details of notification and submissions received are discussed below.
The public interest:	The proposal is not considered to be contrary to the public interest, as it complies with the Council's standards and will not contribute to creating an undesirable precedent.

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

REFERRALS

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 is was deemed to be Integrated Development under Section 4.46 of the Environmental Planning and Assessment Act 1979.

State or Federal Agency	Comments
RFS	Response received. Conditions of consent have been provided.

External Referrals

State or Federal Agency	Comments
Transport NSW	<p>Transport NSW did not support the subject DA as it was first submitted, due to the below concerns.</p> <p>The access road to the development is proposed via a new roadway to be constructed to connect to Jerangle Road. Part of the access road and the new intersection with Jerangle Road would be within the Rail Corridor land.</p> <p>The proposed intersection would adversely impact on rail safety should the railway line re-open for operation.</p> <p>In addition, the construction of the access road is across rail corridor land owned by TAHE. As such the proposal would also require approval from TfNSW to access the rail corridor including but not limited to entering into a licence. In addition, the DA requires landowners consent from TAHE for the purpose of the lodgement of the DA. In its current form, such a licence and landowner's consent would not be granted to the subject development.</p> <p>Transport NSW advised that modified plans be prepared, to include the relocation of the proposed access road and intersection, in consultation with TfNSW and UGLRL.</p> <p>The applicant provided amended plans to which a response was received and general terms of approval provided.</p>
Essential Energy	Response received. No objection to the development and conditions of consent have been provided.

Internal Referrals

Section	Comments
Development Engineering	Response received. No objection to the development and conditions of consent have been provided.

LEGISLATIVE REQUIREMENTS ASSESSMENT UNDER SECTION 4.15 OF EP&A ACT

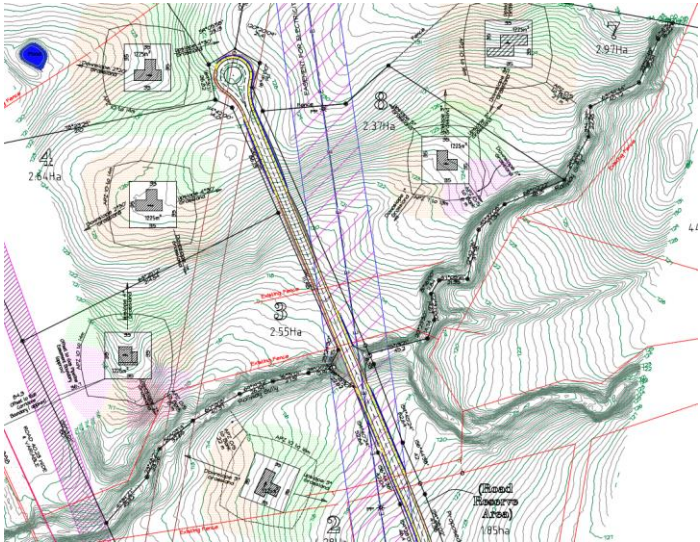
As required by the Environmental Planning and Assessment Act, 1979, Section 4.15, the following relevant matters are addressed below:

- Suitability of the site;
- Environmental planning instruments (State Environmental Planning Policies, Local Environmental Plans);
- Proposed 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

The site is suitable for the development proposed as it is an extension of an existing aged care facility providing for residential aged care and associated facilities.


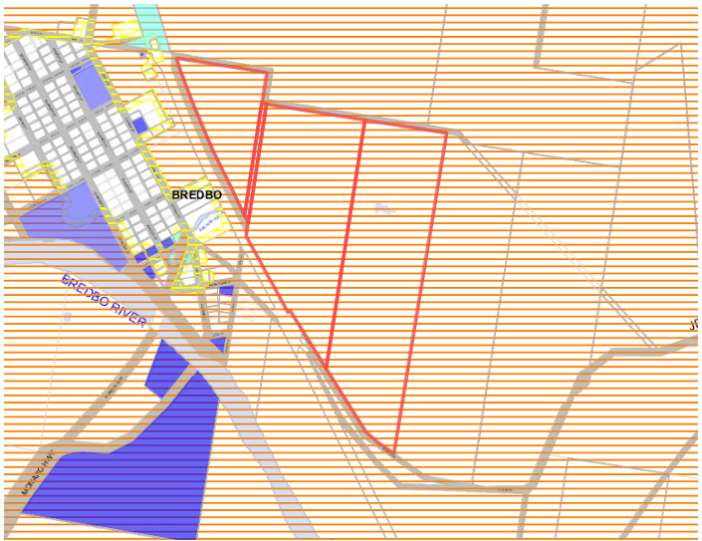
The site was previously used as a mechanical workshop and corner store which was demolished under a previous approval and the site cleared of contaminants in order to facilitate the type of development proposed.

Slope	<p>Rolling terrain.</p> <p>There is an existing gully which passes through existing lot 38. This is proposed to form the boundary between proposed lots two and three, and between proposed lots nine and eight and seven.</p>  A topographic map of a site with rolling terrain. The map shows several proposed lots outlined in red. A prominent gully, shown with brown contour lines, runs through the center of the site. The gully is proposed to form the boundary between proposed lots two and three, and between proposed lots nine and eight and seven. The map also shows existing lot boundaries and a 'Road Reserve Area' at the bottom right. Various elevation points and lot numbers are marked on the map.
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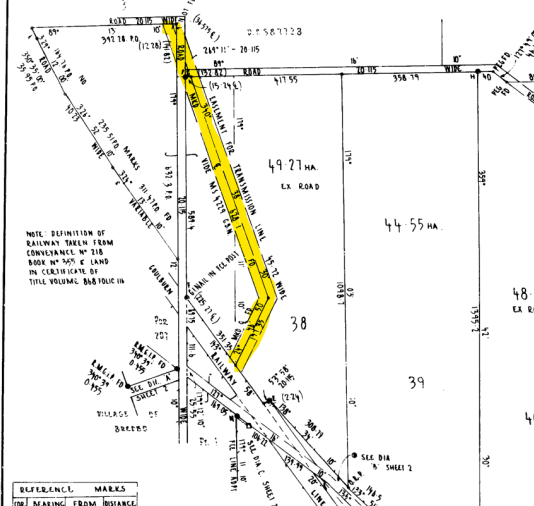
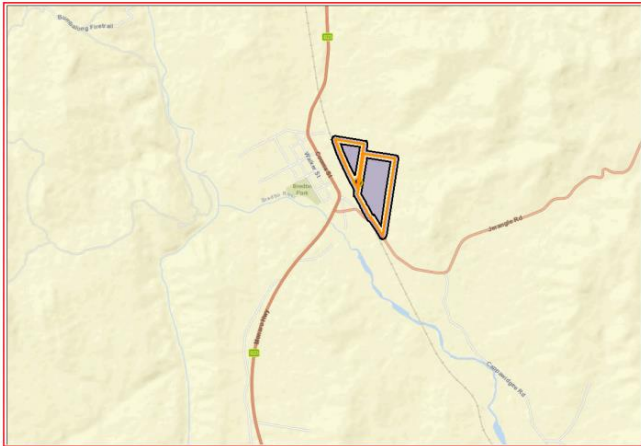
8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

<p>Significant vegetation</p>	<p>2017 Landuse Mapping and Grassland transect location</p>  <p>A flora and fauna assessment has been lodged as part of this application. Ground cover has been assessed as comprising 93% exotic species, and is considered to be of low conservation value.</p>
<p>Adjoining development</p>	<p>To the west of the railway line there is a church within a rural paddock, a Primary School, and commercial and residential developments (generally detached dwellings on urban lots).</p> <p>The land to the east is generally farming lands with isolated dwellings and farming structures. The land to the north is detached dwellings on Large Lot Residential lots.</p>
<p>Suitability of proposed works / building</p>	<p>Generally acceptable having regard to constraints of the land</p>
<p>Streetscape</p>	<p>Proposal generally compatible with adjoining development</p>
<p>Stormwater disposal</p>	<p>On-site via detention</p>
<p>Services</p>	<p>Electricity / telephone</p> <p>The land is not connected to water. Water mains connection is available, but will require traversing the existing railway corridor, and will be a significant cost burden on Council to maintain water infrastructure extended into large lot residential lots.</p>

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

	
Views	Nil impact to and from site
Contamination	Nil identified
Bushfire	<p>A portion of the subject site is classified as bushfire prone land. A bushfire risk assessment report has been lodged as part of this application and the development has been referred to the NSW RFS as integrated development.</p> 
Flooding	<p>Railway Gully is mapped as 1% AEP, but otherwise land is not mapped as such apart from isolated flood channels. Only Railway Gully is mapped as Flood Planning Area.</p>

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

			
Vehicular access	Existing to lot 38. A new road is proposed to provide vehicular access to proposed residential lots.		
Easements and restriction on use	There is a 45m wide powerline easement. 		
Aboriginal sites	<p>Objects previously identified within the study area (the land subject to this development) were found upon investigation to lie outside the study area.</p> <p>Lot 38</p>  <p>A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:</p> <table><tr><td>1 Aboriginal sites are recorded in or near the above location.</td></tr><tr><td>0 Aboriginal places have been declared in or near the above location. *</td></tr></table>	1 Aboriginal sites are recorded in or near the above location.	0 Aboriginal places have been declared in or near the above location. *
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Threatened species	Rosenberg’s Goanna possibly forages on site, but does not nest/breed on site. Species listed within 10KM of site unlikely to have been located on site. Generally minimal impact predicted on species, as per the Ecological Assessment.																																								
Grasslands	<table><tr><th>Scientific name</th><th>Common name</th><th>Native or Exotic</th><th>% cover</th></tr><tr><td>Lolium sp.</td><td>Rye grass</td><td>E</td><td>89</td></tr><tr><td>Eragrostis curvula</td><td>African lovegrass</td><td>E</td><td>2</td></tr><tr><td>Austrostipa scabra</td><td>Corkscrew grass</td><td>N</td><td>6</td></tr><tr><td>Triptilodiscus pygmaeus</td><td>Austral sunray</td><td>N</td><td>0.3</td></tr><tr><td>Swainsona behriana</td><td>Behr’s swainson-pea</td><td>N</td><td>0.1</td></tr><tr><td>Verbascum virgatum</td><td>Twiggy mullein</td><td>E</td><td>0.5</td></tr><tr><td>Austrodanthonia sp</td><td>Wallaby grass</td><td>N</td><td>0.5</td></tr><tr><td>Hypochaeris glabra</td><td>Smooth cats ear</td><td>E</td><td>0.5</td></tr><tr><td>Crassula sieberiana</td><td>Australian Stonecrop</td><td>N</td><td>0.1</td></tr></table>	Scientific name	Common name	Native or Exotic	% cover	Lolium sp.	Rye grass	E	89	Eragrostis curvula	African lovegrass	E	2	Austrostipa scabra	Corkscrew grass	N	6	Triptilodiscus pygmaeus	Austral sunray	N	0.3	Swainsona behriana	Behr’s swainson-pea	N	0.1	Verbascum virgatum	Twiggy mullein	E	0.5	Austrodanthonia sp	Wallaby grass	N	0.5	Hypochaeris glabra	Smooth cats ear	E	0.5	Crassula sieberiana	Australian Stonecrop	N	0.1
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Hypochaeris glabra	Smooth cats ear	E	0.5																																						
Crassula sieberiana	Australian Stonecrop	N	0.1																																						
Rivers/streams	Railway Gully. No Riparian lands.																																								
Effluent disposal	Onsite																																								
Prevailing winds	Nil impact																																								
Easements	Proposed road passes through railway easement. Essential Energy have provided consent to proposal.																																								
Other matters	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):

State Environmental Planning Policies	Compliance/Relevance
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	N/A
State Environmental Planning Policy (Biodiversity and Conservation) 2021	N/A. Flora and fauna report lodged as part of this application concludes that native flora suitable for Koala habitat is not present on site. 93% of ground cover is exotic species, and is thus considered of 'low conservation value'.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	N/A
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A
State Environmental Planning Policy	N/A

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

(Housing) 2021	
State Environmental Planning Policy (Transport and Infrastructure) 2021	<p>Division 15 Railways</p> <p>Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors— notification and other requirements</p> <p>2.97 Development involving access via level crossings</p> <p>The proposal involves the creation of a new level crossing over the existing railway corridor.</p> <p>The railway authority (TfNSW) was provided written notice of the application within seven (7) days of the application being made.</p> <p>Consideration has been given to the implication of the development on safety. The application has been assessed by Council’s development engineer and TfNSW and is considered to achieve an acceptable level of safety.</p> <p>Access to the development which does not use a level crossing is not considered feasible, as the development cost would be prohibitive considering the small scale of the development and the current disuse of the rail corridor.</p> <p>Development consent concurrence of the rail authority for the railway corridor has been provided to Council.</p> <p>2.98 Development adjacent to rail corridors</p> <p>Complies. Development consent concurrence of the rail authority for the railway corridor has been provided to Council.</p> <p>2.100 Impact of rail noise or vibration on non-rail development</p> <p>Complies. The applicant has provided an acoustic report with the application from a qualified acoustic engineer. The following conclusion were made by the consultant.</p>

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

	<p>Of the assessed components of noise, the following conclusions have been reached:</p> <ul style="list-style-type: none"> A rail noise and vibration intrusion assessment should be conducted for the residential lots if the railway line bordering the property is to become operational again. Section 4.0 outlines the mechanical plant noise criteria that each residential premises built on each subdivided lot must achieve. Due to the distance between the proposed subdivided lots, Koikas Acoustics expects a low probability of exceeding noise levels associated with residential mechanical plant items. <p>In our professional opinion, there is sufficient scope within the proposed subdivision design to achieve the applied acoustic planning guidelines.</p> <p>General officer response: TfNSW has provided recommendations of consent, which are draft conditions of consent.</p>
State Environmental Planning Policy (Industry and Employment) 2021	N/A
State Environmental Planning Policy (Resources and Energy) 2021	N/A
State Environmental Planning Policy (Resilience and Hazards) 2021	N/A: There is no indication on Councils records which shows that prior land-uses on the site are likely to have resulted in the contamination of the land. The land appears to have been used for non-intensive livestock grazing. No further investigation is required in accordance with the NSW Managing Land Contamination Planning Guidelines.
State Environmental Planning Policy (Precincts – Regional) 2021	N/A
State Environmental Planning Policy (Primary Production) 2021	N/A
State Environmental Planning Policy (Planning Systems) 2021	N/A

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

- The subject land is zoned: R5 - Large Lot Residential and RU1 - Primary Production
- Definition of land usage under CMLEP 2013: Subdivision
- The proposal is permissible with development consent from Council pursuant to Zones R5 and RU1 of the CMLEP 2013.
- The proposal is considered to be consistent with the aims and objectives of the plan.

Zone SP3 Tourist

1 Objectives of zone

- To provide for a variety of tourist-oriented development and related uses.
- To provide tourist development that is compatible with the environmental, scenic or landscape qualities of the area.

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

- To enable other uses that complement tourist development without eroding the retail hierarchy of the local centres and villages.
- To ensure that development is sympathetic with the rural setting, scenic values and landscape features of the area.

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

Clause 4.1 Minimum subdivision lot size

Officer response: Does not comply. See clause 4.1B

Clause 4.1B Subdivision using average lot sizes

Officer response: Complies. The Land comprising proposed lots 1-9 is zoned R5. Lots 1-9 total 74.307ha and average 8.25ha.

4.1B (2) This clause applies to land in the following zones –

(b) Zone R5 Large Lot Residential,

Officer response: The subject land is zoned R5 and therefore complies with this clause.

4.1B (3) Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies if—

(a) the total number of lots created from the subdivision will not exceed the number of lots that could be created under clause 4.1 (3), and

Officer response: Complies. The subject land zoned R5 Large Lot Residential is 74.307ha. Under clause 4.1 (3), nine 8ha lots could be created. The total number of lots proposed as part of this DA relating to the land zoned R5 is 9, and therefore does not exceed the number of lots that could be created under clause 4.1 (3). The proposal therefore complies with this clause.

4.1B (3) (d) for land in Zone R5 Large Lot Residential, each lot created by the subdivision will have an area of at least 2 hectares.

Officer response: Complies. All lots are greater than 2 ha.

Note: Lot 10 corresponds to that land zoned RU1 and mapped as 80ha minimum lot size. This lot is not proposed to be created under this clause. This proposed lot is 18.41ha. This lot will therefore not have dwelling entitlement.

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

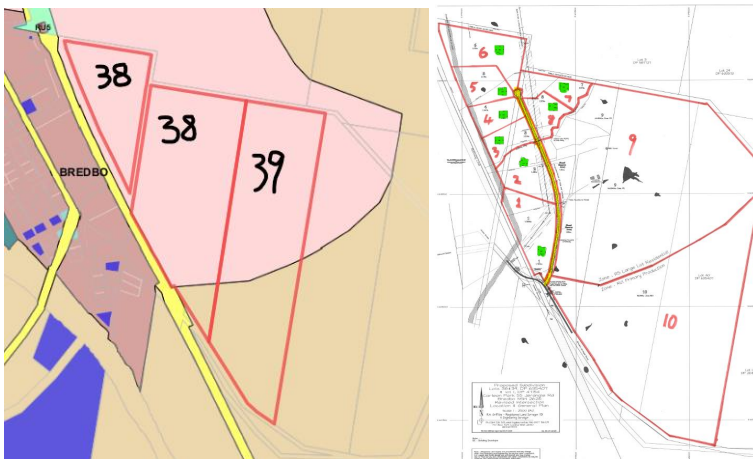
Clause 4.1C Minimum subdivision lot sizes for certain split zones

Officer response: Complies with clause 4.1C (5) (a)

clause 4.1C (5) Despite subclause (3), development consent may be granted to subdivide an original lot if—

(a) the lots to be created from the subdivision will each contain land in one zone

Officer response: Complies. Existing lots Lots 38 and 39 are split between RU1 and R5 zoning. All proposed lots are each entirely within a single zone.



Clause 4.2 Rural subdivision

Officer response: Complies. The proposed lot 10, being on land zoned RU1 Primary Production, will not have a dwelling entitlement, nor will an existing dwelling be located on this lot. Clause 4.2 permits the subdivision of land for the purpose of primary production even if the size of the lot created is below the minimum lot size, and further states that a dwelling cannot be erected on such lot.

Clause 5.10 Heritage Conservation

Aboriginal Heritage

The applicant has provided a Due Diligence Report which documents a site visit was and no newly identified archaeological material was identified during the survey.

The following findings and recommendations were stated in the report;

3.0 CONCLUSIONS AND RECOMMENDATIONS

3.1 CONCLUSIONS

- One previously recorded Aboriginal site is located within the study area.
- Assessment of the site card for this site identified that the site is actually located outside of the study area.
- The location of this site has been updated to reflect the site plan included in the site card, moving the site outside of the study area.
- No archaeological material was identified on the ground surface within the study area.
- The study area is assessed as having no potential for subsurface archaeological deposits and this is confirmed by the site inspection.
- This assessment was based on identification of landform elements, previous archaeological work undertaken within the wider Bredbo region, and a visual inspection of the study area.

3.2 RECOMMENDATIONS

- No further Aboriginal archaeological assessment is required prior to the commencement of upgrade works as described in this report.
 - This due diligence assessment must be kept by Vision Town Planning Pty Ltd and Don and Lyn Southwell so that it can be presented, if needed, as a defence from prosecution under Section 86(2) of the *National Parks and Wildlife Act 1974*.
 - The results of this assessment fulfil the requirement for Due Diligence in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (Code of Practice). Works may proceed with caution.
 - The proposed works must be contained to the area assessed during this due diligence assessment, as shown on Figure 2. If the proposed location is amended, further archaeological assessment may be necessary to determine if the proposed works will impact any Aboriginal objects or archaeological deposits.
 - Should unanticipated archaeological material be encountered during site works, all work must cease and an archaeologist contacted to make an assessment of the find. Further archaeological assessment and Aboriginal community consultation may be required prior to the recommencement of works. Any objects confirmed to be Aboriginal in origin must be reported to Heritage NSW.
-

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

Office response: Due diligence has been observed as regards aboriginal heritage impacts. Development on the site is restricted to proposed public and private access roads, and development within the proposed building envelopes. Any proposed development in the future outside of the specified building envelopes will require further due diligence assessment.



Figure 2: Proposed plan of residential subdivision – Southern End (Source R.A. Griffiths).



Figure 3: Proposed plan of residential subdivision – Northern End (Source R.A. Griffiths).

Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones

Officer Response: Complies. The land to which this application applies is generally adjacent to (separated by a narrow SP2 corridor) land zoned RU5 and R5, whilst land to the north and east of the proposed subdivision is zoned RU1.

It is not considered that the proposed subdivision will have an adverse impact on the agricultural land uses of those lands zoned RU1, or on the residential land uses on land zoned RU5 and R5.

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

Large lot residential lots with residential land use are intended to function as a transition zone between agricultural land uses and residential land uses, having a residential land use on land characterised by a rural character. As such, the subdivision is consistent with the strategic land use planning objectives of the location.

Proposed building envelopes are suitably distanced from primary production land to not pose land use conflict.

Clause 6.3 Terrestrial biodiversity

Officer Response: Complies. There are no adverse impact on biodiversity as land mapped as terrestrial biodiversity is not impacted by proposed building envelopes or the proposed roadway.



Clause 6.4 Groundwater vulnerability

Officer Response: Complies. No adverse impacts are predicted in relation to the proposed subdivision, considering no significant land cuts are proposed.

Given the size of the proposed residential allotments, and the designated zoning of the land for residential development, it is considered that the land is appropriate for residential development as regards septic management, and suitable on-site sewage management can be proposed on each in association with future proposed developments. On-site sewage management is the only available management of wastewater within the township of Bredbo.



Clause 6.10 Essential Services

Officer Response: Complies. All essential services are capable of being provided to all proposed lots.

The development proposes the following services essential for future development to be available.

- a. The supply of water can be provided by appropriate stormwater tanks on each proposed allotment.
- b. The supply of electricity is capable of being provided by connecting to mains infrastructure, or alternatively, an off-grid supply can be provided.
- c. The disposal and management of sewage can be managed on site via on-site sewage management systems.
- d. Stormwater drainage or on-site conservation is capable of being managed on-site.
- e. Vehicular access direct to Jerangle Road via proposed public road. UGL and TfNSW have provided conditional consent for the location of the intersection adjacent to the existing rail corridor.

6.3 Provision of any proposed Environmental Planning Instruments

There are no other proposed environmental planning instruments applying to this site which are relevant to the proposed development.

6.4 Assessment against the relevant provisions of Cooma Monaro Development Control Plan 2014

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

Provision	Response
2 General Development Controls	
2.1 Streetscape	N/A
2.2 Building height and bulk	N/A
2.3 Building Setbacks	Complies. All building envelopes ensure future development is setback greater than proscribed setbacks for R5 zoning, except where noted (see assessment under part 4.1.
2.4 Crime and Safety	N/A
2.5 Vehicular access and roads	Satisfactory. To be conditioned.
2.6 Stormwater	N/A
2.7 Energy efficiency	N/A

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

2.8 Erosion and sediment control	N/A
2.9 Landscaping	N/A
2.10 Off-street parking and delivery vehicle facilities	N/A
2.11 Infrastructure and Easements	Complies. To be conditioned where relevant
4. Requirements for Subdivision	
4.1 Land (torrens title) subdivision	<p>Satisfactory.</p> <p>Cal de sac is appropriate to the location. There is no perceived security risk, as a laneway is not proposed. Lot shapes do not impact the potential for development on the land.</p> <p>All lots have direct street frontage.</p> <p>Distance to nearest park is satisfactory. Although the distance from the entrance to the subdivision is slightly greater than 1200m (1230m), the nature of the proposed lots (large lot residential, all lots 2.37ha or greater) provides all lots with satisfactory provision of open space.</p> <p>Street trees not required as all lots are greater than 1ha.</p> <p>Southern lots are with 225m of the existing water main and thus can be linked to water services (subject to design and availability limitations). Lots at the north are greater than 225m from an existing water main. Due to the water mains being required to be extended across the rail corridor, stormwater water tanks are considered to be an appropriate source for water supply on R5 large lot residential land.</p> <p>Building envelopes: all lots have building envelopes greater than 50m setback from front, except lots 1 and 5. This is considered to be acceptable.</p> <p>The proposed building envelope on proposed lot 1 allows development to be sited approximately 35m from the street, and is approximately 350m distant to the closest building envelope. The location of the envelope thus provides adequate separation between buildings on separate lots, maintaining the rural character of the subdivision. Suitable open space and landscaping can be achieved, and the character of the street is not impinged. The building envelope</p>

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

	<p>locations are additionally supported by the flora and fauna report lodged as part of this application, and are therefore considered appropriate.</p> <p>The proposed building envelope on proposed lot 5 allows development to be sited approximately 40m from the street, and is approximately 150m distant to the closest building envelope. The location of the envelope thus provides adequate separation between buildings on separate lots, maintaining the rural character of the subdivision. Suitable open space and landscaping can be achieved, and the character of the street is not impinged. The building envelope locations are additionally supported by the flora and fauna report lodged as part of this application, and are therefore considered appropriate.</p> <p>Draft conditions of consent for road access are provided within the appendixes to this report.</p> <p>Reports: does not contain site and soil reports. As each lot is of a size to be able to support on-site sewer management for future residential development, it is considered acceptable that a site and soil report has not been provided with this application. Site and soil reports will be required for future development on each lot as required.</p>
4.2 Strata subdivision	N/A
6. Provisions for Specific Locations	
6.1 Bushfire Prone Land	Bushfire report provided
6.2 Gateways	N/A
6.3 Contaminated land	N/A
6.4 Flood Prone Land	No building envelopes located within FPA. One building envelope is located within 1% fringe, although this envelope is several metres elevated from low lying land.
6.5 Heritage	N/A
6.6 Groundwater vulnerable land	Satisfactory
6.7 Land to be acquired by Council for public road reserve	N/A
6.8 Lots fronting Ryrie Street in Michelago Village	N/A

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

6.9 Areas subject to Structure Plans CBD and Polo Flat	N/A
6.10 Important views and vistas	N/A
7 Non Design Related Provisions	
7.1 Tree Preservation	N/A
7.2 Rural addresses and street numbers	To be conditioned
7.3 Food Handling	N/A
7.4 Onsite Waste Management Systems	N/A
8 Public Notification Requirements	
8.2 Prescriptive Requirements	Satisfactory. Adjoining land owners notified 14 days.

Impacts of the Development – Environmental, Social & Economic

Access, transport and traffic

The proposed access to the development is from Jerangle Road. It is considered that the existing local road network is adequate and can support the associated traffic generated by the proposed development. A new bitumen sealed road is to be constructed, to Council's standards, to service the subdivision and linking with Jerangle Road. The intersection will be to BAL/BAR standard. This road will be dedicated to Council for ownership and on-going maintenance.

Impacts on supply of utilities

No proposed lots are proposed to be connected to Council water infrastructure. Council sewer and stormwater infrastructure is not available at Bredbo. The proposed subdivision will therefore have no impact on the supply of Council utilities, and s64 contributions are not required.

Noise and vibration

The subdivision will increase traffic movements during the initial construction phase of the subdivision, and this and subdivision works will result in additional noise within the area; however, the noise associated with construction would be temporary and have no lasting impact.

The noise generated by the additional dwellings are considered to be reasonable as both the subject land and the area through which the traffic will pass are both urban and will be used for residential development.

Safety, security and crime prevention

It is likely the safety and security of the area is to benefit with the future addition of new dwellings in the subdivision as this will increase public surveillance.

Social impact in locality

The development is not considered to have an unreasonable social impact on the locality. It will bring additional sites onto the market allowing for choice in accommodation and land type. The site is proposed to provide pedestrian and vehicular links into Jerangle Road.

Economic impact in locality

The development is not considered to have an undesirable economic impact on the locality. The developer will be required to pay for the infrastructure required to service the site and payment of developer contributions will be required for all lots in the development. These contributions are payable prior to the issue of the subdivision certificate for each stage of the development.

SUBMISSIONS

The application was notified, in accordance with relevant requirements of the Snowy Monaro Planning and Development Community Participation Plan 2019 and the relevant statutory regulations. Notification letters were sent out to adjoining landowners for a period of 14 days. No objections were received.

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:

- Dedication of the proposed access road to Council as a public road

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.

ATTACHMENTS

1. Draft conditions of consent (*Under Separate Cover*)
 2. Statement of Environmental Effects (*Under Separate Cover*)
 3. Subdivision Plan (*Under Separate Cover*)
 4. Subdivision Plan South (*Under Separate Cover*)
 5. Subdivision Plan north (*Under Separate Cover*)
 6. Intersection Contour Plan (*Under Separate Cover*)
 7. Access Rd Long Sections (*Under Separate Cover*)
 8. Bushfire Report (*Under Separate Cover*)
 9. Ecological Report (*Under Separate Cover*)
 10. Aboriginal Due Diligence report (*Under Separate Cover*)
-

8.1 DEVELOPMENT APPLICATION 10.2022.307.1 10 LOT SUBDIVISION - 9 LOTS LARGE LOT RESIDENTIAL & 1 LOT PRIMARY PRODUCTION

11. Traffic Impact Statement (*Under Separate Cover*)
 12. Acoustic Assessment (*Under Separate Cover*)
 13. NSW RFS Determination (*Under Separate Cover*)
 14. TfNSW Response (*Under Separate Cover*)
 15. TfNSW Revised Response (*Under Separate Cover*)
 16. UGL Approval in Principle (*Under Separate Cover*)
 17. Essential Energy response (*Under Separate Cover*)
-

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

Record No: I24/66

Applicant Number:	10.2023.200.1
Applicant:	Instep Management Group Pty Limited
Owner:	D P Graham
DA Registered:	04/07/2023
Property Description:	79 High Plains Lane JINDABYNE NSW 2627 Lot: 2 DP: 1184090
Zone:	RU1 - Primary Production
Current Use:	Vacant
Proposed Use:	Eco-Tourist Facilities
Permitted in Zone:	Permitted
Recommendation:	Approval

RECOMMENDATION

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to DA 10.2023.200.1 for a single Dwelling and 5 Eco-Tourist Cabins (and associated outbuildings), subject to the conditions attached to this report.

EXECUTIVE SUMMARY

The Ordinary meeting of Council held on 21 December 2023 considered an officer recommendation to approve an Eco-tourist Facility, comprising of five (5) Cabins, a Dwelling House, a Garage & a Machinery Shed at High Plains Lane, Jindabyne. The recommendation was not supported. Council deferred the determination of this application until the March 2024 Ordinary Council meeting to allow community to make further submissions.

To facilitate the delivery of the application to the March 2024 Ordinary Council meeting, submitters were to provide any additional submissions to staff by 9 February 2024 and the applicant to have provided any additional response to staff by the 16 February 2024.

There were four (4) additional submissions received and the applicant was provided the opportunity to provide a response to those submissions.

Advice was received from the applicant's planning consultant on 7 March 2024 that their legal team was liaising with one of the nearby property owners but an outcome had not been reached.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

As the business paper for the 21 March Council meeting had to be finalised, in the absence of additional information from the applicant the report could not be completed for presentation to the March meeting.

At the March meeting, Council resolved as follows:

COUNCIL RESOLUTION

1/24

That;

- A. Council notes the delay in re-presenting the report for DA 10.2023.200.1.
- B. The report be presented to a Council meeting at the earliest opportunity following receipt of further legal advice.

Moved Councillor Davis

Seconded Councillor Johnson

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

The body of this report has been updated with minor changes, clarifications and corrections from the report presented to Council on 21 December 2023 and includes a summary of the additional submissions and officers response, additional submissions (appendix 18) and the applicant's response to additional submission (appendix 19).

In line with the requirements of section 4.16 of the Environmental Planning and Assessment Act 1979 the application is required to be determined as either consent or refusal and therefore is required to return to Council for determination.

Should the application be determined as a refusal, the reasons for refusal are to be provided by Council as per the requirements of Council Procedure – *Council Decision Contrary to Staff Recommendation*.

BACKGROUND

The subject land is sited approximately 13 km south of the town of Jindabyne and is accessed and bounded on the eastern side by a Right of Carriageway (RoC) known as High Plains Lane. The land is bordered by The Snowy River Way on the northern boundary and agricultural land to the east and south. The western side of the RoC is agricultural land with dwelling houses. The land on the northern side of Snowy River Way also consists of agricultural land with dwelling houses.

The site is currently vacant and has no built history. The site has been utilised for beef cattle grazing. The site meets the minimum lot size for erection of a dwelling (40Ha).

A search of the Snowy Monaro Regional Council DA tracker did not identify any past lodged development applications.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE,
GARAGE & MACHINERY SHED

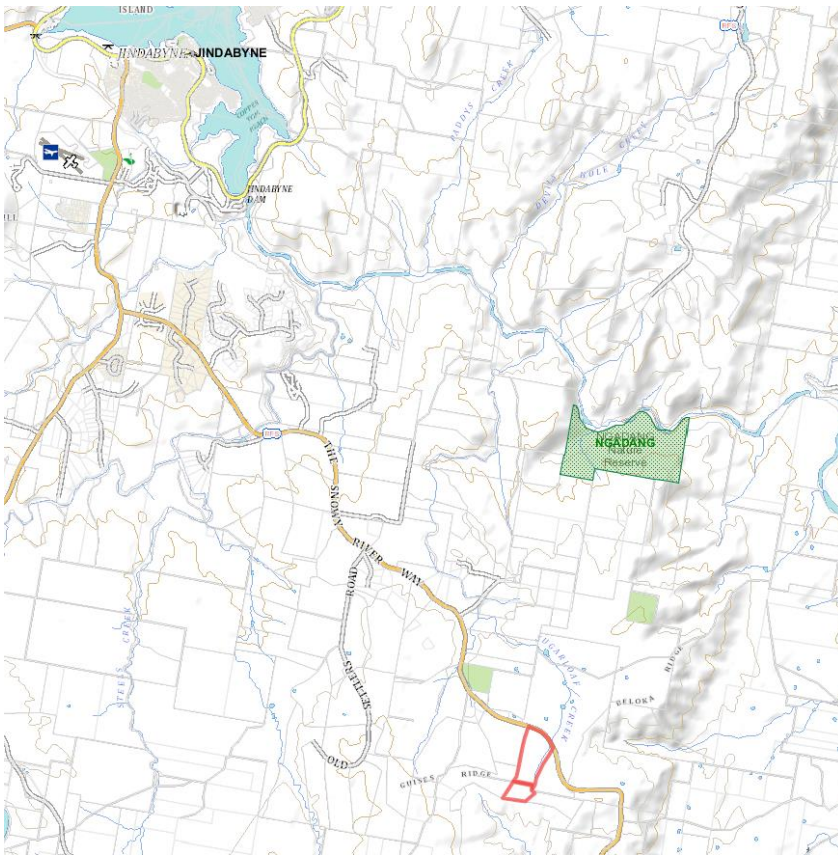


Figure 1: Location to the south of Jindabyne

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED



Figure 2: Subject site imagery

The subject site and the lands adjoining are zoned RU1 Primary Production. Upon a site visit, it was perceived that the subject site and at least some of the surrounding RU1 lots do not currently have larger-scale commercial agricultural land uses, being only about 40Ha in area, and can be described as being residential land uses with some small-scale agricultural uses.

There is development approval for tourist development in the vicinity of the subject site, as noted below.

Site features

The site elevation is approximately 1172 in Australian Height Datum (AHD) at the highest point on the subject land and slopes to the south as the topography drops into the upper slopes of Guises Creek (Beloka Valley). There is one creek on the subject site - Sugar Loaf Creek which flows north into a larger catchment of Sugar Loaf Creek, a tributary of the Snowy River.

Flora - The subject land is mapped as having extant native vegetation and an Endangered Ecological Community (EEC). The subject site is mapped as containing five plant community types (PCTs):

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

- 'Monaro-Gourock Frost Hollow Grassy Woodland' - Associated with an EEC.
- 'Monaro Kangaroo Grass Woodland-Grassland Complex' - Associated with an EEC.
- 'Monaro Mountains Peppermint Shrub Forest' Associated with koala habitat.
- 'Monaro Mountains Snow Gum Shrub Forest' - Associated with koala habitat.
- 'Kosciuszko Alpine Sally Woodland' - Associated with koala habitat.

Fauna – The fauna habitats present in the subject land are those generally associated with woodland and derived grasslands that occur in the locality. The study area provides habitat suitable for animals such as;

- Brushtail Possum and the Yellow-bellied Glider.
- Eastern Grey Kangaroos and Swamp Wallaby.
- Koalas
- Wombats
- Parrots and frogs.

Previous Development History

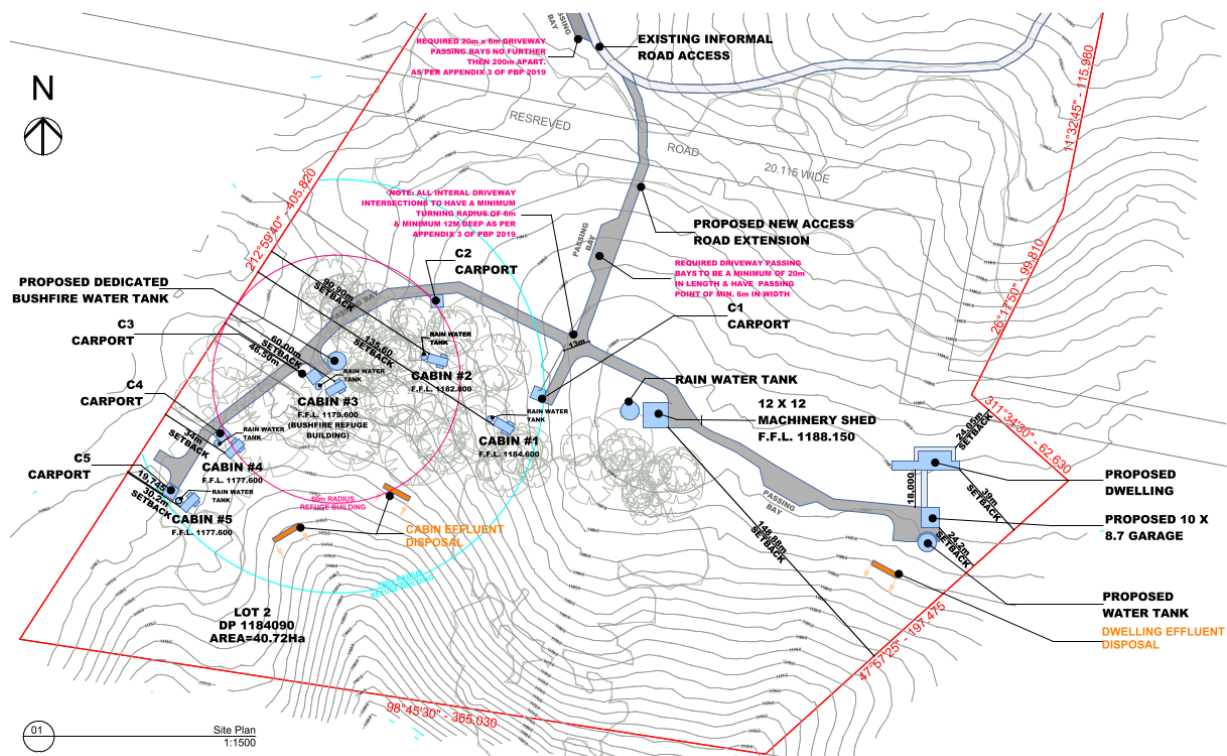
DA0135/2012 Six (6) Lot Staged Rural Living Subdivision

DA0114/2006 Subdivision - Boundary adjustment

PROPOSAL IN DETAIL

The development application seeks consent for Ecotourism Facilities (5 Cabins & 5 carports), Dwelling House, Garage and a Machinery Shed.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED



Dwelling House

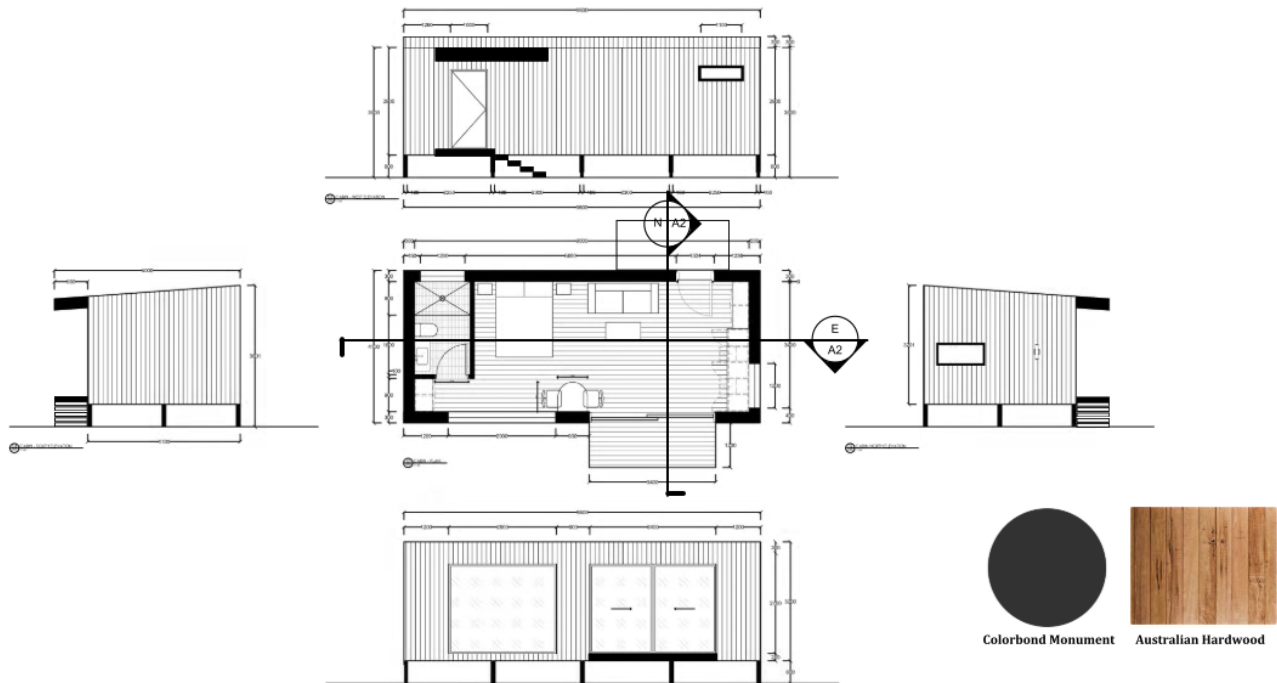
4 bedroom x 3 Bathroom with north facing verandah and detached garage.



8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

Cabins

Five x One bedroom, one bathroom cabin with landing, detached carports and water tanks.



Machinery Shed

11.5m x 12m (138m² GFA)



8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

Access

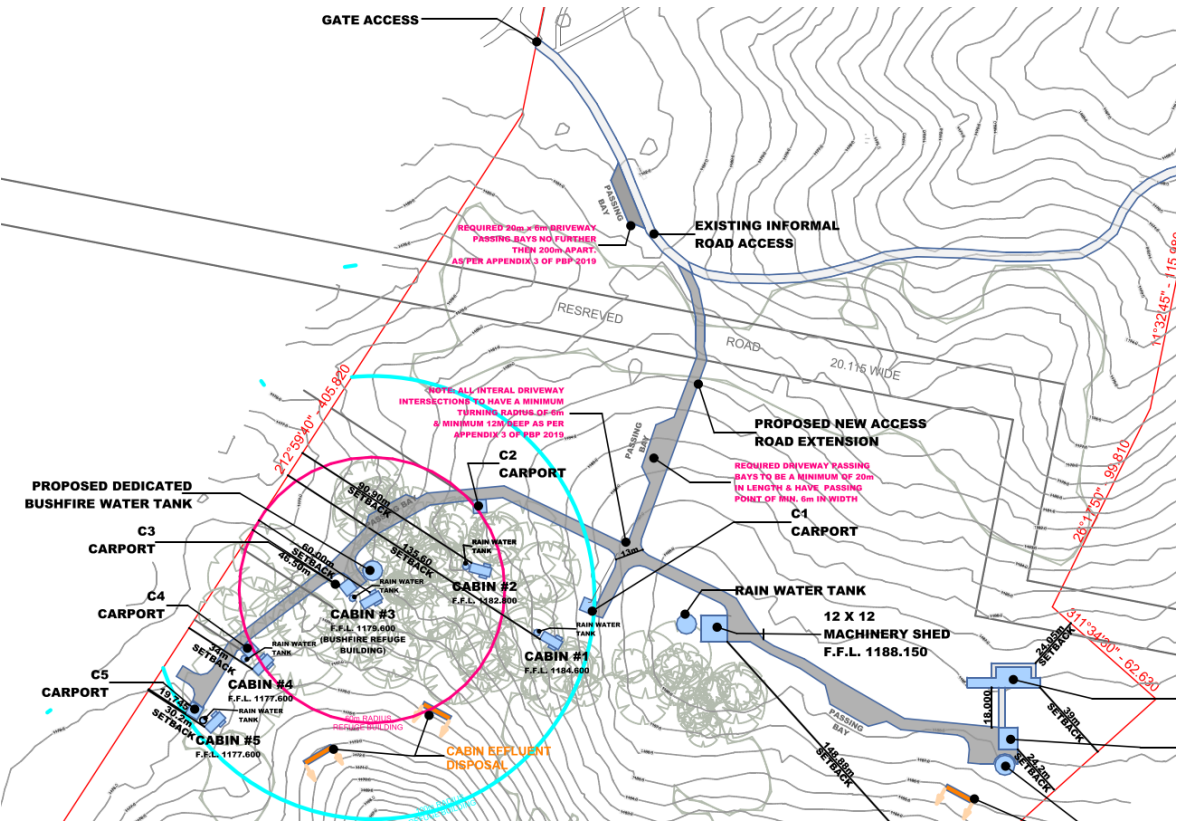


Figure 4: Internal vehicle access roads and passing bays

4.0 INTEGRATED DEVELOPMENT

The proposed development was reviewed against the relevant provisions of the *Environmental Planning and Assessment Act 1979* to identify whether the application was integrated development. It was deemed to be Integrated Development under Section 4.46 of the *Environmental Planning and Assessment Act 1979*.

5.0 REFERRALS

5.1 External Referrals

The development application was referred to the following external government agencies for comment/consideration:

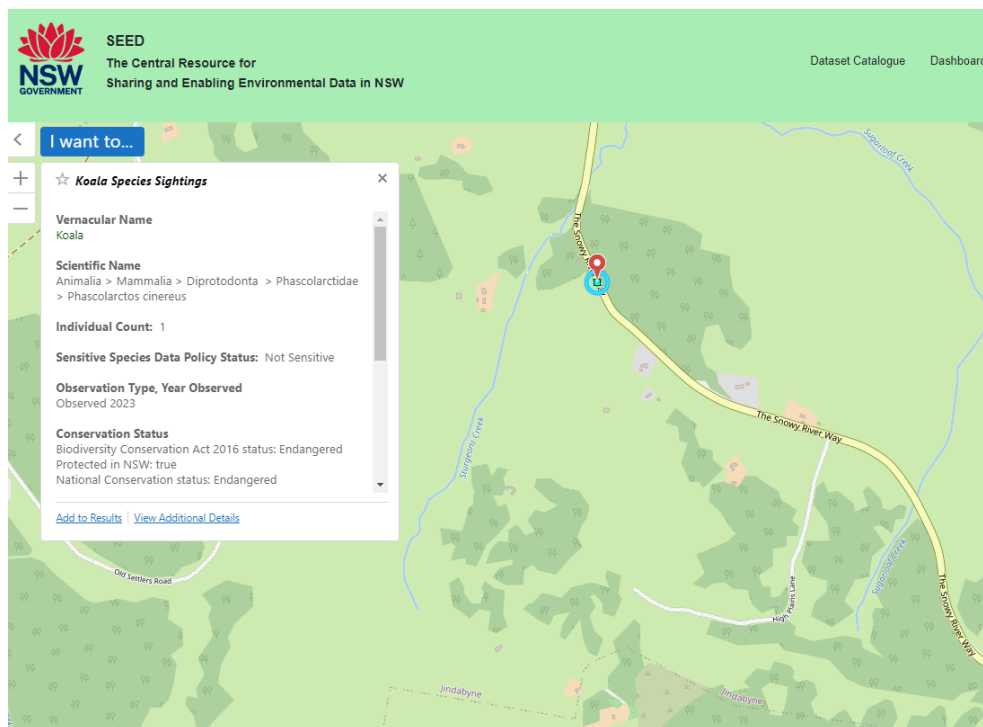
State or Federal Agency	Comments
Essential Energy	Acceptable with conditions
NSW RFS	Acceptable with conditions
Department of Planning and Environment – Biodiversity Conservation	Acceptable with conditions

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

Response from BCD in regards to requirements for a koala plan of management (or koala assessment report):

The FFA report (which reports that evidence of koala utilisation was identified on site), the accompanying vegetation management plan (VMP), and the State Environmental Planning Policy (Biodiversity and Conservation) 2021, specifically Chapter 3 which applies to RU1 zoned land were all reviewed and assessed. Based on the review of these plans it has been concluded that a koala assessment report is not required based on the information provided, as the land in question cannot be considered core koala habitat.

Response regarding reporting of this new koala record, it is a standard requirement of scientific licence holders in NSW, which practicing ecological consultants must be, that survey records are submitted to BioNet. These records are, after an internal review process, made publicly accessible.



5.2 Internal Referrals

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

Section	Comments
Development Engineering	Acceptable with conditions

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

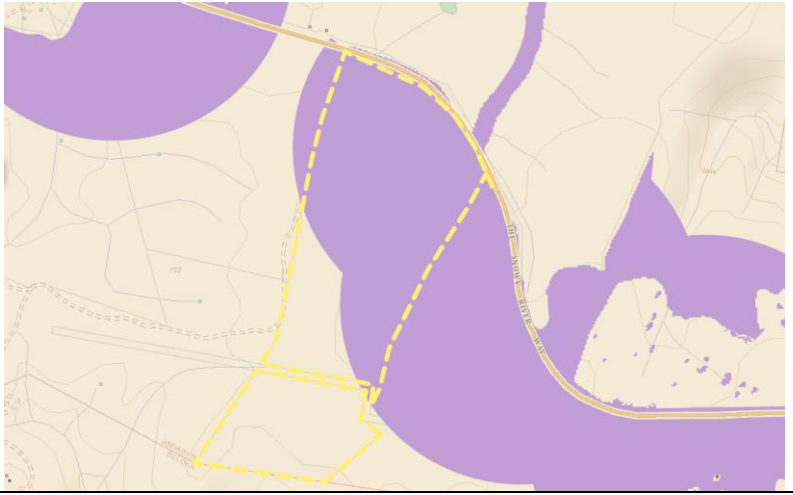
As required by the Environmental Planning and Assessment Act, 1979, Section 4.15, the following relevant matters are addressed below:

- 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.

6.1 The suitability of the site for the development:

Slope	The land generally slopes upwards in a southerly direction. The southern portion of the lot contains areas of relative flatness.
Significant vegetation	The central third of the site is wooded, comprising of large native species. The southern third of the site is grassland whilst the northern portion of the site contains scattered mature native vegetation.
Adjoining development	Rural residential and agriculture.
Suitability of proposed works / building	Generally acceptable having regard to constraints of the land.
Streetscape	The proposed development will not have an adverse impact on the streetscape, generally being setback from both the Snowy River Way and High Plains Road and obscured by vegetation.
Stormwater disposal	On-site via detention.
Services	Electricity / telephone.
Views	The proposed cabin sites generally benefit from views to surrounding land, partially obstructed by existing vegetation. Neighbouring properties have views directly to the development lot. The land being sloped, neighbouring

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

	properties will have views to multiple proposed cabins. It is considered that the cabins will be significantly obscured during daylight hours, whilst light from the cabins may have moderate visual impacts on adjoining properties during night-time hours.
Contamination	Nil identified.
Bushfire	A portion of the subject site is classified as bushfire prone. A Bushfire Risk Assessment Report has been lodged as part of this application. RFS has issued approval (with conditions).
Flooding	Nil impact on proposed development sites.
Vehicular access	Existing legal and practical access from the Snowy River Way via a ROC High Plains Road. Condition included requiring intersection to be upgraded to CHR/BAL.
Easements and restriction on use	Nil
Aboriginal sites	Nil identified on-site.
Threatened species	Nil identified on-site.
Grasslands	Nil identified on-site.
Rivers/streams	<p>The site contains a large area identified on the Biodiversity Values Map.</p> 
Effluent disposal	Onsite.
Prevailing winds	Nil impact.
Easements	Nil affected by this proposal.
Other matters	Nil.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

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):

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

This SEPP applies to the whole of the state, BASIX affected buildings and BASIX affected Development which are as per the definition in the Environmental Planning and Assessment Regulations 2000.

As the proposed development includes several BASIX affected buildings this SEPP applies.

The applicant has provided a BASIX Certificates showing compliance with the policy and as such is compliant.

State Environmental Planning Policy (Koala Habitat Protection) 2021

Development assessment process—no approved koala plan of management is in place for the land.

This policy aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

This SEPP applies to LGAs that are listed in Schedule 1 'Local government areas' of the SEPP. As the Snowy Monaro Regional LGA is included in Schedule 1, this SEPP applies to the Subject Property. As such, the development control provisions of Part 2, Clause 11 of the SEPP apply to development applications relating to the land, as the land:

- Has an area of at least 1 hectare (including adjoining land within the same ownership); and
- Does not have an approved koala plan of management applying to the land.

Before a Council may grant consent to carry out development on the land, it must assess whether the development is likely to have any impact on koalas or koala habitat.

Assessment

The proposed development sites require the removal of koala habitat and proposes tourist cabins which in turn will increase human activity on the site and may have an impact on koalas using the western woodland area of the property.

The application has proposed, as an offset to this impact, a planted and revegetated koala corridor. The koala corridor will connect existing areas of woodland patches with a continuous area of woodland within 10 years. Koalas living to the south of the property will be able to use the corridor to move into new habitat areas.

Additionally, the koala habitat is proposed to be fenced so the plantings aren't damaged by cattle and deer. Grazing numbers shall be controlled further protecting revegetation plantings.

The proposed area for the koala corridor is along the full length of the eastern boundary which already contains some patches of woodland. The estimated distance is between 900m- 1000m in length and is proposed to be at least 10m wide.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED



Figure 5: Proposed Koala Corridor (green)

In this instance it is considered that the development satisfies the requirement to have low or no impact on koalas or koala habitat, and as such consent to the development application may be granted.

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

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

The subject land is zoned: RU1 – Primary Production under the Snowy River LEP 2013 (SRLEP) and “Eco-tourist facility” are permitted with consent.

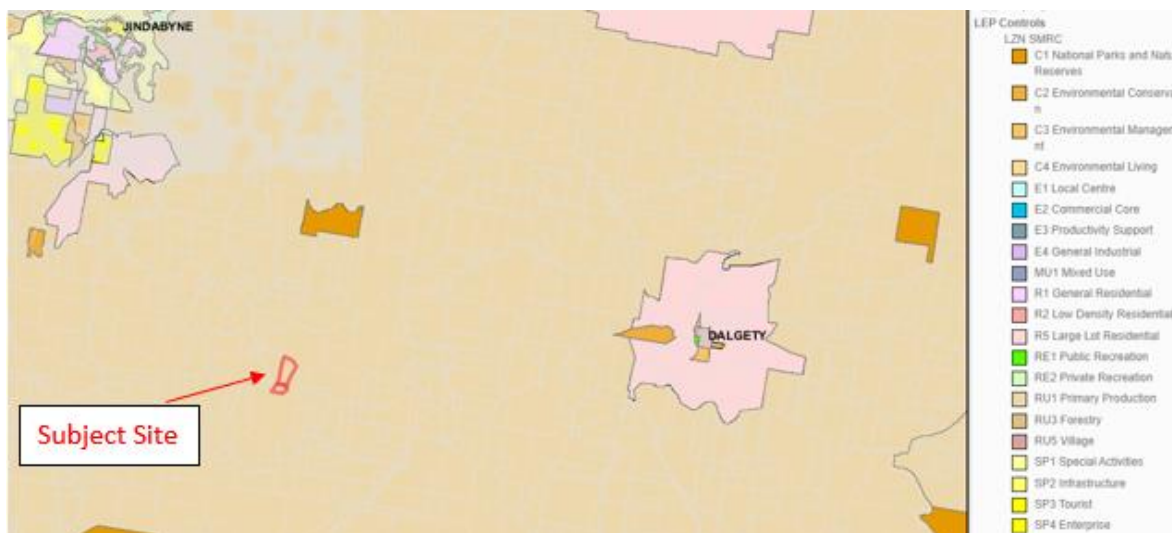


Figure 6: Zone Map - Primary Production (RU1)

Zone RU1 Primary Production

Permitted without consent

Environmental protection works; Extensive agriculture; Home occupations

Permitted with consent

*Agritourism; Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Centre-based child care facilities; Community facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; **Eco-tourist facilities**; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Funeral homes; Garden centres; Helipads; Home-based child care; Home businesses; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Mooring pens; Moorings; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Timber yards; Transport depots; Truck depots; Veterinary hospitals; Water recreation structures; Wharf or boating facilities*

Prohibited

Any development not specified in item 2 or 3

eco-tourist facility means a building or place that—

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and*
- (b) is located in or adjacent to an area with special ecological or cultural features, and*
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.*

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

The subject land is located in zone RU1 – Primary Production in which Eco-tourist Facilities are permissible. However, in order for a land use to be approved the development must comply with the definition as well as the provisions of the plan. In this case the development needs to demonstrate that it meets the first test of assessment being that it complies with the definition, in this case of an Eco Tourist Facility.

The application demonstrates that the proposed development would provide temporary or short-term accommodation to visitors on a commercial basis and is located in or adjacent to an area with special ecological or cultural features. Council staff are satisfied that it has been sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

The application has demonstrated a sensitively designed development by way of proposing cabins designed on sustainability principles, including orientation of the cabins to the north to maximise

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

solar access and promote passive heating, proposed rain water supply as the primary water source to service the cabins, and proposed a solar and battery system with a back-up power generator. It is considered that the proposed design and renewable resource options provide substantial ecological and sustainability design elements to service the development.

The application has been fully assessed, against all provisions of the SRLEP 2013. The following provisions are of relevance specifically to this application:

PART 2 Permitted or prohibited development.

The proposal is permitted in the RU1 zone, and the land is considered to be suitable to support the development. The development as proposed meets the applicable objectives of RU1 – Primary Production, in the Snowy River LEP 2013 which are to:

Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*

Response: Due to the topography of the site and constraints of the lot's size, the subject site is not appropriate for primary production land uses given the vegetation quality on the site. It is considered that the proposed development will not adversely restrict the development of primary production on adjoining lands

- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*

Response: Due to the topography of the site and constraints of the lot size (being just over 40Ha), the subject site is not overly suitable for primary production land uses. It is considered that the proposed development will not adversely restrict the development of primary production on adjoining lands.

- *To minimise the fragmentation and alienation of resource lands.*

Response: The proposed development does not involve the subdivision of land. It does not therefore fragment or alienate the land.

- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

Response: The proposed land use does not create conflict between itself and core RU1 land uses. There is potential land use conflict between eco-tourism and existing residential development, due to light and noise pollution, and increased traffic, associated with tourism development. This is accentuated by the rural context. It is considered that natural screening of the proposed development via existing vegetation, and the dispersed nature of the proposal, will adequately mitigate land use conflict arising between eco tourist development and residential development.

- *To promote tourism, educational and recreational development and living opportunities that are compatible with agricultural activities and the environmental, historical and cultural values of the zone.*

Complies.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

- *To ensure that development maintains and protects the scenic values and rural landscape characteristics of the zone through compatible, small-scale development.*

Proposed structures are of a small scale, being approximately 36m² each. The subject lot will therefore accommodate 5 structures comparable to studios, totally the equivalent of an additional large sized dwelling. Impacts on the natural landscape are considered minimal as natural screening of the proposed development via existing vegetation, and the dispersed nature of the proposal, will adequately mitigate adverse impacts on the scenic values and rural landscape characteristics of the zone.

The proposal is considered to be consistent with the aims and objectives of the plan.

Clause 4.3 Height of building

The site has a maximum permissible height of 9m. The maximum height of the proposed buildings is 5.7m.

Clause 5.11 Bush Fire hazard reduction

The property is bushfire prone and was referred to the RFS as integrated development. Under 100B of the Rural Fires Act a Bush Fire Safety Authority (BFSA) is required Special Fire Protection Purpose development.

The RFS has provided conditions and a Bush Fire Safety Authority has been issued (see attachment 15). As such it is considered that the development achieves compliance with this provision.



Figure 7: Bushfire Mapping on Subject Site – Category 1 & 3

Clause 5.13 Eco-tourism facility

(1) The objectives of this clause are as follows:

- (a) - to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,*
- (b) - to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.*

It is considered that the proposed eco tourist development will not adversely impact the environmental and cultural values of the land. The development is limited to 5 cabins, which are dispersed in such a way that development impact is not concentrated on a restricted area, and is therefore diluted in its impact. Each cabin is approx. 41m² in footprint, including external covered space, and are limited to single storey structures (3.8m high) with shallow pitched single skillion rooves. Proposed materials are timber and dark Colourbond, which blend well with the native vegetation. Vegetation clearing is limited.

(2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.

The subject land is zoned RU1 in which Eco-tourist facilities are permitted with consent.

(3) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan. 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:

- (a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and*

It is considered that the development complies with these provisions as the subject site contains areas of ecological significance (extant native vegetation and Endangered Ecological Community (EEC), as mapped on the High Biodiversity Values (NSW Biodiversity Conservation Act 2016), documentation of koala habitation in close proximity to the subject site. To maintain and improve the environmental values of the site, the proposed development is supported by a Vegetation Management Plan (VMP) by South Coast Environmental Consulting, a Facility Management Plan by South Coast Environmental Consulting and a Waste Management Plan by Instep Management Group.

Koalas are one of Australia's most iconic animals, recognisable around the world. However, koala populations are under increasing pressure. Koala conservation programs are being undertaken on a national, state and local level. It is considered that this an opportunity to contribute to the conservation and rehabilitation of the Koala population in NSW.

Field investigations for fauna were conducted on the subject land, which included checking for physical evidence of animals including birds, reptiles, amphibians, surveying for hollow bearing trees, a stag watch and a nocturnal survey.

'Monaro Mountains Peppermint Shrub Forest' (shrubby sub-formation) and 'Monaro Mountains Snow Gum Shrub Forest' (shrubby sub-formation) which are both a dry sclerophyll forest are associated with koala habitat. Indirect evidence of fauna was recorded and included searching for

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

scats, tracks, burrows, diggings, scratchings, feed trees, high nectar producing plants and hollow bearing trees.

The woodland identified on the subject site is suitable for koalas habitat, with all trees present being suitable as koala feed trees. A koala was heard calling approximately 1 km to the south of the subject site and this koala called all night and another koala was heard calling approximately 400 metres south of the subject site and although it wasn't found, both koala scats and scratches were observed.



Figure 8: Koala scratching

There is sufficient space and environmental diversity on the site to carry out the range of nature-based activities proposed including learning bush regeneration skills, native flora and fauna identification, weed removal techniques, and feral animal control, as well as interpretative walks, exploration of the site, night walks, native tree planting, and bird watching. The developer in consultation with the author of the VMP and ToS, an educational brochure and map will be created and placed in the cabins to guide the guests through the nature-based activities (details on p17 of the EMP) and walking paths along the revegetated koala corridor as proposed in the EMP (p18 of the EMP).

(b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and

It is considered that the proposal is unlikely to have a significant effect on threatened species, endangered populations, ecological communities, or their habitats and a

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

biodiversity development assessment report is not required. The koala (endangered) was identified as the key species for protection for the site and the Flora and Fauna report recommends a number of strategies to balance the development and providing quality habitat. These recommendation have informed conditions of consent.

(c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and

The land is identified as land with high biodiversity value on the Biodiversity Values Map, prepared by the Department of Planning and Environment under Part 7 of the *Biodiversity Conservation Act 2016*. The development will allow for appreciation of environmental values as the cabins are surrounded by native flora and fauna and provides access to walking trails and opportunities to contribute to the revegetation and maintenance of Koala habitat. Those accommodated in the buildings can feel immersed in the natural environment and can connect with other likeminded people who are accommodated by the development.

(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

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, and the broader Snowy Monaro area. The buildings have been located to ensure minimal impact on native flora & fauna as they are generally within areas of the site that are cleared, or already developed.

The locally listed heritage items are not within the visual curtilage of the proposed development and it will have no impact on the values of these buildings and places.

(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

Section 4.3 of the EMP details the proposed maintenance and regeneration for the land. This includes installation of nesting boxes to provide extra hollows for parrots and gliders, a regeneration zone will be fenced and replanted, with a new koala corridor fenced and replanted along the eastern boundary (see pg 19 of the EMP).

(f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and

A detailed construction management plan has been submitted with the development application and compliance with the plan forms a draft condition of consent, to ensure that all waste is removed from site and disposed of in a lawful manner has been proposed. On-going waste management from the operation of the development will also be required.

(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

The proposed cabins are low scale being single storey one (1) bedroom cabins. The location is below any ridgelines and avoids watercourses. The materials and colour choices are as follows;



Colorbond Monument



Australian Hardwood

These colours blend into the rocky and vegetated environment ensuring that the development does not dominate the landscape.

- (h) *any infrastructure services to the site will be provided without significant modification to the environment, and*

Self-supporting and sustainable infrastructure is proposed, being solar power and water tanks. These services will not require significant modification of the environment.

- (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*

The design of the development includes the principles of passive heating & cooling and the cabins will primarily use solar power and are supplied with rain water only.

- (j) *the development will not adversely affect the agricultural productivity of adjoining land, and*

There are no foreseen impacts on agricultural productivity as the subject lot is located away from larger agricultural areas. Many nearby allotments are only around 40Ha and have limited agricultural productive capacity. The development is proposed on land in the RU1 Primary Production zone with the surrounding land uses being predominated by large residential holdings.

- (k) *the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment:*

- (i) *measures to remove any threat of serious or irreversible environmental damage,*
(ii) *the maintenance (or regeneration where necessary) of habitats,*

- (i) & (ii) The development is proposed on land which does not require the removal of significant vegetation, except up to three (3) trees. There is otherwise not perceived to be any significant environmental impacts as a result of the proposed development. 24/7 onsite management will additionally ensure the continued protection and maintenance of existing flora and fauna. The SEE notes that the site is to be regenerated where disturbed, and maintained to enhance the natural environment. A Vegetation Management Plan has been provided.

- (iii) *efficient and minimal energy and water use and waste output,*
-

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

The development has complied with the requirement of the BASIX SEPP. Renewable energy is proposed via a solar system and rainwater tanks are proposed.

(iv) *mechanisms for monitoring and reviewing the effect of the development on the natural environment,*

The proposed managers dwelling will be utilised to monitor and review any impacts.

(v) *maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.*

The development will be centrally managed by onsite management who will be required to ensure that the development meets all relevant standards for ongoing management and quality control.

Clause 7.2 Terrestrial biodiversity

The property is identified with biodiversity on the 'Terrestrial Biodiversity' mapping. The application includes a Test of Significance (ToS) and a Vegetation Management Plan. The proposed clearing area is 8,490m², falling below the 10,000m² threshold and outside High Biodiversity Values Map areas, thus exempting it from a Biodiversity Development Assessment Report ('BDAR').

Definitions:

endangered species, populations and ecological communities means species, populations and ecological communities specified in Schedule 1 and **endangered species, population or ecological community** means a species, population or ecological community respectively specified in that Schedule.

- **endangered species** means a species specified in Part 1 of Schedule 1.
- **endangered population** means a population specified in Part 2 of Schedule 1.
- **endangered ecological community** means an ecological community specified in Part 3 of Schedule 1.

There are no endangered species identified within the subject site.

There are no endangered populations identified within the subject site, including Koalas. The specified endangered Koala populations are the Hawks Nest and Tea Gardens population, Koalas in the Pittwater Local Government Area and the Koala population between the Tweed River and Brunswick River east of the Pacific Highway

Additionally, it is noted that the Koala identified was on an adjoining property. This development proposes to carry out the range of nature-based improvements including bush regeneration, weed removal, and feral animal control and a specific revegetated koala corridor.

A portion of the site contains Endangered Ecological Communities ('EEC').

The ToS indicates that, if the provided recommendations are followed, the development is unlikely to significantly impact a koala population or have a significant effect on threatened species, endangered populations, ecological communities, or their habitats. The recommendations outlined on page 16 of the ToS and have informed conditions of consent.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED



Figure 9: Terrestrial Biodiversity mapping for the subject site.

Clause 7.9 Essential services

Access – The property is accessed via The Snowy River Way. A condition of consent has been included to require improvements to the intersection of the site with the Snowy River Way.

Water – There are two (2) x 60,000L stormwater tanks currently installed on site. It is proposed to install an additional 140,000L stormwater tank. 20,000L of dedicated stormwater volume is required for bushfire purposes to each refuge cabin.

Sewage – It is proposed that each cabin will be serviced by an On-Site Sewage Management system. This is supported by the On-Site Sewage Management Assessment lodged with the application.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

SCHEDULE 5 Environmental heritage

There are no adjoining locally listed heritage items. There are listed items in proximity to the development lot. These sites are not considered to be adversely impacted by the proposal.

An AHIMS search was carried out revealing nil aboriginal sites or locations within 1000m of the subject site (AHIMS report 830296) and as such an extensive AHIMS search is not required.

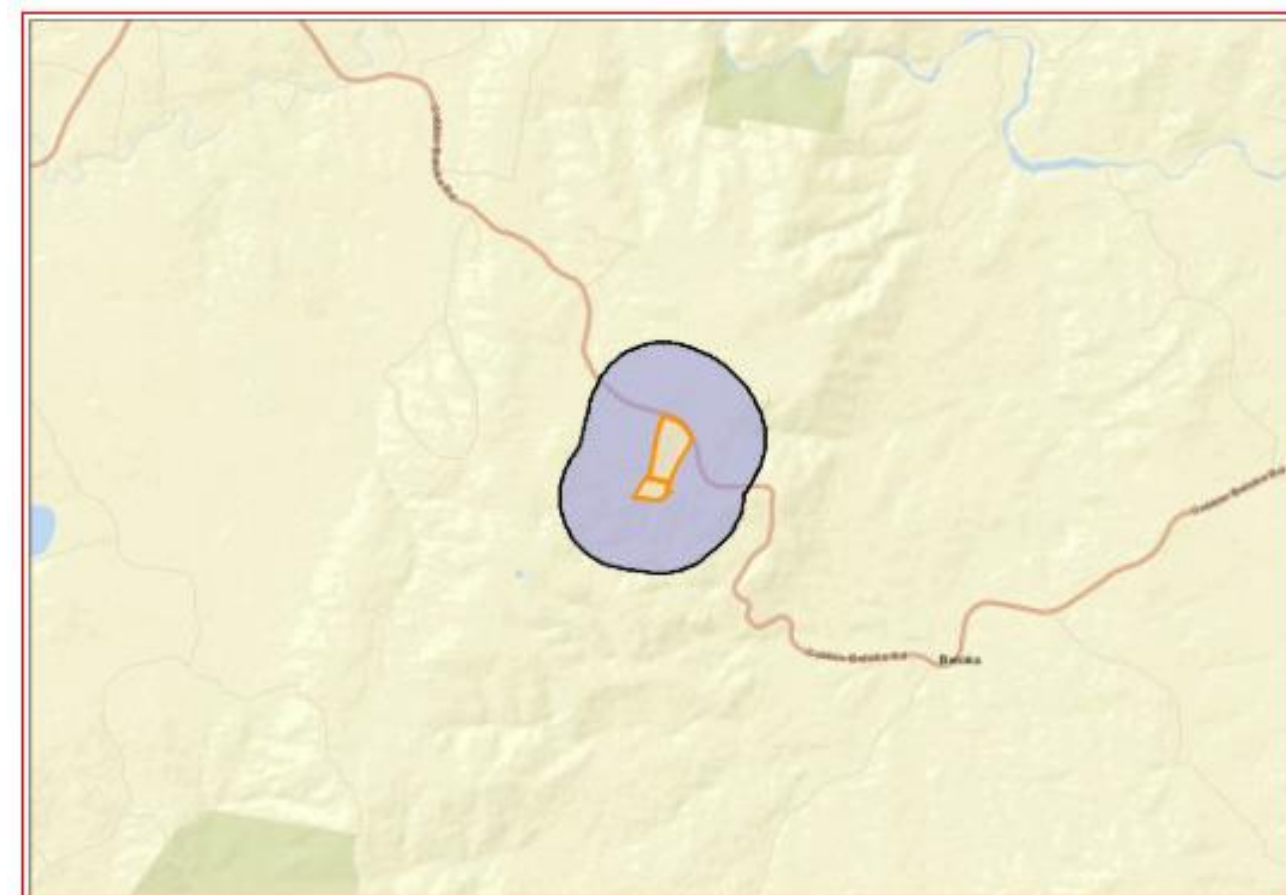


Figure 10: AHIMS report map result

Provision of any Proposed Planning Instruments

There are no other proposed planning instruments applying to this site which are relevant to the proposed development.

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
A3 Public Notification	20/7 – 03/08/2023 Submissions are discussed further in the body of this report.
B1 Rural localities, Towns & Villages	
1.8 – Jindabyne	Satisfactory.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

<p>C General planning considerations</p>	<p>The development meets the requirements of this provision as the visual impacts of carrying out the development are minimal, particularly due to its distance from the road network and adjacent and adjoining properties.</p> <p>There are no buildings proposed on prominent ridgelines</p>
<p>C2 Design</p> <p>(a) The design and site coverage of the development should reflect the slope of the site and it may be desirable to leave steeply sloping parts of sites in their natural state.</p> <p>(b) All structures are designed and sited in order to minimise the need for excavation or fill for foundations and associated hardstand areas.</p> <p>(c) Buildings should utilise suspended slab construction, pole or steel frame, or brick and/or steel piers in order to minimise the disturbance to the natural grade caused by the building. Where areas on a site are already disturbed, those areas should be used for siting of buildings.</p> <p>(d) On steeply sloping sites and treed hillsides, building height and bulk, particularly on the downhill side is to be minimised and the need for cut and fill is to be reduced by designs which minimise the building footprint and allow the building mass to step down the slope.</p> <p>(e) Sub-floor areas must be enclosed or otherwise treated so that they do not look untidy when viewed from a public place.</p> <p>(f) Building heights are similar to those in the surrounding landscape with taller buildings sited so as to minimise impacts on the landscape.</p> <p>(g) New structures are designed to blend rather than contrast with the existing environment and the use of external reflective finishes is restricted.</p> <p>(h) The building design is not to include highly reflective surfaces such as 'zincalume' or tinted glass panels. External</p>	<p>(a) The proposed cabins are sited to utilise generally flat areas of the site, thus leaving steeply sloping parts of the site in their natural state.</p> <p>(b) In general relatively flat portions of the site have been chosen for the location of proposed structures, and excavation or fill is therefore minimised.</p> <p>(c) Satisfactory.</p> <p>(d) Building height and bulk is minimised via single storey structures with modestly pitched skillion rooves. Upper pitch of rooves are orientated northwards, i.e. not in the direction of the downward slope.</p> <p>(e) Draft condition of consent</p> <p>(f) The proposed cabins are similar to or less than existing building heights in the surrounding landscape.</p> <p>(g) The proposed cabins utilise existing vegetation and cladding materials to blend with the existing environment.</p> <p>(h) Reflective materials are not proposed. Natural finishes or black materials are proposed.</p>

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

<p>finishes may be natural or untreated, or where colours are used, these should have a light reflectivity index of 12% or below.</p> <p>Landscaping</p> <p>(a) The design of any new development must integrate with the landscape, by building on and incorporating existing landscape features such as vegetation and rocky outcrops.</p> <p>(b) Development must not involve the removal of bush rock or significant areas of vegetation.</p> <p>(c) Planting is to be located to soften the view of the development from any existing public roads and public vantage points.</p> <p>View Sharing</p> <p>a) All property owners should be able to develop their property within existing planning controls however views should not be substantially affected where it is possible to design to share views.</p> <p>b) The location and design of dwellings and outbuildings must reasonably maintain existing developed view corridors or vistas from the neighbouring dwellings, streets and public open space areas.</p> <p>c) In assessing potential view loss impacts on neighbouring dwellings, retaining existing views from the living areas (living room, dining room, lounge and kitchen) should be given a priority over those obtained from the bedrooms and non-habitable rooms.</p> <p>d) The design of fences and selection of plant species must minimise obstruction of views from the neighbouring dwellings and the public domain.</p>	<p>Landscaping</p> <p>The proposed eco-tourist facility has been designed around the existing landscape, utilising existing clear areas for building siting and existing vegetation as screening. Vegetation removal has been minimised.</p> <p>The high biodiversity values are will not be impacted by the development.</p> <p>The development is considered to be located an adequate distance away from adjoin development and with existing vegetation present, to not require any additional screening from public roads or public vantage points</p> <p>View Sharing</p> <p>a) The proposal does not block views from adjoining lands.</p> <p>b) Existing view corridors are not impacted.</p> <p>c) The proposal does not impact views from living areas.</p> <p>d) Satisfactory.</p>
<p>C3 Car-parking, Traffic & Access</p>	<p>Complies - In accordance with Table C3. 4-2 each cabin requires one (1) space and the development requires one (1) additional space per two (2) employees.</p>

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

	<p>The proposal provides two car spaces per cabin and there is more than adequate space for parking alongside the manager's residence. There is also more than adequate space on the subject lot for parking options if additional car parking is required.</p> <p>Access – the property is accessed via The Snowy River Way and a RoC (High Plains Road). The property intersection with the Snowy River Way requires upgrading and is conditioned accordingly.</p>
C4 Heritage	<p>Complies - There are no adjoining heritage items</p> <p>An AHIMS search was carried out revealing four (4) aboriginal sites or locations within 1000m of the subject site. AHIMS report 830296. Of these four site one is located within the subject property and as such the applicant has provided a Due Diligence letter. The site will be avoided and as such an AHIP and ACHAR is not required.</p>
C5 Tree preservation & Landscaping	<p>Complies - The development is proposed in an area with scattered trees and the application requires the removal of a minimum quantity of trees for the construction of the cabins.</p> <p>Clearing associated with the Asset Protection Zone, as per the RFS conditions, may be required.</p>
C6 Signage & Advertising	<p>Complies - 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>Complies - The land is mapped as being bushfire prone land and has been referred to the RFS as integrated development. Under 100B of the Rural Fires Act a Bush Fire Safety Authority (BFSa) is required as the development is classified as a Special Fire Protection Purpose.</p> <p>RFS have provided conditions and a BFSa has been issued.</p>
C8 Environmental Management	<p>Complies</p> <p>Land Use Conflict: Access to the proposed eco-tourist facility is via ROC. It is not considered therefore to pose access conflict with adjoining</p>

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

	<p>land owners.</p> <p>The subject lot is not suitable for broad-scale primary production purposes, due to scale, significant high value biodiversity. It does not adjoin land utilised for primary production at a commercial scale. There is therefore no perceived land use conflict relating to primary production.</p> <p>There is no land use conflict between the proposed development and other tourist accommodation development in the general vicinity.</p> <p>There is no direct land use conflict between the proposed development and adjoining residential development. There is potential indirect land use conflict relating to noise pollution from tourist visitors, especially relating to socialising at night, and light pollution emanating from proposed cabins and campfires. This is not considered to impact on residents whilst indoors.</p> <p>The property is mapped with Terrestrial Biodiversity. The location of proposed development sites is predominantly cleared and will require minimal vegetation removal.</p> <p>There is no foreseen additional disturbance, fragmentation to the biodiversity or composition of the land or habitat connectivity.</p>
C9 Energy & Waste Efficiency, Water Supply & Effluent Disposal	<p>Complies – The BASIX NatHERs reports for the cabins demonstrate compliance with the principle of building efficiency.</p> <p>As discussed in the assessment of cl 7.9 of the SRLEP water is to be provided by rainwater tanks, and electricity from renewable solar power.</p>
C10 Waste management & Recycling	<p>Draft conditions of consent impose waste management conditions, requiring the removal of all waste generated on site to Council waste infrastructure.</p>
D Residential Development	
D1 Residential Accommodation	
3. Site Planning & layout	
1.1 Site Planning	<p>1.1 Complies – It is considered that the proposed dwelling is appropriately located on the site in regards to the amenity of neighbouring properties will be maintained there are no</p>

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

<p>1.2 Minimum lot size</p> <p>1.3 Site coverage</p> <p>1.4 Open space</p>	<p>foreseen impact on views, solar access, significant landscape and vegetation and allows for bushfire hazard minimization.</p> <p>1.2 Complies – the subject site meet the requirement for a dwelling under the provisions of the SR LEP 2013.</p> <p>1.3 Complies – It is considered that there is more than adequate unbuilt areas will be retained to allow for the purpose of private open space, deep soil planting, permeable surfaces and ancillary development.</p> <p>1.4 Complies – It is considered that there is more than adequate private open space provided for the proposed dwelling to enable passive recreational activities by future residents.</p>
4. Building Envelope	
<p>4.1 Building height</p> <p>4.2 Floor space ratio</p> <p>4.3 Setback</p>	<p>Complies - The development is single storey and of minimal bulk and scale in the context of the site.</p> <p>The setbacks are considered appropriate for the site and there is no FSR applicable.</p>
5. Building Design	
<p>5.1 Building form</p> <p>5.2 Visual character & streetscape</p>	<p>Complies - The form, scale, massing and proportions of the proposed dwelling recognises the characteristics of the site including topography, orientation and the surrounding natural and built environment. It is considered that the proposed building facades have been designed to complement or enhance the existing streetscape and neighbourhood character.</p>
6. Amenity	
<p>6.1 Solar access & overshadow</p> <p>6.2 Energy conservation</p> <p>6.3 Visual privacy</p> <p>6.4 Acoustic privacy</p> <p>6.5 Landscape Design</p> <p>6.6 View sharing</p>	<p>6.1 Complies - Minimal impact on neighbouring properties given the large distance between the dwellings, the orientation of the neighbouring dwelling has the living spaces directed away from the common boundary and therefore it is considered satisfactory.</p> <p>6.2 Complies with BASIX</p> <p>6.3 & 6.4 Complies - Adequate provision has been made in the design to address these requirements.</p> <p>6.5 Complies – Adequate space has been provided for landscaping.</p> <p>6.6 Complies - No foreseen impacts.</p>

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

6.7 Safety & security	6.7 Complies - It is likely the safety and security of the area are to benefit with the addition of a new dwelling through increased public surveillance.
7. Car parking & access	Complies – the subject site has more than adequate space for off-street car parking to occur.
8. Services & site facility	
8.1 Services 8.2 Site facility	Complies – the proposed development has adequate space to manage stormwater on-site and has suitable availability of electricity services and telecommunication services.
9. Fencing & ancillary development	Not Applicable.
E1 Tourist Accommodation	
4. Eco-tourist Accommodation	<p>Complies</p> <p>The application falls within the objectives for eco tourist facilities as defined within the DCP. The location is characterised by its environmental features and the site is suitable for the proposed use.</p> <p><u>Occupation Rates</u></p> <p>The development consists of five (5) cabins to be used as an Eco-Tourist Facility, and a separate dwelling to be utilised as a manager's residence.</p> <p>The proposed cabins are a one (1) bedroom design and will be conditioned to sleep a maximum of four (4) people each, i.e. a maximum 20 guests in total.</p> <p>The proposed dwelling is a four (4) bedroom design.</p> <p>Draft conditions of consent are proposed to ensure compliance.</p>
<p><u>Design</u> – the proposed materials are considered to be sympathetic to the surrounding environment and will blend with the landscape.</p> <p>Privacy - The 5 eco cabins proposed for the property have been designed and located to respond to Eco Tourism requirements. In response, the planning and design has been developed to include:</p> <ul style="list-style-type: none"> The cabins have been positioned in an ark and sighted to ensure that views take advantage of the distant vista towards the SE corridor and not overlook adjacent properties The vehicle arrival to each cabin is at the rear ensuring any approach/depart will have little impacting adjacent guests privacy 	

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

- The view from each cabin is curated by positioning the windows and balcony to ensure that there are now overlapping views.
- The cabins have been sighted up to 30-50m apart to mitigate potential impact on adjacent cabin from noise or lights

Sustainability - The cabins have been designed to provide a ZERO carbon footprint in operation and achieve a NATHERS 7+ star rating. Each cabin will be 100% off grid and operate without fossil fuels with electricity provided by solar PV with battery backup, hot water will be provided by air source heat pump.

Temperature will be maintained via heat recovery ventilation system and air source heat pump, potable water will be provided via rainwater capture and water efficient fittings will be provided to conserve water use.

To ensure the objective of sustainability are achieved the cabins will not provide the following facilities:

- LPG (gas) heating
- LPG (gas) cooking appliances or BBQ.
- Wood fired heating is not necessary.
- Dish washer
- Clothes washer

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.

The proposed cabins are dispersed across the site, are significantly obscured by native vegetation, and are modest in height and bulk. In this way they are not considered to potentially dominate the visual landscape.

Management – The development proposes accommodation of a maximum of ten (10) and whilst the DCP does not require a managers residence for accommodating facilities which are less than 15 guests, the DCP the proposed dwelling will also be utilised as the on-site manager's residence.

The applicant has provided a Facility Management Plan, in which a Site Management Plan has been included. The SMP provides a framework to manage all site activities for the facilities from commencement through to operation phase. It establish working systems, controls, responsibilities and protocols to ensure effective compliance with the plan and shall be reviewed annually or following any significant change to operation of the facilities to ensure potential impacts remain mitigated via these management procedures.

Conditions relating to the use of the eco tourist facility have be proposed in the draft conditions of consent.

Vegetation Management Plan (VMP) provides the findings of a review of an assessment of vegetation and biodiversity issues on the subject site. The subject land is currently forested in moderate condition and will be partly cleared for residential housing. This plan will recommend some specific actions for the next 5 years.

This plan specific objectives were:

1. To collate current information and broadly describe the flora species and vegetation communities present in the subject area;
2. To identify and describe the fauna species and habitats present in the subject area and their condition;
3. To broadly assess the current issues on the vegetation, fauna, habitats, and other environmental features on the subject site in regards to management; and
4. To make recommendations regarding any environmental management and impact mitigation measures, which can be implemented to limit the effects of current issues on vegetation, fauna, habitats, and other environmental features as necessary.

The VMP identified six (6) Flora Management Issues (native and exotic):

Management issue # 1: Ensure the native vegetation left on the Lot is managed for conservation as per the *Biodiversity Conservation Act (2016)* ie. It is illegal to clear extra native vegetation without approvals.

Management issue # 2: Maintain the condition of the native vegetation by removing the weeds using different techniques. High priority weeds should be eradicated asap. Blackberry is located on the edge of the second dam and the English Hawthorn (not high priority) is located at - 36.51347 S, 148.68420 E.

Management issue # 3: The composition and quality of the native grasslands located north of the house site are unknown but contain Themeda sp. (Kangaroo Grass). These grasslands need to be confirmed during spring and summer when most species can be identified. Local knowledge sources include Department of Primary Industries, Snowy Monaro Regional Council, Local Land Services and Landcare.

Management issue # 4: Improve the availability of hollows for threatened arboreal species by installing 10 nestboxes of various sizes across the property.

Management issue # 5: Ensure the retained fauna habitats on the Lot are managed for conservation as per the *Biodiversity Conservation Act (2016)* ie. It is illegal to clear native vegetation without approvals. This includes not 'cleaning up', slashing, removing rocks, removing timber or clearing of native grasslands.

Management issue # 6: Cull foxes and deer. Ensure new pest fauna species are eradicated as threats emerge.

Management issue # 7: Replant koala habitat to offset the direct and ongoing impacts to koalas. The area should be planted as a corridor along the eastern boundary and be at least 10 metres wide.

Management issue # 8: Light, sustainable grazing is the only allowable agricultural activity given the property is mostly mapped for biodiversity values. In conjunction with management issue # 3, the owner should apply sustainable grazing practices with input from the Department of Primary Industries, Snowy Monaro Regional Council, Local Land Services and Landcare. Physical indicators of sustainable grazing will be monitored by photo monitoring sites in terms of young regeneration of trees not eaten by cattle, 80% or higher ground cover maintained and no erosion or threats to the health of the creek and dams.

Education and awareness – The facility will provide an accommodation guide for Guest access to the property and links to activities within the greater Jindabyne area.

The property specific guest information will be printed and available within the cabin for guest to review during their stay.

The guest information provided within each cabin will include:

- An educational brochure and map to guide the guests through the proposed nature-based activities and walking paths along the revegetated koala corridor as proposed
- Emergency procedures and emergency contact numbers
- Bush Fire Emergency Plan including directions to the Refuge cabin
- House Rules as noted below

House Rules will require Guest to comply with the following:

- Recreational shooting is prohibited & no firearms shall be brought onto the property
- No pets are permitted on the property (exception assistance animals for persons with a disability)
- Guest shall be respectful of neighbouring guests and neighbouring properties and keep loud noises to a minimum
- Guest will comply with a 40km/h speed limit on the Right of Carriageway leading to the property
- Speed limit within the property shall be 20km/h
- Parking area will be provided for a single vehicle per cabin
- No noise shall be made after 10pm
- No smoking
- No lighting of open fires
- Maximum density of each cabin shall be 2 adults. (2x children under 15 can be accommodated on sofa and must be advise at time of booking)
- Parties and functions will be prohibited
- Guest are required to walk along designated tracks when moving about their cabin and the property
- Guest stays shall be a minimum 2 nights and maximum of 10 days
- Guests will be required to remove their rubbish upon departure.

Access and Parking - There is more than adequate provision for parking on the site. Two (2) car park spaces proposed per cabin which is in excess of the DCP requirements. The Dwelling also enjoys two (2) car parking spaces.

The driveway within the property will be maintained to ensure all weather access for standard (ie 2wd) vehicles entering the property and in accordance with RFS requirements.

Guests will be allowed access to the property only when they have a valid booking and will be

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

required to confirm their vehicle registration with their booking.

Vehicles are to remain on the driveway and park in designated locations, adjacent each cabin, to not disturb native flora.

An all-weather walking path will be provided between the adjacent guest parking bay and cabin entry. When exploring the property, guest will be encouraged to walk along the driveway and follow the designated walking trails that will be maintained to limit localised damage to the environment.

Contributions

Contributions apply at a rate of:

1% of the cost of development under s7.12 of the *Environmental Planning and Assessment Act 1979*.

Impacts of the Development - Environmental, Social and Economic

Access, transport and traffic

The subject lot is accessed from a public road (The Snowy River Way). Draft conditions of consent have been provided by Council's Development Engineer addressing safe access to the lot and works within the public road reserve.

Easements/88B Restrictions on Use

The site is afforded benefitted access via the Right of Carriageway via the 88b instrument defined on DP1184090.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

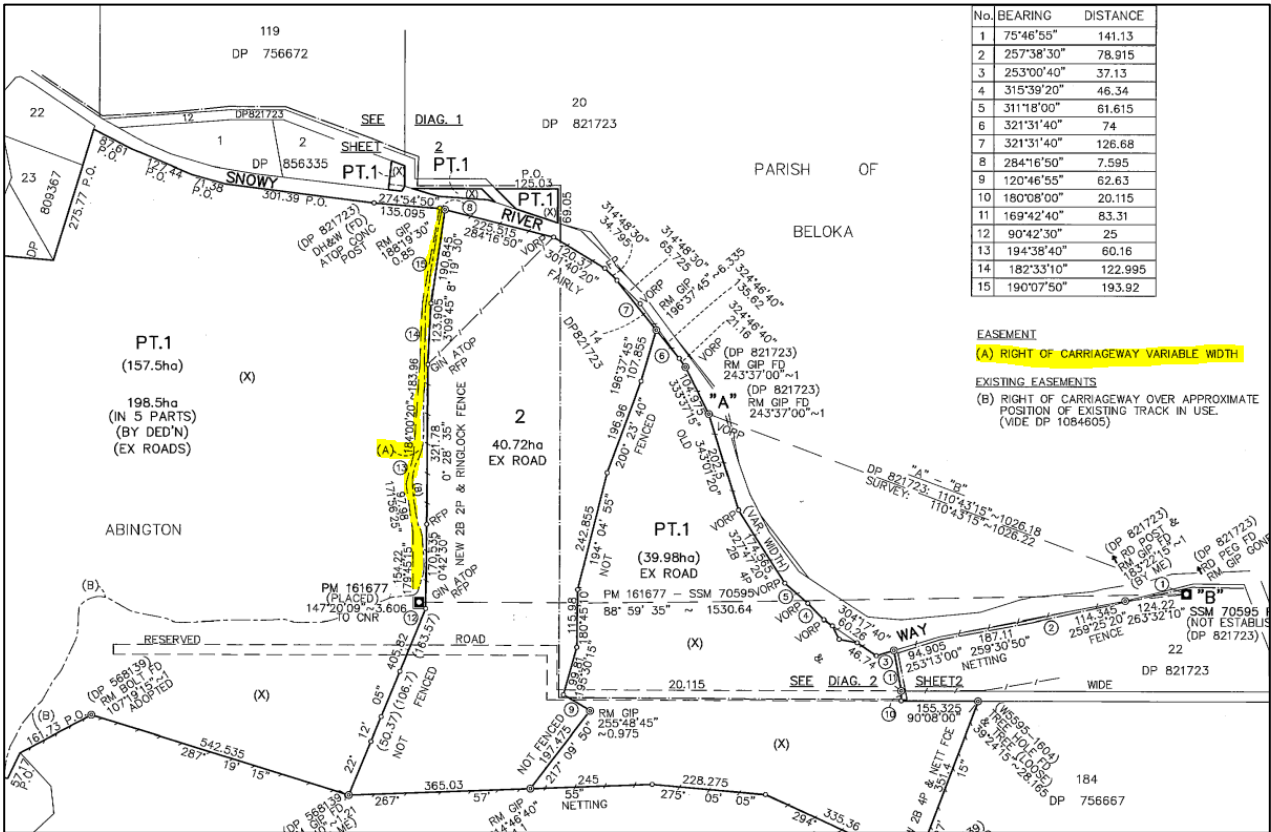


Figure 11: DP Plan 1184090 showing ROC

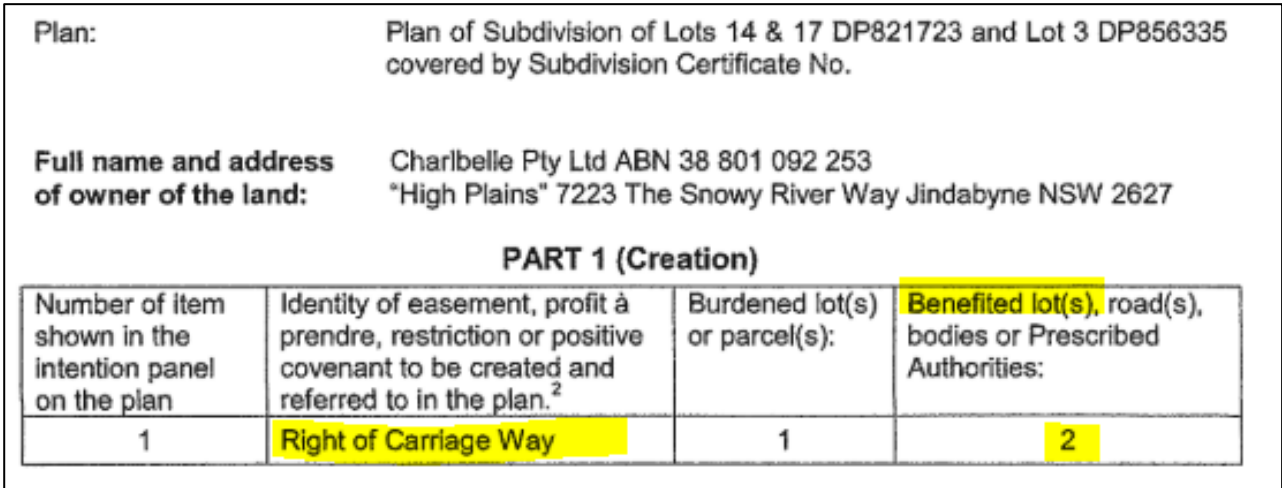


Figure 12: 88B showing ROC benefiting Lot 2

Bushfire Assessment

The land is mapped as bushfire prone land and has been referred to the RFS as integrated development. Under 100B of the *Rural Fires Act*, a Bush Fire Safety Authority (BFSa) is required and one has been issued.

Impacts on supply of utilities

The cabins have been designed utilising environmentally sustainable principles and solar panels are proposed, which will reduce the demand for electricity. The development is subject to s7.12

developer contributions under the *Environmental Planning and Assessment Act 1979*. These conditions will be payable in accordance with conditions included in the draft conditions of consent to ensure payment of these contributions prior to the issuing of the Section 68 Approval to Install a Manufactured Dwelling/s.

Impacts on Aboriginal and European heritage

AHIMS search 830296 revealed zero (0) aboriginal sites or locations within the subject site or within a 1000m buffer.

There are no adjoining locally listed heritage items.

Flora and fauna & Consideration of Threatened Species

The development is proposed in an area with scattered trees and the application requires the removal of vegetation for the construction of the cabins.

Clearing associated with the Asset Protection Zone, as per the RFS conditions, require clearing however it is not considered to significantly impact on native vegetation.

As the site of the development is not core koala habitat, a project specific Plan of Management as per section 3.10 of the SEPP is not required. However, given evidence of koalas on site and in the general vicinity, draft conditions of consent include a series of approval conditions to mitigate impacts to known koala habitat, and the biodiversity values of the land in general, including:

- The implementation of the VMP; and
- Restrictions on pets, specifically dogs, being brought to the eco-tourism development.

Waste facilities and controls

Draft conditions of consent are proposed to ensure appropriate waste management and disposal, both during the construction phase of the development and the operational phase of the development.

Energy efficiency and greenhouse gas emissions

NatHERs certificate provided meeting the requirements for energy efficient building. Proposed cabins to primarily utilise solar power, with power generator on site for backup.

Noise and vibration

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 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 manager's should they occur. Appropriate draft conditions of consent have been included to ensure compliance with these requirements.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

Safety, security and crime prevention

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 manager's should they occur. Appropriate conditions of consent have been included to ensure compliance with these requirements.

Social impact in locality

Whilst the proposed development will increase the number of tourists to the area, it is of a relatively low scale allowing for an additional thirty (30) persons to be accommodated.

The maximum number of tourists permitted at one time will be thirty (30).

Under changes carried out at a State level all existing approved residential premises have the ability to be used for short term rental accommodation (STRA) without the approval of Council. The proposed development however is to be centrally managed with the number of guests restricted to that which has been approved ensuring that its social impacts are managed.

Given the distance between the proposed development and existing residential development the proposal is considered to be reasonable in the locality.

Planning Agreements

There are no planning agreements or draft planning agreements applicable to this property.

Any matters prescribed by the EP&A Regulation 2000.

Clauses 92(1), and 93 are not applicable to this application.

Submissions

Snowy Monaro Planning and Development Community Participation Plan 2019 requirements and the relevant statutory regulations required notification of the development. Notification letters were sent out to adjoining landowners and exhibited for a period of 14 days.

Five (5) submissions were received all objecting to the proposed development.

The submissions are attached to the report with consideration of the issues raised below.

Issues Raised by Submission 1

- Alleged unlawful construction of internal roads and site leveling
 - Increase vehicle movements – access to the site should be contained within the subject site and not use the ROC.
 - If the ROC is to be use the intersection with The Snowy River Way be upgraded to a BAR/BAL.
 - Waste management – be adequately conditioned to not include 12 additional individual
-

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

bins.

- Reduction of speed on The Snowy River Way to 80 km/h
- Restriction on pets being allowed at the facility
- Cost of Works is inaccurate.

Issues Raised by Submission 2

- Misdescriptions in SoEE.
- Incorrect history – the land has previously been grazed
- Question the validity of the Koala record.
- The Koala habitat increases Bushfire potential and located within the BAL-29 APZ for the dwelling.
- The application does not include an adequate Management Plan.

Issues Raised by Submission 3

- Misdescriptions in SoEE.
- BASIX out of date
- Crossing of a Crown road for the internal driveway
- Setbacks
- Development has been design to avoid the Biodiversity Values mapping
- Adequacy of intersection The Snowy River Way.
- Access to the site should be contained within the subject site and not use the ROC.
- Permissibility of Dwelling
- Development doesn't meet the definition or development standards of Eco-tourism
- Bushfire concerns
- Failure to comply with the DCP provisions

Issues Raised by Submission 4

- Alleged unlawful construction of internal roads and site leveling
- Over Development
- Land use conflict
- Development doesn't meet the definition or development standards of Eco-tourism – no educational activities proposed
- Adequacy of ROC and the intersection with The Snowy River Way.
- Waste management – be adequately conditioned to not include 12 additional individual bins.

Issues Raised by Submission 5

- Impact on agricultural operations
- Setbacks and visual impact
- Traffic and safety
- Ecological impacts
- Waste management
- Bushfire Risk
- Commencement of development
- Unclear and incomplete application.
- Permissibility

Officer Response to Issues Raised by Submissions

Ecological impacts

The application includes a Flora and Fauna Assessment, including a Test of Significance (ToS), and a Vegetation Management Plan. The proposed clearing area is 8,490 m², falling below the 10,000 m² threshold and outside High Biodiversity Values Map areas, thus exempting it from a Biodiversity Development Assessment Report ('BDAR'). A portion of the site contains Endangered Ecological Communities ('EEC'). The ToS indicates that, if the provided recommendations are followed, the development is unlikely to significantly impact the endangered koala or have a significant effect on threatened species, endangered populations, ecological communities, or their habitats. As such it is considered that the proposed development avoids and minimises ecological impacts. Furthermore, the recommendations outlined on page 16 of the ToS and have informed conditions of consent.

Access

A condition of consent requires the intersection of High Plains Lane and The Snowy River Way to be upgraded to a CHR/BAL. Additionally, conditions from the RFS require the ROC to include passing bays. (NOTE: further information has been received since the original report was created that clarifies that passing bays are NOT required on the ROC).

Land Use Conflict

There is no direct land use conflict between the proposed development and adjoining primarily residential development. There is potential indirect land use conflict relating to noise pollution from tourist visitors, especially relating to noise at night, and light pollution emanating from proposed cabins and campfires. This is not considered to impact on residents whilst indoors. It is considered that the proposed setbacks are sufficient to limit such land use conflict to an acceptable level.

The cabins are single story in nature and comprised of one (1) bedroom. The development of five (5) cabins to accommodate a maximum of 20 people on a 40-ha allotment is considered to be an

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

acceptable scale as the cabins are compact, they are dispersed across the site and at different elevations, and be partially obscured when viewed from any one property.

Additionally, see assessment of the zone objectives and section C8 Environmental Management of the DCP.

Noise and Light Pollution

Given the number of guests being accommodated and the requirement for onsite management to be provided, impacts from the guests on surrounding properties should be minimised. Any impacts can be managed by the onsite managers should they occur. This aspect is also covered in the draft conditions of consent.

The proposed setback for the cabins from existing residential development ranges from approx. 410 m to approx. 970 m. There is no prescribed minimum setback for Eco-tourist developments, however it is considered that the above range of setbacks are satisfactory in assisting to mitigate noise and light pollution.

Setbacks and Visual Impact

The proposed development is regarded as neither excessive nor in conflict with the RU1 Primary Production zone objective. Comprehensive consideration has been given to the rural landscape characteristics, particularly in the design of low-scale structures, standing at heights below 4.8 m, which indisputably lack the characteristics of being oversized and seamlessly integrate with the local building density. The cabins have been thoughtfully spaced apart to prevent any perception of overdevelopment, creating an opportunity for guests to fully enjoy the scenic beauty of the area, enhancing their overall amenity experience.

Importantly, the proposed development does not overextend the site, encompassing a mere 744 square meters of development area, constituting less than 0.2% of the total site footprint. Consequently, it refrains from imposing any visual disturbance on neighbouring properties. The positioning of these structures complies with the setback requirements outlined in the Development Control Plan (DCP), ensuring not only high amenity but also a reduction in the potential for negative ecological impact. Given the modest scale and height of the proposed developments, their impact on the local environment will be significantly lower than that of the existing farm buildings, which are clearly visible from both public and private road networks. The consideration of rural character through the use of materials like Colorbond and timber further underscores the commitment to preserving the area's character.

Location of the development selected to avoid the mapped high biodiversity values areas

The location chosen for development has avoided the location of the NSW *Biodiversity Conservation Act* mapped areas. The intention of the *Biodiversity Conservation Act 2019* is to ensure that development is sited to avoid impact, where possible, on areas mapped as being high value. The Biodiversity Assessment Method first requires that impacts are avoided, which is why the proposed location has been chosen. The chosen location avoids and minimises impacts to the sensitive areas to the greatest extent possible, adhering to the objectives of the Act.

Over development of the site

It is considered that the scale of the proposal, being five cabins and a dwelling, the dispersed nature of the development, and the screening of the development via vegetation and topography,

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

has the cumulative effect of minimising the impact of the development within the rural/natural setting. It is therefore not considered by the Assessing Officer to be an over development of the site.

Mis-descriptions in Statement of Environmental Effects

The mis-descriptions were clerical errors and a Revision B SoEE has been provided.

BASIX out of date

Updated BASIX provided.

Bushfire and additional Vegetation from the Koala Habitat Corridor

The application was assessed and approved by the Rural Fire Service.

Definitions, Permissibility and Development Standards

See assessment of the LEP 2013 and DCP in the body of this report.

Unlawful Internal Driveways

Internal access driveways to be brought into compliance via Development Approval.

Adequate Waste Management

A Waste Management plan was provided as a supporting document. The draft conditions of consent include waste management provision.

Access over an unformed Crown Road

Crown Lands as adjoining landowner has reviewed the development application in accordance with the principles of Crown land management (s.1.4 Crown Lands Management Act 2016) and offers no objections to the development proposal providing that no works occur on the Crown Road without approval of the Crown Lands.

A proposed condition of consent states that no works within the crown Road reserve are approved as part of this application and also notes that it is recommended that the applicant lodges an application to close and purchase the unformed Crown Road.

Submissions received after the December 2023 Ordinary Council meeting.

Following Council's decision to defer consideration of the item at the December 2023 Council meeting, four (4) additional submissions were received all objecting to the proposed development.

The submissions are attached to the report with consideration of issues raised listed below.

Issues Raised by Submission 1

- Reduction of speed limit on The Snowy River Way
 - Waste Management Plan
 - An on-site Manager is required.
 - Errors in Conditions.
 - A council representative should attend site to gauge the works already carried out.
-

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

Issues Raised by Submission 2

- Flora & Fauna Assessment contains alleged incorrect information.
- Questions the accuracy of claims of Koalas in proximity to the subject land.
- Koala on adjacent land - Trespassing

Issues Raised by Submission 3

- Alleged commencement of works
- To-date no second dwelling has been constructed on lots along High Plains Lane.
- No commercial development was envisaged for the lots created on High Plains Lane.
- No educational or interpretive activities proposed.
- The development does not meet the definition of 'Eco-tourism' in many organisations.
- Maximum length of stay is too long – 3 months.
- The proposed development will substantially change the quiet, rural residential nature of High Plains Lane.
- Adequacy of the intersection of High Plains Lane & The Snowy River Way.

Issues Raised by Submission 4

- Absence of power to determine application – owners consent
- Absence of power to determine application – BDAR
- Impact on agricultural operation
- Setbacks & Visual Impacts
- Traffic & Safety
- Waste Management
- Bushfire Risk
- Commencement of Development

Officer Response to Issues Raised by Additional Submissions**Definitions, Permissibility and Development Standards**

The definition of Eco-tourism under the United Nations World Tourism Organisation (UNWTO) and the international Eco-tourist Society are not relevant in regard to the approval of a land use within New South Wales. The relevant legislation is the Environmental Planning and Assessment Act 1979.

The definition of an **eco-tourist facility** under the State Environmental Planning Policy (Planning Systems) 2021 - SCHEDULE 6 – Regionally Significant (1) is:

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

"eco-tourist facility" means a building or place used for tourist and visitor accommodation, function centres or environmental facilities that is located in a natural environment and is primarily used for activities involving education about, or the interpretation, cultural understanding or appreciation of, the natural environment.

This definition is applicable to development which reach the required Capital Investment Value (CIV) figure which triggers it to be a State Significant development. The subject development is below the \$5 million CIV and as such is not considered state significant development.

The definition under the **Snowy River LEP 2013 - Dictionary** is:

eco-tourist facility means a building or place that—

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and
- (b) is located in or adjacent to an area with special ecological or cultural features, and
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

The applicable local environment plan for this application is the Snowy River LEP 2013. Therefore this is the applicable definition for the application.

See assessment of the LEP 2013 and DCP in the body of this report.

Absence of power to determine application – owners' consent.

Submission 4 raised concerns regarding the need for owners' consent for the construction of passing bays on High Plains Lane, as the ROC is physically located on Lot 6. Clarification has been provided by the applicant (refer attachment 16) which outlines that there is no requirement or proposal for passing bays to be constructed on High Plains Lane. Accordingly, the consent from the owner of the land upon which the ROC is located is not required for the making of the application.

The Bushfire Assessment Report and the general terms of approval (GTA) outlined in the Bushfire Safety Authority (BFSa) refer to measures concerning Lot 2 in DP1184090 (the subject site), and do not apply to the adjacent land.

A Development Assessment and Planning Coordinator at the NSW Rural Fire Service (RFS), confirmed that GTA conditions 8 and 9 in the BFSa are applicable to proposed property access roads within the subject site and not to the existing shared access (ROC) within Lot 6 DP1243949.

Passing bays are mandated for rural property access roads traversing forest, woodland, and heath vegetation communities. The vegetation community adjacent to High Plains Lane, linking the proposed development access point within the subject site and The Snowy River Way, is identified as a Monaro Grassland community with isolated tree clusters. Consequently, even if the bushfire protection measures were extended beyond the subject site, passing bays would not be necessary along the mentioned section of the ROC within Lot 6 DP1243949.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

However, it has been identified that consent from the owners of lot 6 may be required where it is considered that the development is 'intensifying' the use of the ROC. This matter is regarded as a civil issue between the two owners to resolve. *PCC_35 Owners Consent - Neighbouring Properties* has been incorporated to ensure that the required consent is obtained.

Council can impose a condition of consent requiring work to be undertaken on land other than the land subject to the DA in certain circumstances (EP&A Act S4.17(f)). However, the carrying out of any such works would still require the consent of the landowner.

It should be noted that the applicant has the ability to seek other legal remedies in regard to the intention to use the ROC, and again this is considered to be a civil matter between the various landowners.

Absence of Crown Land's approval

The DA was referred to Crown Lands as the access track crosses an unformed 'paper' Crown Road. No objections were received from Crown Lands regarding the proposal. It is also noted that the part of the access track that crosses the unformed Crown Road already exists. As pointed out, a DA can only approve works to be undertaken, it cannot approve works already carried out. As such, the part of the track crossing the Crown Road does not constitute works being authorised by this DA. Other approvals for dwellings in the vicinity also have access tracks crossing an unformed Crown Road.

The Crown can provide written approval for small-scale works on Crown Roads (NSW Department of Industry – Lands & Water 'Guideline – Administration of Crown Roads (2018)').

Absence of power to determine application – Clearing Thresholds

Submission 4 raises concerns regarding the exclusion of the area of clearing required for the upgraded intersection, from calculations made to assess clearing thresholds.

The upgrade to the intersection is also a condition of consent for the final stage of the original subdivision (DA135/2012) and a separate Section 138 (Roads Act) approval has already been issued to the proponent of the subdivision to construct the intersection upgrades (Issued in November 2023).

As approval to construct the intersection has already been issued, and the required works can be completed as an action which are completely separate from the Eco Tourist Facility DA, it is considered that any clearing associated with the proposed intersection works is not necessarily attributed to this development. As such, the works required for the intersection are not included the clearing calculations.

Bushfire Risk

The refuge building (cabin 3) serves as a last resort refuge during a bushfire event and prioritises the safety of all guests. Cabin 3 has been designated as the disability access building to ensure that guests with disabilities have equitable access to the refuge and is considered to be a satisfactory and inclusive choice of building for refuge.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

To clarify, the handbook referenced in Submission 4 pertains to the design and construction of a Community Bushfire Refuge and is a non-mandatory document. Cabin 3, however, functions solely as a refuge for guests of the eco-tourist facility and is not considered a community refuge building. Therefore, the guidelines outlined in the handbook do not apply to Cabin 3 or this development.

The assessing officer is satisfied that the provisions outlined in Planning for Bushfire Protection 2019 (PBP 2019) have been adhered to. This is reflected with the Bush Fire Safety Authority being issued by the Rural Fire Service (RFS), demonstrating compliance with regulatory standards.

Impact on agricultural operation

Adjoining lands include existing agricultural activities and various other activities including a commercial flower farm which grows cut flowers and flowers for fragrance.

It is reasonable to surmise that visitors to an eco-tourist facility will more likely be from urban environments, and highly likely that vehicles visiting the subject site will have travelled along established sealed public roads. As such it is considered that the introduction of additional vehicles from urban areas is unlikely to have a significant impact on the ability of neighbouring lands to operate agricultural activities, including opportunity for weed introduction.

Urban vehicles typically follow established road networks and access points and minimal off-road travel, so the suggested likelihood of inadvertently transporting weed seeds or contaminants onto agricultural lands is not considered to be high. Additionally, farmers often implement proactive measures such as perimeter fencing and controlled access points to mitigate the risk of external factors affecting their agricultural activities.

Overall, the controlled and regulated nature of urban vehicle traffic, combined with proactive agricultural management practices, supports the assertion that the introduction of additional urban vehicles would have minimal impact on neighbouring lands' ability to sustain agricultural activities.

Setbacks & Visual Impacts

The proposed location of the development is not situated on a ridgeline and will not be visible above a predominant ridgeline or escarpment, as demonstrated in figures 13 – 15 below. Furthermore, the size of the cabins, each measuring 30m², ensures that they will not dominate the visual landscape. Instead, they will harmoniously integrate into the surrounding environment, maintaining compatibility with the local cultural character. This is particularly evident when considering the visual aesthetics of the flower farm to the south, whose structures do not blend with the natural surroundings, see figure 16. Thus, it is considered that the proposed development's location, size, and design elements are thoughtfully planned to preserve the visual integrity of the area while complementing the existing landscape and cultural context. The Snowy River DCP does not specify applicable side boundary setbacks for this type of development.

Additionally, an alternative perspective to that raised in Submission 4 which suggests that the concentration of buildings is not appropriate, is that by concentrating the buildings in a specific area the visual impact on an environment characterized by open pasture and bushland can be minimised. By clustering the structures, the development avoids sprawling across the landscape,

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

thereby minimizing its overall footprint and preserving more extensive expanses of natural scenery. This approach allows for the retention of larger, uninterrupted stretches of open pasture and bushland, enhancing the visual appeal of the area by maintaining its spacious and unobstructed vistas. Additionally, concentrating the buildings in a designated zone can create a focal point within the landscape, drawing the eye to a defined area rather than scattering development across the entire terrain. This strategic placement not only reduces visual clutter but also helps to mitigate any potential disruption to the natural flow and aesthetic harmony of the surrounding environment. Thus, while some may initially perceive concentrated development as intrusive, it can, in fact, contribute to a more visually harmonious and balanced landscape in areas characterized by open pasture and bushland.



Figure 13: View from land to the west of the subject site.



This aerial photograph shows a vast landscape with a 'Subject site' marked by a red arrow in the upper left and 'Flower Farm' marked by a red arrow in the lower right. The terrain is a mix of green fields, dense forests, and scattered trees. In the background, a large body of water is visible under a clear sky.

Figure 15: Existing development (photo date 12/12/2023)

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

Reduction of speed limit on The Snowy River Way

Speed limits are a function of Transport for NSW and not within the jurisdiction of Council and the assessment of a Development Application.

Approaches have been made by the submitter to TfNSW. Council's Road Safety Officer has also been contacted on the same subject even though this is not a role for that officer.

The submitter has been made aware of TfNSW's process for considering a request for a reduction in speed limit.

After consultation with TfNSW in regard to the correct process for making application for a reduced speed limit a TfNSW representative has advised the following (paraphrased):

Applications can be made via the 'Have your say about speed limits - Safer Roads NSW' portal.

A preliminary assessment to decide whether a full review is warranted takes around 3 months and a full review closer to 12months before anything is changed onsite.

A submission via the TfNSW portal has been registered at least 4 times for the same section. As at the 15/12/2023 TfNSW had not got to reviewing recent suggestions and advised that review would likely take place in the new year. Once a review has been undertaken TfNSW will notify the customer of whether they intend to proceed with a comprehensive review or 'reject' their suggestion.

To date there has been no change to the speed limit on the Snowy River Way and as such Council can only make its assessment according to existing conditions.

Regarding the wording in SUB_18, it is standard practice for the design speed of an intersection to be determined based on the actual speed at which it is utilized, rather than solely relying on the posted speed limit.

Adequacy of the intersection of High Plains Lane (HPL) & The Snowy River Way (TSRW).

A condition of consent requires the intersection of High Plains Lane and The Snowy River Way to be upgraded to a CHR/BAL.

Submission 3 refers to conditions of consent for the Subdivision which created the subject lot (DA0135/2012). The submission refers to the requirement for the subdivider to upgrade the HPL & TSRW intersection. To date this has not been completed, however, a Section 138 (Roads Act) approval was issued for the construction of the intersection works to CHR/BAL standard in November 2023.

A review of DA0135/2012 revealed that the staged subdivision was modified to require the construction of a BAR/BAL intersection treatment in relation to Stage 4 (Lots 5 & 6).

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

Stage 4: Intersection Treatment - BAR/BAL (added MOD0011/2014)

- 13b. The intersection of the right of carriageway that will provide access to lots 2 -6 and Snowy River Way shall be designed and constructed to satisfy the minimum standards for a BAR/BAL intersection treatment as set out in the Austroads "Guide to Road Design Parts 3 (2009), 4 (2009) and 4A (2009)", including the "RMS" Supplement to Austroads "Guide to Road Design Parts 3 (2009), 4 (2009) and 4A (2009)" and including the requirement for Safe Intersection Sight Distance for a 100 km/hr design speed in Snowy River Way.

It is concluded that the construction of the BAR/BAL is relevant. The intersection has been reviewed by different engineers and they have come to the same conclusion – the intersection requires upgrading. The safety and adequacy of the HPL & TSRW intersection is addressed by proposed condition SUB_18.

The requirement for the CHR/BAL is a higher standard than the BAL/BAR and was required due to the inability to achieve the required Safe Intersection Sight Distance (SISD) requirements for a BAL/BAR intersection in a 100km/h speed zone.

Lowering the speed limit from 100kph to 80kph might mean that SISD would be satisfactory for a BAL/BAR. Transport for NSW (TfNSW) is the body responsible for administering speed limit requirements on public roads.

This issue was raised with representatives from TfNSW in a meeting with Council staff on 16 February 2024, and as listed above, approaches have been made to TfNSW by the Developer of the Subdivision. Until such time as TfNSW formally changes the speed limit, the design submitted (and subsequently approved) for the S138 application by the subdivision developer, and the proposed condition for this DA will remain.

The cost of the upgrade will fall to either the developer of Stage 4 of DA135/2012 or the current application, however it seems that there is an opportunity for the subdivision developer and the proponent for this DA to collaboratively achieve the required intersection upgrade. Upon completion the maintenance of the intersection will fall to the relevant road authority (Council).

The applicant also raised issues in relation to the proposed condition requiring the intersection upgrade (refer attachment 20). The above information addresses the points raised.

Waste Management Plan

Conditions DC_08, DC_09, DC_16 and POC_09 relate to the required waste managed during construction, the nominated Certifier for the construction will be responsible for ensuring these conditions are observed. Where non-compliance is a concern Council can intervene.

Conditions POC_31, OU_23 and OU_52 relate to the required ongoing waste management. The proposed Waste Management plan has been added to the list of approved documents.

On-site Manager

The requirement for an on-site manager is stipulated in condition OU_52(f). However, to provide clarity a specific condition, being OU_34, has been added.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

Errors in Conditions

DC 29 - Council thanks the submitter for identifying this error. The template within Councils system contained the error and this has now been corrected.

SUB 18 - The reference to 'stage 2' was an error and has been deleted.

No commercial development was envisaged for the lots created on High Plains Lane.

The comment is noted, however, the list of permissible land uses in the RU1 zone Land Use Table (Snowy River LEP) includes a broad range of commercial activities, including (but not limited to) Eco-tourist Facilities, Garden Centres, Recreation Facilities (outdoors), Landscaping Material & Rural Supplies, Plant Nurseries, Transport Depots, Truck Depots, Extractive Industries etc, as well as agricultural and residential uses.

The inclusion of land uses such as those listed (not an exhaustive list) in the RU1 zoning designation illustrates that authorities did indeed foresee the potential for private enterprise ventures within the area. Inclusion of land uses (other than the mandatory uses listed in the Standard Instrument LEP template) is a function of the relevant Council, i.e. the Council at the time (SRSC) had to agree to the particular land uses being included in the LEP.

The existence of the commercial flower farm operating within the vicinity, for example, shows that some types of commercial development are not only permitted within the zoning regulations, but already present. In addition to the permitted land uses described in the zoning tables, various other activities can be undertaken under 'exempt' provisions.

For such activities not to be 'envisaged' might be considered as a non-recognition of permissible land uses. Permissible land uses are detailed in the contract documents for any sale of land (via a 10.7 Planning Certificate).

Recent changes to provisions for 'agritourism' activities also show that expansion of off-farm activities are being promoted as a means of value-adding to existing agricultural enterprises.

Alleged Unauthorised Development and Compliance Officer Site Inspection.

On 07/02/2024 a site inspection of 79 High Plains Lane was carried out to accommodate a suggestion by a Councillor during discussions at the December Council meeting, to ascertain whether works had commenced prior to approval in relation to this DA. At that time, the officer advised that the track in use in the property did not appear to be new and could be an improved track in use. On review of the application file and photos presented in the application (some of which are included in this report), the track/internal road as observed appears to be in the same condition and location. No 'new' construction works were observed.

As shown in the photos below, it was observed that slabs for both the proposed machinery shed and proposed garage appear to have been constructed recently.

It is likely that due to the land's zoning the construction of a 12mx12m machinery shed could be considered exempt. However, the construction of the garage or part thereof is likely not exempt.

As such the applicant will be required to apply for a Building Information Certificate to obtain separate approval to use the slab for the garage. This is identified in condition POC_28 – Building Information Certificate pertaining to the garage slab.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED



Flora & Fauna Assessment contains alleged incorrect information.

The reference to subdivision in the FFA is an error which was addressed in the earlier report. Council is aware that the proposed development is for an Eco-tourist Facility and not a Subdivision.

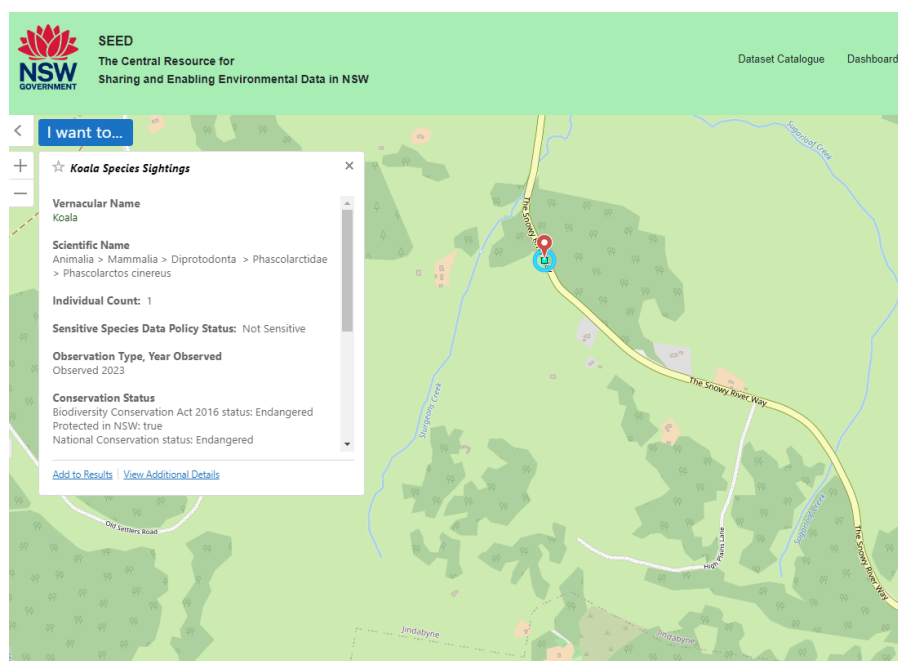
Questions the accuracy of claims of Koalas in proximity to the subject land and implications of trespassing.

Trespassing is not under the jurisdiction of Council and should be raised with the appropriate regulatory authority.

Response regarding reporting of this new koala record, it is a standard requirement of scientific licence holders in NSW, which practicing ecological consultants must be, that survey records are submitted to BioNet. These records are, after an internal review process, made publicly accessible.

Below is a snippet of Koala Species sightings.

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED



Education

The provision of education is not a required provision, the key term being 'may include' in the definition of Eco-tourism.

The facility has proposed to provide an educational brochure and map to guide to the guests regarding the proposed nature-based activities available on-site including the walking paths along the revegetated koala corridor. The subject land is in an area with special ecological features including land which has significant vegetation. This allows for a variety of nature-based activities such as bird watching. The property specific guest information will be printed and available within the cabin for guest to review during their stay.

In addition to on-site options, a guide for guests which provides detail regarding off-site activities within the greater Jindabyne area has been proposed.

Furthermore, it is considered given the scale of the development, having managers readily available to address any inquiries further contributes to fulfilling the educational objectives.

Applicant's Response to submissions

Following receipt of the additional submissions, the applicant was given the opportunity of providing a response to the issues raised. The applicant's response is at attachment 20.

The applicant has submitted that the proposed condition requiring the intersection of High Plains Lane and The Snowy River Way should not be included, suggesting rather that the condition should only be applied for the last stage of the original subdivision (DA135/2012) as modified.

The applicant has also provided calculations on suggested additional vehicle movements expected from the operation of the Eco Tourist Facility.

Advice from Council's Development Engineer is that the increase in potential traffic movements does warrant the requirement for the intersection to be upgraded. TfNSW advice is that for intersection treatments for Tourist Accommodation/activities, there is a likelihood that many of

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE, GARAGE & MACHINERY SHED

the motorists attending the site will be unfamiliar with the location of the intersection and local road conditions, adding further elements of risk.

Accordingly, it is considered that a condition requiring the upgrading of the intersection is warranted.

It remains that there is an opportunity for the proponent to collaborate with the proponent of the original subdivision to jointly achieve the required intersection upgrade.

As detailed above, an approval has been issued to the proponent of the original subdivision for the construction of the intersection.

Public Interest

The proposal complies with the Council's standards and will not contribute to creating an undesirable precedent and is therefore not considered to be contrary to the public interest.

CONCLUSION

It is considered that the proposed development generally complies with the relevant provisions of Section 4.15 of the Act, LEP, DCP, 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 RU1 – Primary Production.
2. Impacts associated with the proposed development on surrounding properties are acceptable.
3. The development complies with the standards of the SRLEP 2013 and the SRDCP 2013.
4. The issues raised through the additional submissions received following the deferment of the report from the December 2023 Council meeting have been addressed.

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 as attached to this report.

Note: If Council decides to make a determination other than as included in the recommendation, it must follow the procedure adopted through resolution 46/24 made on 21 March 2024.

ATTACHMENTS

1. DRAFT Conditions (*Under Separate Cover*)
 2. Statement of Environmental Effects (*Under Separate Cover*)
 3. Architectural Plans (*Under Separate Cover*)
 4. BASIX Certificate (Dwelling) (*Under Separate Cover*)
 5. NatHERS Summary (Dwelling) (*Under Separate Cover*)
 6. BASIX Certificate (Cabins) (*Under Separate Cover*)
-

8.2 DEVELOPMENT APPLICATION 10.2023.200.1 - ECOTOURISM FACILITIES (5 CABINS & 5 CARPORTS), DWELLING HOUSE,
GARAGE & MACHINERY SHED

7. NatHERS Summary (Cabins) *(Under Separate Cover)*
 8. Bush Fire Assessment Report *(Under Separate Cover)*
 9. Facility Management Plan *(Under Separate Cover)*
 10. Vegetation Management Plan *(Under Separate Cover)*
 11. Flora & Fauna Assessment *(Under Separate Cover)*
 12. Construction Management Plan *(Under Separate Cover)*
 13. Waste Managment Plan *(Under Separate Cover)*
 14. AHIMS Report *(Under Separate Cover)*
 15. RFS Determination Letter and Bush Fire Safety Authority *(Under Separate Cover)*
 16. Advisory Letter From Bushfire Consultant Regarding Access and BFSA *(Under Separate Cover)*
 17. Crown Land Reponse *(Under Separate Cover)*
 18. Submissions (1) *(Under Separate Cover)*
 19. Submissions (2) *(Under Separate Cover)*
 20. Applicants Response to Submissions (2) *(Under Separate Cover)*
 21. DA Form *(Under Separate Cover)*
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8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

Record No: I24/240

Applicant Number:	10.2021.325.1
Applicant:	Cavallo Projects
Owner:	Bottomline Group Pty Limited
DA Registered:	07/10/2021
Property Description:	Old Dry Plains Road COOMA NSW 2630 Lot 1 DP 737275, Lot 11 DP 1266312, Lot 157 DP 750524, Lot 159 DP 750524, Lot 211 DP 750524, Lot 158 DP 750524
Zone:	R5 Large lot Residential C4 – Environmental Living
Proposed Use:	Subdivision
Permitted in Zone:	Permitted
Recommendation:	Approval

RECOMMENDATION

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to 10.2021.325.1 for a Large Lot Residential Subdivision - Stage 2A (Lots 201 - 230) on Lot 1 DP 737275, Lot 11 DP 1266312, Lot 157 DP 750524, Lot 159 DP 750524, Lot 211 DP 750524 and Lot 158 DP 750524, 108 Old Dry Plains Road COOMA NSW 2630 with conditions of consent attached to this report.

EXECUTIVE SUMMARY

The proposed development at 108 Old Dry Plains Road, Cooma NSW, comprises of a large lot residential subdivision - Stage 2A (lots 201 - 230) over six existing lots. Initially conceived as a single application, it was later divided into four distinct stages (2A, 2B, 2C, and 2D) in response to Snowy Monaro Regional Council's request to address Cooma-Monaro LEP clause 4.1B (Subdivision using average lot sizes). Council also obtained legal advice regarding the use of Clause 4.1B.

Further revisions were prompted by feedback from neighbouring property owners and Council, with the total allotments being reduced to thirty-eight (38), including one residue lot without a nominated building envelope.

Consequently, the applicant submitted an amendment under section 37 of the NSW Environmental Planning and Assessment Regulation 2021, consolidating the project into two (2) separate development applications.

The landowner is seeking Council approval to construct a 37-lot large-lot residential subdivision, plus 1 residue allotment, in 2 stages using the lot averaging clause included in the Cooma Monaro Local Environmental Plan 2013 (LEP).

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

This application (10.2021.325.1) is for Stage 2A, being for the creation a 30-lot large-lot residential subdivision with residue, utilising the lot averaging clause outlined in the Cooma Monaro Local Environmental Plan 2013 (LEP). (Note that part of the residue is to be used for further subdivision for proposed Stage 2B (DA 10.2021.321.1) which addressed in a separate Council report).

This application is subject to considerations including bushfire risk, access, heritage, and biodiversity. The development process has seen two (2) public submission periods, with 11 submissions received for the current proposal.

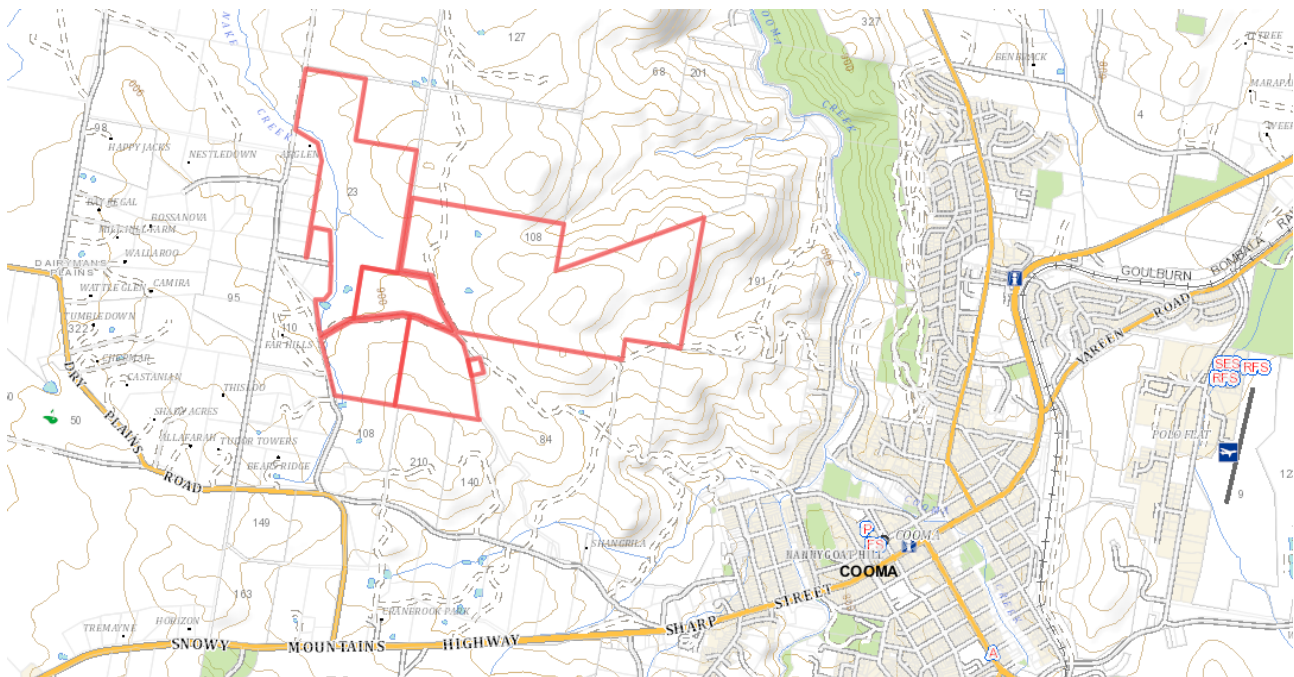
In accordance with Council policy “Referral of Development Applications to Council” the application is referred to Council for determination as it has received more than five (5) submissions.

Upon assessment, the assessing officer is satisfied that the development complies with the provisions of the Cooma Monaro Local Environment Plan 2013 (CMLEP) and the Cooma Monaro Development Control Plan 2014 (CMDCP).

It is recommended that the development be approved with conditions.

BACKGROUND

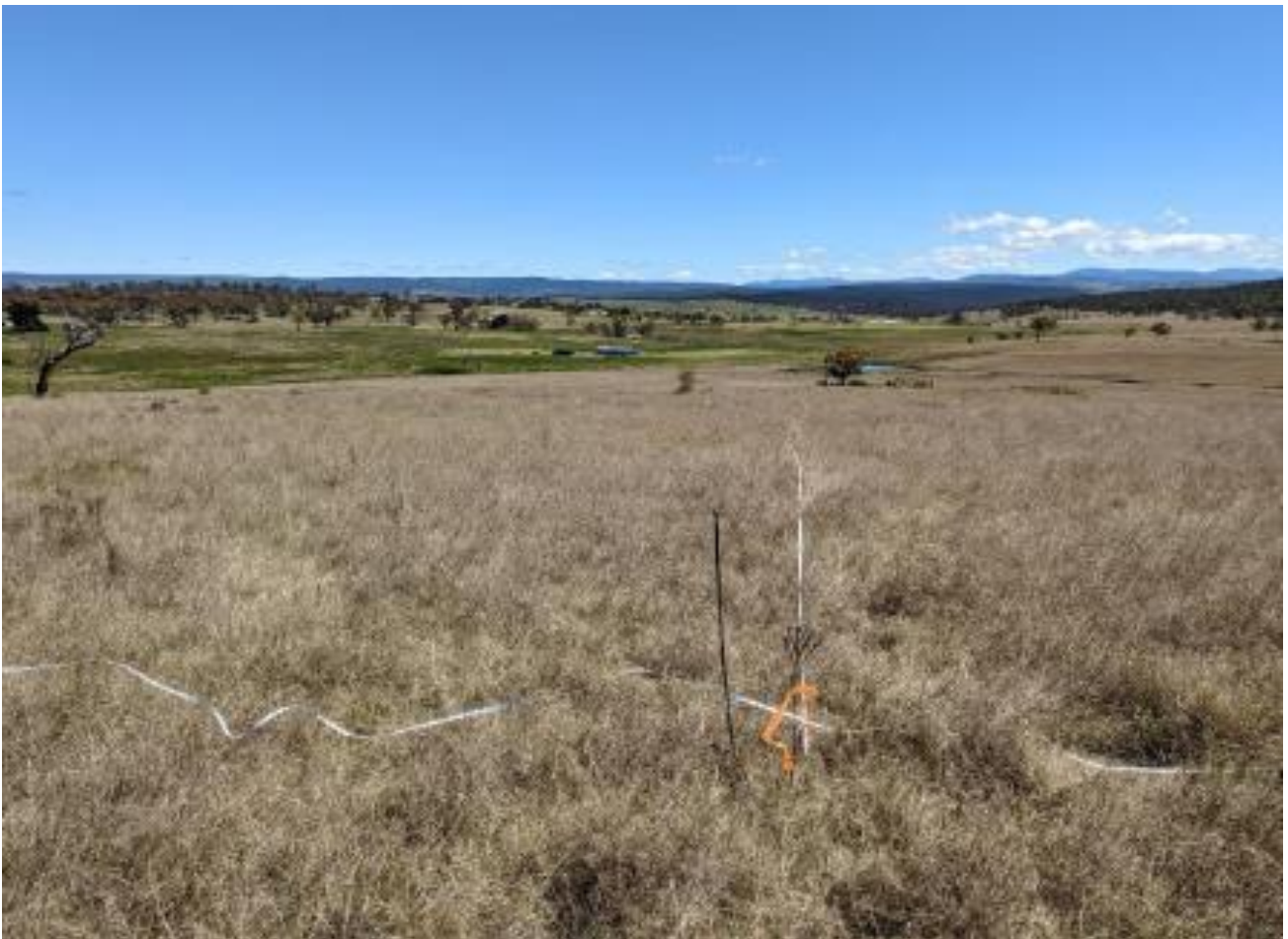
Site map



8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)



Site photographs



8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)



Previous Development History

10.2018.02001222.001 - 11 lot subdivision.

PROPOSED DEVELOPMENT IN DETAIL

The DAs for Stage 2 were initially submitted as a single application broken into 4 distinct development Stages, namely 2A, 2B, 2C and 2D. As a result of a request from Snowy Monaro Regional Council (Council) to further address Clause 4.1(B), the applicant chose to amend the initial Development Application 10.2020.215.1 to divide the total of 77 allotments into 4 separate DAs each including an individual stage 2A, 2B, 2C and 2D.

Section 37 Amendment

Subsequent to the submission of the 4 separate DA's to Council, and through consideration of submissions received from neighbouring property owners, the applicant has chosen to further reduce the number of allotments proposed to 38 allotments including a residue lot with no nominated building envelope, and as such submitted an application under Section 37 of the NSW Environmental Planning and Assessment Regulation 2021 to amend the development applications already lodged with Council. The result of this process is the project comprises only two development applications.

The landowner is seeking Council approval to construct a 38-lot large-lot residential subdivision, including 1 residue allotment, in multiple stages using Council's lot averaging clause included in the Cooma Monaro Local Environmental Plan 2013 (LEP).

The two separate Development Applications involve the consolidation and subdivision of the allotments shown on the proposed plans.

This application is for Stage 2A lots 201 – 230 (yellow below) using the 8-hectare minimum lot size and the identification of the lot yield is included in the table below.

Stage	Area in R5 zone	Number of new lots	Residue Area
2A	251.93 hectares	30 plus residue	159.24 hectares

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

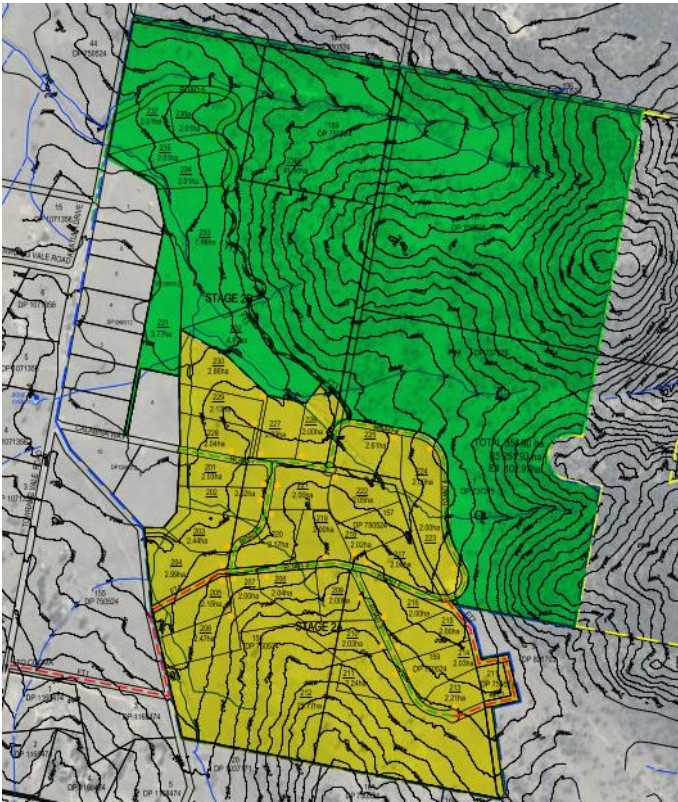


Figure 1: Subdivision plan - Stage 2A (Yellow)(this application) and proposed 2B (Green) which is the subject of a separate Development application.

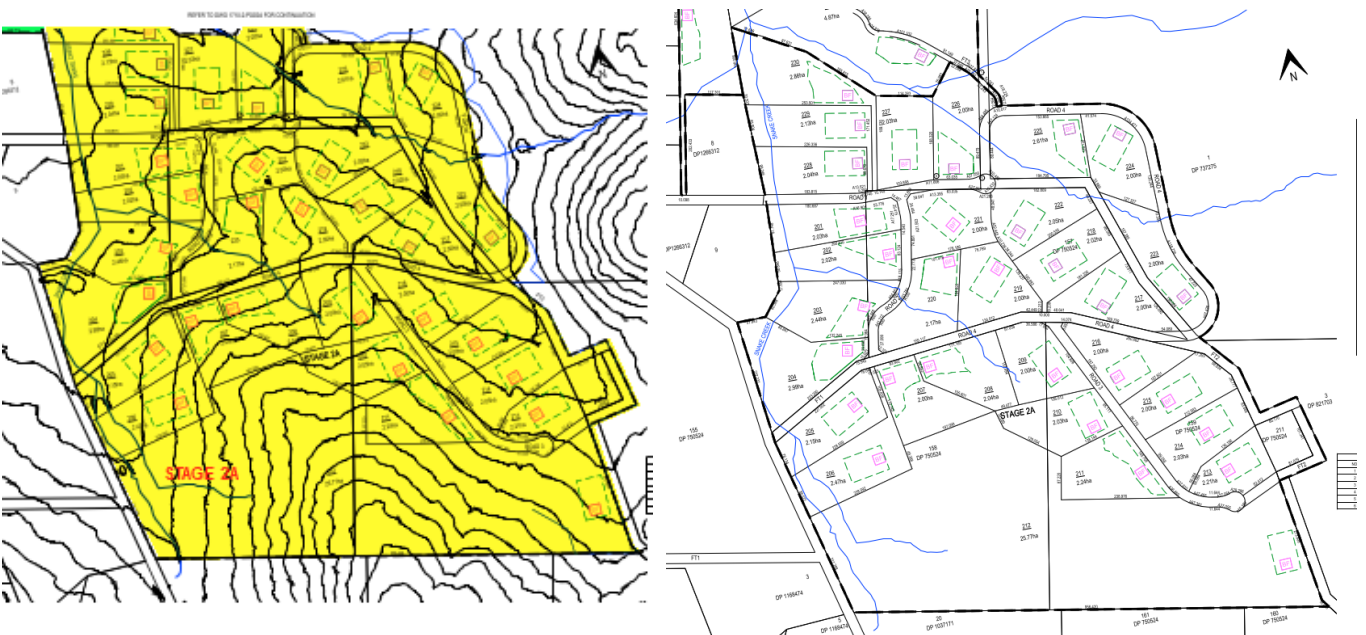


Figure 2: Stage 2A subdivision plan

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 is was deemed to be Integrated Development under Section 4.46 of the Environmental Planning and Assessment Act 1979.

State or Federal Agency	Comments
NSW RFS	Response received, no objection to the development subject to conditions provided.
<p>As per the recommendations contained within the additional information provided by Blackash, dated 8th November 2023, at the issue of a Subdivision Certificate, a suitably worded legal instrument shall be created to ensure that the trail labelled as Fire Trail 3 on the proposed plans will be provided within a 'Right of Carriageway' and a Deed of Agreement created to ensure access from residents of lots 232-237 have mutually beneficial rights of way to use the fire trail in the event of a fire. The Fire trail is to be maintained by the owners of Lots 232 and 233. Fire trail 3 should be referred to the Snowy Monaro Bush Fire Management Committee for its potential inclusion in their Fire Access and Fire Trails plan.</p> <p>Lots 201 – 211: These lots are not provided with a perimeter road. To provided additional redundancy in the design and assist operational response, by providing more protection and therefore buying more time during an emergency, each Lot (201-211) will be provided with the following:</p> <ol style="list-style-type: none"> 1. 30 metre APZ; 2. BAL-19 construction; and 3. 20,000 litres of static water supply <p>Lots 213 – 215: These lots are not provided with a perimeter road. To provided additional redundancy in the design and assist operational response, by providing more protection and therefore buying more time during an emergency, each Lot (212-215) will be provided with the following:</p> <ol style="list-style-type: none"> 1. 30 metre APZ; 2. BAL-19 construction; and <p>20,000 litres of static water supply.</p>	

REFERRALS

External Referrals

The development application was referred to the following external government agencies for comment/consideration:

State or Federal Agency	Comments
Transport for NSW	Response received, no objection to the development. Recommended conditions provided.
Department of Planning Industry and Environment (Biodiversity and Conservation)	Response received, no objection to the development subject to recommendation.
Crown Land	Owners consent granted – see attachment 14 Crown land referral – response received, no objection to the development subject to conditions provided.
Essential Energy	Response received, no objection to the development subject to conditions provided.

Internal Referrals

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

Section	Comments
Development Engineering	Acceptable subject to conditions
GIS Officer	Acceptable subject to conditions
Heritage Officer	Acceptable subject to conditions

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:

Slope	Sloping land – building envelopes proposed in suitable future building locations.
Significant vegetation	There is potential for significant vegetation – detailed assessment provided in the body of the report.
Adjoining development	Similar nature, scale and design to proposal
Suitability of proposed works / building	Generally acceptable having regard to constraints of the land
Streetscape	proposal generally compatible with adjoining development
Stormwater disposal	on-site via detention
Services	electricity / telephone/water
Views	nil impact to and from site
Contamination	nil identified
Bushfire	A portion of the subject site is classified as bushfire prone – refer to bushfire report and approval from RFS
Flooding	Not mapped as flood prone land
Vehicular access	The site have coinciding legal and practical access
Easements and restriction on use	nil
Aboriginal sites	nil identified on-site
Threatened species	nil identified on-site
Grasslands	nil identified on-site
Rivers/streams	Snake Creek. See assessment in body of report.
Effluent disposal	Onsite
Prevailing winds	nil impact
Easements	nil affected by this proposal
Other matters	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):

State Environmental Planning Policies	Compliance/Relevance
State Environmental Planning Policy No 65 - N/A	
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<p>The Biodiversity Development Assessment Report (BDAR) provided with the updated application underwent review by both council and BCD staff. The revised reports didn't assess impacts on woodland areas as the development occurs solely within paddocks dominated by non-native species, notably lovegrass. Thus, it is considered that impacts in paddock areas are unlikely to activate Biodiversity Offset Scheme thresholds, as concluded in the current BDAR.</p> <p>The BDAR incorporates environmental management recommendations guiding a condition of consent.</p>
<p>Biodiversity and Conservation Division (BCD) review of Biodiversity Assessment Report (BAR):</p> <p><i>BCD previously commented on a development application in this location in March 2022 and have attended a site visit with Council on 3 December 2021. Our previous comments questioned the assessment method in terms of vegetation mapping, with particular concerns around the woodland components of the subject lots.</i></p> <p><i>We note that the updated development application, and BAR, does not include impacts woodland areas, with the development sitting entirely within paddocks characterised by non-native species, including significant portion of lovegrass (Eragrostis curvula). In previous correspondence, we have indicated that impacts in paddock areas are unlikely to trigger any Biodiversity Offset Scheme entry thresholds. The current BAR for this development application has also reached this conclusion.</i></p> <p><i>The BAR includes a series of environmental management recommendations including the retention of mature native paddock trees, and a recommendation to investigate the possibility of a biodiversity stewardship site on the retained woodland part of the subject lots. Council should consider including some of these recommendations as conditions of approval for the development.</i></p>	
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - N/A	
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 - N/A	
State Environmental Planning Policy (Housing) 2021 - N/A	
State Environmental Planning Policy	Schedule 3 - Traffic Generating development to

(Transport and Infrastructure) 2021	<p>be referred to Roads and Maritime Services of SEPP Infrastructure lists the development that requires referral in certain circumstances.</p> <p>The subject development does not include the opening of 200 or more allotments with a new public road and does not include the construction of 50 or more lots within 90 metres of connection with the alignment of a roadway controlled by NSW Roads and Maritime Services (Transport for NSW).</p> <p>Referral to Transport for NSW under SEPP Infrastructure is therefore not required.</p> <p>A non-integrated referral has however been carried out due to the increased traffic foreseen at the Old Dry Plains Road and Snowy Mountains Hwy intersection.</p> <p>TfNSW have provided recommendations.</p>
State Environmental Planning Policy (Industry and Employment) 2021 - N/A	
State Environmental Planning Policy (Resources and Energy) 2021 - N/A	
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>There is no indication on Councils records which shows that prior land-uses on the site are likely to have resulted in the contamination of the land. The land appears to have been used for non-intensive livestock grazing. No further investigation is required in accordance with the NSW Managing Land Contamination Planning Guidelines.</p>
State Environmental Planning Policy (Precincts – Regional) 2021 - N/A	
State Environmental Planning Policy (Primary Production) 2021 - N/A	
State Environmental Planning Policy (Planning Systems) 2021 - N/A	

Permissibility of the development under the Cooma Monaro Local Environmental Plan 2013

- The subject land is zoned: R5 – Large Lot Residential & C4 – Environmental Living
- Definition of land usage under CMLEP 2013: Subdivision
- The proposal is permissible with development consent from Council pursuant to Zone C4 of the CMLEP 2013.
- The proposal is considered to be consistent with the aims and objectives of the plan.

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

Objectives of zone	
To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.	It is considered that smaller lot sizes with the same number of lots preserve rural landscapes by condensing impacts on environmentally sensitive areas and scenic beauty, allowing for sustainable residential development in harmony with the natural surroundings.
To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.	Smaller lot sizes align with the development standard by preventing large residential lots from impeding the proper and orderly development of urban areas. It is considered that smaller lots promote efficient land use, accommodate diverse housing needs, foster community integration, and enhance urban infrastructure, ensuring sustainable and well-planned urban growth for the future.
To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.	Reducing lot sizes while maintaining the same number of lots meets this objective by mitigating strain on public services and facilities. It balances population density with infrastructure capacity, curbing excessive demands on utilities, transportation, and community amenities, thus fostering sustainable development without overburdening public resources.
To minimise conflict between land uses within this zone and land uses within adjoining zones.	The proposal is consistent with the adjoining land uses and not likely to cause conflict.
To promote an innovative and flexible approach to rural residential development.	Implementing smaller lot sizes with an unchanged number of lots adheres to the development standard by fostering innovation and flexibility in rural residential development. It encourages creative land use planning, promotes sustainable practices like cluster housing, and facilitates diverse housing options, enhancing the adaptability and resilience of rural communities to evolving needs and challenges.

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

Provision	Response
PART 1 Preliminary	Satisfactory – clause 37 amended plans. Lot yield reduced
PART 2 Permitted or prohibited development	Satisfactory
PART 3 Exempt and Complying Development	N/A
PART 4 Principal development standards	
Clause 4.1 Minimum subdivision lot size	Minimum lot size for the R5 areas is 8ha. Proposed lots range from 2 ha to 2.86ha. This is due to the lot averaging provisions of 4.1B (see below assessment)
4.1B Subdivision using average lot sizes (1) The objectives of this clause are to facilitate alternative subdivision controls that— (a) facilitate a subdivision design that takes into consideration the values and constraints on the land and achieves the best environmental and agricultural outcomes possible, and (b) limit the subdivision of land in certain circumstances where the lots created are proposed to be used for residential accommodation. (2) This clause applies to land in the following zones (other than land identified as “Area A” on the Lot Size Map)— (a) Zone RU1 Primary Production, (b) Zone R5 Large Lot Residential, (c) Zone C4 Environmental Living.	<p>Satisfactory</p> <p>Satisfactory</p> <p>The subject land is zoned RU1 & R5 and as such this clause applies.</p>
(3) Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies if— (a) the total number of lots created from the subdivision will not exceed the number of lots that could be created under clause 4.1 (3), and	<p>The total area of stage 2A is 251.93 ha which equates to 31.49 eight (8) ha lots.</p> <p>The proposal is for thirty (30) 2 ha lots and one (1) residual – total of 31 lots.</p> <p>Lots 201 – 230 (size 2.01 – 43.17ha) Lot 238 – Residual R5 lot (size 159.24 ha) Lot 240 – C4 resulting lot (size 102.97 ha)</p>

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

Stage	Area in R5 zone	Number of new lots	Residue Area
2A	251.93 hectares	30 plus residue	159.24 hectares



- (b) for land in Zone RU1 Primary Production, each lot created by the subdivision will have an area of at least 20 hectares, and
- (c) for land in Zone C4 Environmental Living, each lot created by the subdivision will have an area of at least 10 hectares, and

- (d) for land in Zone R5 Large Lot Residential, each lot created by the subdivision will have an area of at least 2 hectares.

(4) Development consent must not be granted for the subdivision of a resulting lot unless the

N/A

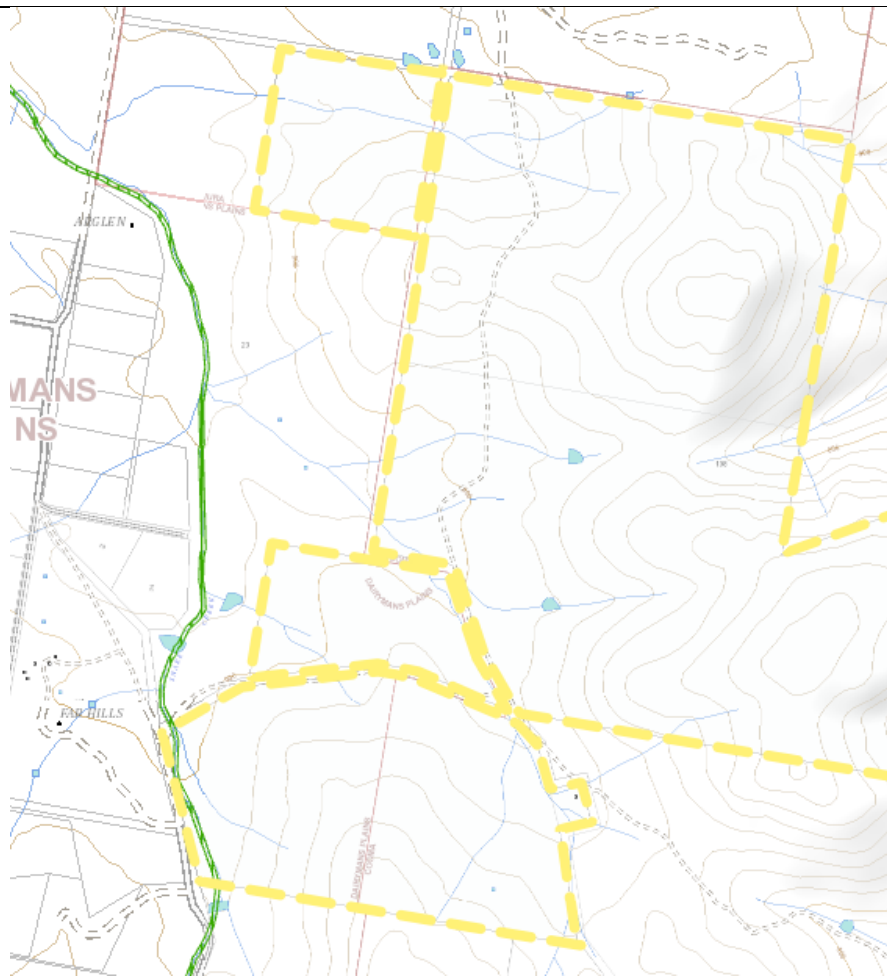
No part of the areas of proposed lots that are zoned E4 Environmental Management are included in the calculation of the areas for the proposed subdivision of the land in the R5 area.

Each lot is greater than 2 ha – complies

Satisfactory

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

<p>consent authority is satisfied that—</p> <p>(a) the lots to be created will not be used for the purpose of residential accommodation, and</p> <p>(b) the subdivision will not result in any significant adverse environmental impacts on the land being subdivided.</p> <p>(5) In this clause, resulting lot means a lot created under this clause being land in Zone RU1 Primary Production or Zone C4 Environmental Living.</p>	<p>The BAR provided has satisfied Council that adequate measures have been undertaken to satisfy this clause.</p> <p>The area to be subdivided was not a 'resulting' lot from a previous subdivision. As such (5) does not apply.</p>
<p>Clause 4.1C Minimum subdivision lot sizes for certain split zones</p>	<p>The subdivision is calculated using land in the R5 large-lot residential zone only. The use of clause 4.2B above allows for the calculation that has been completed to create allotments of not less than 2 hectares. The design of the subdivision results in each allotment having one land-use zone only and the resulting allotment with land zoned E4 will be an individual allotment consistent with clause 5(a). The land within the allotment that is zoned E4 Environmental Living is not used in the calculation under the lot averaging, and the proposal is consistent with clause 4.1 C without variation.</p>
<p>Clause 4.6 Exception to development standards</p>	<p>N/A</p>
<p>PART 5 Miscellaneous provisions</p>	
<p>Clause 5.10 Heritage conservation</p>	<p>The subject land contains a part of Snake Creek (Geological site) Significance: Local.</p> <p>Potential for Aboriginal objects and Aboriginal places of heritage significance.</p>
<p>Geological Heritage site – Snake Creek</p>	



The applicant has provided a Heritage impact statement and the assessment found that:

- The study area contains a heritage conservation area, known as the Snake Creek (geological site) Conservation Area.
- This item is listed for its geological values.
- No other heritage items are listed within or in the immediate vicinity of the study area.
- No newly identified heritage items or areas of historical archaeological potential was identified within the study area.
- The proposed subdivision of the site is considered unlikely to impact on the heritage values of the conservation area.

Recommendations included:

Recommendation 1: No Further Works Required

On completion of this Statement of Heritage Impact, no further archaeological or heritage assessment is required prior to the commencement of development works.

Recommendation 2: Stop Works Provision

Should any unexpected relics be identified during works, works should cease in the area of the find and an archaeologist contacted to make an assessment of the find. Consultation with Heritage NSW may be necessary, and approvals may be required before

works are able to recommence in the area.

Recommendation 3: Site Works

Works should be constrained to the area assessed as part of this assessment. Any amendment to the study area boundaries to include additional areas not assessed may require further assessment prior to the commencement of works.

Amendment of the proposed building envelopes within the subdivision may require further heritage assessment to determine if the heritage values of the conservation area would be impacted by the proposed works.

Officers Comments

The proposed Building Envelopes are located a significant distance from Snake creek and as such it is considered unlikely for an impact to eventuate on the heritage values of this conservation area.

Aboriginal Heritage

The applicant has provided a Due Diligence Report which documents a site visit was and no newly identified archaeological material was identified during the survey.

The following finding were stated in the report;

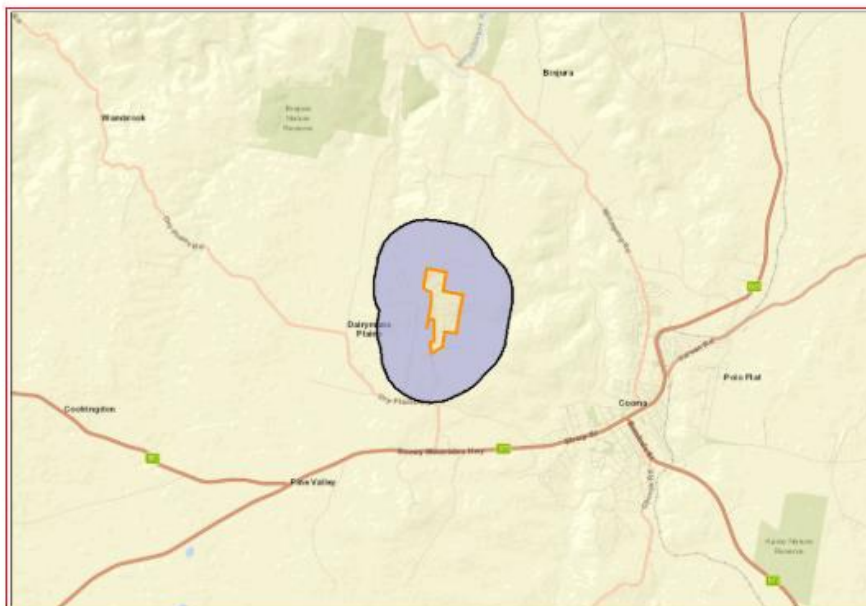
- Ground surface visibility (GSV) was moderate throughout the study area. GSV was rated at 30% overall.
- Ground disturbance was low to moderate throughout the study area.
- Evidence of historical clearing of vegetation for agricultural use was evident along the flat and lower slopes to the east of Snake Creek with remnant bushland on the upper slopes.
- No areas of potential Aboriginal archaeological deposit were identified.

The report included the following recommendations:

- No further Aboriginal archaeological assessment is required prior to the commencement of upgrade works as described in this report.
- The results of this assessment fulfil the requirement for Due Diligence in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (Code of Practice). Works may proceed with caution.
- The proposed works must be contained to the area assessed during this due diligence assessment, as shown on Figure 1. If the proposed location is amended, further archaeological assessment may be necessary to determine if the proposed works will impact any Aboriginal objects or archaeological deposits.
- Should unanticipated archaeological material be encountered during site works, all work must cease and an archaeologist contacted to make an assessment of the find. Further archaeological assessment and Aboriginal community consultation may be required prior to the recommencement of works. Any objects confirmed to be Aboriginal in origin must be reported to Heritage NSW.

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

An AHIMS search was carried out and there were no Aboriginal sites or places identified within 1000 meters of the subject land.



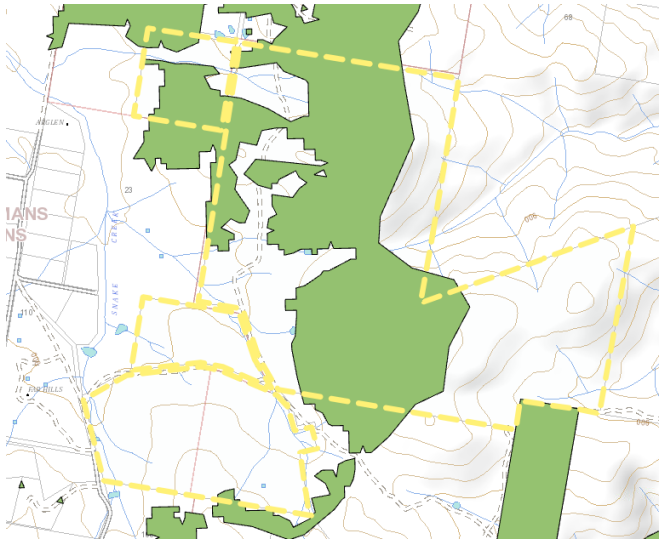
A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

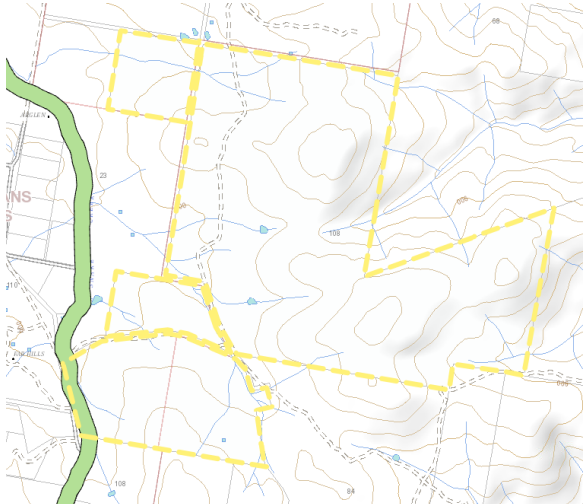
Upon reviewing the Due Diligence report and the AHIMS search, it is determined that the proposed development will not impact an Aboriginal place of heritage significance or adversely affect any Aboriginal object or place. The recommendations provided have guided the formulation of a condition for consent.

Clause 5.11 Bushfire hazard reduction	The subject lands are identified as being Bushfire prone and as such the development is integrated development under 100b of the Rural Fires Act. RFS have provided a BFSA and conditions of consent.
PART 6 Additional local provisions	
Clause 6.1 Earthworks	Plans prepared by OCRE demonstrate the extent of earthworks required to construct roadways in accordance with Council's engineering standards and Planning for Bushfire Protection 2019. The earthworks are to be contained entirely within road reserves and or battle-axe handles for driveways as necessary. It is considered that the development can be constructed to not result in any negative impacts on drainage patterns, soil stability or soil

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

	<p>environment in general.</p> <p>As such the development is considered to be consistent with clause 6.1 Earthworks.</p>
Clause 6.2 Flood planning	N/A
<p>Clause 6.3 Terrestrial biodiversity</p> 	<p>The application has included a Biodiversity Assessment Report (BAR).</p> <p>The BAR, does not include impacts woodland areas, with the development sitting entirely within paddocks characterised by non-native species, including significant portion of lovegrass. It is considered the impacts in the paddock areas are unlikely to trigger any Biodiversity Offset Scheme entry thresholds. The current BAR for this development application has also reached this conclusion.</p> <p>A BDAR is not required.</p> <p>Recommendations:</p> <p>The following environmental management measures are regarded as part of the proposed:</p> <ul style="list-style-type: none"> - installation of sediment and erosion control devices prior to clearing or earthmoving works; - retention of hollow bearing trees, particularly paddock trees; - removal of any exotic weed species listed as a Weed of National Significance as determined by the NSW Department of Primary Industries; - investigation of a Biodiversity Stewardship Site to enhance the biodiversity quality of remaining bushland areas within the subject property; - Installation of protective fencing around habitat trees to be retained. Fencing should be erected prior to the start of earthworks and should be removed

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

	<p>after the earthworks and construction is complete;</p> <ul style="list-style-type: none"> - Development of a stormwater management plan for use during all stages of the construction to reduce the impacts of changed water quality and quantity.
Clause 6.4 Groundwater vulnerability	N/A – land not shown on the LEP Groundwater Vulnerability map layer.
Clause 6.5 Drinking Water Catchments	N/A
<p>Clause 6.6 Riparian land and watercourses</p> 	<p>Lots 201 – 206 & 228 – 230 all have Snake Creek within the boundary of the proposed lots.</p> <p>A condition of consent will require a restriction on use for 100m from the high water mark of Snake Creek.</p>
Clause 6.10 Essential services	<p>The supply of services for each lot is proposed as:</p> <p>Water – rainwater collection via water tanks on each lot.</p> <p><u>Comment:</u> Each lot is considered to be adequate in size to accommodate sufficient rainwater storage within each individual lot.</p> <p>Electricity – either mains electricity or renewable energy</p> <p><u>Comment:</u> A condition of consent applies</p> <p>Sewage – individual on-site sewerage management systems</p> <p><u>Comment:</u> Each lot is considered to be adequate in size to accommodate an on-site sewerage system. See attached Land Capability Assessment from Franklin</p>

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

	<p>Consulting. A condition of consent additionally restricts development within 100m of Snake Creek.</p> <p>Stormwater – managed within each allotment.</p> <p><u>Comment:</u> Each lot is considered to be adequate in size to accommodate an on-site storm-water system, via rainwater tanks and suitable overflows</p> <p>Access – proposed roads or right-of-carriageways</p> <p><u>Comment:</u> Each lot is provided with legal access and a condition of consent outlines the requirements for construction and as such makes arrangements for coinciding legal and practical access.</p> <p>It is considered that suitable provisions are in place and can be provided for each allotment.</p>
SCHEDULE 1 Additional permitted uses	N/A
SCHEDULE 2 Exempt development	N/A
SCHEDULE 3 Complying development	N/A
SCHEDULE 4 Classification and reclassification of public land	N/A
SCHEDULE 5 Environmental heritage	Subject land is burdened by Heritage conservation area C7 & C9 – Snake Creek (geological site)

The proposal has also been examined in detail against the provisions of Council's LEP and has been found to achieve an acceptable level of compliance. Council previously obtained legal advice regarding the use of Clause 4.1B (lot averaging) and is satisfied that the proposal is consistent with that advice.

Provision of any proposed Environmental Planning Instruments

There are no other proposed environmental planning instruments applying to this site which are relevant to the proposed development.

Assessment against the relevant provisions of Cooma Monaro Development Control Plan 2014

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

Provision	Response
2 General Development Controls – N/A	
3 Controls for Specific Development Types – N/A	
4. Requirements for Subdivision	
4.1 Land (Torrens title) subdivision	
Section 4.1.1.1 and 4.1.1.2 - Vehicle access	All vehicle access crossings will be constructed in accordance with the standards of Chapter 2 of the DCP. The location of each proposed vehicle crossing is displayed on the Plan of subdivision submitted with the application. The subdivision proposal is consistent with the objectives and requirements of these sections.
Section 4.1.2.1 and 4.1.2.2 – Construction of roads	The development includes appropriate area for construction of a cul-de-sac at the end of sealed roads. Construction can be undertaken in accordance with the standards referred to in Chapter 2 of the DCP. The subdivision proposal is consistent with the objectives and requirements of these sections.
Section 4.1.2.5 - Road System in R5 Zones	Proposed roadways will be sealed consistent with this section.
Section 4.1.2.6 - Street lighting and name signs	Adjoining roadways do not include street lighting, meaning street lighting is not required.
Section 4.1.3.2 - Design requirements for lots	<p>The development incorporates splay corners. Greater than 9 lots for every ten of the proposed lots have direct road frontage (not battle-axe). Setbacks applicable to the zone have been displayed on the Plan submitted with the application.</p> <p>The subdivision design is considered to be consistent with this section.</p> <p>Variation sought - The Development includes some allotments with battle-axe handle driveways greater than 100 metres in length. The reason for this is to reduce the amount of tree vegetation required to be removed by roadways. This is considered to be a satisfactory design and environmental outcome.</p>

Section 4.1.4.1 and 4.1.1.2 - Road widening, survey and dedication	Proposed roads will comply with Chapter 2 and applicable Appendixes of the DCP in accordance with Council's Specifications for Engineering works.															
4.1.5.2 Requirements – Provisions for open space	<p>SMRC Council has recently adopted a Recreation and Open Space Strategy (ROSS).</p> <p>The strategy sets the planning direction and design guidelines for recreation and open spaces, ensuring the provision of financially sustainable and high-quality facilities.</p> <p>Whilst the provision of open space is a requirement, the outdated CM DCP, coupled with the presence of a SMRC ROSS, suggests that mandating developers to create unplanned pocket parks is not in the public interest. Such parks often result in poorly maintained public spaces and increased costs for rate payers.</p>															
Section 4.1.6 - Landscaping and street trees	<p>The proposed retention of existing trees, as shown on the development plans, are substantially greater than the requirement outline in Table 10.</p> <p>Additionally, the provisions of Table 10 applies only to lots within the R5 zone that are less than 1ha in size. Each lot proposed in the subject proposal is 2ha or greater in size.</p> <p>Therefore, the proposal satisfies Section 4.1.6.</p> <table><caption>Table 10: Landscape requirements</caption><tr><th>Landscaping element</th><th>R1, R2, B4 & RU5</th><th>R5</th><th>B5</th><th>IN1</th></tr><tr><td>Street trees</td><td>1 per new lot Note: Corner lots are required to provide 2</td><td>1 per 30 metres of road frontage - only applies to lots under 1 ha in size</td><td>1 per 10 metres of road frontage</td><td>1 per 25 metres of road frontage</td></tr><tr><td>Establishing grass cover on verges</td><td>Yes</td><td>Yes</td><td>Yes</td><td>Yes</td></tr></table>	Landscaping element	R1, R2, B4 & RU5	R5	B5	IN1	Street trees	1 per new lot Note: Corner lots are required to provide 2	1 per 30 metres of road frontage - only applies to lots under 1 ha in size	1 per 10 metres of road frontage	1 per 25 metres of road frontage	Establishing grass cover on verges	Yes	Yes	Yes	Yes
Landscaping element	R1, R2, B4 & RU5	R5	B5	IN1												
Street trees	1 per new lot Note: Corner lots are required to provide 2	1 per 30 metres of road frontage - only applies to lots under 1 ha in size	1 per 10 metres of road frontage	1 per 25 metres of road frontage												
Establishing grass cover on verges	Yes	Yes	Yes	Yes												
Section 4.1.7 - Stormwater	A stormwater management plan will be prepared as part of the subdivision works certificate displaying proposed drainage from new and existing roads and inter-allotment drainage, permanent erosion control or stormwater velocity dissipation devices detailed. The existing and proposed road ways and slope of the land will cater for drainage to natural waterways without negative impact.															
Section 4.1.8 - Provision for Utility Services	A condition of consent will be included to require the provision of electricity and telecommunications.															
Section 4.1.9 - Water supply and sewerage systems	The development is not within 225 metres of reticulated water or sewer.															

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

Section 4.1.11 - Building Envelopes	<p>Building envelopes have been proposed on the plan of subdivision and associated onsite sewage management reports confirm future dwellings can be constructed within the envelopes without negative impact.</p> <p>The areas displayed as available for building all incorporate the minimum boundary setbacks specified in Chapter 2 of the DCP.</p>
Section 4.1.12 Rural Addressing	A condition of consent is to be included
Section 4.1.13.1 - Reports required with subdivisions	<p>All required reports have been submitted.</p> <ul style="list-style-type: none"> - Effluent land capability assessment - provided - Biodiversity Assessment Report - provided - Flood – N/A
5. Development Involving Works – N/A	
6. Provisions for Specific Locations	
6.1 Bushfire Prone Land	RFS have provided a BFSA and conditions of consent
6.3 Contaminated land	<p>There is no indication on Councils records which shows that prior land-uses on the site are likely to have resulted in the contamination of the land. The land appears to have been used for non-intensive livestock grazing. No further investigation is required in accordance with the NSW Managing Land Contamination Planning Guidelines.</p>
6.5 Heritage	<p>The subject land contains a part of Snake Creek (Geological site) Significance: Local.</p> <p>No foreseen adverse impacts.</p>
7 Non-Design Related Provisions	
7.4 Onsite Waste Management Systems	<p>All Building Envelopes along Snake creek are considered to be adequately set back from to minimise and foreseeable impacts from the future installation of OSSM.</p> <p>The water and soil report submitted with the application nominates areas and types of on-site sewage management systems suitable for managing sewage waste on-site from future dwellings.</p>

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

8 Public Notification Requirements	
8.2 Prescriptive Requirements	Notification as per the SMRC Planning & Development Community Participation plan. 28 days notification and advertisement.

Planning Agreements

Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.5.

Any matters prescribed by the regulations

The application generally complies with the *EP&A Regulation 2000*.

Submissions

The proposed development was assessed against the requirements of the Snowy Monaro Planning and Development Community Participation Plan 2019 (SMPDCPP) and the following notification advertising took place:

Type of Development	Notification carried out as per minimum SMPDCPP
Subdivision 20 lots or more	Neighbour notification 28 days Advertising 28 days Initial notification period – 11/11 – 13/12/2021 Re-notification period – 13/06 – 11/07/2023

Summary of Submissions

Submission Period	Initial (2021/22)	Re-notification (2023)
Number objecting	4	11
Number supporting	0	0
Total Number of submissions	4	11

Submission received on initial proposal – 2021/22 (Full submissions available in attachment 12)

Submission – issues raised
Submission 1 <ul style="list-style-type: none"> Exhibition documents are incorrect. All items raised by Submission 2
Submission 2 <ul style="list-style-type: none"> Lot size is too small – Minimum lot size is 8ha – lots proposed as small as 2 ha. Exhibition documents are incorrect and or inadequate for purpose.

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

<p>Submission 3</p> <ul style="list-style-type: none"> Traffic Impact on Rural Lifestyle Use of Crown Road as fire trail Noise & Vibration pollution Fire Risk <p>Objectives of the zone</p>	
<p>Submission 4</p> <ul style="list-style-type: none"> Concerns relating to the number and the size of lots. Adequate water supply Bushfire Safety 	<ul style="list-style-type: none"> The number of lots proposed is permissible within the provisions of the CM LEP lot averaging clause. This clause allows for rural lifestyle lots to be created but also allows for agricultural size lots to be achieved. As such the number of lots proposed is considered satisfactory The development is not within 225 metres of reticulated water and as such there is no requirement for the subdivision to be connected to mains water. Additionally, there

Submission Received on Amended Proposal – 2023 (Full submissions available in attachment 13)

Submission – issues raised
<p><u>Submission 1</u></p> <ul style="list-style-type: none"> Bushfire access hindered
<p><u>Submission 2</u></p> <ul style="list-style-type: none"> Traffic Rural Lifestyle Use of leased Crown Roads for fire trail Noise & Vibration pollution Fire Risk Objectives of the zone
<p><u>Submission 3</u></p> <ul style="list-style-type: none"> Battle-axe handles longer than the DCP standards allows. DCP requirement for Public Open Space Number of lots proposed exceeds allowable quantity. Adverse impacts on amenity of existing landholders - overdevelopment
<p><u>Submission 4</u></p> <ul style="list-style-type: none"> Lot size is too small – Minimum lot size is 8ha – lots 2 ha is not an average. Traffic and adequacy road safety

<u>Submission 5</u> <ul style="list-style-type: none">• Traffic• Rural Lifestyle• Use of leased Crown Roads for fire trail• Noise & Vibration pollution• Fire Risk• Objectives of the zone
<u>Submission 6</u> <ul style="list-style-type: none">• Lot averaging/exception to development standards• Vehicle/Road Safety Concerns• Open Space• Provision of services
<u>Submission 7</u> <ul style="list-style-type: none">• Biodiversity
<u>Submission 8a</u> <ul style="list-style-type: none">• Invalid Notification• Lot averaging• Bushfire• Provision of Essential Services• Requirements of the CM DCP – Open Space & Landscaping• Remediation of Land, POEO Act and the Biosecurity Act (weeds)• Objectives of Zones R5 & E4• Adequacy of Access (Roads)• Biodiversity• Aboriginal Heritage• Climate Change• Riparian Land <u>Submission 8b</u> <ul style="list-style-type: none">• Biodiversity• Aboriginal Heritage• Traffic and adequacy road safety
<u>Submission 9</u> <ul style="list-style-type: none">• Lot averaging/exception to development standards• Vehicle/Road Safety Concerns• Open Space• Provision of services
<u>Submission 10</u> <ul style="list-style-type: none">• Land value• Roads

-
- Lifestyle & services – foot/bike paths, school bus shelters

Submission 11

- Traffic and adequacy road safety
-

Officer Response to Issues Raised by Additional Submissions

Lot averaging/exception to development standards

Clause 4.1B(3) states that despite clause 4.1 (minimum lot size mapping) development consent may be granted for the subdivision of land in the zone of R5 where each lot created by the subdivision has an area of at least 2 hectares, as long as the total number of lots will not exceed the number of lots that could be created under Clause 4.1(3) (i.e. the total number if all allotments were 8Ha).

The proposal complies with the development standards of clause 4.1B of the LEP. No variation to development standards is proposed or required.

Objectives of the zone

See assessment in the body of this report.

Traffic and adequacy road safety

Intersection of Dry Plains Road with the Snowy Mountains Highway

TfNSW completed an assessment of the application, based on the information provided and focussing on the impact to the state road network. TfNSW notes the following:

- The subdivision will rely on the intersection of Dry Plains Road with the Snowy Mountains Highway. A secondary route is available via Old Dry Plains Road which is currently a dirt road however its intersection with the Snowy Mountains Highway is sealed.
- TfNSW has considered the proposed development in respect to the classified road network. As the subject site is not located within close proximity to the classified road network and due to the current standard of the intersection of Dry Plains Road with the Snowy Mountains Highway the proposed subdivision will not be detrimental to the classified road network.

Transport for NSW has assessed the Development Application based on the documentation provided and would raise no objection on the basis that the Consent Authority ensures that the development is undertaken in accordance with the information submitted.

A condition of consent requires contributions towards Rural Roads.

Upgrade to Old Dry Plains Road

The proposed development is gaining access from Dry Plains Road and Towrang Vale road. Both roads are sealed. The intersection of Dry Plains Road and Snowy Mountains Highway has auxiliary lanes and TfNSW raised no objection to the development. It is reasonable to assume that traffic to and from the development will primarily use Dry Plains Road to access the Snowy Mountains Highway which are both sealed. Old Dry Plains road (unsealed) is roughly 2000m away from the proposed development. Sealing of the Old Dry Plains Road to its full length as a part of this

development may not pass the Newbury Test, as the road is 2km away from the development site plus the development already has a sealed and properly functional access all the way up to the Snowy Mountains Highway Intersection.

Variations to DCP standards

Public Open space

SMRC Council has recently adopted a Recreation and Open Space Strategy (ROSS).

The strategy sets the planning direction and design guidelines for recreation and open spaces, ensuring the provision of financially sustainable and high-quality facilities.

Whilst the provision of open space is a requirement, the outdated CM DCP, coupled with the presence of a SMRC ROSS, suggests that mandating developers to create unplanned pocket parks is not in the public interest. Such parks often result in poorly maintained public spaces and increased costs for rate payers.

Landscaping

Section 4.1.6.2 applies to subdivisions in the zone of R5 where the lots proposed are less than 1 ha. All lots proposed in the development are 2ha or greater in size and as such the provision of street trees is not required.

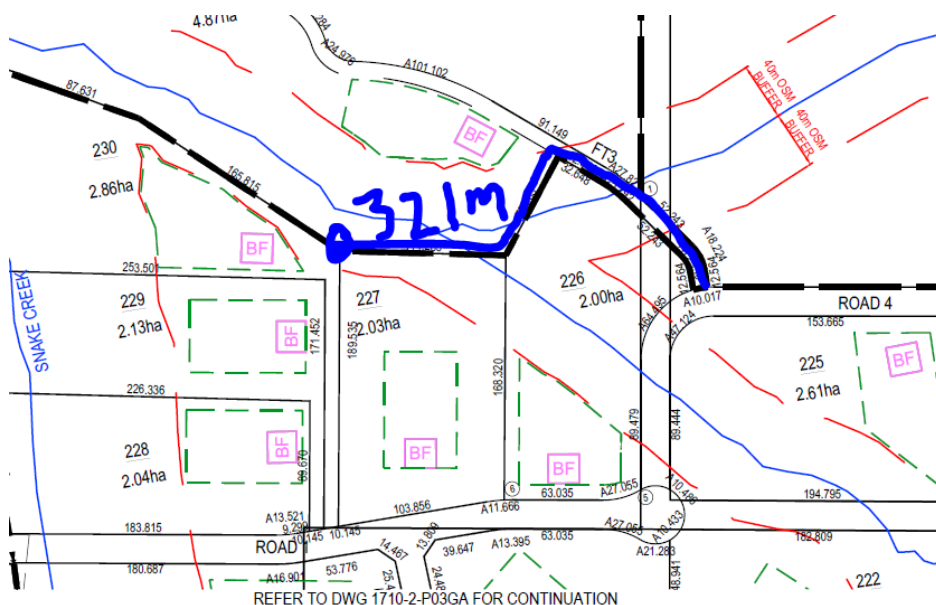
Battle-axe handles

The application includes some allotments with battle-axe handle driveways greater than 100 metres in length. The reason for this to be increased is to facilitate reduced vegetation clearing and the financial impacts to Council of maintaining a public road which serves 1 or 2 lots. As such it is considered that the battle-axe lots are a satisfactory design and environmental outcome.

Proposed Lot 206 (Battle Axe handle 105.83m)

CM DCP 2014 allows the maximum length of the battle-axe handle to be 100m in R5 zone. The proposed battle-axe handle is 105.838m long, which is 6% longer than the prescribed length of the battle-axe in Cooma-Monaro shire DCP. Council has conditioned the access handle to sealed for its full length to reduce the dust impact of proposed lot 205, the proposed lot 206 will have an option to have a secondary access from a proposed sealed road FT1 over crown land road reserve. The council has conditioned the proposed fire trail FT1 to be sealed as a part of this approval. Hence Battle length of 105.83m for proposed lot 206 is considered to be acceptable.

Proposed lot 230 has a 171.45m long Battle-axe handle, which is 71.45m longer than the prescribed length of the Battle-axe handle in R5 zoning in Cooma Monaro Shire DCP. In the currently proposed layout, the alternative option to access proposed lot 230 is by extending proposed public Road 4 over fire trail FT3 and over proposed lot 232 to reach proposed lot 230. By doing this the Council will have an extra 325m length of public road to maintain and manage only to provide access to just 1 lot. Hence, a 171.45m long battle-axe handle for proposed lot 230 is considered to be acceptable. It has also been conditioned that the access handle is to be sealed for its entire length to reduce the dust impact on proposed lots 228 and 229.



Additional measures have been put in place to provide a suitable level of bushfire safety.

Rural Lifestyle, Noise & Vibration pollution

It is considered that additional rural residential lots are unlikely to significantly affect silence, darkness, and privacy due to the inherent spaciousness and low-density nature of rural areas. The sizable land parcels and natural buffers between properties help preserve tranquillity, minimize light pollution, and maintain residents' privacy amidst the rural landscape. Furthermore, it is reasonable to surmise that future residents would be drawn to rural living precisely for these qualities and would seek to preserve them, ensuring minimal disruption to the serene rural environment.

Bushfire Risk

After various meetings and consultation with the RFS a Bushfire Authority has been provided. As such it is considered that the proposal achieves the development requirements under Planning for Bushfire Protection and can be approved.

Regarding access to the rear of lots 1, 2, and 8 from Stage 1, upon subdivision and residential development, the land will become managed. This notably pertains to the adjoining land adjacent to Lot 231, where the proposed BE is situated, making it reasonable to anticipate driveway and dwelling development in this area, thereby mitigating vegetation threats.

Biodiversity

The application after amendment provided a BAR which was reviewed by both Council staff and staff from the Biodiversity and Conservation Division of the Department of Planning.

See full assessment in the body of this report - SEPP (Biodiversity and Conservation) 2021.

Climate Change

While Climate Change may not be directly legislated under the EP&A Act 1979, it's increasingly acknowledged as a critical factor in environmental assessments and planning decisions. Despite this, the proposed development has taken proactive measures to address environmental concerns. By offering lots of 2 hectares, it demonstrates a commitment to accommodating rainwater storage, which is vital for mitigating water scarcity in the face of changing climate patterns. Furthermore, the inclusion of conditions of consent supporting the provision of renewable energy signifies a recognition of the importance of reducing carbon emissions and transitioning to sustainable energy sources. Additionally, meeting the requirements of the PBP 2019 in response to bushfire hazard underscores a consideration for climate-related risks, as bushfires are becoming more frequent and severe due to climate change. While Climate Change may not be explicitly mandated in the legislation, the actions taken in this development align with the principles of climate resilience and sustainability.

Riparian Land

See assessment of Clause 6.6 in the body of this report.

Aboriginal Heritage

See assessment of clause 5.10 in the body of this report.

Provision of Essential Services

See assessment of Clause 6.10 in the body of this report.

Remediation of Land, POEO Act and Biosecurity Act

Development applications are assessed under the provisions of the Environmental Planning and Assessment Act 1979.

Whilst the POEO Act and Biosecurity Act inform other functions of local government they are not directly applicable to assessment of development applications.

SEPP 55 as referred to in Submission 8a was repealed on 1 March 2022. Instead, the State Environmental Planning Policy (Resilience and Hazards) 2021 applies. See assessment of this SEPP in the body of this report.

Invalid Notification

Neighbour Notification was carried out in accordance with the SMRC Community Participation Plan, with a letter directing recipients to the Council application tracker for public access to submitted documents. In response to inquiries, an annotated file was provided, enhancing transparency and ensuring clarity on project details for all stakeholders.

Impacts of the Development – Environmental, Social & Economic

Access, transport and traffic	Conditions of consent applied
Easements/88B Restrictions on Use	Conditions of consent will require BE and 88B restriction along Snake creek.
Bushfire Assessment s4.14	RFS have provided a BFSa and conditions of consent.
Impacts on supply of utilities	Satisfactory
Heritage	Satisfactory - 88B restriction along Snake creek has been conditioned.
Natural and other land resources	Satisfactory
Water supply and potential impacts on surface and ground water	Lots will have a right to draw ground water for domestic purposes which may impact existing bore water supplies.
Soils	Apart from any required roadworks, the proposed development is considered unlikely to result in any significant processes of soil disturbance. It should be noted that the area is mapped as having a low potential for containing Naturally Occurring Asbestos (NOA). Information regarding NOA is provided on Section 10.7 certificates. Information for the applicant regarding NOA is included in the draft conditions.
Air quality, pollution and microclimate impacts (eg odour)	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.

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

Flora and fauna & Consideration of Threatened Species	Not Applicable
Waste facilities and controls	The proposed development will be utilising sewer infrastructure and will be conditioned to pay relevant contributions.
Energy efficiency and greenhouse gas emissions	Not applicable
Noise and vibration	Some noise will result from the construction of the proposed development; however, such noise would be temporary and have no lasting impact.
Safety, security and crime prevention	It is likely the safety and security of the area are to benefit with the addition of a new dwelling through increased public surveillance.
Social impact in locality	The proposed development will result in minimal social impact within the locality of the development.
Economic impact in locality	The proposed development will result in minimal economic impact within the locality of the development.
Site and internal design issues	Satisfactory
Impacts during construction	While it is unlikely that the construction of the proposed shed will result in any impacts.
Cumulative impacts	The proposed development in conjunction with surrounding residential development is considered unlikely to result in any significant cumulative impacts.
Impact on pedestrian movements and safety	Not Applicable
Mineral resources and/or deposits in the vicinity	There are no known mineral resources or deposits in the vicinity. The site is mapped as potentially containing naturally occurring asbestos.
Impacts on aboriginal heritage	Nil
Health Impacts of High Voltage Power Lines	Not Applicable

6.9 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

7.0 OTHER MATTERS

Developer Contributions	<p>The relevant contributions plan for this application is the Cooma-Monaro S94 plan 2003, as it was submitted to council prior to the adoption of the SMRC S7.12 Contribution Plan.</p> <p>The number of existing lots with entitlement is 7, as such an additional 24 lots will trigger contributions.</p> <p>Rural Roads – \$4648.75 + 7.6% cpi = \$5002.00 per lot Total = \$120,048.00</p> <p>Open Space – \$764.53 + 7.6% cpi = \$822.63 per lot Total = \$19,743.12</p> <p>(Figures based on rates as of 1 April 2024 – subject to CPI increases depending on timing of payment).</p>
Property Vegetation Plan (PVP)	N/A
Crown Land	<p>Owners consent granted – see attachment 14</p> <p>Crown land referral – response received, no objection to the development subject to conditions provided.</p>
Approvals under other Acts	RFS 100B (Bushfire Safety Authority)
Internal Referrals	<p>Development engineer</p> <p>GIS Officer</p> <p>Heritage Advisor</p>

CONCLUSION

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

- Lot Averaging
- Bushfire prone land
- Geological Heritage
- Crown Land consent
- Biodiversity

The requested variations to the DCP requirements are considered to be reasonable.

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 attached.

8.3 DEVELOPMENT APPLICATION 10.2021.325.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2A (LOTS 201 - 230)

If Council decides to make a determination other than as included in the recommendation, it must follow the procedure adopted through resolution 46/24 on 21 March 2024 (subject to confirmation of minutes).

ATTACHMENTS

1. DRAFT Conditions (*Under Separate Cover*)
 2. Plan of Subdivision (*Under Separate Cover*)
 3. Residual Lot Plan (*Under Separate Cover*)
 4. Statement of Environmental Effects (*Under Separate Cover*)
 5. Clause 37 Notifivation of Amendment (*Under Separate Cover*)
 6. Bushfire Assessment Report (*Under Separate Cover*)
 7. Adendum to Bushfire Report (*Under Separate Cover*)
 8. Biodiversity Assessment Report (*Under Separate Cover*)
 9. Aboriginal Due Diligence Report (*Under Separate Cover*)
 10. Heritage Impact Statement (*Under Separate Cover*)
 11. Land Capability Assessment (*Under Separate Cover*)
 12. Submissions - Initial (2021/22) (*Under Separate Cover*)
 13. Submissions Current (*Under Separate Cover*)
 14. Crown Land Owners Consent (*Under Separate Cover*)
 15. Crown Land Referral Response (*Under Separate Cover*)
-

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

Record No: I24/239

Applicant Number:	10.2021.321.1
Applicant:	Cavallo Projects
Owner:	Bottomline Group Pty Limited
DA Registered:	07/10/2021
Property Description:	Old Dry Plains Road COOMA NSW 2630 Lot 1 DP 737275 Lot 11 DP 1266312 Lot 189 DP 750524 Lot 197 DP 750524
Zone:	R5 Large lot Residential C4 – Environmental Living
Proposed Use:	Subdivision
Permitted in Zone:	Permitted
Recommendation:	Approval

RECOMMENDATION

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to 10.2021.321.1 for a Large Lot Residential Subdivision - Stage 2B (Lots 231 - 237) on Lot 1 DP 737275, Lot 11 DP 1266312, Lot 189 DP 750524 and Lot 197 DP 750524, 108 Old Dry Plains Road COOMA NSW 2630 with conditions of consent attached to this report.

EXECUTIVE SUMMARY

The proposed development at 108 Old Dry Plains Road, Cooma NSW, comprises of a large lot residential subdivision - Stage 2B (Lots 231 - 237) over four (4) existing lots. Initially conceived as a single application, it was later divided into four distinct stages (2A, 2B, 2C, and 2D) in response to Snowy Monaro Regional Council's request to address Cooma-Monaro LEP clause 4.1B (Subdivision using average lot sizes).

Further revisions were prompted by feedback from neighbouring property owners and Council, with the total allotments being reduced to thirty-eight (38), including one residue lot without a nominated building envelope.

Consequently, the applicant submitted an amendment under section 37 of the NSW Environmental Planning and Assessment Regulation 2021, consolidating the project into two (2) separate development applications.

The landowner is seeking Council approval to construct a 37-lot large-lot residential subdivision, plus 1 residue allotment, in 2 stages using the lot averaging clause included in the Cooma Monaro Local Environmental Plan 2013 (LEP).

This application (DA 10.2021.321.1) is for Stage 2B, being for the creation a 7-lot large-lot residential subdivision plus residue, utilising the lot averaging clause outlined in the Cooma Monaro Local Environmental Plan 2013 (LEP). This application is subject to considerations including lot averaging, bushfire risk, access, heritage, and biodiversity. The development process has seen two (2) public submission periods, with 11 submissions received for the current proposal.

Council previously sought legal advice which clarified that a residue area of land in the R5 zone, created from a subdivision using Cooma-Monaro LEP Clause 4.1B, could subsequently be used in a separate subdivision application to again utilise the averaging ability provided under Clause 4.1B.

The advice received from our legal advisors states *“There is nothing in the clause or the LEP, in our view, that prevents Clause 4.1B being relied on more than once to effect separate subdivisions through a series of development applications”*.

Although the advice relates to a previous DA for this property, which was replaced by the applications currently under consideration, it is therefore directly relevant and applicable to this application. A copy of the legal advice is included in the attachments.

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 Cooma Monaro Local Environment Plan 2013 (CMLEP) and the Cooma Monaro Development Control Plan 2014 (CMDCP).

It is recommended that the development be approved with conditions.

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

BACKGROUND

Site map

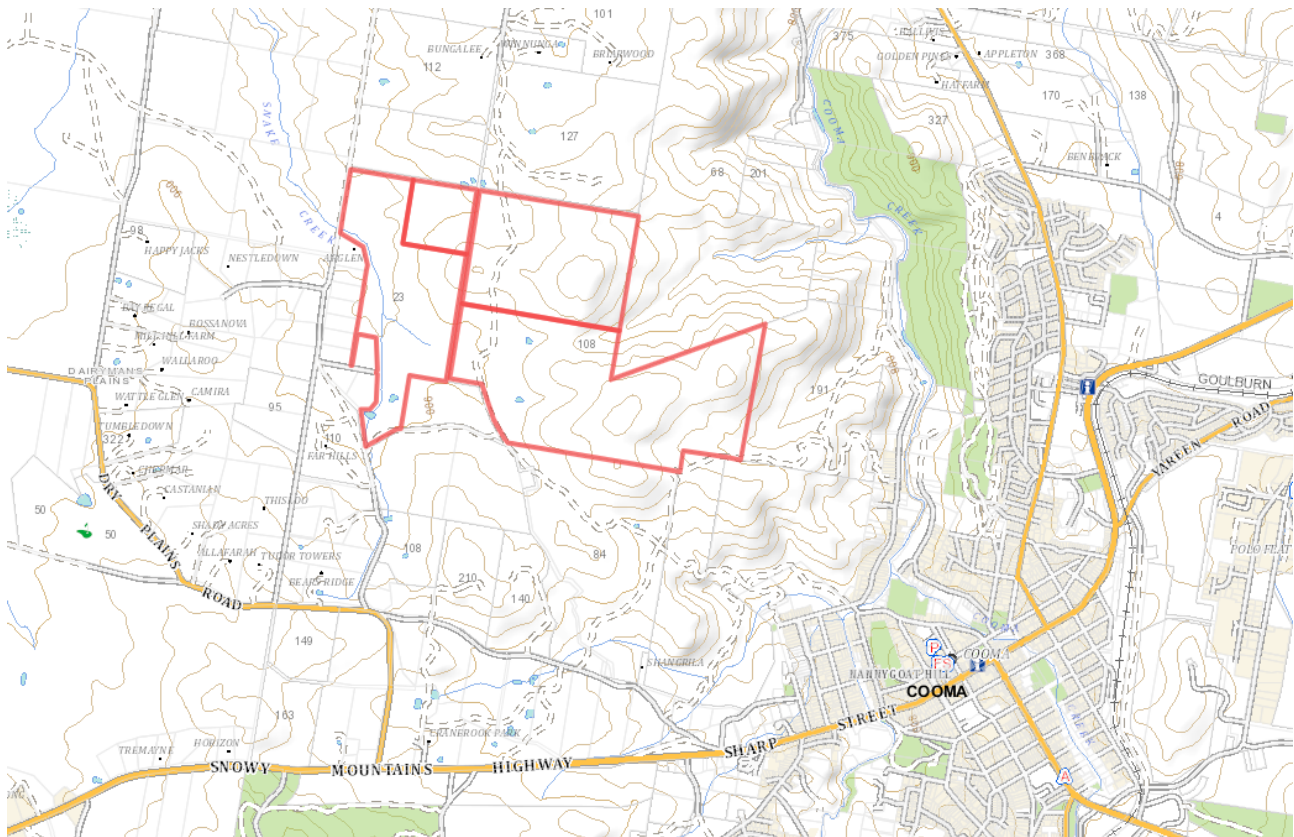


Figure 1: Location to the west of Cooma.

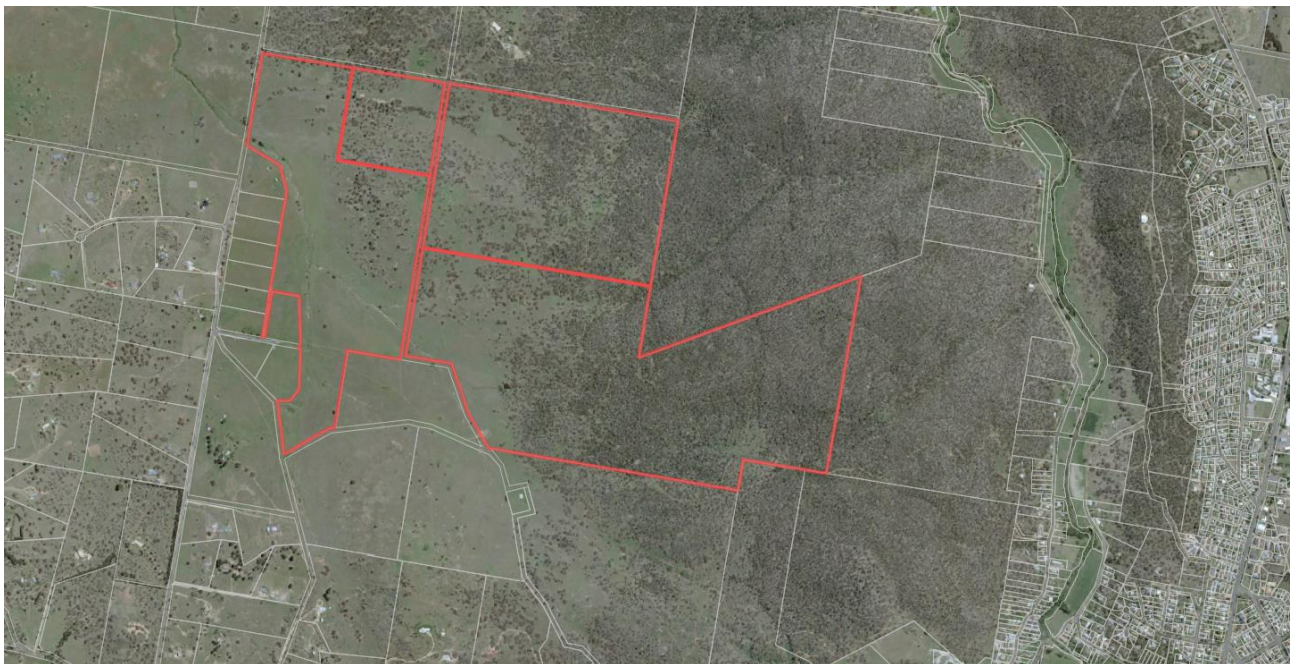


Figure 2: Subject site imagery.

Site photographs



Figure 3: Site photos

Previous Development History

10.2018.02001222.001 - 11 lot subdivision.

1.0 PROPOSED DEVELOPMENT IN DETAIL

The DAs for Stage 2 were initially submitted as a single application broken into 4 distinct development Stages, namely 2A, 2B, 2C and 2D. As a result of a request from Snowy Monaro Regional Council (Council) to further address Clause 4.1B, the applicant chose to amend the initial Development Application 10.2020.215.1 to divide the total of 77 allotments into 4 separate DAs each including an individual stage 2A, 2B, 2C and 2D.

Section 37 Amendment

Subsequent to the submission of the 4 separate DA's to Council, and through consideration of submissions received from neighbouring property owners, the applicant has chosen to further reduce the number of allotments proposed to 38 allotments, including a residue lot with no nominated building envelope, and as such submitted an application under Section 37 of the NSW Environmental Planning and Assessment Regulation 2021 to amend the development applications already lodged with Council. The result of this process is that the total proposal now comprises of two separate development applications.

The two separate Development Applications involve the consolidation and subdivision of the allotments shown on the proposed plans.

This application is for Stage 2B lots 231 – 238 (green below) using the 8-hectare minimum lot size and the averaging provision (CMLEP Clause 4.1B). Identification of the lot yield is included in the table below.

Stage	Area in R5 zone	Number of new lots	Residue Area
2B	159.24 hectares	7 plus residue	92.14

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

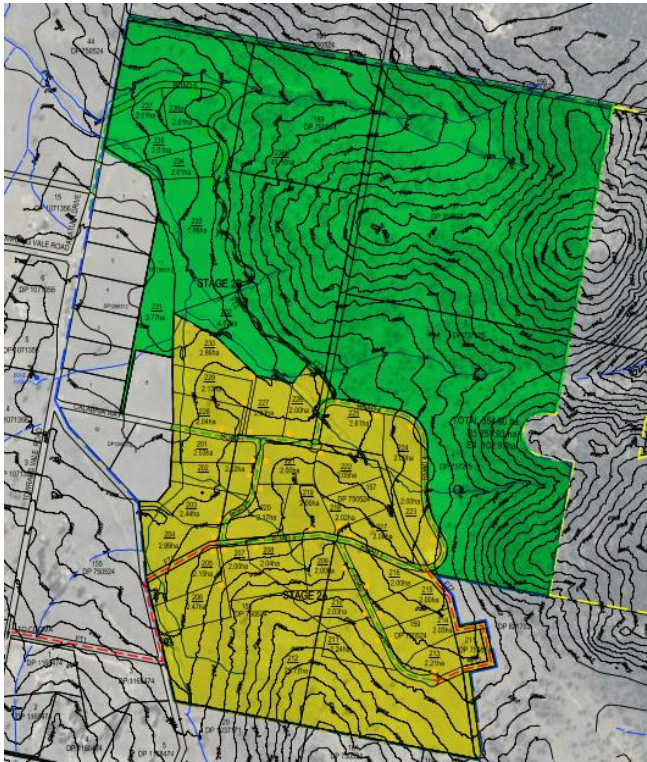


Figure 4: Overall subdivision plan - Stage 2A (DA 10.2021.325.1)(Yellow) & 2B (DA 10.2021.321.1)(Green)

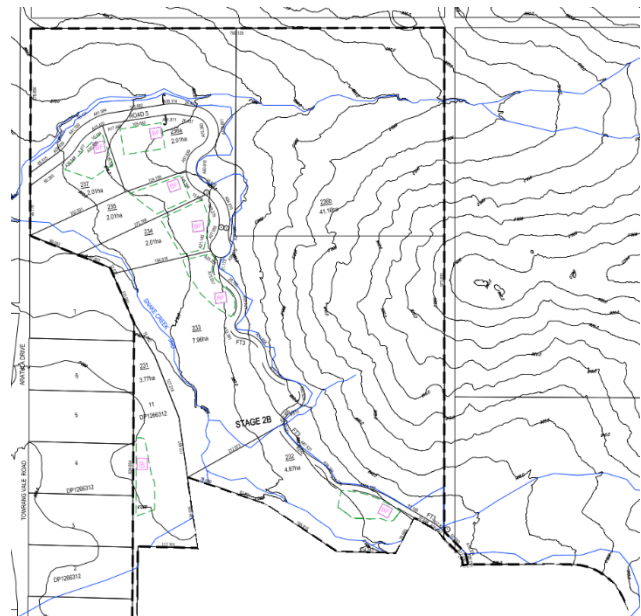
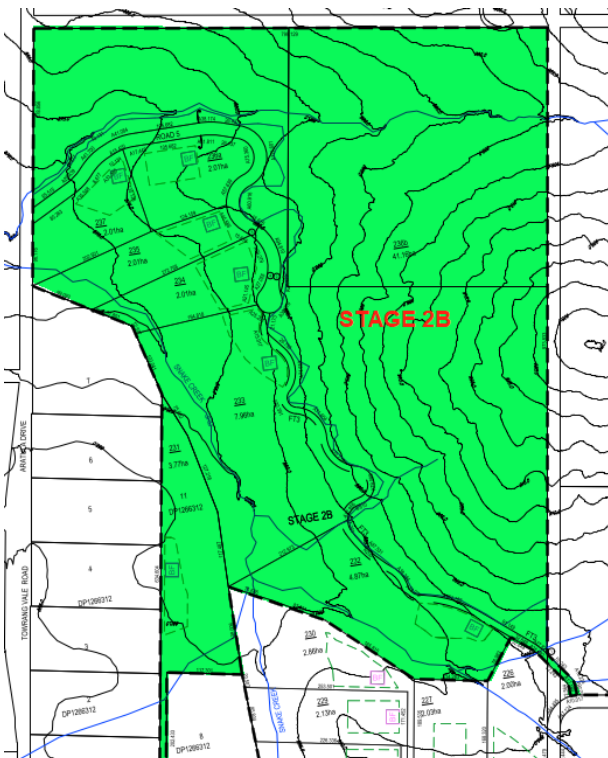


Figure 5: Stage 2B subdivision plan

INTEGRATED DEVELOPMENT

The proposed development was deemed to be Integrated Development under Section 4.46 of the Environmental Planning and Assessment Act 1979.



Figure 6: Bushfire Mapping on Subject site – Category 1 & 3

State or Federal Agency	Comments
NSW RFS	Response received, no objection to the development subject to conditions provided.
<p>As per the recommendations contained within the additional information provided by Blackash, dated 8th November 2023, at the issue of a Subdivision Certificate, a suitably worded legal instrument shall be created to ensure that the trail labelled as Fire Trail 3 on the proposed plans will be provided within a 'Right of Carriageway' and a Deed of Agreement created to ensure access from residents of lots 232-237 have mutually beneficial rights of way to use the fire trail in the event of a fire. The Fire trail is to be maintained by the owners of Lots 232 and 233. Fire trail 3 should be referred to the Snowy Monaro Bush Fire Management Committee for its potential inclusion in their Fire Access and Fire Trails plan.</p> <p>Lot 230: The battle axe handle of Lot 230 is 171.452 metres long and there is ample space for a 6-metre-wide passing bay in the handle. With the small additional length to the building envelope, this was agreed as appropriate.</p> <p>Lot 232: This lot has a battle axe handle 140 metres in length. Fire Trail 3 extends from the northern end of this battle axe handle to connect to Road 5. This was agreed as appropriate.</p> <p>Lots 233 – 237: These lots are accessed through Road 5, which has a cul-de-sac, but is connected to Road 4 via Fire Trail 3. In this regard, the road is not a dead end, as access is provided through to Road 4 and meets the performance criteria of ensuring firefighting vehicles are provided with</p>	

safe, all-weather access to structures. The Fire Trail will be provided within a 'Right of Carriageway' and a Deed of Agreement created to ensure access from residents of lots 232-237 have mutually beneficial rights of way to use the fire trail in the event of a fire. The Fire trail is to be maintained by the owners of Lots 232 and 233.

REFERRALS

External Referrals

The development application was referred to the following external government agencies for comment/consideration:

State or Federal Agency	Comments
Transport for NSW	Response received, no objection to the development. Recommended conditions provided.
Department of Planning Industry and Environment (Biodiversity and Conservation)	Response received, no objection to the development subject to recommendation.
Crown Land	Owners consent granted – see attachment 13 Crown land referral – response received, no objection to the development subject to conditions provided.
Essential Energy	Response received, no objection to the development subject to conditions provided.

Internal Referrals

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

Section	Comments
Development Engineering	Acceptable subject to conditions
GIS Officer	Acceptable subject to conditions
Heritage Officer	Acceptable subject to conditions

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;

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

- 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:

Slope	Sloping land – building envelopes proposed in suitable future building locations.
Significant vegetation	There is potential for significant vegetation – detailed assessment provided in the body of the report.
Adjoining development	Similar nature, scale and design to proposal
Suitability of proposed works / building	Generally acceptable having regard to constraints of the land
Streetscape	proposal generally compatible with adjoining development
Stormwater disposal	on-site via detention
Services	electricity / telephone/water
Views	nil impact to and from site
Contamination	nil identified
Bushfire	A portion of the subject site is classified as bushfire prone – refer to Bushfire report and approval from RFS
Flooding	Not mapped as flood prone land
Vehicular access	The site has coinciding legal and practical access
Easements and restriction on use	nil
Aboriginal sites	nil identified on-site
Threatened species	nil identified on-site
Grasslands	nil identified on-site
Rivers/streams	Snake Creek. See assessment in body of report.
Effluent disposal	Onsite
Prevailing winds	nil impact
Easements	nil affected by this proposal
Other matters	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):

State Environmental Planning Policies	Compliance/Relevance
State Environmental Planning Policy No 65 - N/A	
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<p>The Biodiversity Development Assessment Report (BDAR) provided with the updated application underwent review by both council and BCD staff. The revised reports didn't assess impacts on woodland areas as the development occurs solely within paddocks dominated by non-native species, notably lovegrass. Thus, it is considered that impacts in paddock areas are unlikely to activate Biodiversity Offset Scheme thresholds, as concluded in the current BDAR.</p> <p>The BDAR incorporates environmental management recommendations guiding a condition of consent.</p>
<p>Biodiversity and Conservation Division (BCD) review of Biodiversity Assessment Report (BAR):</p> <p><i>BCD previously commented on a development application in this location in March 2022 and have attended a site visit with Council on 3 December 2021. Our previous comments questioned the assessment method in terms of vegetation mapping, with particular concerns around the woodland components of the subject lots.</i></p> <p><i>We note that the updated development application, and BAR, does not include impacts woodland areas, with the development sitting entirely within paddocks characterised by non-native species, including significant portion of lovegrass (Eragrostis curvula). In previous correspondence, we have indicated that impacts in paddock areas are unlikely to trigger any Biodiversity Offset Scheme entry thresholds. The current BAR for this development application has also reached this conclusion.</i></p> <p><i>The BAR includes a series of environmental management recommendations including the retention of mature native paddock trees, and a recommendation to investigate the possibility of a biodiversity stewardship site on the retained woodland part of the subject lots. Council should consider including some of these recommendations as conditions of approval for the development.</i></p>	
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - N/A	
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 - N/A	

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

State Environmental Planning Policy (Housing) 2021 - N/A	
State Environmental Planning Policy (Transport and Infrastructure) 2021	<p>Schedule 3 - Traffic Generating development to be referred to Transport for NSW. SEPP Infrastructure lists the development that requires referral in certain circumstances.</p> <p>The subject development does not include the opening of 200 or more allotments with a new public road and does not include the construction of 50 or more lots within 90 metres of connection with the alignment of a roadway controlled by NSW Roads and Maritime Services (Transport for NSW).</p> <p>Referral to Transport for NSW under SEPP Infrastructure is therefore not required.</p> <p>A non-integrated referral has however been carried out due to the increased traffic foreseen at the Old Dry Plains Road and Snowy Mountains Hwy intersection.</p> <p>TfNSW have provided recommendations.</p>
State Environmental Planning Policy (Industry and Employment) 2021 - N/A	
State Environmental Planning Policy (Resources and Energy) 2021 - N/A	
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>There is no indication on Councils records which shows that prior land-uses on the site are likely to have resulted in the contamination of the land. The land appears to have been used for non-intensive livestock grazing. No further investigation is required in accordance with the NSW Managing Land Contamination Planning Guidelines. Parts of the general area are shown on the Naturally Occurring Asbestos NSW site map as having Geological Units with Low asbestos potential.</p>
State Environmental Planning Policy (Precincts – Regional) 2021 - N/A	
State Environmental Planning Policy (Primary Production) 2021 - N/A	
State Environmental Planning Policy (Planning Systems) 2021 - N/A	

Permissibility of the development under the Cooma Monaro Local Environmental Plan 2013

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

The subject land is zoned: R5 – Large Lot Residential & C4 – Environmental Living

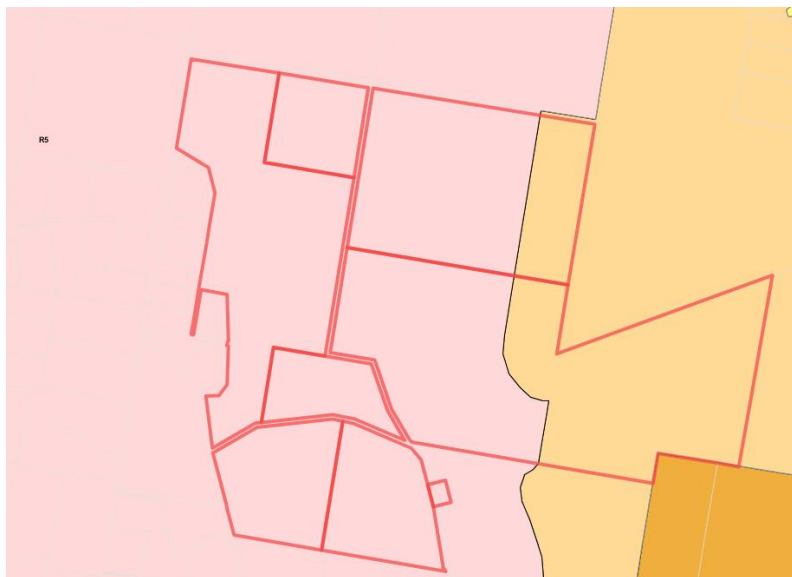


Figure 7: Zone Map – Large Lot Residential (R5)

The proposal is considered to be consistent with the aims and objectives of the zone.

Objectives of zone	
To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.	It is considered that smaller lot sizes with the same number of lots preserve rural landscapes by condensing impacts on environmentally sensitive areas and scenic beauty, allowing for sustainable residential development in harmony with the natural surroundings.
To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.	Smaller lot sizes align with the development standard by preventing large residential lots from impeding the proper and orderly development of urban areas. It is considered that smaller lots promote efficient land use, accommodate diverse housing needs, foster community integration, and enhance urban infrastructure, ensuring sustainable and well-planned urban growth for the future.
To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.	Reducing lot sizes while maintaining the same number of lots meets this objective by mitigating strain on public services and facilities. It balances population density with infrastructure capacity, curbing excessive demands on utilities, transportation, and

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

	community amenities, thus fostering sustainable development without overburdening public resources.
To minimise conflict between land uses within this zone and land uses within adjoining zones.	The proposal is consistent with the adjoining land uses and not likely to cause conflict.
To promote an innovative and flexible approach to rural residential development.	Implementing smaller lot sizes with an unchanged number of lots adheres to the development standard by fostering innovation and flexibility in rural residential development. It encourages creative land use planning, promotes sustainable practices like cluster housing, and facilitates diverse housing options, enhancing the adaptability and resilience of rural communities to evolving needs and challenges.

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

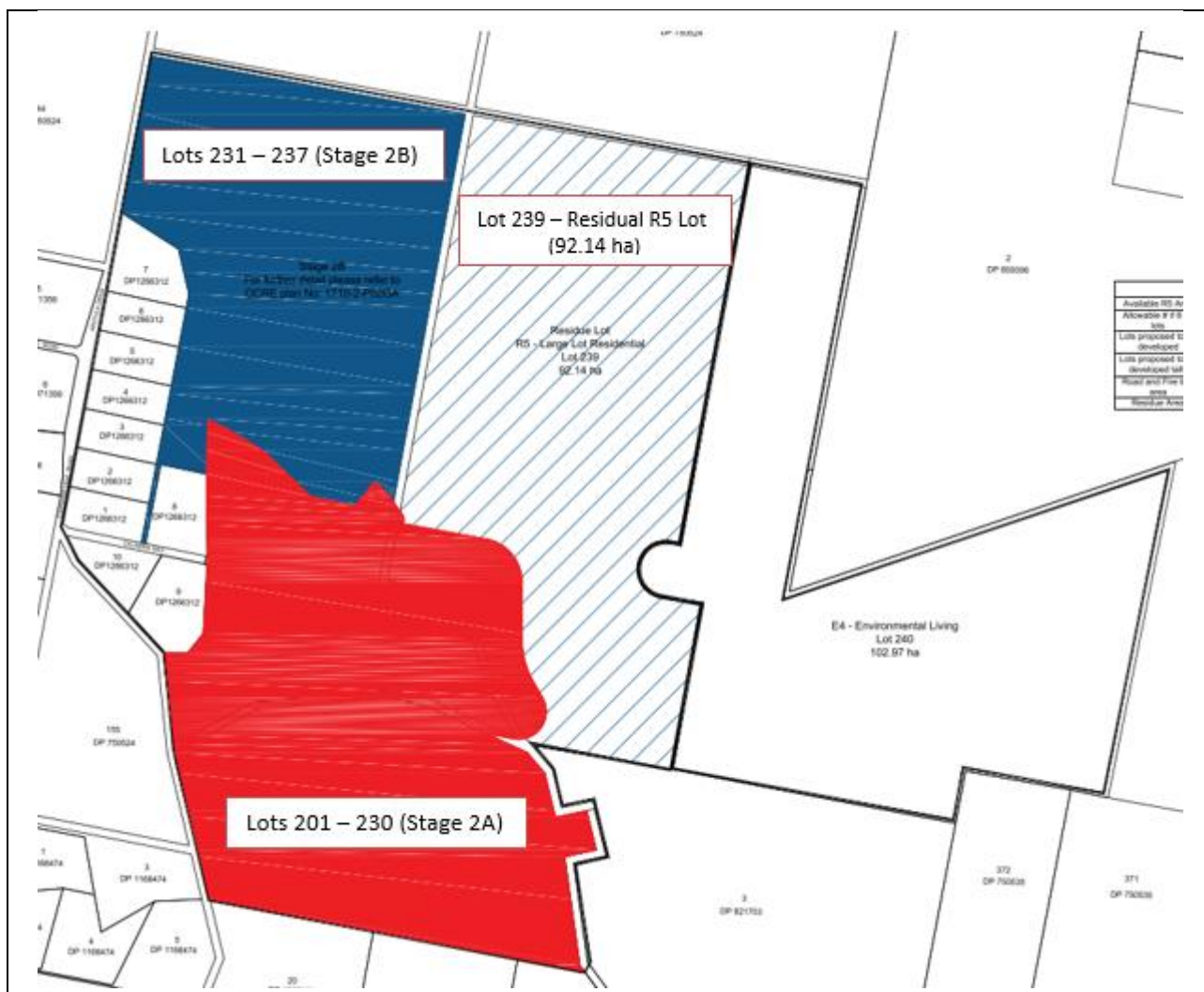
Provision	Response
PART 1 Preliminary	Satisfactory – clause 37 amended plans. Lot yield reduced
PART 2 Permitted or prohibited development.	Permitted in accordance with clause 2.6
PART 3 Exempt and Complying Development	N/A
PART 4 Principal development standards	
Clause 4.1 Minimum subdivision lot size	Minimum lot size for the R5 areas is 8ha. Proposed lots range from 2 ha to 7.96ha. This is due to the lot averaging provisions of Clause 4.1B (see below assessment)
Clause 4.1AA Minimum subdivision lot size for community title schemes	N/A
Clause 4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings	N/A
Clause 4.1B Subdivision using average lot sizes 4.1B Subdivision using average lot sizes (1) The objectives of this clause are to	

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

<p>facilitate alternative subdivision controls that—</p> <p>(a) facilitate a subdivision design that takes into consideration the values and constraints on the land and achieves the best environmental and agricultural outcomes possible, and</p> <p>(b) limit the subdivision of land in certain circumstances where the lots created are proposed to be used for residential accommodation.</p> <p>(2) This clause applies to land in the following zones (other than land identified as “Area A” on the Lot Size Map)—</p> <p>(a) Zone RU1 Primary Production,</p> <p>(b) Zone R5 Large Lot Residential,</p> <p>(c) Zone C4 Environmental Living.</p>	<p>Satisfactory</p> <p>Satisfactory</p> <p>The subject land is zoned RU1 & R5 and as such this clause applies.</p>
<p>(3) Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies if—</p> <p>(a) the total number of lots created from the subdivision will not exceed the number of lots that could be created under clause 4.1 (3), and</p>	<p>The total area of stage 2B is 159.24ha which equals nineteen (19.9) 8ha lots.</p> <p>The proposal is for seven (7) 2 ha lots and one (1) residual – total of 8 lots.</p> <p>Lots 231 – 237 (size 2.01 – 43.17ha)</p> <p>Lot 239 – Residual R5 lot (size 92.14 ha)</p> <p>Lot 240 – created under Stage 2A (size 102.97)</p>

Stage	Area in R5 zone	Number of new lots	Residue Area
2B	159.24 hectares	7 plus residue	92.14

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)



(b) for land in Zone RU1 Primary Production, each lot created by the subdivision will have an area of at least 20 hectares, and

(c) for land in Zone C4 Environmental Living, each lot created by the subdivision will have an area of at least 10 hectares, and

(d) for land in Zone R5 Large Lot Residential, each lot created by the subdivision will have an area of at least 2 hectares.

(4) Development consent must not be granted for the subdivision of a resulting lot unless the consent authority is satisfied that—

N/A

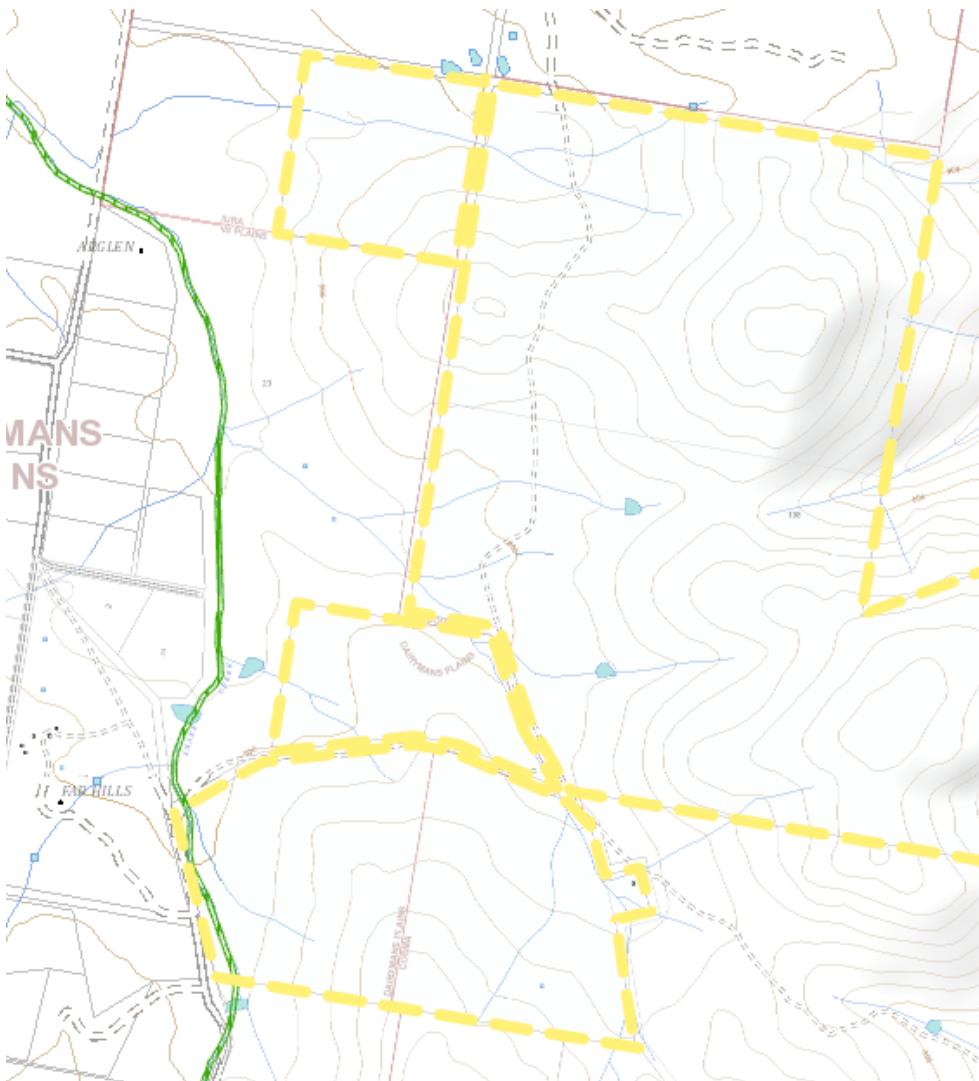
No part of the areas of proposed lots that are zoned E4 Environmental Management are included in the calculation of the areas for the proposed subdivision of the land in the R5 area.

Each lot is greater than 2 ha – complies

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

<p>(a) the lots to be created will not be used for the purpose of residential accommodation, and</p> <p>(b) the subdivision will not result in any significant adverse environmental impacts on the land being subdivided.</p> <p>(5) In this clause, resulting lot means a lot created under this clause being land in Zone RU1 Primary Production or Zone C4 Environmental Living.</p>	<p>Satisfactory</p> <p>The BAR provided has satisfied Council that adequate measures have been undertaken to satisfy this clause.</p> <p>The area to be subdivided was not a 'resulting' lot from a previous subdivision. As such (5) does not apply.</p>
<p>Clause 4.1C Minimum subdivision lot sizes for certain split zones</p>	<p>The subdivision is calculated using land in the R5 large-lot residential zone only. The use of clause 4.2B above allows for the calculation that has been completed to create allotments of not less than 2 hectares. The design of the subdivision results in each allotment having one land-use zone only and the resulting allotment with land zoned E4 will be an individual allotment consistent with clause 5(a). The land within the allotment that is zoned E4 Environmental Living is not used in the calculation under the lot averaging, and the proposal is consistent with clause 4.1 C without variation.</p>
<p>Clause 4.6 Exception to development standards</p>	<p>N/A</p>
<p>PART 5 Miscellaneous provisions</p>	
<p>Clause 5.10 Heritage conservation</p>	<p>The subject land contains a part of Snake Creek (Geological site) Significance: Local.</p> <p>Potential for Aboriginal objects and Aboriginal places of heritage significance.</p>

Geological Heritage site – Snake Creek



The applicant has provided a Heritage impact statement and the assessment found that:

- The study area contains a heritage conservation area, known as the Snake Creek (geological site) Conservation Area (Shown in green in the map extract above).
- This item is listed for its geological values.
- No other heritage items are listed within or in the immediate vicinity of the study area.
- No newly identified heritage items or areas of historical archaeological potential was identified within the study area.
- The proposed subdivision of the site is considered unlikely to impact on the heritage values of the conservation area.

Recommendations included:

Recommendation 1: No Further Works Required

On completion of this Statement of Heritage Impact, no further archaeological or heritage assessment is required prior to the commencement of development works.

Recommendation 2: Stop Works Provision

Should any unexpected relics be identified during works, works should cease in the area of the find and an archaeologist contacted to make an assessment of the find. Consultation with Heritage NSW may be necessary, and approvals may be required before works are able to recommence in the area.

Recommendation 3: Site Works

Works should be constrained to the area assessed as part of this assessment. Any amendment to the study area boundaries to include additional areas not assessed may require further assessment prior to the commencement of works.

Amendment of the proposed building envelopes within the subdivision may require further heritage assessment to determine if the heritage values of the conservation area would be impacted by the proposed works.

Officers Comments

Given the proposed Building Envelopes are located a significant distance away from Snake creek it is considered unlikely for an impact to eventuate on the heritage values of this conservation area.

Aboriginal Heritage

The applicant has provided a Due Diligence Report which documents a site visit was undertaken and no newly identified archaeological material was identified during the survey.

The following findings were stated in the report;

- Ground surface visibility (GSV) was moderate throughout the study area. GSV was rated at 30% overall.
- Ground disturbance was low to moderate throughout the study area.
- Evidence of historical clearing of vegetation for agricultural use was evident along the flat and lower slopes to the east of Snake Creek with remnant bushland on the upper slopes.
- No areas of potential Aboriginal archaeological deposit were identified.

The report included the following recommendations:

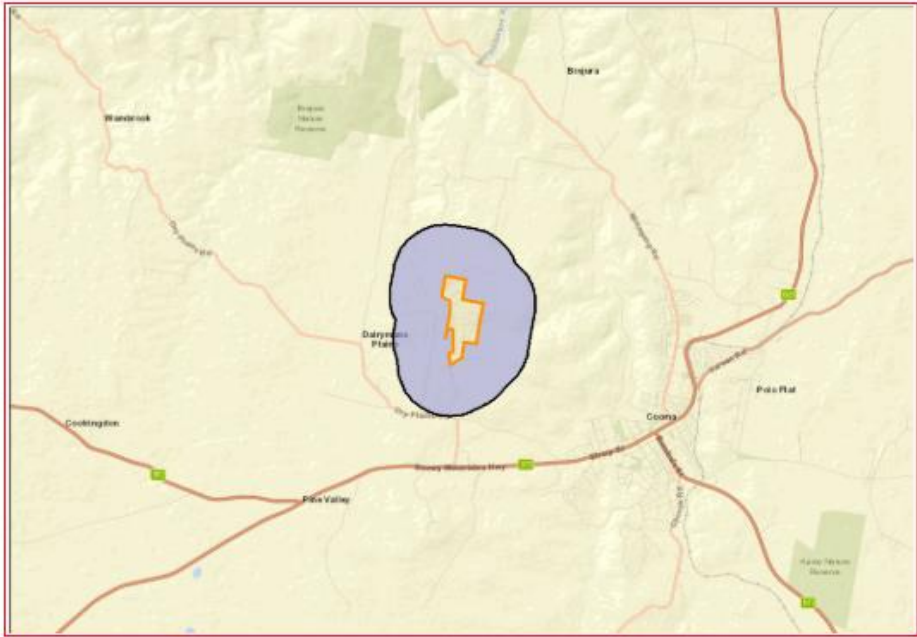
- No further Aboriginal archaeological assessment is required prior to the commencement of upgrade works as described in this report.
 - The results of this assessment fulfil the requirement for Due Diligence in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (Code of Practice). Works may proceed with caution.
 - The proposed works must be contained to the area assessed during this due diligence assessment, as shown on Figure 1. If the proposed location is amended, further archaeological assessment may be necessary to determine if the proposed works will impact any Aboriginal objects or archaeological deposits.
 - Should unanticipated archaeological material be encountered during site works, all work must cease and an archaeologist contacted to make an assessment of the find. Further archaeological assessment and Aboriginal community consultation may be required prior to the recommencement of works. Any objects confirmed to be Aboriginal in origin must
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8.4

DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

be reported to Heritage NSW.

An AHIMS search was carried out and there were no Aboriginal sites or places identified within 1000 meters of the subject land.



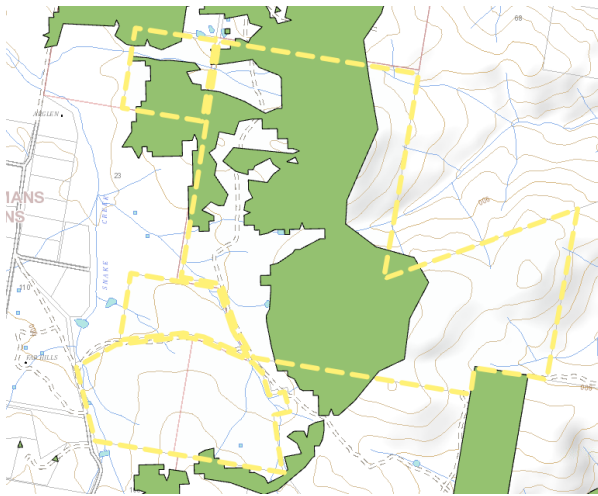
A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

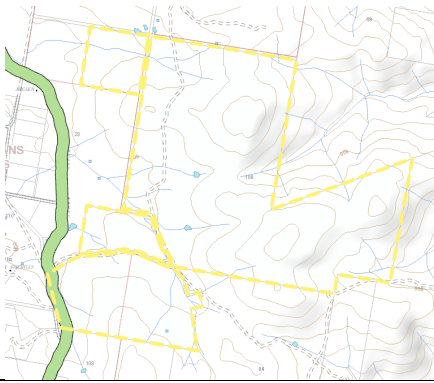
Upon reviewing the Due Diligence report and the AHIMS search, it is determined that the proposed development will not impact an Aboriginal place of heritage significance or adversely affect any Aboriginal object or place. The recommendations provided have guided the formulation of a condition for consent.

Clause 5.11 Bushfire hazard reduction	The subject lands are identified as being Bushfire prone and as such the development is integrated development under 100B of the Rural Fires Act. RFS have provided a BFSA and conditions of consent.
PART 6 Additional local provisions	
Clause 6.1 Earthworks	Plans prepared by OCRE demonstrate the extent of earthworks required to construct roadways in accordance with Council's engineering standards and Planning for Bushfire Protection 2019. The earthworks are to be contained entirely within road reserves and or battle-axe handles for driveways as necessary. It is considered that the development can be

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

	<p>constructed to not result in any negative impacts on drainage patterns, soil stability or soil environment in general.</p> <p>As such the development is considered to be consistent with clause 6.1 Earthworks.</p>
Clause 6.2 Flood planning	N/A
<p>Clause 6.3 Terrestrial biodiversity</p> 	<p>The application has included a Biodiversity Assessment Report (BAR).</p> <p>The BAR, does not include impacts woodland areas, with the development sitting entirely within paddocks characterised by non-native species, including significant portion of lovegrass. It is considered the impacts in the paddock areas are unlikely to trigger any Biodiversity Offset Scheme entry thresholds. The current BAR for this development application has also reached this conclusion.</p> <p>A BDAR is not required.</p> <p>Recommendations:</p> <p>The following environmental management measures are regarded as part of the proposed:</p> <ul style="list-style-type: none"> - installation of sediment and erosion control devices prior to clearing or earthmoving works; - retention of hollow bearing trees, particularly paddock trees; - removal of any exotic weed species listed as a Weed of National Significance as determined by the NSW Department of Primary Industries; - investigation of a Biodiversity Stewardship Site to enhance the biodiversity quality of remaining bushland areas within the subject property; - Installation of protective fencing around habitat trees to be retained. Fencing should be erected prior to the start of earthworks and should be removed after the earthworks and construction is complete;

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

	<ul style="list-style-type: none"> - Development of a stormwater management plan for use during all stages of the construction to reduce the impacts of changed water quality and quantity.
Clause 6.4 Groundwater vulnerability	N/A - land not shown on the LEP Groundwater Vulnerability map layer
Clause 6.5 Drinking Water Catchments	N/A
<p>Clause 6.6 Riparian land and watercourses</p> 	<p>Lots 201 – 206 & 228 – 230 all have Snake Creek within the boundary of the proposed lots.</p> <p>A condition of consent will require a restriction on use for 100m from the high-water mark.</p>
Clause 6.10 Essential services	<p>The proposed supply of services for each lot is proposed as the following:</p> <p>Water – rainwater collection via water tanks on each lot.</p> <p><u>Comment:</u> Each lot is considered to be adequate in size to accommodate sufficient rainwater storage within each individual lot.</p> <p>Electricity – either mains electricity or renewable energy</p> <p><u>Comment:</u> A condition of consent applies</p> <p>Sewage – individual on-site sewer management systems</p> <p><u>Comment:</u> Each lot is considered to be adequate in size to accommodate an on-site sewage system. A condition of consent additionally restricts development within 100m of Snake Creek.</p> <p>Stormwater – managed within each allotment.</p> <p><u>Comment:</u> Each lot is considered to be adequate in size to accommodate an on-site storm-water system.</p>

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

	<p>Access – proposed roads or right-of-carriage</p> <p><u>Comment:</u> Each lot is provided with legal access and a condition of consent outlines the requirements for construction and as such makes arrangements for coinciding legal and practical access.</p> <p>Considering the above Council can be satisfied that each lot has available or that adequate arrangements have been made to make them available when required.</p>
SCHEDULE 1 Additional permitted uses	N/A
SCHEDULE 2 Exempt development	N/A
SCHEDULE 3 Complying development	N/A
SCHEDULE 4 Classification and reclassification of public land	N/A
SCHEDULE 5 Environmental heritage	Subject land is burdened by Heritage conservation area C7 & C9 – Snake Creek (geological site)

The proposal has also been examined in detail against the provisions of Council’s LEP and has been found to achieve an acceptable level of compliance.

Council previously obtained legal advice regarding the use of Clause 4.1B (lot averaging) and is satisfied that the proposal is consistent with that advice.

Provision of any proposed Environmental Planning Instruments

There are no other proposed environmental planning instruments applying to this site which are relevant to the proposed development.

Assessment against the relevant provisions of Cooma Monaro Development Control Plan 2014

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

Provision	Response
2 General Development Controls – N/A	
3 Controls for Specific Development Types – N/A	
4. Requirements for Subdivision	
4.1 Land (Torrens title) subdivision	
Section 4.1.1.1 and 4.1.1.2 - Vehicle access	All vehicle access crossings will be constructed in accordance with the standards of Chapter 2 of the DCP. The location of each proposed vehicle crossing is displayed on the Plan of subdivision submitted with the application. The subdivision proposal is consistent with the objectives and requirements of these sections.
Section 4.1.2.1 and 4.1.2.2 – Construction of roads	The development includes appropriate area for construction of a cul-de-sac at the end of sealed roads. Construction can be undertaken in accordance with the standards referred to in Chapter 2 of the DCP. The subdivision proposal is consistent with the objectives and requirements of these sections.
Section 4.1.2.5 - Road System in R5 Zones	Proposed roadways will be sealed consistent with this section.
Section 4.1.2.6 - Street lighting and name signs	Adjoining roadways do not include street lighting, meaning street lighting is not required.
Section 4.1.3.2 - Design requirements for lots	<p>The development incorporates splay corners. Greater than 9 lots for every ten of the proposed lots have direct road frontage (not battle-axe). Setbacks applicable to the zone have been displayed on the Plan submitted with the application.</p> <p>The subdivision design is considered to be consistent with this section.</p> <p>Variation sought - The Development includes some allotments with battle-axe handle driveways greater than 100 metres in length. The reason for this is to reduce the amount of tree vegetation required to be removed by roadways. This is considered to be a satisfactory design and reasonable environmental outcome.</p>

Section 4.1.4.1 and 4.1.1.2 - Road widening, survey and dedication	Proposed roads will comply with Chapter 2 and applicable Appendixes of the DCP in accordance with Council's Specifications for Engineering works.															
4.1.5.2 Requirements – Provisions for open space	<p>SMRC Council has recently adopted a Recreation and Open Space Strategy (ROSS).</p> <p>The strategy sets the planning direction and design guidelines for recreation and open spaces, ensuring the provision of financially sustainable and high-quality facilities.</p> <p>Whilst the provision of open space is a requirement, the outdated CM DCP, coupled with the presence of a SMRC ROSS, suggests that mandating developers to create unplanned pocket parks is not in the public interest. Such parks often result in poorly maintained public spaces and increased costs for rate payers.</p>															
Section 4.1.6 - Landscaping and street trees	<p>The proposed retention of existing trees, as shown on the development plans, are substantially greater than the requirement outlines in Table 10.</p> <p>Additionally, the provisions of Table 10 applies only to lots within the R5 zone that are less than 1ha in size. Each lot proposed in the subject proposal is 2ha or greater in size.</p> <p>Therefore, the proposal satisfies Section 4.1.6.</p> <table><caption>Table 10: Landscape requirements</caption><tr><th>Landscaping element</th><th>R1, R2, B4 & RU5</th><th>R5</th><th>B5</th><th>IN1</th></tr><tr><td>Street trees</td><td>1 per new lot Note: Corner lots are required to provide 2</td><td>1 per 30 metres of road frontage - only applies to lots under 1 ha in size</td><td>1 per 10 metres of road frontage</td><td>1 per 25 metres of road frontage</td></tr><tr><td>Establishing grass cover on verges</td><td>Yes</td><td>Yes</td><td>Yes</td><td>Yes</td></tr></table>	Landscaping element	R1, R2, B4 & RU5	R5	B5	IN1	Street trees	1 per new lot Note: Corner lots are required to provide 2	1 per 30 metres of road frontage - only applies to lots under 1 ha in size	1 per 10 metres of road frontage	1 per 25 metres of road frontage	Establishing grass cover on verges	Yes	Yes	Yes	Yes
Landscaping element	R1, R2, B4 & RU5	R5	B5	IN1												
Street trees	1 per new lot Note: Corner lots are required to provide 2	1 per 30 metres of road frontage - only applies to lots under 1 ha in size	1 per 10 metres of road frontage	1 per 25 metres of road frontage												
Establishing grass cover on verges	Yes	Yes	Yes	Yes												
Section 4.1.7 - Stormwater	A stormwater management plan will be prepared as part of the subdivision works certificate displaying proposed drainage from new and existing roads and inter-allotment drainage, permanent erosion control or stormwater velocity dissipation devices detailed. The existing and proposed road ways and slope of the land will cater for drainage to natural waterways without negative impact.															
Section 4.1.8 - Provision for Utility Services	A condition of consent will be included to require the provision of electricity and telecommunications.															
Section 4.1.9 - Water supply and sewerage systems	The development is not within 225 metres of reticulated water or sewer.															

Section 4.1.11 - Building Envelopes	<p>Building envelopes have been proposed on the plan of subdivision and associated onsite sewage management reports confirm future dwellings can be constructed within the envelopes without negative impact.</p> <p>The areas displayed as available for building all incorporate the minimum boundary setbacks specified in Chapter 2 of the DCP.</p>
Section 4.1.12 Rural Addressing	A condition of consent is to be included
Section 4.1.13.1 - Reports required with subdivisions	<p>All required reports have been submitted.</p> <ul style="list-style-type: none"> - Effluent land capability assessment - provided - Biodiversity Assessment Report - provided - Flood – N/A
5. Development Involving Works – N/A	
6. Provisions for Specific Locations	
6.1 Bushfire Prone Land	RFS have provided a BFSA and conditions of consent
6.3 Contaminated land	<p>There is no indication on Councils records which shows that prior land-uses on the site are likely to have resulted in the contamination of the land. The land appears to have been used for non-intensive livestock grazing. No further investigation is required in accordance with the NSW Managing Land Contamination Planning Guidelines.</p>
6.5 Heritage	<p>The subject land contains a part of Snake Creek (Geological site) Significance: Local.</p> <p>No foreseen adverse impacts.</p>
7 Non-Design Related Provisions	
7.4 Onsite Waste Management Systems	<p>All building envelopes along Snake creek are considered to be adequately set back from to minimise and foreseeable impacts from the future installation of OSSM.</p> <p>The water and soil report submitted with the application nominates areas and types of on-site sewage management systems suitable for managing sewage waste on-site from future dwellings.</p>

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

8 Public Notification Requirements	
8.2 Prescriptive Requirements	Notification as per the SMRC Planning & Development Community Participation plan. 28 days notification and advertisement.

Planning Agreements

Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.5.

Any matters prescribed by the regulations.

The application generally complies with the *EP&A Regulation 2000*.

SUBMISSIONS

The proposed development was assessed against the requirements of the Snowy Monaro Planning and Development Community Participation Plan 2019 (SMPDCPP) and the following notification advertising took place:

Type of Development	Notification carried out as per minimum SMPDCPP
Subdivision 20 lots or more	Neighbour notification 28 days Advertising 28 days

Summary of Submissions

Submission Period	Initial Proposal	Amended Proposal
Number objecting	3	11
Number supporting	0	0
Total Number of submissions	3	11

Submission received on initial proposal – 2021/22 (Full submissions available in attachment 12)

Submission – issues raised
Submission 1 <ul style="list-style-type: none"> Exhibition documents are incorrect. All items raised by Submission 2
Submission 2 <ul style="list-style-type: none"> Lot size is too small – Minimum lot size is 8ha – lots proposed as small as 2 ha. Exhibition documents are incorrect and or inadequate for purpose.

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

<p>Submission 3</p> <ul style="list-style-type: none"> • Traffic • Impact on Rural Lifestyle • Use of Crown Road as fire trail • Noise & Vibration pollution • Fire Risk • Objectives of the zone

Submission Received on Amended Proposal – 2023 (Full submissions available in attachment 13)

Submission – issues raised
<p><u>Submission 1</u></p> <ul style="list-style-type: none"> • Bushfire access hindered
<p><u>Submission 2</u></p> <ul style="list-style-type: none"> • Traffic • Rural Lifestyle • Use of leased Crown Roads for fire trail • Noise & Vibration pollution • Fire Risk • Objectives of the zone
<p><u>Submission 3</u></p> <ul style="list-style-type: none"> • Battle-axe handles longer than the DCP standards allows. • DCP requirement for Public Open Space • Number of lots proposed exceeds allowable quantity. • Adverse impacts on amenity of existing landholders - overdevelopment
<p><u>Submission 4</u></p> <ul style="list-style-type: none"> • Lot size is too small – Minimum lot size is 8ha – lots 2 ha is not an average. • Traffic and adequacy road safety
<p><u>Submission 5</u></p> <ul style="list-style-type: none"> • Traffic • Rural Lifestyle • Use of leased Crown Roads for fire trail • Noise & Vibration pollution • Fire Risk • Objectives of the zone
<p><u>Submission 6</u></p> <ul style="list-style-type: none"> • Lot averaging/exception to development standards • Vehicle/Road Safety Concerns • Open Space

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

<ul style="list-style-type: none"> Provision of services
<u>Submission 7</u> <ul style="list-style-type: none"> Biodiversity
<u>Submission 8a</u> <ul style="list-style-type: none"> Invalid Notification Lot averaging Bushfire Provision of Essential Services Requirements of the CM DCP – Open Space & Landscaping Remediation of Land, POEO Act and the Biosecurity Act (weeds) Objectives of Zones R5 & E4 Adequacy of Access (Roads) Biodiversity Aboriginal Heritage Climate Change Riparian Land
<u>Submission 8b</u> <ul style="list-style-type: none"> Biodiversity Aboriginal Heritage Traffic and adequacy road safety
<u>Submission 9</u> <ul style="list-style-type: none"> Lot averaging/exception to development standards Vehicle/Road Safety Concerns Open Space Provision of services
<u>Submission 10</u> <ul style="list-style-type: none"> Land value Roads Lifestyle & services – foot/bike paths, school bus shelters
<u>Submission 11</u> <ul style="list-style-type: none"> Traffic and adequacy road safety

Officer Response to Issues Raised by Amended Proposal Submissions

Lot averaging/exception to development standards

Clause 4.1B(3) states that despite clause 4.1 (minimum lot size mapping) development consent may be granted for the subdivision of land in the zone of R5 where each lot created by the subdivision has an area of at least 2 hectares, as long as the total number of lots will not exceed the number of lots that could be created under Clause 4.1(3) (i.e. the total number if all allotments were 8Ha).

Council obtained legal advice regarding the lot averaging provision, and is satisfied that the proposal complies with the development standards of clause 4.1B of the LEP. No variation to development standards is proposed or required.

Objectives of the zone

See assessment in the body of this report.

Traffic and adequacy road safety

TfNSW completed an assessment of the application, based on the information provided and focussing on the impact to the state road network. TfNSW notes the following:

- The subdivision will rely on the intersection of Dry Plans Road with the Snowy Mountains Highway. A secondary route is available via Old Dry Plans Road which is currently an unsealed road however its intersection with the Snowy Mountains Highway is sealed.
- TfNSW has considered the proposed development in respect to the classified road network. As the subject site is not located within close proximity to the classified road network and due to the current standard of the intersection of Dry Plans Road with the Snowy Mountains Highway the proposed subdivision will not be detrimental to the classified road network.

Transport for NSW has assessed the Development Application based on the documentation provided and would raise no objection on the basis that the Consent Authority ensures that the development is undertaken in accordance with the information submitted.

A condition of consent requires contributions towards Rural Roads.

Variations to DCP standards

Public Open space

SMRC Council has recently adopted a Recreation and Open Space Strategy (ROSS).

The strategy sets the planning direction and design guidelines for recreation and open spaces, ensuring the provision of financially sustainable and high-quality facilities.

Whilst the provision of open space is a requirement, the outdated CM DCP, coupled with the presence of a SMRC ROSS, suggests that mandating developers to create unplanned pocket parks is not in the public interest. Such parks often result in poorly maintained public spaces and increased costs for rate payers.

Landscaping

Section 4.1.6.2 applies to subdivisions in the R5 zone where the lots proposed are less than 1 ha. All lots proposed in the development are 2ha or greater in size and as such the provision of street trees is not required.

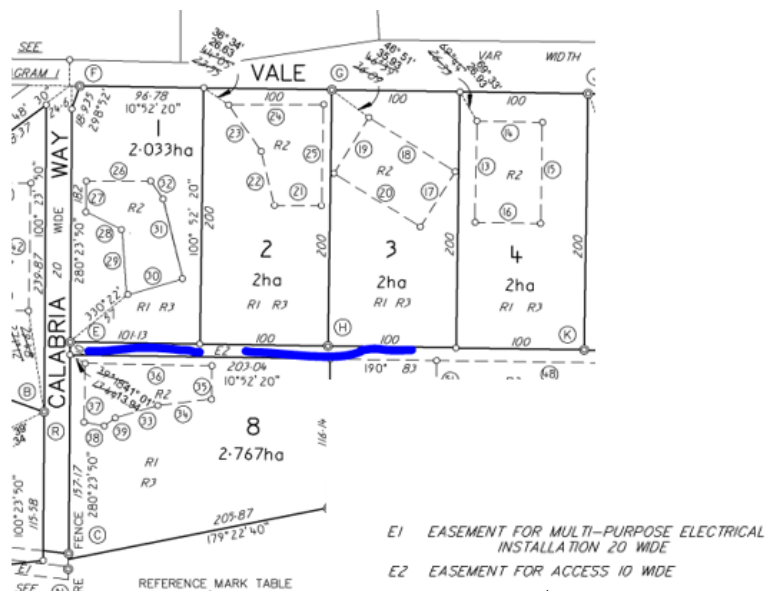
Battle-axe handles

The application includes some allotments with battle-axe handle driveways greater than 100 metres in length. The reason for this to be increased is to facilitate reduced vegetation clearing and the financial impacts to Council of maintaining a public road which serves 1 or 2 lots. As such it is considered that the battle-axe lots are a satisfactory design and environmental outcome.

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

Proposed Lot 231 (202.43m)

There is an existing 10m easement for access between eastern boundaries of 1, 2 DP 1266312 and western boundary of lot 8 DP 1266312. The current layout of proposed subdivision is using the same easement as a battle-axe handle for proposed lot 231. To reduce the dust impact on lots 1, 2 and 8 DP 1266312, it has been conditioned the Battle-axe is to be sealed for its full length.



Use of leased Crown Roads for fire trail

The Crown Road reserve referred to in submission 2 & 5 to the north of their property is not proposed for use as a fire trail.

Additional measures have been put in place to provide a suitable level of bushfire protection.

Rural Lifestyle, Noise & Vibration pollution

It is considered that additional rural residential lots are unlikely to significantly affect silence, darkness, and privacy due to the inherent spaciousness and low-density nature of rural areas. The sizable land parcels and natural buffers between properties help preserve tranquillity, minimize light pollution, and maintain residents' privacy amidst the rural landscape. Furthermore, it is reasonable to surmise that future residents would be drawn to rural living precisely for these qualities and would seek to preserve them, ensuring minimal disruption to the serene rural environment.

Bushfire Risk

After various meetings and consultation with the RFS a Bushfire Authority has been provided. As such it is considered that the proposal achieves the development requirements under Planning for Bushfire Protection and can be approved.

Regarding access to the rear of lots 1, 2, and 8 from Stage 1, upon subdivision and residential development, the land will become 'managed' for bushfire definition purposes. This notably pertains to the adjoining land adjacent to Lot 231, where the proposed Building Envelope is situated, making it reasonable to anticipate driveway and dwelling development in this area, thereby mitigating vegetation threats.

Biodiversity

The application after amendment provided a BAR which was reviewed by both Council staff and staff from the Biodiversity and Conservation Division of the Department of Planning.

See full assessment in the body of this report - SEPP (Biodiversity and Conservation) 2021.

Climate Change

While Climate Change may not be directly legislated under the EP&A Act 1979, it's increasingly acknowledged as a critical factor in environmental assessments and planning decisions. Despite this, the proposed development has taken proactive measures to address environmental concerns. By offering lots of 2 hectares, it demonstrates a commitment to accommodating rainwater storage, which is vital for mitigating water scarcity in the face of changing climate patterns. Furthermore, the inclusion of conditions of consent supporting the provision of renewable energy signifies a recognition of the importance of reducing carbon emissions and transitioning to sustainable energy sources. Additionally, meeting the requirements of the PBP 2019 in response to bushfire hazard underscores a consideration for climate-related risks, as bushfires are becoming more frequent and severe due to climate change. While Climate Change may not be explicitly mandated in the legislation, the actions taken in this development align with the principles of climate resilience and sustainability.

Riparian Land

See assessment of Clause 6.6 in the body of this report.

Aboriginal Heritage

See assessment of clause 5.10 in the body of this report.

Provision of Essential Services

See assessment of Clause 6.10 in the body of this report.

Remediation of Land, POEO Act and Biosecurity Act

Development applications are assessed under the provision of the Environmental Planning and Assessment Act 1979.

Whilst the POEO Act and Biosecurity Act inform other functions of local government they are not applicable to development applications.

SEPP 55 as referred to in Submission 8a was repealed on the repealed-on 1 March 2022. Instead, the State Environmental Planning Policy (Resilience and Hazards) 2021 applies. See assessment of this SEPP in the body of this report.

Invalid Notification

Neighbour Notification was carried out in accordance with the SMRC Community Participation Plan, with a letter directing recipients to the Council application tracker for public access to submitted documents. In response to inquiries, an annotated file was provided, enhancing transparency and ensuring clarity on project details for all stakeholders.

IMPACTS OF THE DEVELOPMENT – ENVIRONMENTAL, SOCIAL & ECONOMIC

Access, transport and traffic	Conditions of consent applied
Easements/88B Restrictions on Use	Conditions of consent will required Building envelope and 88B restriction along Snake creek.
Bushfire Assessment s4.14	RFS have provided a BFSa and conditions of consent.
Impacts on supply of utilities	Satisfactory
Heritage	Satisfactory - 88B restriction along Snake creek has been conditioned.
Natural and other land resources	Satisfactory
Water supply and potential impacts on surface and ground water	Lots will have a right to draw ground water for domestic purposes which may impact existing bore water supplies.
Soils	Apart from any required roadworks, the proposed development is considered unlikely to result in any significant processes of soil disturbance. It should be noted that the area is mapped as having a low potential for containing Naturally Occurring Asbestos (NOA). Information regarding NOA is provided on Section 10.7 certificates issued. Information for the applicant regarding NOA is included in the draft conditions.
Air quality, pollution and microclimate impacts (eg odour)	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.
Flora and fauna & Consideration of Threatened Species	Not Applicable
Waste facilities and controls	The proposed development will be utilising sewer infrastructure, and will be conditioned to pay relevant contributions.
Energy efficiency and greenhouse gas emissions	Not applicable
Noise and vibration	Some noise will result from the construction of the proposed development; however, such noise would be temporary and have no lasting impact.
Safety, security and crime prevention	It is likely the safety and security of the area are to benefit with the addition of a new dwelling through increased public surveillance.
Social impact in locality	The proposed development will result in minimal social impact within the locality of the development.

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

Economic impact in locality	The proposed development will result in minimal economic impact within the locality of the development.
Site and internal design issues	Satisfactory
Impacts during construction	While it is unlikely that the construction of the proposed shed will result in any impacts.
Cumulative impacts	The proposed development in conjunction with surrounding residential development is considered unlikely to result in any significant cumulative impacts.
Impact on pedestrian movements and safety	Not Applicable
Mineral resources and/or deposits in the vicinity	There are no known mineral resources or deposits in the vicinity. The site is mapped as potentially containing naturally occurring asbestos.
Impacts on aboriginal heritage	Nil
Health Impacts of High Voltage Power Lines	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

Property Vegetation Plan (PVP)	N/A
Crown Land	Owners consent granted – see attachment 14 Crown land referral response (attachment 15) - no objection to the development subject to conditions provided.
Approvals under other Acts	RFS 100B (Bushfire Safety Authority)
Internal Referrals	Development engineer GIS Officer Heritage Advisor
Developer Contributions	The relevant contributions plan for this application is the Cooma-Monaro S94 plan 2003, as it was submitted to council prior to the adoption of the SMRC S7.12 Contribution Plan. The number of existing lots with dwelling entitlement is 1,

	<p>as such an additional 6 lots will trigger contributions.</p> <p>Rural Roads – $4648.75 + 7.6\% \text{ cpi} = \\5002.00 per lot</p> <p>Total = \$30,012.00</p> <p>Open Space – $764.53 + 7.6\% \text{ cpi} = \\822.63 per lot</p> <p>Total = \$4,935.78</p> <p>(Figures based on rates as of 1 April 2024 – subject to CPI increases depending on timing of payment).</p>
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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:

- Lot Averaging
- Bushfire prone land
- Geological Heritage
- Crown Land consent
- Biodiversity

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 attached.

If Council decides to make a determination other than as included in the recommendation, it must follow the procedure adopted through resolution 46/24 on 21 March 2024 (subject to confirmation of minutes).

ATTACHMENTS

1. DRAFT Conditions of Consent (*Under Separate Cover*)
2. Subdivision Plan (*Under Separate Cover*)
3. Residual Lot Plan (*Under Separate Cover*)
4. Statement of Environmental Effects (*Under Separate Cover*)
5. Clause 37 Notification of Amendment (*Under Separate Cover*)
6. Bushfire Assessment Report (*Under Separate Cover*)
7. Adendum to Bushfire Report (*Under Separate Cover*)
8. Biodiversity Assessment Report (*Under Separate Cover*)
9. Aboriginal Due Diligence Report (*Under Separate Cover*)
10. Heritage Impact Statement (*Under Separate Cover*)

8.4 DEVELOPMENT APPLICATION 10.2021.321.1 - PROPOSED LARGE LOT RESIDENTIAL SUBDIVISION - STAGE 2B (LOTS 231 - 237)

11. Land Capability Assessment (*Under Separate Cover*)
 12. Submissions - Initial (2021/22) (*Under Separate Cover*)
 13. Submissions - Current (2023) (*Under Separate Cover*)
 14. LTL advice re Lot averaging (*Under Separate Cover*)
 15. Crown Land Owners Consent (*Under Separate Cover*)
 16. Crown Land Referral Response (*Under Separate Cover*)
-

9.1.1 SNOWY RIVER HOSTEL EXPRESSION OF INTEREST (UPDATE)

Record No: I24/265

OFFICER'S RECOMMENDATION

That Council continue discussions with interested parties over the next two months to seek a direction forward.

ISSUES

Two responses were received to the EOI.

Initial assessments of these responses are underway. However, further discussions with both applicants are necessary for council to fully understand each proposed business model and its potential impact.

The closure of the Snowy River Hostel has prompted considerations for its future use, and engaging with stakeholders through the EOI process is a positive step. The council will continue to assess proposals and engage in discussions to ensure the chosen option benefits the community.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Asset Management	Low	Low	Yes
Financial Sustainability	Low	Low	Yes
Reputation and Image	Low	Low	Yes

The potential risk to asset management is minimal, and since the council has no plans to repurpose the asset for its own use, this risk will remain low. The EOI clearly stated that the facility would be provided in its current condition.

FINANCIAL IMPACTS

The process of reviewing the EOI's will be undertaken within the existing budgets.

RESPONSIBLE OFFICER: Manager Community Services

OPTIONS CONSIDERED

The option is to move to disposal of the facility on the open market. This is not recommended while there is the opportunity to have the facility move into another community use.

IMPLEMENTATION PLANS

Discussions with the two EOI respondents will continue over the coming two months to finalise a position and for a recommendation to be presented to Council for consideration.

ATTACHMENTS

Nil

9.1.2 RESTRUCTURE OF THE CHIEF OPERATING OFFICER (COO) ROLE

Record No: I24/269

OFFICER'S RECOMMENDATION

That Council endorse that;

- A The Chief Operating Officer role to be split into two separate roles.
- B The Chief Operating Officer role is to be removed from the Organisational structure and replaced with the following positions;
 - i. Chief of Community Services
 - ii. Chief of Infrastructure and Projects
- C Both roles to report to the CEO as part of the Executive leadership team.

ISSUES

The Chief Operating Officer (COO) currently reports to the CEO and part of the Executive leadership team.

The role was developed following a restructure in 2020 and Mr Jeff Morgan was appointed to the role. Mr Morgan resigned in July 2023 and Mr John Gargett was temporarily appointed in an acting capacity to that role in July 2023. Regrettably the intent of the COO role to drive improved community outcomes and improved efficiencies has not materialised over time and resulted in a division that is excessively large.

Under the NSW Local Government Award provisions, acting arrangements should ideally not extend longer than 12 months. SMRC must resolve a permanent arrangement by July 2024 or at least have process well advanced.

The COO role scope is excessively large and unworkable in the current climate of reform and need to lift overall team performance to drive better outcomes for our communities.

The Towards Excellence Program has been underway since Sept 2023, and has also noted that the Operations Division, and in turn the COO role and scope of responsibilities is too large and likelihood of reforms being driven successfully would be low. The COO and Operations division has been challenged by a very large day to day work program alongside need to drive reform and performance improvement. In addition the Field Force 4 team noted the following:

- 1) Over 70% of the SMRC workforce is under one Executive role being the COO.
- 2) Currently only one executive role is responsible for outward facing community services (COO) with the remainder on inwardly focussing services (CFO, CSO etc.).
- 3) The organisation is currently unbalanced in terms of role scope and accountabilities that will also limit the effectiveness to drive reforms and performance improvement.
- 4) Splitting the role would create two more manageable role scopes, increase external focus on service delivery and support a reform and performance improvement program.

Endorsement to split the role will allow for recruitment to commence as soon as possible, with a view to having appointments concluded by end of July 2024.

9.1.2 RESTRUCTURE OF THE CHIEF OPERATING OFFICER (COO) ROLE

In investigating whether the roles should be senior staff under the Local Government Act it was noted that the Minister of Office of Local Government has set out an intention to change the legislation to remove senior staff provisions from applying to any staff other than the Chief Executive Officer. On review of this factor it is not recommended to have the roles defined as senior staff.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Asset Management	Medium	Low	Yes
Economic Activity	Low	Low	Yes
Environmental Security	Medium	Medium	Yes
External Political Environment	Medium	Low	Yes
Financial Sustainability	Medium	Low	Yes
Health and Safety	High	Medium	Yes
Legislative Governance and Compliance	High	Low	Yes
Reputation and Image	Medium	Low	Yes
Service Delivery	High	Medium	Yes

The role scope does not currently allow for risks to be best managed at all levels. The other key risk is to the reform program that it will be directly impacted by limited scope of the COO to be able to lead reform and lead teams to manage a broad suite of day to day community services.

The COO role structure, responsibilities and role scope are a risk to the organisation in its current form. Splitting the role will allow for a more sustainable role scope, clear accountabilities to be developed and managed and improved service levels for the community by having an executive role specialise in areas be able to lead a team and responsibility scope more effectively.

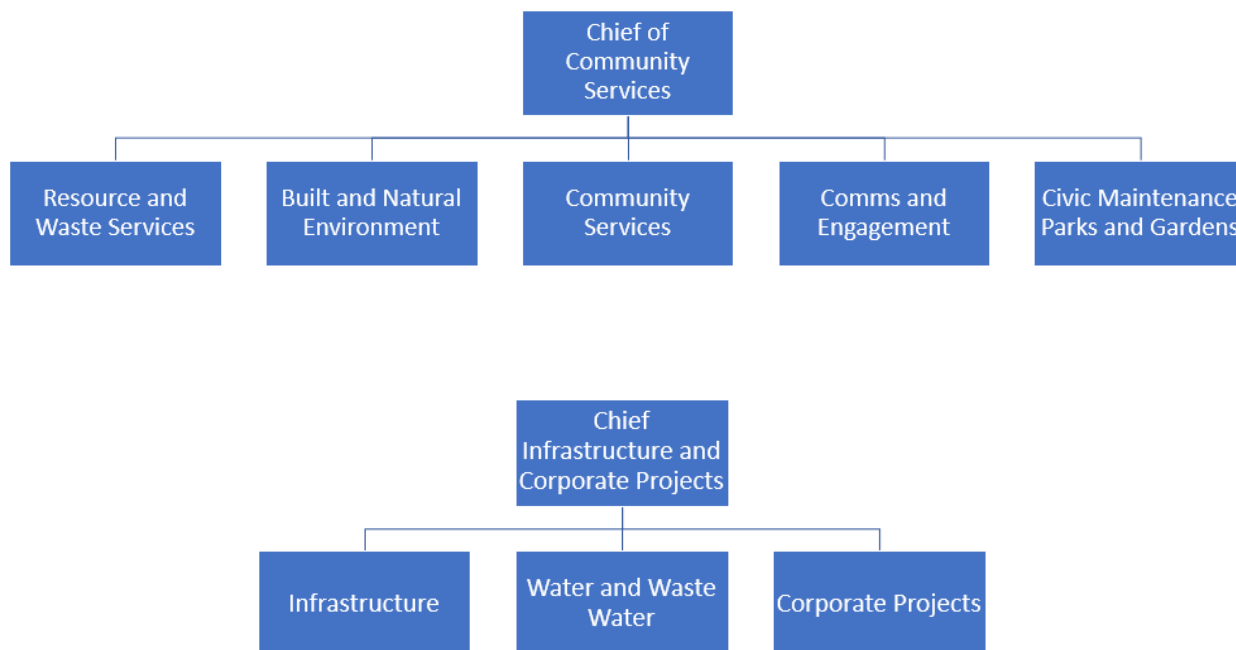
FINANCIAL IMPACTS

	Amount	Details
Current Annualised Net Cost	\$295k	This if the full costs of the current COO role, including salary and overheads
Estimated Annualised Net Cost	\$537K	This is the split of the two roles, both lower than the COO role but reflecting market rate plus overheads.

The 2024/25 Draft budget currently has provision for an additional \$260k to cover the costs of the split roles, with \$18k for recruitment, training and related costs (internal document changes, structure, system changes etc.).

9.1.2 RESTRUCTURE OF THE CHIEF OPERATING OFFICER (COO) ROLE

Indicatively the split of functions are:



RESPONSIBLE OFFICER: Chief Executive Officer.

OPTIONS CONSIDERED

Options considered included

- 1) Going to market to recruit a COO its current structure and role scope. This was discounted on feedback from councillors that the role was too large and needed to be split into two and secondly the assessment done by the Field Force 4 team on the imbalance in the organisational design and specifically the COO division.

IMPLEMENTATION PLANS

Following the decision by Council to split the role into two roles, McArthur recruitment has been retained to lead an independent recruitment process.

Timeframes are

- Council endorsement request 16 May 2024
Subject to endorsement
 - Recruitment commences 20 May 2024
 - Role closes 21 June 2024
 - 1st Interviews conducted week of 24 June 2024
 - Panel Interviews conducted week of 1 July 2024
 - Advice to Council on preferred applicants 18 July 2024
 - Roles commence ~ week of 12 August 2024
-

9.1.2 RESTRUCTURE OF THE CHIEF OPERATING OFFICER (COO) ROLE

Implementation of the split of the COO division will be all current direct reports being assigned to one of the new roles. Following the appointments, the new Chiefs will be directed to review their functions, direct report arrangements and look to optimise their respective functions to improve service outcomes to the community within the confines of their approved operating budget.

In addition, as part of the split the functions of the Corporate projects team will come into the Chief Infrastructure and Projects role. Secondly the Communications team will come into the Community Services role. This will be reflected in the role position descriptions, marketing and candidate packs.

ATTACHMENTS

Nil

9.1.3 BOMBALA LAUNDROMAT UPDATE

Record No: I24/274

OFFICER'S RECOMMENDATION

That Council note the approach to be taken.

ISSUES

No expressions of interest (EOI) to operate a laundromat out of the Bombala location were received that met the criteria. One non-conforming EOI was received. Among other requirements it called for Council to provide all of the capital equipment required. No funding is budgeted for replacement of the equipment that is at its end of life.

Negotiations on whether the respondent to EOI is willing to lodge a conforming EOI needs to occur before that process can be finalised.

As some time has passed since the EOI was called, there may be interest that did not previously exist. It is recommended that this be checked before the decision is made on the future use of the site. It is expected that the limitation on only being able to offer a 12 month lease will negatively impact on the willingness of people to invest in the equipment needed to operate a laundromat. It is considered that resolving this issue will increase the level of interest in undertaking lease. Prior to going back out for EOI a plan of management will be put into place that will allow a longer term lease to be offered, thus allowing certainty to offset the level of investment needed into equipment.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Asset Management	Low	Low	Yes
Reputation and Image	Medium	Low	Yes
Service Delivery	Medium	Medium	Yes

The absence of working washing machines is leading to negative feedback from users. Key stakeholders include locals, tourists, and accommodation businesses. As a service is not being provided in full, the service delivery risk is maintained at medium. While this report may not immediately resolve the issue, its recommendations will help to address this problem in the near future.

FINANCIAL IMPACTS

The process of finalising the EOI will be undertaken within the existing budgets.

RESPONSIBLE OFFICER: Manager Community Services

OPTIONS CONSIDERED

1. Negotiate with the respondent who lodged an EOI
2. Finalise the EOI process and call for new EOIs
3. Finalise the EOI and not proceed with EOIs

It is considered that council should give the person who lodged an EOI the opportunity to negotiate towards a compliant EOI. If this cannot be achieved the option to undertake another round of EOI with a longer lease term is considered the best option, as this will maximise the chances of finding an operator for the desired facility.

IMPLEMENTATION PLANS

The proposed implementation plan outlines the following steps:

1. Contact the EOI respondent by the end of May 2024 to discuss their submission further.
2. If agreement is reached, a report with a recommendation on the terms and conditions of the licence will be presented to Council for approval.
3. If an agreement is not reached, advise the respondent of the outcome of the EOI process and develop a plan of management to allow for longer term leases and proceed with a new EOI.

EXISTING POLICY/DECISIONS

The EOI for the Bombala Laundromat was discussed at the Council meeting on 18 August 2022. The specifics of the resolution are provided below:

9.1.3 EXPRESSION OF INTEREST TO OPERATE BOMBALA LAUNDROMAT

COUNCIL RESOLUTION		362/22
That Council		
A. Proceed with an expression of interest for the operation or lease of the Bombala laundromat under a short term licence of up to 12 months under section 2.20 of the <i>Crown Land Management Act</i> ; and		
B. Receive a further report upon conclusion of the Expression of Interest process and recommended licence terms and conditions.		
Moved Councillor Stewart	Seconded Councillor Frolich	CARRIED
Record of Voting		
Councillors For:	Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.	
Councillors Against:	Nil.	

BACKGROUND

The Bombala Laundromat opened in November 2013. Over several years, the infrastructure has failed requiring periods of closure while awaiting repairs and maintenance. In December 2022, Council resolved to go out for an Expression of Interest for the future use and operation of the facility. The EOI was advertised on Wednesday 8 February 2023 with one response received.

Initial assessment of the EOI has occurred with further discussion with the respondent required before a determination is made regarding future use and/or lease.

ATTACHMENTS

Nil

9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - APRIL 2024

Record No: I24/261

OFFICER'S RECOMMENDATION

That Council:

- A. Receive the report indicating Council's cash and investments position as at 30 April 2024; and
- B. Receive the certificate of the Responsible Accounting Officer.

ISSUES

The effective management of Council funds in accordance with Council's Investment Policy and regulatory requirements. To assist financial sustainability and the intangible expectations of the community.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Financial Sustainability	Low	Low	Yes

The risk is above is only associated with funds management. Total cash and investments are managed to ensure the protection of the principal invested, there is appropriate levels of liquidity to fund service provision and investment returns are maximised within policy and statutory constraints.

FINANCIAL IMPACTS

As interest rates rise, the investment strategy needs to be agile to ensure Council can take advantage of higher yield investments when they are presented.

RESPONSIBLE OFFICER: Acting Chief Financial Officer.

CERTIFICATION:

I, Simon Rennie, Responsible Accounting Officer of Snowy Monaro Regional Council hereby certify, as required by Clause 212 of the Local Government (General) Regulation 2021, that the existing 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 grandfathered Investment Policy, November 2022. 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.

OPTIONS CONSIDERED

Council's Monthly Funds Management report meets the requirements of Council's current Investment Policy and regulatory requirements.

To take advantage of increasing interest rates, a move has been made to maximise the investment portfolio that is placed in cash products, such as term deposits. This reduces the amount held in at call accounts, which are now earning lower yields than term deposits. Diversifying the portfolio's maturity dates will enable Council to have access to cash on a regular basis, if required, and ensure agility to be able to access term deposits with higher yields as they become available.

IMPLEMENTATION PLANS

Investment of surplus funds that are not required to manage short-term cash flow.

EXISTING POLICY/DECISIONS

Council's Investment Policy (SMRC 258).

The revised policy was adopted on 17 November 2022. The aim of Council's Investment Policy is to provide a framework for the investing of Council funds at the most favourable rate of interest available to it at the time whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met. Any investments that were invested prior to the adoption of this version of the Investment Policy will be grandfathered until maturity unless a financial gain can be made by Council in redeeming the investment prior to maturity.

BACKGROUND

Council's Cash and Investments 30 April 2024:

DATE INVESTED	FINANCIAL INSTITUTION	Short-Term Rating	Long-Term Rating	TYPE	CURRENT INVESTMENT	INTEREST RATE	MATURITY
n/a	National Australia Bank - Cash at Bank*	A1+	AA-	Cash	7,932,244	Tiered	n/a
n/a	National Australia Bank - At Call	A1+	AA-	At Call	13,557,585	1.85%	At Call
17-Mar-20	ING Bank	A1	A	TD	1,000,000	1.63%	17-Mar-25
20-Mar-20	Bank of Queensland	A2	A-	TD	1,000,000	1.85%	19-Mar-25
22-Jun-22	National Australia Bank	A1+	AA-	TD	4,000,000	4.30%	26-Jun-24
05-May-23	Judo Bank	A2	BBB	TD	4,000,000	4.90%	06-May-24
13-Jun-23	AMP Bank	A2	BBB+	TD	2,000,000	5.45%	12-Jun-24
13-Jun-23	National Australia Bank	A1+	AA-	TD	3,000,000	5.30%	12-Jun-24
29-Jun-23	National Australia Bank	A1+	AA-	TD	4,000,000	5.40%	27-Jun-24
31-Jul-23	National Australia Bank	A1+	AA-	TD	5,000,000	5.30%	30-Jul-24
31-Jul-23	AMP Bank	A2	BBB+	TD	2,000,000	5.50%	30-Jul-24
29-Aug-23	National Australia Bank	A1+	AA-	TD	5,000,000	5.15%	28-Aug-24
31-Aug-23	National Australia Bank	A1+	AA-	TD	7,000,000	5.10%	26-Sep-24
19-Sep-23	National Australia Bank	A1+	AA-	TD	1,000,000	5.20%	18-Sep-24
28-Sep-23	ING Bank	A1	A	TD	5,000,000	5.35%	25-Sep-25
30-Oct-23	ING Bank	A1	A	TD	5,000,000	5.47%	29-Oct-24
06-Nov-23	ING Bank	A1	A	TD	5,000,000	5.70%	06-Nov-28
07-Dec-23	AMP Bank	A2	BBB+	TD	1,000,000	5.25%	05-Dec-24
07-Dec-23	Bank of Queensland	A2	A-	TD	2,000,000	5.20%	05-Dec-24
14-Dec-23	ING Bank	A1	A	TD	5,000,000	5.30%	13-Jan-25
28-Mar-24	Bank of Queensland	A2	A-	TD	2,000,000	5.00%	28-Nov-24
24-Apr-24	ING Bank	A1	A	TD	2,500,000	5.21%	24-Apr-25
					87,989,829		

**Tiered rate means we will earn different rates of interest depending on the balance of our account. If our account balance is above a certain level, the bank will pay a higher rate of interest on the whole balance.*

This month, Standard & Poor's announced an upgrade to Judo's issuer credit rating to BBB/Stable/A-2 from BBB-/Positive/A-3. An upgrade to Bank of Queensland's long-term issuer credit rating to A- from BBB+ and an upgrade to AMP's long-term issuer credit rating to BBB+ from BBB.

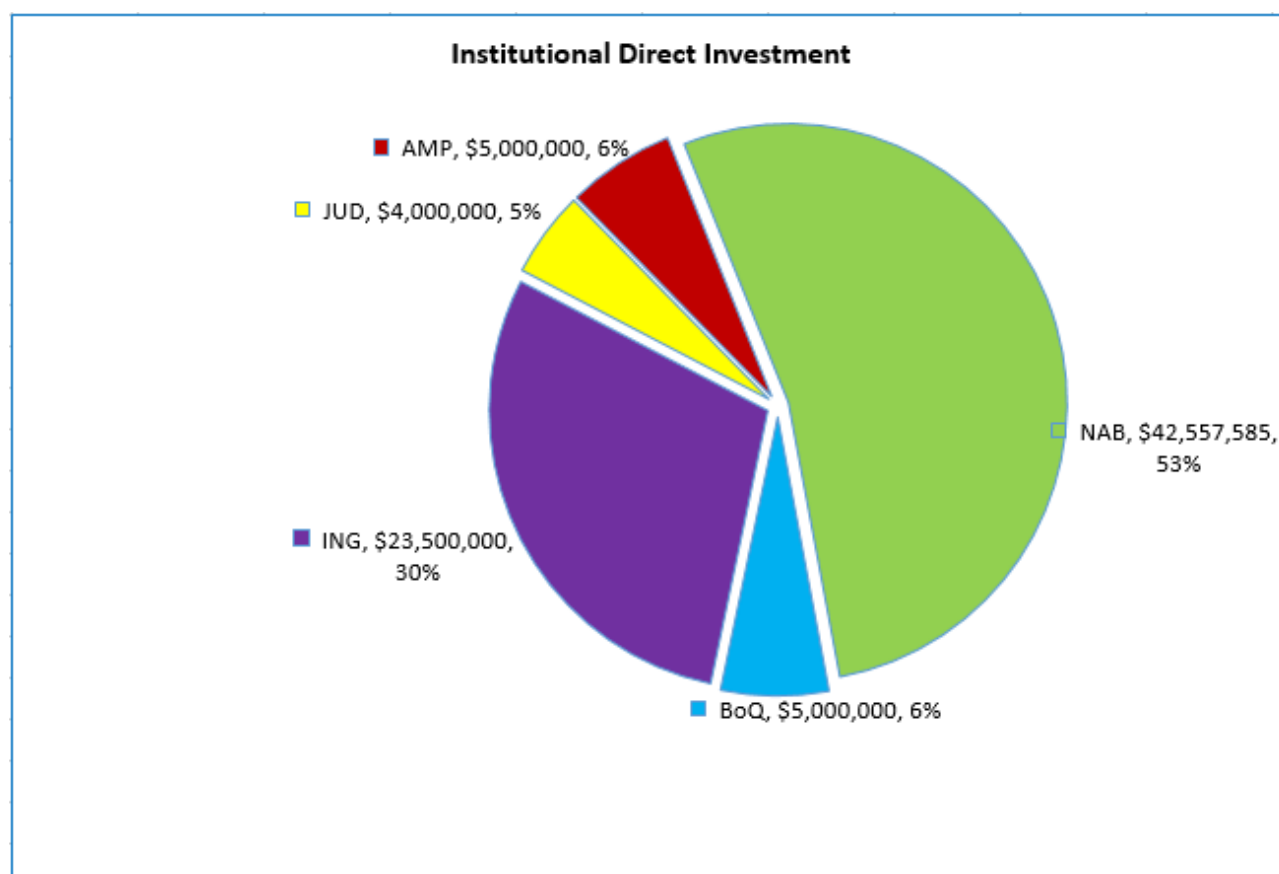
Investment Portfolio Return:

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.

9.2.1 MONTHLY FUNDS MANAGEMENT REPORT - APRIL 2024

Month	YTD Annualised Return	Monthly Average Interest Return	90 Day Bank Bill*	Margin
April	4.73%	4.75%	4.41%	0.34%
March	4.71%	4.52%	4.34%	0.17%
February	4.72%	4.60%	4.34%	0.26%
January	4.73%	4.73%	4.34%	0.38%
December	4.71%	4.71%	4.36%	0.35%
November	4.70%	4.49%	4.37%	0.12%
October	4.80%	5.19%	4.35%	0.83%
September	4.59%	4.58%	4.14%	0.44%
August	4.52%	4.27%	4.13%	0.14%
July (2023)	4.74%	4.74%	4.26%	0.48%

**The Australian Financial Market Association (AFMA)*



ATTACHMENTS

Nil

9.2.2 QUARTERLY BUDGET REVIEW STATEMENT (QBR) 31 MARCH 2024

Record No: I24/270

OFFICER'S RECOMMENDATION

That Council receive the quarterly budget review statement for the quarter ended 31 March 2024 and approve the variations noted therein.

ISSUES

The budgeting process sees Council develop annual budgets in March and April of each year. As can be expected, some external factors are unknown at that time and therefore it is important that routine budget reviews are undertaken and presented to Council for adoption. As required by the Local Government (General) Regulation 2021, officers request budget adjustments through the QBR process.

The format of this report is designed to comply with the Office of Local Government requirements and is presented for the quarter ended 30 September 2023.

The QBR can be found in the attachment.

Council's consolidated budget, net operating result deficit, has increased by \$0.55m to \$7.92m.

Variances

Variances of note that have impacted the results include higher external labour hire costs in aged care, the divestment fee, and unexpected additional expenses from operating the facility for an extra month before divestment. These costs were partially offset by increased aged care revenue. The net additional costs related to divesting in aged care and prolonging operations for an extra month total approximately \$0.652m.

Roads infrastructure has seen a decrease of ordered works from Transport for NSW, therefore decreasing the budgeted margin and an increase in budgeted maintenance costs. This totalled \$0.75m.

Furthermore, other savings have been identified in business units such as fleet of \$0.93m, and interest revenue \$0.76m resulting in an overall improvement of the Council's unrestricted cash balance from \$0.098m to an estimated \$0.51m as of June 30, 2024.

The impact of disposing of assets at Yallambee Lodge on the operating deficit is still pending and will be determined at year-end. It is important to note that this is a non-cash transaction and does not affect the council's cash position.

The March QBR has identified a number of projects to be deferred until the next financial year. The drop in capital income and capital expenditure in the current year reflects the movement of that income and project into the next financial year.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Asset Management	High	High	No
Financial Sustainability	High	Medium	Yes
Legislative Governance and Compliance	Low	Low	Yes
Reputation and Image	High	High	No
Service Delivery	Low	Low	Yes

Asset management: The underfunding of maintenance and delays in asset refurbishment have placed Council in a high risk position that assets will not provide the expected level of service. This risk cannot be addressed within a single year's budget.

Financial sustainability: Council should strive for developing budgets that provide an operating surplus before capital grants and contributions. The surplus generated is then available to restore working capital to an adequate level and minimise the risk of being exposed to unexpected financial shocks.

Legislative governance & compliance: A quarterly budget review statement is a legislative requirement to be reported to Council.

Reputation and image: Deficit budgets indicate to the community that future generations will be required to restore working capital and pay for the services delivered in advance. A trend towards reducing deficit results and ultimately achieving surplus results will demonstrate continued improvement in the financial position for Council.

FINANCIAL IMPACTS

The financial impacts are identified in the attached statements.

When the General fund's unrestricted cash has been utilised to finance cash-restricted activities, the funds will be returned to the unrestricted balance upon completion and acquittal of those projects.

RESPONSIBLE OFFICER: Chief Financial Officer.

OPTIONS CONSIDERED

Management has prepared a March 2024 quarter budget review statement to give Council an overview of Council's financial performance.

IMPLEMENTATION PLANS

The 2023/24 original budget and operational plan was adopted in June 2023.

BACKGROUND

Nil.

ATTACHMENTS

1. March 2024 QBRs

Snowy Monaro Regional Council


Quarterly Budget Review Statement
For the period 01/01/2024 To 31/03/2024

Report by Responsible Accounting Officer

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

It is my opinion that the Quarterly Budget Review Statement for Snowy Monaro Regional Council for the quarter ended 31 March 2024 indicates that Council's projected financial position at 30/6/24 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:



Simon Rennie
Responsible accounting officer

Date: 6 May 2024

Budget Review For the Quarter Ended 31 March 2024

Income & Expenses - Council Consolidated

(\$000's)	Original budget 2023/24	Approved Changes				Revised budget 2023/24	Variations For March Qtr	Notes	Projected year end result	Actual YTD figures
		Carry forwards	Other than by QBRS	Sep QBRS	Dec QBRS					
Income										
Rates and annual charges	(36,933)	-	-	(2,209)	13	(39,129)	65	1	(39,064)	(34,880)
User charges and fees	(20,158)	(35)	-	1,585	55	(18,553)	380	2	(18,173)	(10,931)
Other revenues	(392)	-	-	(9)	(76)	(477)	(105)	3	(582)	(380)
Grants and contributions - operating	(29,889)	(20)	-	(2,317)	(2,023)	(34,249)	(917)	4	(35,166)	(9,121)
Grants and contributions - capital	(55,682)	(6,234)	(375)	5,805	(8,640)	(65,126)	36,469	5	(28,657)	(27,272)
Interest and investment revenue	(3,562)	-	-	(51)	(278)	(3,891)	(763)	6	(4,654)	(3,728)
Net gain from disposal of assets	(2,060)	(448)	(1,171)	-	57	(3,622)	131	7	(3,490)	(622)
Rental income	(1,276)	-	-	-	100	(1,176)	17	8	(1,159)	(883)
Total income from continuing operations	(149,952)	(6,737)	(1,546)	2,804	(10,792)	(166,223)	35,277		(130,946)	(87,818)
Expenses										
Employee benefits and on-costs	36,016	75	-	789	265	37,145	(944)	9	36,200	27,531
Borrowing costs	3	-	-	-	-	3	-		3	0
Materials and services	34,795	1,817	-	2,348	2,665	41,625	2,684	10	44,309	26,160
Depreciation and amortisation	27,582	-	-	-	-	27,582	-		27,582	20,000
Other expenses	2,098	-	-	13	-	2,111	5	11	2,116	1,518
Net Loss from disposal of assets	-	-	-	-	-	-	-		-	-
Total expenses from continuing operations	100,494	1,892	-	3,150	2,930	108,466	1,745		110,211	75,210
Net operating result from all operations	(49,458)	(4,845)	(1,546)	5,954	(7,862)	(57,758)	37,022		(20,735)	(12,608)
Net Operating Result before Capital Items	6,224	1,389	(1,171)	149	778	7,368 (Deficit)	552		7,921 (Deficit)	14,664 (Deficit)

Snowy Monaro Regional Council

Income & expenses Variations

Budget Review For the Quarter Ended 31 March 2024

Notes	Details	March Adjustments
1. Rates and Annual Charges		
• Property value objections - less than expected		30
• Legal Costs - less to be recovered		35
<u>Sub Total</u>		<u>65</u>
2. User Fee and Charges		
• Court case awarded costs		(168)
• S68 Fee - less applicants		120
• Building control fee increase		(50)
• Increased Aged care user fees		323
• Increased pool and caravan park fees		(49)
• Community Support Programme less HCP clients		210
• Minor adjustments		(6)
<u>Sub Total</u>		<u>380</u>
3 Other Revenues		
• Revision to Sales Yard Agency Fee Revenue		(70)
• Minor adjustments		(35)
<u>Sub Total</u>		<u>(105)</u>
4 Grants and Contribution - Operating		
• Extra Commonwealth Grant Funding Received for Yallambee Lodge		(522)
• Revision to Corporate Project Grant		(200)
• Minor Adjustments		(20)
• DRFA- New Approved Budget		(175)
<u>Sub Total</u>		<u>(917)</u>

5	Grants and Contribution - Capital	
	• Deferral Corporate Project Capital Grants	15,426
	• Deferral Infrastructure Water and Community Facilities	17,943
	• Aged Care Capital Grant Budget removed	3,100
	<u>Sub Total</u>	<u>36,469</u>
6	Interest and Investment Revenue	
	• Interest Income Adjustments	(763)
	<u>Sub Total</u>	<u>(763)</u>
7	Net Gains From Disposals	
	• Plant not replaced this financial year therefore less asset disposals	131
	<u>Sub Total</u>	<u>131</u>
8	Rental Income	
	• Minor adjustments	17
	<u>Sub Total</u>	<u>17</u>
9	Employee Benefits and On Costs	
	• Move Employee Salaries to Contracting Executive Office	(400)
	• Aged Care employee saving moved to Contractors and labour hire	(436)
	• Increased Staff Budget for Jindabyne pool	197
	• Less HCP Clients so decrease in employee budget	(260)
	• Reallocation of Wages budget to Contractor Waste	320
	• Reduced salary budget Workforce	(187)
	• Minor Adjustments	15
	• Worker Compensation Reimbursements	(193)
	<u>Sub Total</u>	<u>(944)</u>
10	Material & Services	
	• Materials and services Aged Care - increased costs	299
	• Reallocation Of Capital Budget To Operational Budget	1,350

	• DRFA New Approved Budget	174
	• Contractor Replacing The Employee Budget in Executive Office Team	290
	• Transfer Fee For Yallambee Lodge Hostel	500
	• Reallocation of Wages budget to Contractor - Waste	(320)
	• Revision to Corporate Project Contractor Cost	200
	• Revision to Infrastructure Budget increased Maintenance and decrease in TfNSW allocation	750
	• Revision to Yallambee legal fees, contractors and consultants	505
	• Fleet Adjustment Budget savings	(776)
	• Revision to Fuel cost	(154)
	• Minor Adjustments	(134)
	<u>Sub Total</u>	<u>2,684</u>
11	Other Expenses	
	• Minor Adjustments	5
	<u>Sub Total</u>	<u>5</u>
	<u>Total</u>	<u>37,022</u>

Snowy Monaro Regional Council
Income and Expenses- by Business Unit
Budget Review For the Quarter Ended 31 March 2024
Income & expenses - Council Consolidated

(\$'000's)	Original budget 2023/24	Approved changes			Dec QBRs	Revised budget 2023/24	Variations for this March Qtr	Projected year end result	Actual YTD figures
		Carry forwards	Other than by QBRs	Sep QBRs					
Business Unit									
Asset Management	2	-	-	-	-	2	-	2	(623)
Biosecurity	1,597	38	-	(15)	-	1,620	-	1,620	1,307
Building Certification	255	-	-	-	116	371	85	456	204
Cemetery Operations	24	-	-	-	-	24	-	24	21
Communications & Engagement	143	131	-	(49)	(9)	216	(4)	213	38
Community Facilities	(1,500)	(1,047)	(375)	-	-	(2,922)	5,551	2,629	1,213
Community Services Management	462	-	-	-	-	462	-	462	497
Community Support Programs	1,026	9	-	-	-	1,035	60	1,095	267
Corporate Projects	344	-	-	-	-	344	-	344	272
Customer Service	24	-	-	-	-	24	-	24	(56)
Development Certification	1,217	-	-	-	(116)	1,101	(171)	930	543
Economic Development	(4,230)	866	-	-	-	(3,364)	(10)	(3,374)	(2,725)
Emergency & Fire Services	2,452	(21)	-	-	(13)	2,418	(72)	2,346	1,745
Executive Team	-	-	-	1,233	-	1,233	(32)	1,201	699
Financial Services	1,121	-	-	72	170	1,363	(19)	1,344	2,132
Fleet & Plant	(792)	(448)	-	-	57	(1,183)	(817)	(2,000)	(250)
General Purpose Revenue	(29,941)	-	-	33	(1,026)	(30,934)	(669)	(31,603)	(22,433)
Governance, Records, Risk	75	-	-	20	-	95	0	95	57
ICT	74	13	-	-	-	87	4	91	(224)
Land & Property	(49)	28	(1,171)	-	(125)	(1,317)	190	(1,127)	494
Library	1,067	1	-	-	85	1,153	-	1,153	897
Open Space & Recreation	(4,557)	(2,990)	-	-	(565)	(8,112)	11,032	2,920	3,499
Organisational Development	1,431	-	-	(1,115)	-	316	(143)	173	111
Public Health & Environment	745	-	-	-	-	745	(190)	555	206
Ranger Services	241	-	-	-	55	296	51	347	212
Residential Aged Care	(279)	(84)	-	1,205	-	842	3,791	4,633	2,925
Resource and Waste	853	-	-	(46)	(28)	779	0	779	(2,752)
Road Infrastructure	(14,513)	(2,538)	-	5,022	(7,176)	(19,205)	12,514	(6,692)	4,537
Strategic Planning	(221)	370	-	(77)	79	151	4	155	(291)
Tourism & Events	827	171	-	-	(1)	997	(42)	955	567
Water & Sewer	(7,857)	655	-	(329)	640	(6,891)	6,483	(408)	(5,400)
Workforce Management	502	-	-	-	(5)	497	(574)	(77)	(300)
Net operating result from all operations	(49,458)	(4,846)	(1,546)	5,954	(7,862)	(57,758)	37,022	(20,737)	(12,608)
Net operating result before capital items	6,224	1,389	(1,171)	149	778	7,368 (deficit)	552	7,921 (deficit)	14,664 (deficit)

Snowy Monaro Regional Council
Capital Budget Review Consolidated
Budget Review For the Quarter Ended 31 March 2024

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(\$000's)	Original budget 2023/24	Approved changes				Revised budget 2023/24	Variations for this March QTR	Notes	Projected year end result	Actual YTD figures
		Carry forwards	Other than by QBRs	Sep QBRs	Dec QBRs					
Capital expenditure										
New assets										
- Plant & equipment	-	-	-	-	-	-	-		-	-
- Land & buildings	3,461	298	-	14	-	3,773	(3,100)	1	673	67
- Roads, Bridges, footpaths	11,152	2,054	1,036	-	119	14,361	(3,396)	1a	10,965	6,790
- Stormwater	-	186	-	-	-	186	3	2	189	60
- Water	-	-	-	210	800	1,010	(550)	3	460	32
- Wastewater	300	-	-	-	-	300	-		300	2
- Waste	-	3	-	-	-	3	-		3	-
- Other	12,732	5,614	-	-	-	18,346	(9,775)	4	8,571	6,452
Renewal assets (Replacement)										
- Plant & equipment	4,788	1,368	-	-	(294)	5,862	(1,158)	5	4,704	3,074
- Land & buildings	1,218	546	-	-	126	1,890	(672)	6	1,218	1,213
- Roads, bridges, footpaths	28,269	11,952	-	(5,557)	6,961	41,625	(23,698)	7	17,927	8,331
- Stormwater	300	143	-	-	(31)	412	-		412	97
- Water	14,095	4,705	-	(210)	(950)	17,640	(8,329)	8	9,311	5,510
- Wastewater	4,076	2,686	-	-	(196)	6,566	(234)	9	6,332	1,380
- Waste	9,804	768	-	-	(193)	10,379	(8,857)	10	1,522	513
- Other	9,158	978	375	-	665	11,176	(6,906)	11	4,270	2,616
Loan repayments (principal)	-	-	-	-	-	-	-		-	-
Total capital expenditure	99,353	31,301	1,411	(5,543)	7,007	133,529	(66,672)		66,857	36,137
Capital funding										
Rates & other untied funding	(29,695)	(5,163)	(600)	(262)	802	(34,918)	4,507	12	(30,411)	(2,100)
Capital grants & contributions	(55,682)	(6,234)	(375)	5,805	(8,641)	(65,127)	36,289	13	(28,838)	(27,272)
Reserves:										
- External restrictions/reserves	(8,175)	(17,628)	-	-	539	(25,264)	23,800	14	(1,464)	(4,264)
- Internal restrictions/reserves	(3,904)	(1,828)	-	-	236	(5,496)	1,945	15	(3,551)	(1,891)
New loans	-	-	-	-	-	-	-		-	-
Receipts from sale of assets										
- Plant & equipment	(1,297)	(448)	-	-	57	(1,688)	131	16	(1,557)	(609)
- Land & buildings	(600)	-	(436)	-	-	(1,036)	-		(1,036)	(1)
Proposed internal loan	-	-	-	-	-	-	-		-	-
Total capital funding	(99,353)	(31,301)	(1,411)	5,543	(7,007)	(133,529)	66,672		(66,857)	(36,137)

Snowy Monaro Regional Council

Quarterly Budget Review Statement For Quarter Ended 31 March 2024

Capital Budget Variations

Notes	Details	Amount
1	Yallambee Grant Allocation Removed	(3,100,000)
1a	Bobeyan Road upgrade deferred	(2,513,202)
	Leeville Subdivision & Polo Flat Fire Control deferred	(883,432)
2	Minor budget increase to Jindabyne Holday Park drainage works.	3,395
3	Jindabyne High Reservoir Trunk Main deferred	(550,000)
4	Jindabyne Shared Trail deferred	(9,784,213)
	Jindabyne Holday Park Hydrant works.	9,340
5	Fleet replacements - general fund savings	(324,342)
	Fleet replacements - waste fund savings	(795,446)
	Virtual care equipment for Aged Care cancelled	(38,500)
		-
6	Delegate Preschool renewal deferred	(56,386)
	Delegate School of Arts project deferred	(615,649)
		-
7	Reallocation of Fixing Country Bridges Funding across various council bridges	(1,381,138)
	Tinderry Rd & Queanbeyan River Bridge project deferred	(1,450,000)
	Cambalong Creek Bridge & McLaughlin River Bridge deferred	(3,950,000)
	Wullwey Cowbed Creek Bridge & general renewals deferred	(999,004)
	Roads Infrastructure: Capital budget for R2R works program reallocated to operational work program.	(205,084)
	Roads Infrastructure: Decrease to capital budget for heavy patching program.	(7,300,182)
	Roads Infrastructure: Decrease to capital budget for resheeting program.	(8,412,556)
8	Cooma Weir Construction project deferred.	(1,879,094)
	Delegate & Bombala WTP upgrade deferred	(4,350,000)
	Berridale WM renewal deferred	(1,800,000)
	Cooma WTP Raw Water intake design project deferred.	(300,000)
9	Jindabyne Sewer Mains Reconstruction project deferred	(234,012)
10	Jindabyne Transfer Station Upgrade deferred	(8,856,527)
11	Cooma Showground Electrical Upgrades. Partly grant funded	39,735
	Berridale Village Beautification Berridale Town Master Plan deferred.	(944,622)
	Public Toilet Block Jindabyne Town Centre project deferred.	(120,543)
	New capital project for 4 RFS Shed roller doors. Grant funded.	40,000

	Bombala Showground Sporting Facility Improvements deferred.	(983,872)
	Bombala & Cooma Swimming Pool Upgrades deferred.	(4,937,000)
12	Road Infrastructure: Movement in operational grant allocations	4,507,219
13	Fixing Country Bridges reallocation & receipt of funding timing deferred	1,386,964
	DRFA funding for Tinderry Rd & Queanbeyan River Bridge project reallocated	999,996
	Bobeyan Road upgrade deferred to 2025/26	1,499,996
	Delegate School of Arts project deferred to 2025	640,411
	Berridale Village Beautification Berridale Town Master Plan	219,842
	Bombala Showground Sporting Facility Improvements deferred	1,056,695
	Jindabyne Shared Trail deferred	9,870,768
	grant increase to Cooma Showground Electrical Upgrades.	(23,328)
	New RFS contribution for r 4 x Shed roller doors.	(40,000)
	Aged Care Capital grant removed	3,100,000
	Movement in Road Infrastructure grant allocations	17,578,278
14	Reduction in the use of unexpended grants for the following projects;	
	Road Infrastructure	3,562,108
	Bombala & Cooma Swimming Pool Upgrades	616,534
	Delegate Preschool renewal	80,206
	Delegate School of Arts	17,349
	Public Toilet Block Jindabyne Town Centre	120,543
	Jindabyne Holday Park drainage	4,643
	Berridale Village Beautification Berridale Town Master Plan	743,609
	Increase in use of Fixing Country Bridges unexpended grant to fund Wullwey Cowbed Creek Bridge.	(120,540)
	Reduction in Crown Reserve to fund JHP projects.	9,625
	NOTE 7: Decrease in use of Restricted Water Fund.	8,879,094
	NOTE 8: Decrease in use of Restricted Sewer Fund.	234,012
	NOTE 4 & 9: Decrease in use of Restricted Waste Fund.	9,651,973
15	Reduction in the use of Bombala LGA Reserve to fund Delegate School of Arts project	24,360
	Road Infrastructure - reduction in use of FAG	1,074,100
	Reduction in use of uncompleted works reserve - Leeville Subdivision & Polo Flat Fire Control	847,143
16	Sale proceeds reduced - Fleet replacements	131,372

Snowy Monaro Regional Council
Cash & investments budget review statement
Budget review for the quarter ended 31 March 2024

(\$000's)	*Opening Balance 2022/23	Original budget 2023/24	Approved changes			Revised budget 2023/24	Variations For this March Qtr	Projected year end result	Actual YTD figures
			Carry forwards	Sep QBRs	Dec QBRs				
Externally restricted ⁽¹⁾									
Section 7.11	3,512	249	-	-	137	3,898	136	4,034	4,086
Section 64 - water	5,459	(1,037)	-	512	188	5,122	205	5,327	6,230
Section 64 - sewer	4,699	(340)	-	-	1	4,360		4,360	5,813
Specific purpose unexpended grants	27,465	(8,263)	(19,130)	-	(2,063)	(1,991)	7,842	5,851	30,176
Water fund	23,703	(2,539)	-	(3,976)	1,761	18,949	2,051	21,000	23,005
Sewer fund	2,751	(464)	-	(1,284)	(252)	751	277	1,028	2,630
Domestic waste management	686	675	-	46	9	1,416		1,416	2,326
Snowy River Hostel accommodation bonds	655	-	-	-	(655)	-		-	100
Yallambee Lodge accommodation bonds	3,428	(700)	-	-	(2,728)	-		-	4,296
Crown land reserves	1,390	9	(150)	-	-	1,249	131	1,380	1,275
Boco Rock Community Reserve	15	-	-	-	-	15		15	20
Kamato-Cooma friendship scholarship fund	46	-	-	-	2	48		48	47
SRV	-	-	-	-	-	-		-	786
Other	74	(50)	36	-	(35)	25		25	76
Total externally restricted	73,883	(12,460)	(19,244)	(4,702)	(3,635)	33,842	10,642	44,484	80,865
(1) Funds that must be spent for a specific purpose									
Internally restricted ⁽²⁾									
Plant and vehicle replacement	233	-	-	-	-	233		233	233
Employees leave entitlements	1,483	-	-	-	-	1,483	(482)	1,001	1,483
Deposits, bonds & retentions	2,563	-	-	-	-	2,563		2,563	3,157
Uncompleted works	1,604	-	(1,914)	310	-	-	37	37	97
Waste management	5,902	(1,536)	-	-	20	4,386	585	4,971	4,166
Yallambee Lodge/Snowy River Hostel	271	-	-	-	-	271	(271)	-	271
Former Snowy LGA	551	-	(130)	-	-	421		421	463
Former Bombala LGA	1,267	(45)	(23)	-	-	1,199	24	1,223	1,267
Stronger communities fund interest	1,390	-	-	-	-	1,390		1,390	1,390
Prepayment Financial Assistance Grants	11,711	-	-	(1,415)	1,415	11,711		11,711	-
Total internally restricted	26,975	(1,581)	(2,067)	(1,105)	1,435	23,657	(107)	23,550	12,529
(2) Funds that Council has earmarked for a specific purpose									
Unrestricted (ie. Available after the above Restrictions)	65	358				412		510	450
Total Cash & investments	100,923	(13,683)	(21,311)	(5,807)	(2,688)	57,911	10,535	68,544	93,844

Snowy Monaro Regional Council
Contracts budget review statement

Budget review for the quarter ended 31 March 2024
Contracts listing

Contractor	Contract detail & purpose	ABN	Contract Value \$	Date Of Contract	Duration of contract
Davone Constuctions	Bungarby Memorial Hall	48618967696	94,236	01/08/23	12 Months
Bridge and Marine Engineering	Design and Construction Cambalong Bridge	15059317396	2,500,000	21/08/23	TBC
SMEC Australia	Masterplan and Revitalisation Strategy Polo Flat	47065475149	208,000	15/09/23	9 Months
Garwood International	Supply of 1 Garbage Truck	90060740865	372,378	01/08/23	12 Months
Komatsu	Supply of one PSA Class 15 Grader	63053514739	476,227	17/08/23	On Supply
Rodgers Electrcial	Kalkite Electrical Upgrade	96141957173	150,000	06/09/23	4 Months
Patches Ashphalt	Council Reseal Program 23/24	89093821213	883,870	27/10/23	12 Months
Southern Aquatic Services	Upgrade of Adaminaby pool filtration and pumping	46366430488	120,000	30/11/23	4 Months
McMahons Earthmoving Pty Ltd	Construction of roadway and building pad - Effluent Plant	40128983184	650,000	30/11/23	12 months
McMahons Earthmoving Pty Ltd	Heavy Patch Program - regional and Local road repair	40128983184	1,118,973	06/10/23	12 Months
McMahons Earthmoving Pty Ltd	Heavy Vehicle and Light Vehicle Parking Areas in Adaminaby	40128983184	1,013,012	22/02/24	12 Months
Sea to Sky Electrical	Cooma Showgrounds - Electrical upgrade	79644959099	97,557	22/11/23	3 Months
FITT Resources	Jindabyne Sewer Pump Station 4 Refurbishment	12074895319	291,000	25/01/24	5 Months

Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
Contracts for employment are not included.

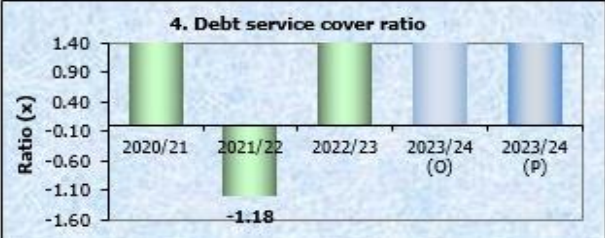
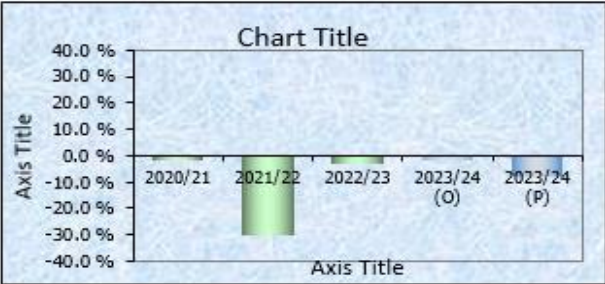
Consultancy & legal expenses budget review

Expense	YTD expenditure Actuals	Bugeted (Y/N)
Consultancies	677,863	Y
Legal Fees	218,751	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.

Snowy Monaro Regional Council
Key performance indicators budget review statement - Industry KPI's (OLG)
Budget Review For the Quarter Ended 31 March 2024

(\$000's)	Current projection		Original budget 23/24	Actuals prior periods	
	Amounts	Indicator		22/23	21/22
	23/24	23/24			
NSW local government industry key performance indicators (OLG):					
1. Operating performance					
Operating revenue (excl. capital) - operating expenses	- 7,920	-7.74 %	-1.52 %	-3.21 %	-30.27 %
Operating revenue (excl. capital grants & contributions)	102,289				
This ratio measures Council's achievement of containing operating expenditure within operating revenue.					
2. Own source operating revenue					
Operating revenue (excl. ALL grants & contributions)	67,123	44.16 %	31.84 %	40.96 %	60.19 %
Total Operating revenue (incl. capital grants & cont)	151,989				
This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants & contributions.					
4. Debt service cover ratio					
Operating result before interest & dep. exp (EBITDA)	69,364	-867054%	0.00	23.13	-1.18
Principal repayments + borrowing interest costs	- 8				
This ratio measures the availability of operating cash to service debt including interest, principal and lease payments. Ratio is high because there is only a minimal amount of debt left					



9.3.1 PROPOSED PUBLIC EXHIBITION OF DRAFT DISABILITY INCLUSION ACTION PLAN 2024-2028

Record No: I24/202

OFFICER'S RECOMMENDATION

That Council endorse the Draft Disability Inclusion Action Plan 2024-28 (Draft DIAP) for public exhibition for a period of 28 days.

ISSUES

The Disability Inclusion Action Plan (DIAP) is an action in the 2023-24 Operation Plan and 2022-26 Delivery Program. Preparing a DIAP is also a statutory requirement under the *Disability Inclusion Act 2014*.

Council's initial Disability Inclusion Action Plan 2017-21, while comprehensive, was not able to complete a number of the recommended actions. This was primarily due to the lack of resourcing, and general awareness of the action plan within Council. The actions within the 2017 – 21 DIAP were included without consideration of where the required funds were to be provided from and there was the absence of a working committee to monitor and oversee the implementation of the actions.

The draft DIAP 2024-28 outlines how Council, our community and partners, will work together over the next four years to create a more accessible and inclusive region. This is Council's second plan and aims to deliver practical and meaningful actions that will support people with a disability to enjoy a more inclusive and accessible Snowy Monaro Region.

The plan builds on some of our ongoing initiatives, such as the Celebrate Ability Festival. Many of the proposed actions in the draft DIAP are existing business activities, or an extension of existing business activities to give a more formal and considered approach to inclusion.

Between October and November 2023, community and stakeholder consultation was undertaken using the following methods;

- Community survey (available on-line and printed)
- Easy read survey (available on-line and printed)
- Phone interviews with community
- Service provider workshops
- Online service providers survey, and
- Online Council staff survey

Council heard from over 60 people through surveys, workshops and interviews. The key findings include:

- 63% of survey participants 'somewhat' agree that Council has positive attitudes and behaviours towards people with a disability
- Markets, festivals and events, shopping centres, parks and playgrounds are the least accessible places in Snowy Monaro to survey participants
- Participants want to see more accessible toilets, ramps, lifts and accessible parking spaces

- 53% of survey participants rated the footpaths in the Snowy Monaro as 'not easy' to navigate
- 52% of participants of participants stated that it is 'not easy' for them to access meaningful employment in the Snowy Monaro
- 46% of participants told us that it was 'somewhat easy' to access the information they need from Council.

Survey and engagement results can be found in attachment B - Community Engagement Results report.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
External Political Environment	Low	Low	Yes
Legislative Governance and Compliance	Low	Low	Yes
Reputation and Image	Low	Low	Yes
Service Delivery	Medium	Medium	Yes

Public authorities in NSW, including Councils, are required to prepare and make a disability inclusion action plan. Snowy Monaro Regional Council has failed to lodge its completed DIAP with the Disability Council of NSW by the deadline date of 30 November 2023. As such, there is a risk that the NSW Department of Communities and Justice (DCJ) will notify their portfolio Minister of Council's failure to lodge.

Based on communications with the Senior Policy Officer for Ageing and Disability at the Local Government Association of NSW, there is little risk of adverse consequences due to the fact Council has:

- Engaged consultants with expertise in DIAPs;
- Carried out a comprehensive pre-drafting consultative and engagement processes with the community and key stakeholders over the past 6 to 8 months; and
- Prepared a detailed final draft DIAP based on the feedback, surveys and submissions received a few days after the due date which, due to factors outside its control, was unable to be submitted to a public Council meeting for endorsement until its 15 February 2024 meeting.

FINANCIAL IMPACTS

Financial impacts of proposed public consultation

The preparation of the DIAP cost \$35,780 (ex GST). This includes the professional expertise of a consultant. Funds for the engagement of the consultants were allocated from the Strategic Planning team budget as identified in the delivery program. Generation of public exhibition materials was included in the consultancy contract.

The remaining internal costs associated with a 28 day public exhibition process are expected to be minimal.

Financial impacts of an adopted draft DIAP

Each proposed action in the draft DIAP has been attributed an estimated life of plan (4 year) costing.

The total estimated cost to implement the draft DIAP over its four year life cycle is estimated to be \$141,319.96.

This figure is broken down as follows:

	Amount	Annualised amount
Existing / ongoing activities	\$69,585.98	\$17,396.50
New activities	\$44,112.50	\$11,028.13
Extension of existing activities	\$27,621.48	\$6,905.37

The estimated costing was developed based primarily on the cost of staff hours. There are minimal capital cost actions in the draft plan. Where a costing is based on staff hours, the figure provided is the maximum expected time required to fulfil the action, including where full delivery of an action might be dependent on grant funding.

For example, delivery of a large scale Celebrate Ability Festival relies on securing external grant funding and the costing provided in the draft DIAP reflects the number of hours required by staff to deliver an externally funded project. If event funding was not secured, a much smaller recognition of International Day of People with Disability would be conducted, requiring less staff hours.

Existing /ongoing activities are expected to be conducted within current and ongoing workplans.

Extension activities provide opportunities to build on or extend existing and ongoing work, to provide a specific and formal consideration to inclusion and accessibility. The additional cost was calculated based on the estimated additional input (staff hours) to facilitate these activities as an extension of existing work. In some cases, this work is already being conducted by one business unit, and the extension is the involvement of additional business unit/s. This work is unlikely to be accounted for in existing workplans.

New activities are not currently accounted for in existing budgets or workplans. These activities would require a reprioritisation of existing tasks in future workplans to accommodate for these new activities. Some of these actions are framed as “investigate” or “advocate” to ensure achievability while exploring the opportunity for additional inclusive practices.

The majority of actions will be the responsibility of the Community Development Planner (CDP). It is estimated that the actions in this plan will require 342 hours of the Community Development Planner’s time annually. Of these 342 hours, 199 are accounted for in existing activities. New activities will require 89 hours annually, and extension activities a further 54 hours.

It is expected that the additional required hours will be accounted for in the CDP workplan by reprioritising existing tasks, in particular reducing the response to adhoc community requests for assistance.

Additional required hours for other business units (total 154 per year across 11 business units) are proposed to be included when developing annual work plans in Years 2 – 4 of the DIAP.

RESPONSIBLE OFFICER: Community Development Planner.

OPTIONS CONSIDERED

The options considered were:

- 1) *Place the Draft Disability Inclusion Action Plan 2024-28 (Draft DIAP) on public exhibition:* Although extensive community consultation, stakeholder engagement and staff involvement was conducted in the lead-up to the preparation of the Draft DIAP it is considered that the community and all the key stakeholders should be consulted.
- 2) *Not proceed with placing the Draft DIAP on public exhibition:* This is not an option for Council because a DIAP adopted by Council is a mandatory statutory requirement.

IMPLEMENTATION PLANS

- Public exhibition of the Draft DIAP from 17 May 2024 – 16 June 2024
- Review of submissions and any necessary updates 17 June 2024 – 3 July 2024
- Report to July Council meeting

EXISTING POLICY/DECISIONS

There is a statutory requirement to have in place a DIAP every four years. Council's first DIAP was required to be adopted on or before 1 July 2017. It nominally expired on 30 June 2021. Due to the COVID pandemic, the requirement to lodge an adopted DIAP was extended by the regulator to 30 November 2023.

BACKGROUND

- Under legislation every Council must have adopted a DIAP every 4 years, commencing from 1 July 2017, unless the timeline is extended by the NSW Department of Communities and Justice.
 - The DIAP legislation requires the Council's to address the following four focus areas:
 - Attitudes and behaviours towards disability
 - Employment of persons with disabilities
 - Liveable communities with access to everyone
 - Systems and processes which were both inclusive and accessible.
 - Council embarked on the following approach to its preparation of the Draft DIAP:
 - Allocated an adequate amount within its budget to engage a consultant with extensive experience in the development of disability inclusion action plans
 - Sought expressions of interest as widely as possible within the budget to secure the most appropriate person or organisation.
 - A total of 8 companies and organisations located in NSW, Victoria and the ACT were approached. However, only three submitted tenders and of these only one was able to comply with Council's mandatory requirements.
-

- Cred Consulting, a Sydney-based company, were engaged to prepare the DIAP with Council's Community Development Officer.
- The following were the consultative processes carried out by Cred Consulting and Council between September and mid-November 2022: Four online workshops, three online survey questionnaires, multiple online and in-person one-on-one interviews and oral and written submissions via Council's YourSay platform. A copy of Cred's summary engagement report is Attachment B.
- The Draft DIAP 2024 - 2028 contains a realistically achievable set of actions which address all the issues identified in relation to Initial DIAP.

ATTACHMENTS

1. Attachment A - Draft SMRC Disability Inclusion Action Plan 2024 - 2028
2. Attachment B - DIAP Community Engagement report

Snowy Monaro

Draft Disability Inclusion Action Plan 2024 – 2028



DRAFT - Snowy Monaro Regional Council

Contents

Message from the Mayor	3
Introduction	4
Council’s roles	8
The Plan in context	9
People with disability living in the Snowy Monaro region	10
What our community told us	12
Our action plan	17
Implementing the DIAP	23

Acknowledgement of Country

Snowy Monaro Regional Council acknowledges the Traditional Custodians of the region’s land and water, the Ngarigo, Walgalu, Ngunnawal, and Bidhawal Peoples. We pay our respects to Elders past, present, and emerging.

DRAFT - Disability Inclusion Action Plan 2024 – 2028

Message from the Mayor

I am honoured to introduce the plan of Snowy Monaro Regional Council to create a more inclusive, accessible, and connected region for everyone. Our region is already a great place to live, but we aim to make it even better. This plan builds on our current efforts to ensure that our communities are welcoming spaces for all community members, including those with disabilities.

This plan is the result of a collective effort by people across our region. I want to express my gratitude to our community for participating in this important project. We have gathered feedback from people in our region with disabilities, their carers, and organisations that support them. We have used their feedback to identify gaps and determine what actions can be undertaken to reduce or remove them.

Our people are our greatest asset, and it's crucial that we include everyone in our plans when we are planning for our community's future. This makes us a stronger community and highlights the understanding, empathy, and respect that are essential parts of our culture. Moreover, it allows us to tap into everyone's full potential across our region, which benefits everyone.

I encourage you to explore the plan, get involved, and work with us towards implementing improvements to support those with disabilities in our community. By working together to support those with a disability in our community, we will make our region better than ever.

DRAFT - Snowy Monaro Regional Council

Introduction

About this Plan

The Snowy Monaro Disability Inclusion Action Plan 2024 – 2028 sets out a four-year roadmap for a more inclusive, accessible and connected Snowy Monaro region for people with disability.

At the time of the 2021 Census, the Snowy Monaro region was home to 1,055 residents with disability, representing 5% of our total population. The number of people with disability increased by 174 people between the 2016 and 2021 Census. People with disability are a diverse group of people, all of whom contribute to our region in various ways – as members of local community groups, volunteers, students, workers, carers, friends and valued family members.

People with disability, carers and advocates told us they love living in the Snowy Monaro region because of its strong community spirit, beautiful natural environment, and quaint villages and regional centres such as Cooma, Nimmitabel and Bombala. But we also heard that living here can be challenging because our region spans a large geographic area, which can make it difficult to get around and access the services, jobs and connections people need to live a good life.

Through everything we do, Snowy Monaro Regional Council (Council) is committed to achieving the vision set out in our Community Strategic Plan (CSP) for “a welcoming, diverse and inclusive community where everyone can belong, participate, and work together.” We have a proud history of planning, serving, and advocating for our community, including our residents with disability.

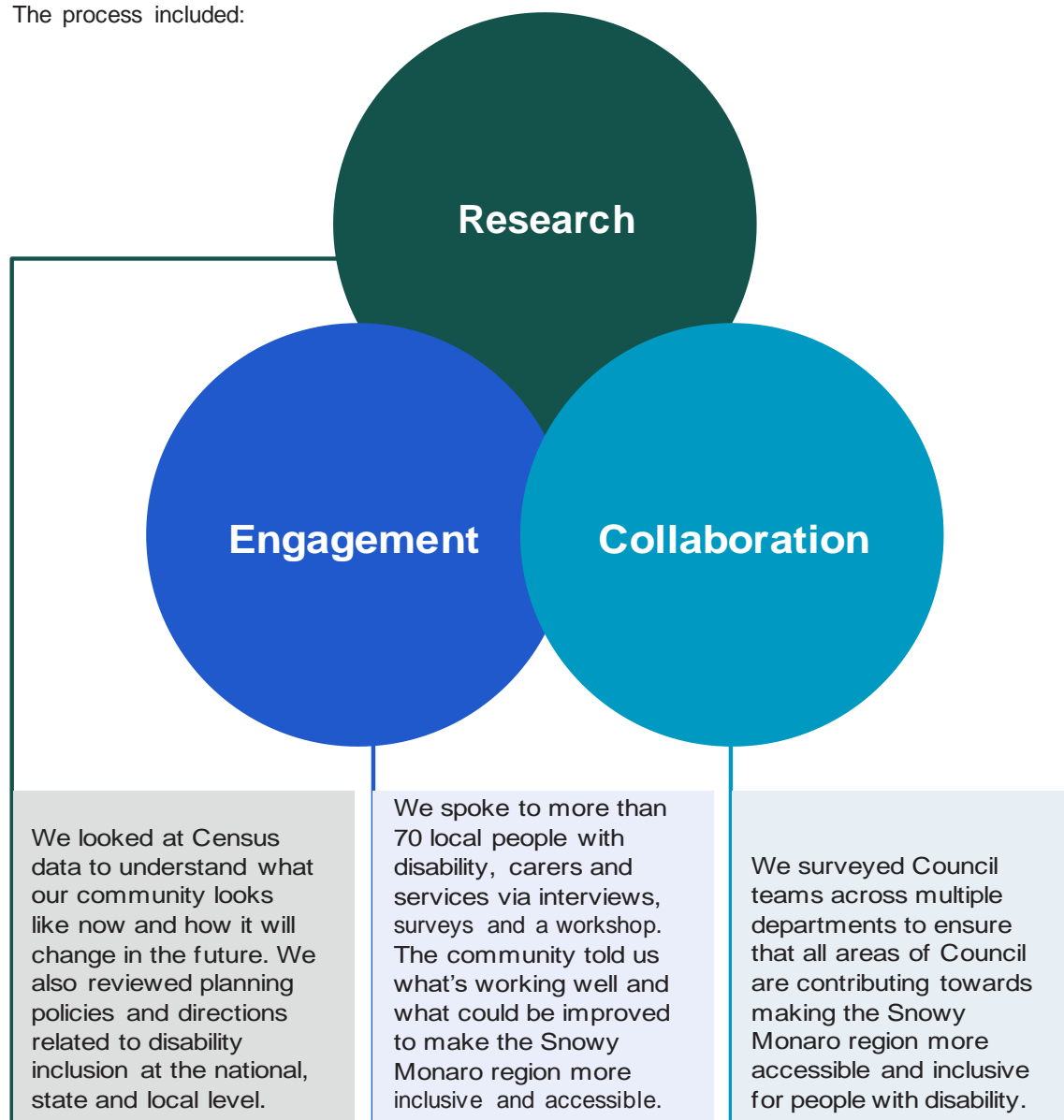
The Disability Inclusion Action Plan 2024 – 2028 (the Plan) outlines how Council, our community and partners will work together over the next four years to create a more accessible and inclusive region. This is Council’s second Plan and aims to deliver practical and meaningful actions that will support people with disability to enjoy the same opportunities and choices as everyone else in the Snowy Monaro region. The Plan will build on some of our ongoing initiatives, such as the Celebrate Ability Festival.

We recognise that this Plan will benefit not only people with disability, but residents with limited mobility or temporary illness or injury, older people, and parents or carers of young children, particularly those with strollers or prams.

DRAFT - Disability Inclusion Action Plan 2024 – 2028

How we developed this Plan

Council would like to thank our community and local organisations for providing valuable insights, stories and ideas to support the development of this Plan. The process included:



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Our focus areas

This Plan sets out actions for positively shaping Council's practices over the next four years to improve access and inclusion outcomes for our community. It covers four key focus areas:

1. Promoting positive attitudes and behaviours
2. Creating liveable communities
3. Supporting access to meaningful employment
4. Improving access to mainstream services through systems and processes

The case for access and inclusion

Access and inclusion benefits everyone in our community and is important because:



We **embrace a wide range of perspectives, skills and experiences**, making our community stronger and more resilient.



Access to inclusive services, facilities, and opportunities enhances the quality of life for all residents.



It fosters **understanding, empathy, and respect** for individuals from different backgrounds, reducing discrimination and stigma.



It taps into the **full potential of our residents**, enabling everyone to work, contribute to and participate in our local economy and community life.



When people feel **included and empowered**, they are more likely to engage in community life and take an active role in shaping our region's future.



It promotes **independence, positive self-worth and improves mental health**.

DRAFT - Disability Inclusion Action Plan 2024 – 2028

Defining disability

Disability impacts a significant proportion of the population. The Disability Inclusion Act 2014 (DIA) defines disability as:

“The long-term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder the full and effective participation in society on an equal basis with others.”

It's important to remember that having a disability is just one part of a person's identity – it does not define them.

This Plan focuses on removing the barriers that make it harder for individuals to equitably participate in society, whether this be due to the built environment, community attitudes or communication. Removing barriers and promoting access and inclusion will benefit not only people with disability, but everyone in our community.

There are many types of disability

There are many types of disabilities, and they can affect people in different ways every day. Disabilities can be visible or, in the cases of anxiety, post-traumatic stress disorder, diabetes or dyslexia, invisible.

Different types of disability include:

Physical



Affects a person's ability to perform physical activities, such as mobility or dexterity e.g. quadriplegia, amputee and cerebral palsy.

Intellectual



Affects a person's ability to learn and perform certain daily life skills (e.g. Down syndrome and tuberous sclerosis foetal alcohol spectrum disorder).

Sensory



Affects a person's ability to hear and/or see (e.g. hearing impairment, vision impairment).

Development and learning



Affects a person's physical, emotional, social, communication and thinking skills (e.g. autism and dyslexia).

Neurological



Affects a person's nervous system that impacts their mental or bodily functions (e.g. acquired brain injury, epilepsy, dementia and multiple sclerosis).

Mental illness

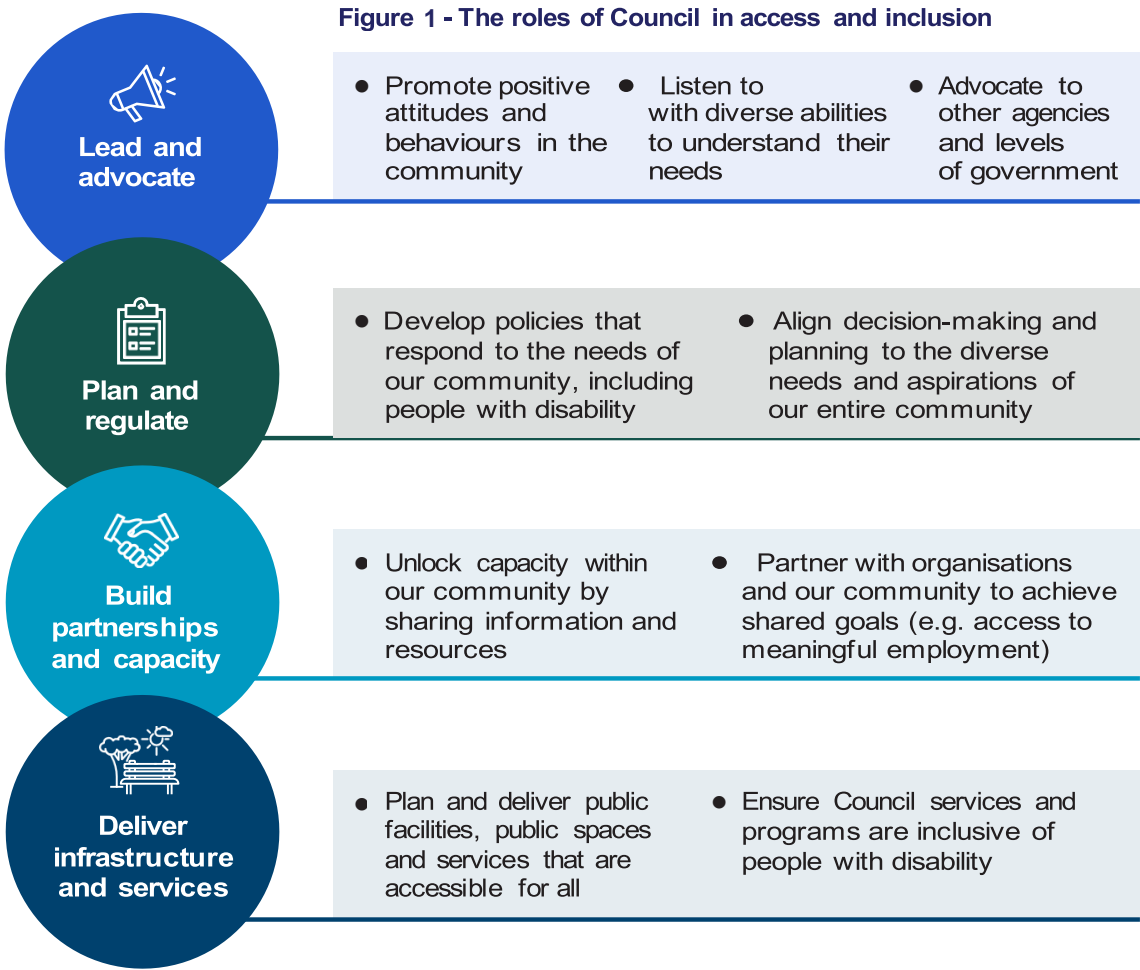


Affects a person's thinking processes (e.g. anxiety, depression and post-traumatic stress disorder).

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Council’s roles

Council has many roles to play in strengthening inclusion and access in our region. At the same time, we know that we are all stronger when we work together. This Plan will guide how Council, our partners and our community can each play a role in making our region an inclusive and accessible place for everyone to live, work, play and visit.



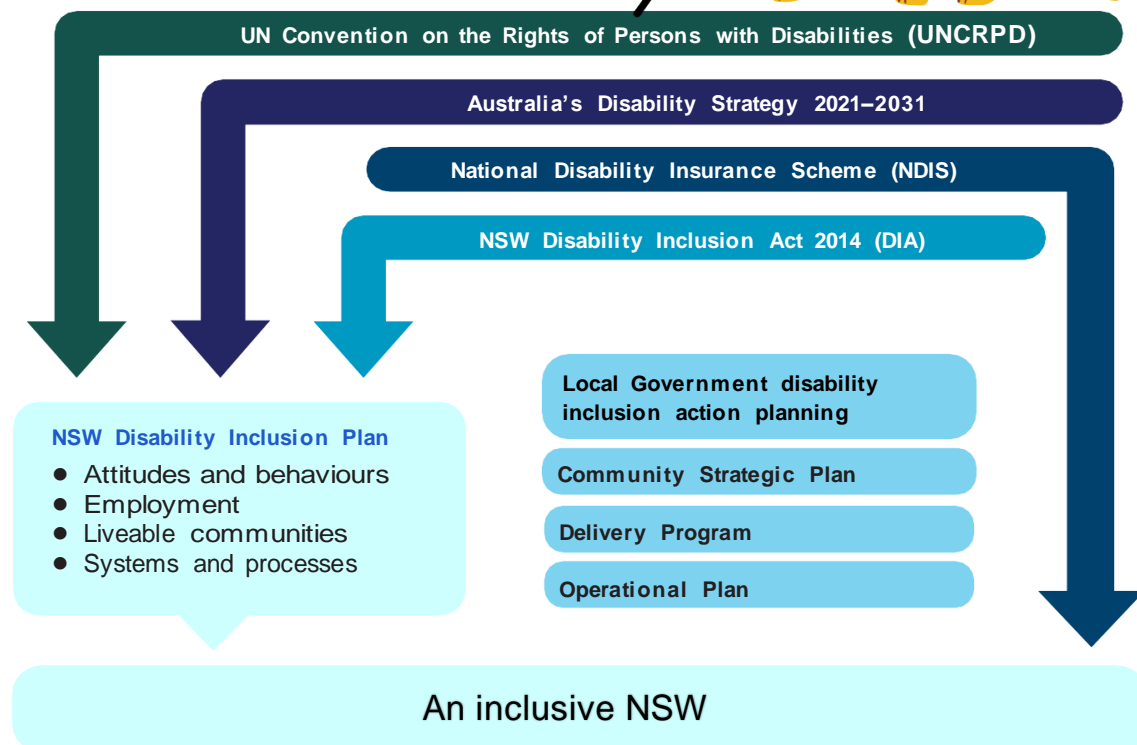
The Plan in context

Under the **NSW Disability Inclusion Act 2014**, every local council in NSW is required to have a Disability Inclusion Action Plan.

We developed this Plan in accordance with the NSW Disability Inclusion Act 2014. Our Plan is underpinned by the UN Convention on the Rights of Persons with Disability, and takes into consideration a range of relevant legislation, standards and strategies across International, National, State and local levels.



Figure 2 - Policy and legislation framework



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People with disability living in the Snowy Monaro region

At the time of the 2021 Census, the Snowy Monaro region was home to around 21,670 people. Over half of our population live in the centres of Cooma, Jindabyne, Berridale and Bombala, with others spread across our rural areas and villages.

While on average our rural communities are relatively older compared to the average across NSW, some areas such as Jindabyne have younger populations attracted by lifestyle and employment opportunities.

Disability snapshot (2021 Census)

1,055 people living in the Snowy Monaro region reported needing support in their day to day life due to disability. At 5% of our total population, this is relatively lower compared to regional NSW at 6.8%.

+174 the number of people with disability increased by 174 people between the 2016 and 2021 Census.

2,012 people living in the Snowy Monaro region provide unpaid care to a person with a disability, long term illness or old age. This represents 11% of our total population.



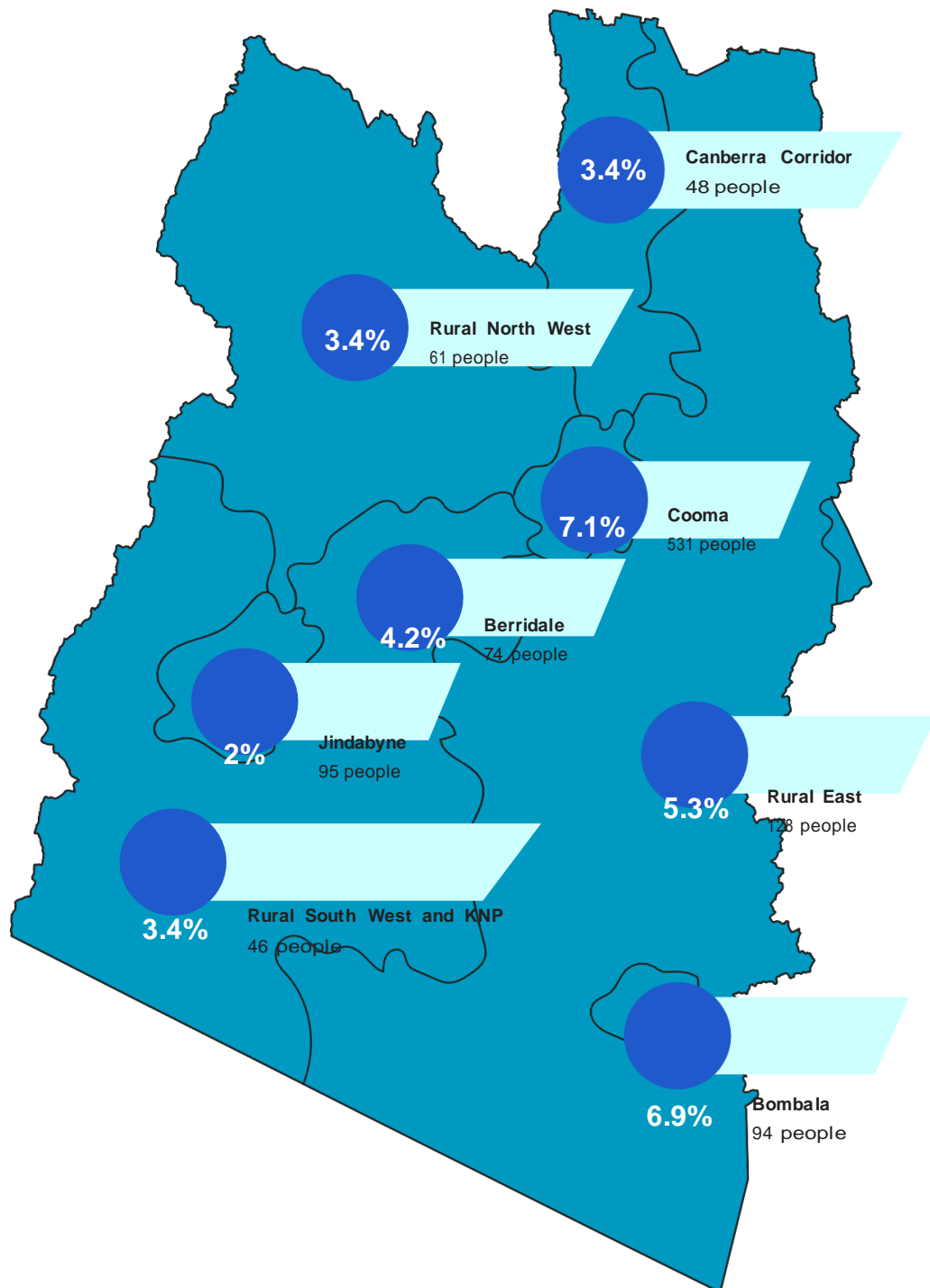
Some areas have a higher proportion of residents with disability, including Cooma (7.1%), Bombala (6.9%) and Rural East (5.3%).



The older you are, the more likely you are to have a disability. More than 90% of people with disability in the Snowy Monaro region are aged over 65 years old.

DRAFT - Disability Inclusion Action Plan 2024 – 2028

Figure 3 - Proportion and number of people with disability in Snowy Monaro towns and villages (Source: ABS Census, 2021)



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What our community told us

How we engaged

Between October and November 2023, we heard from people with disability, paid and unpaid carers, family members, disability service providers, and Council staff. We provided a range of different consultation methods, so people could engage with the Plan's development in a way that best suited them. These included:

- community survey (available online and printed)
- easy read survey (available online and printed)
- phone interviews with community
- service providers workshop
- online service providers survey, and
- online Council staff survey.



DRAFT - Disability Inclusion Action Plan 2024 – 2028

What we heard

Attitudes and behaviours

We heard that the Snowy Monaro region has a strong community spirit, and mostly positive attitudes and behaviours towards people with disability.

At the same time, we heard there is room to improve community attitudes and behaviours towards people with disability to break down barriers, strengthen inclusion and increase community connections.

You told us you would like Council to:

- Raise awareness within the community about different types of disabilities, including those that are invisible, to increase understanding and empathy.
- Promote inclusive attitudes and practices to the local business community to improve access to local businesses and shops.
- Increase representation of people with disability in Council media publications.
- Continue to deliver inclusive events such as the Celebrate Ability Festival for the International Day for People with Disabilities.

“Council has always been passionate about celebrating people with disability. Every year they celebrate and acknowledge International Day of People with Disability.”

- Local disability service provider

“Carers always need more support and information that would help them, they can be invisible within the community. People with disabilities still face a lot of stigma and ignorance from the rest of community.”

- Local disability service provider



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Liveable communities

We heard a major barrier for people with disability is liveability across the region including access to footpaths and crossings, transport options, access to shops, restaurants and local services, as well as inclusive events and programs. We also heard that because the Snowy Monaro region is a large geographic area, residents struggle to get around the region to access shops, services, events and activities.

You told us you would like Council to:

- Improve the width and quality of pathways and improve connections, especially in areas with high foot traffic
- Increase and improve disability parking spots to ensure people have easy and direct access to services and shops.
- Advocate for improved public transport options to get around the region, including more frequent and reliable bus services.
- Improve the accessibility of events through better promotion, portable matting, accessible toilets, parking, and sensory spaces.
- Facilitate more social and recreational activities for people with disability and carers to combat social isolation and increase connection and wellbeing.
- Ensure all Council facilities are accessible and include features such as ramps, wide doorways and quiet spaces.
- Advocate for improved physical access into shops and other non-Council services and buildings.
- Improve accessibility and maintenance of public toilets.
- Work to improve access to local disability and other health services so people don't have to travel out of the region.

"Near the library there are crossings but not everyone in their car stops, they don't bother. I am vision impaired, I can't see people indicating especially at roundabouts and that makes it difficult."

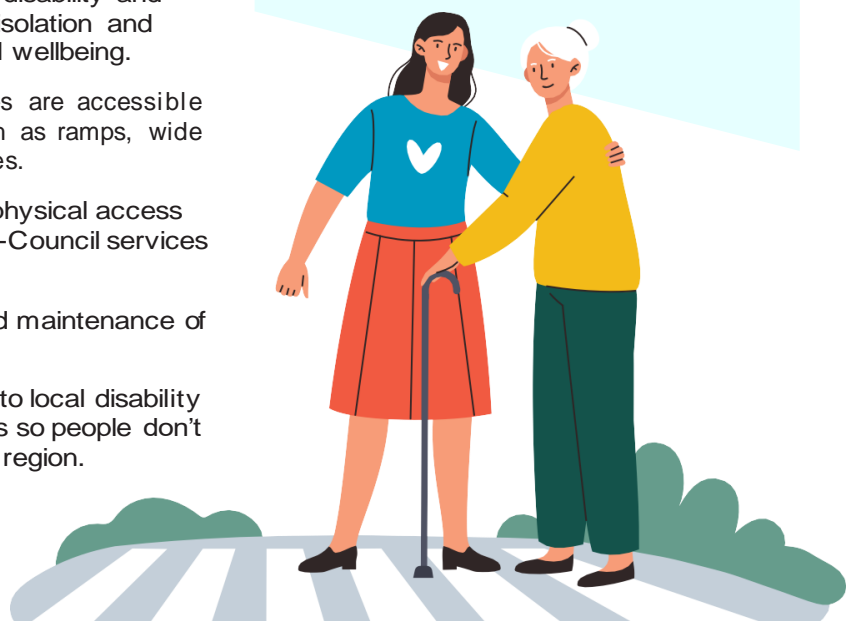
- Community member with disability

"We need more seats in Cooma because I can only walk so far. I can't walk from Sharp Street to Massie Street – I'm trying to find places to sit down."

- Community member with disability

"We need more things to do in Cooma such as social activities, workshops, interesting things to do for socialising – that are close by so no need to travel to Canberra."

- Community member with disability



DRAFT - Disability Inclusion Action Plan 2024 – 2028

Meaningful employment

We heard that people with disability have many skills and assets that local businesses can benefit from, however there is a general lack of understanding of different types of disabilities and resources to support employers in the region.

You told us you would like Council to:

- Raise awareness within local businesses about the various resources, funding and support that are available to employers when employing people with disability.
- Encourage local businesses to increase employment of people with disability, including more inclusive job descriptions that don't exclude people with disability from applying.
- Increase collaboration across interagencies and committees, including employment services committee, to improve inclusion and access to meaningful employment.
- Encourage employment of people with disability at Council.
- Advocate for more employment services in the area to support people with disability finding meaningful jobs.

"I am qualified chef, and I can't get work. It's been 12 months since I last had a job. I've got skills and I am capable, but I do take my time. I am hearing all the time there is lack of skilled people out there and I will be 63 years old this year, and when you get to a certain age, they don't want to employ you. Insurance is what is holding people back from employing people with a disability, instead of giving someone a fair chance."

- Community member with disability

"Give people with disability a fair go with employment. We need to educate businesses to be able to provide more employment opportunities for people with disability."

- Community member with disability



DRAFT - Snowy Monaro Regional Council

Systems and processes

We heard that providing easy access to up-to-date information and resources is important for people with disability to stay connected, communicate and interact with Council and services.

You told us you would like Council to:

- Consult more with people with lived experience and carers, ensuring there is adequate promotion and ways for people to have their say and be listened to.
- Improve Council's website navigation and provide more information and resources for people with disability, such as an accessible toilet map and accessible event information.
- Find alternative ways to communicate with residents, noting that access to the internet is a challenge in the region, particularly for people with disability and seniors.

"Our clients might not have a phone or are unable to access the internet to get information, especially in areas without service. We also have many ageing clients who don't have the skills to use the internet. We need to come back to basics and have more easy to read formats for participants to access information on services so they know this information exists."

- Local disability service provider



DRAFT - Disability Inclusion Action Plan 2024 – 2028

Our action plan

Focus area 1: Promote positive attitudes and behaviours

Snowy Monaro Regional Council encourages and promotes positive and inclusive behaviours in our organisation, as well as our community’s attitude to people with a disability. We champion behaviour that respects and embraces diversity within our community, and increases understanding and empathy.

Focus area 1: Promote positive community attitudes and behaviours				
#	Actions	Council team	Timing	Estimated cost (life of plan)
Goal: Increase community awareness about disability and the importance of inclusion				
1.1	Share positive images and stories of people with diverse types of disability in the Snowy Monaro Region via Council publications, social media and marketing materials.	Communications	Ongoing	\$5,001
1.2	Continue to deliver the Celebrate Ability Festival for the International Day of People with Disabilities and investigate opportunities to grow this initiative (e.g. partnerships, promotions, extended opening hours).	Strategic Planning	Annual	\$18,504
1.3	Work with community organisations and schools to promote events, activities and organisations that celebrate the contributions of people with disability and provide opportunities for social connection, including around International Day of People with Disabilities and Carers Week.	Strategic Planning	Ongoing	\$2,844
1.4	Actively promote public awareness campaigns related to disability inclusion to our community via Council channels. This could include re-sharing campaigns from the Disability Council of NSW, the Local Government Association of NSW, the Australian Human Rights Commission and other major disability services.	Strategic Planning Communications	Ongoing	\$3,579

DRAFT - Snowy Monaro Regional Council

Focus area 1: Promote positive community attitudes and behaviours				
#	Actions	Council team	Timing	Estimated cost (life of plan)
Goal: Increase community awareness about disability and the importance of inclusion				
1.5	Encourage positive behaviours and attitudes towards people with disability among local businesses by promoting awareness of the importance of access and inclusion. Investigate opportunities to deliver the 'Zero barriers' initiative in the Snowy Monaro region.	Strategic Planning	Ongoing	\$4,414
1.6	Provide disability awareness training and information for all Council staff and Councillors. Investigate opportunities for this to be delivered by people with lived experience of disability.	Workforce Strategic Planning	Ongoing	\$2,469
1.7	Investigate opportunities for public-facing Council staff to receive targeted training on disability inclusive practices and communication, including opportunities for training in sign language.	Workforce Strategic Planning	Y2, Y4	\$748
1.8	Deliver public safety session of Stepping On in partnership with NSW Health	Strategic Planning	Ongoing	\$1,422
1.9	Establish an Access and Inclusion Committee	Strategic Planning	Ongoing	\$2,843

DRAFT - Disability Inclusion Action Plan 2024 – 2028

Focus area 2: Create liveable communities

Snowy Monaro Regional Council is committed to creating a liveable and welcoming region. We will plan, deliver and advocate for public facilities, buildings, infrastructure, open spaces, programs, events and services that promote social connection, inclusion, wellbeing, and contribute to a sense of belonging and pride for people of all abilities.

Focus area 2: Create liveable communities				
#	Actions	Council team	Timing	Estimated cost (life of plan)
Goal: Improve accessible transport and connections around the region				
2.1	Conduct an audit of accessible pathways, kerbs and crossings in town centres and key destinations across the region and implement pathway improvements to make it easier for people with disability to get around.	Asset Management	Y2-Y3	\$1,226
2.2	Advocate to the State Government to improve accessibility of road crossings on key State roads to support people with disability to get around (e.g. Sharp Street in Cooma).	Transport Infrastructure	Y2-Y3	\$499
2.3	Audit bus stops to ensure accessibility and compliance with the Disability Discrimination Act 1992	Transport Infrastructure	Y3	\$1,022
2.4	Review and investigate opportunities to improve the user experience of Council's community transport service (e.g. timing, frequency of service, locations).	Transport Infrastructure	Y1 – ongoing	\$785
2.5	Increase provision of accessible parking spaces in key areas around the region, including in town centres and close to community facilities, libraries and services. Upgrade existing spaces that are not meeting accessibility requirements.	Transport Infrastructure	Y2-Y3	\$1,703

Goal: Ensure new and upgraded public facilities and open spaces are accessible to all people				
2.7	Develop a prioritised list of existing Council buildings and facilities requiring access upgrades. This should include Council building and chambers, swimming pools, community halls, visitor centres, libraries etc. Incorporate priority projects in Council's Capital Work Program, Asset Management Policy and Financial Plans.	Corporate Projects	Y2 - Y3	\$2,012
2.8	Investigate opportunities to deliver accessible play and recreation infrastructure across the region (e.g. all-abilities playgrounds, sensory play, wheelchair basketball facilities at Cooma Regional Sports Centre).	Corporate Projects	Ongoing	\$3,551
2.9	Trial sensory hours and activities at libraries.	Library Services	Y2-Y3	\$785
2.10	Provide Universal Design Principles training for staff involved in planning, design, development, and delivery of Council assets.	Corporate Projects Planning	Ongoing	\$1,309
2.11	Consult with the Access and Inclusion Committee through the design and planning stages of public facilities upgrades and infrastructure projects.	Strategic Planning	Ongoing	\$3,552
2.12	Increase the provision of accessible bathrooms in key destinations across the region, and improve maintenance of existing facilities. Advocate for funding to provide a Changing Places facility in the region, particularly at key destinations to unlock accessible tourism opportunities.	Corporate Projects	Y2-ongoing	\$1,776
2.13	Advocate on behalf of the community to address access issues in private and non-Council premises, including as a priority health services, shops, Post Offices, and cinemas.	Strategic Planning	Y2-Y3	\$1,422

Goal: increase accessible and inclusive community programs and events				
2.14	Investigate opportunities to make Council's ongoing program of community events and programs more accessible and inclusive for people with disability. Develop an inclusive events and programs checklist.	Strategic Planning IT Communications	Y1-ongoing	\$4,414
2.15	Continue to deliver Tech Savvy Seniors program at council libraries and explore other programs and activities to engage people with disability.	Library Services IT Strategic Planning	Ongoing	\$7,703
2.16	Investigate opportunities to deliver or facilitate targeted programs for people with disability and carers, with an expressed need for social groups and activities.	Library Services IT Strategic Planning	Ongoing	\$2,992
2.17	Advocate for funding to increase accessibility of the showgrounds to support people with disability to participate in community events.	Strategic Planning	Ongoing	\$1,442
2.18	Include information about accessibility at Council community events and activities in our marketing and promotional material.	Communications Strategic Planning	Ongoing	\$3,579
Goal: Increase access and support for local services				
2.20	Advocate for a higher presence of disability service providers and advocacy services in the Snowy Monaro region. Consider providing in-kind space to community services supporting people with disability within Council facilities.	Strategic Planning Corporate Projects	Y4	\$3,890
2.21	Continue to convene the Monaro Regional Interagency.	Strategic Planning	Ongoing	\$5,687
2.22	Coordinate a workshop with Monaro Regional Interagency and services interagency to collaborate on issues related to encouraging sector collaboration.	Strategic Planning	Y2	\$415
2.23	Increase opportunities to grow inclusive and accessible tourism.	Economic Development	Y3	\$393
2.24	Advocate for Snowy Hydro Legacy Funding for priority projects relating to disability inclusion and access.	Economic Development	Y2-Y3	\$393

DRAFT - Snowy Monaro Regional Council

Focus area 3: Support access to meaningful employment

Snowy Monaro Regional Council is committed to advocating for and reducing barriers to meaningful employment and workplace opportunities across our region within local businesses and our organisation.

Focus area 3: Support access to meaningful employment				
#	Actions	Council team	Timing	Estimated cost (life of plan)
Goal: Increase employment of people with disability in local businesses				
3.1	Collaborate with disability employment services to identify and implement initiatives supporting employment for people with disability in the Snowy Monaro region.	Strategic Planning	Y2-Y3	\$711
3.2	Share information and resources with local businesses about inclusive employment and workplace practices.	Economic Development	Y2, Y4	\$1,496
Goal: Snowy Monaro Regional Council is an inclusive and accessible organisation for employees, volunteers, and Councillors				
3.3	Investigate opportunities to provide volunteer, traineeship, and work placement opportunities for people with disability at Council.	Workforce Economic Development	Y1-Y4	\$3,141
3.4	Review flexibility of recruitment and hiring process to encourage and remove any barriers for people with disability seeking employment within Council.	Workforce	Y2	\$393
3.5	Provide a range of flexible and contemporary working arrangements that support the needs of staff members people with disability. These could include: <ul style="list-style-type: none"> • Work arrangements being negotiated based on employee and organisation requirements. • Reduced and flexible work hours, through part-time or job-sharing arrangements. • Working from remote locations. Providing technology that supports working from remote locations.	Workforce IT Strategic Planning	Y1 – ongoing	\$2,992

DRAFT - Disability Inclusion Action Plan 2024 – 2028

Focus area 4: Providing accessible systems and processes

Snowy Monaro Regional Council is committed to providing easy access to Council information, services and facilities. We provide opportunities for our community to actively participate and contribute to local decision making in an accessible and inclusive way

Focus area 4: Providing accessible systems and processes				
#	Actions	Council team	Timing	Estimated cost (life of plan)
Goal: Increase access to information and Council services				
4.1	Promote and share information to connect residents to local community services (e.g. via community directories, social media and Council's noticeboard).	Strategic Planning Communications	Ongoing	\$5,001
4.2	Council's website provides up to date information about access and inclusion in the LGA, including accessible toilet maps and events with accessible features.	IT Strategic Planning	Ongoing	\$3,579
4.2	Provide information to people with disability via a range of formats and channels, including easy read, in print, and distributed via service providers etc. This should include analog formats for people without access to the internet.	IT Strategic Planning	Y1-ongoing	\$3,579
4.4	Investigate opportunities to promote and/or develop emergency preparedness resources and/or support for people with disability, and other high-risk groups such as seniors.	IT Strategic Planning	Y1-ongoing	\$5,965
4.5	Continue to work towards website Web Content Accessibility Guidelines (WCAG) 2.0	IT Strategic Planning	Y2-Y4	\$711
Goal: Embed inclusive practices in Council's planning				
4.6	Ensure all new and updated strategic plans and policies, including master plans and local planning agreements, include consideration of disability access and inclusion issues and principles.	Strategic Planning	Ongoing	\$7,158

Goal: Monitor and report on this Disability Inclusion Action Plan				
4.7	Utilise the newly established Access and Inclusion Committee to help oversee, evaluate and report on the implementation of this Disability Inclusion Action Plan.	Strategic Planning	Y1-Y4	\$8,531
4.8	Raise awareness of the Disability Inclusion Action Plan internally including through sharing achievements via regular updates to Council staff and Executive.	Strategic Planning Workforce	Y1-Y4	\$5,001
4.9	Formally report on the implementation of the Disability Inclusion Action Plan through IPR processes (Annual Report), and to the Disability Council of NSW.	Strategic Planning	Ongoing	\$710

DRAFT - Disability Inclusion Action Plan 2024 – 2028

Implementing the DIAP

The progress of the Plan will be regularly monitored and reported. Council will work with the Access and Inclusion Committee to regularly review how it can most effectively implement the Plan, by checking its progress and modifying it wherever required to meet changing community needs and priorities.







Cred
CONSULTING

Snowy Monaro Disability Inclusion Action Plan

Engagement Summary Report

Client: Snowy Monaro Regional Council

Date: 22 November 2023

Report title: Snowy Monaro Disability Inclusion
Action Plan Engagement Summary Report

Client: Snowy Monaro Regional Council

Version: 1

Date: 22 November 2023



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Cred Consulting acknowledges the
Traditional Custodians of the lands
on which we operate.

We pay our respects to the Traditional Owners,
Ancestors and Elders past and present.

We recognise the strength, resilience and
contributions of First Nations Peoples, and the eternal
and spiritual connection held in the lands, skies and
waters, through cultural practices and beliefs.

Our team is proud to live, learn and thrive in the place
we now call Australia, and recognise sovereignty has
never been ceded by First Nations Peoples of this
continent.

As embedded in our values, we are committed to
building connected, healthy and resilient communities
and creating purposeful outcomes that reflect our
deep appreciation for the peoples and cultures that
make us who we are and shape where we are going
— together as one.

Table of contents

Summary of key findings	4
Focus area 1: Attitudes and behaviours	4
Focus area 2: Liveable communities	4
Focus area 3: Meaningful employment.....	5
Focus area 4: Systems and processes.....	6
1. Introduction	7
1.1 Background	7
1.2 How we engaged.....	7
2. Community survey	8
2.1 About the surveys	8
2.2 Key findings.....	8
2.3 Participant profile.....	9
2.4 What we heard	11
3. Easy read survey.....	25
3.1 About the easy read survey	25
3.2 What we heard	25
4. Community interviews	27
4.1 About the community interviews	27
4.2 Key findings.....	27
4.3 Outcomes	28
5. Service providers workshop	37
5.1 About the workshop.....	37
5.2 Overview of activities.....	37
5.3 Key findings.....	38
5.4 Outcomes	39
6. Service providers survey.....	44
6.1 About the service providers survey.....	44
6.2 Key findings.....	44
6.3 What we heard	45

Summary of key findings

This report provides a summary of findings from community and stakeholder engagement undertaken to inform the development of the Snowy Monaro Disability Inclusion Action Plan (DIAP) for internal use by Council. The following themes have emerged across consultation and themed under the four focus areas of the DIAP.

Focus area 1: Attitudes and behaviours

Participants expressed the Snowy Monaro region has a strong community spirit, and mostly positive attitudes and behaviours towards people with disability.

While there are generally positive attitudes and behaviours, participants indicated there is room to raise awareness within the community and local businesses about different types of disabilities to increase understanding and empathy, as well as about how to communicate with people with disability. Some participants also expressed there is negative stigma of disability, particularly around mental health such as schizophrenia, and there needs to be greater understanding and empathy.

Ideas to improve attitudes and behaviours of people with disability include:

- **Raise awareness and increasing education** of the business community to improve access and inclusion within shops, as well as increase employment of people with disability.
- **Increase representation** of people with disability in Council media publications.
- Continue to **deliver inclusive events** such as the Celebrate Ability Festival.

Focus area 2: Liveable communities

Participants identified many strengths for liveability for people with disability in the Snowy Monaro region, such as access to a range of local services, shops and restaurants that are fairly accessible, transport options such as council's shuttle bus and taxis, as well as inclusive events and programs such as Celebrate Ability Festival and Tech Savvy Seniors. However, many think that there is room to build on these areas.

Ideas to improve access and make liveable communities include:

- Improve the **quality and maintenance of footpaths**, as well as increasing footpaths in residential areas and public spaces and ensuring they are **connected and wide**.
- Improve **pedestrian connections**, with many participants noting Sharpe Street is a priority area for improvement. Some participants would like to see pedestrian traffic lights on Sharpe Street to ensure vehicles come to a complete stop and people can cross the road safely.
- Increase **disability parking spots** to ensure people have easy and direct access to services and shops (e.g. disability parking is located behind Sharp Street surgery), and ensuring disability parking is accessible and practical for people with disability (e.g. gutters are not too high, and the design of parking is accessible for both passengers and drivers).

- **More accessible events** through better promotion of events, providing accessible amenities and features at events such as portable matting, accessible toilets, parking, and sensory spaces, and increasing hours of events to ensure people with disability and their carers are able to attend outside of school and work hours.
- **More social and recreational activities** and programs for people with disability and carers to combat social isolation and increase community connection and wellbeing.
- **Ensure buses are frequent and reliable**, with participants noting some areas are geographically isolated from public transport options, and taxis are too expensive to be a primary mode of transport.
- Improve **access to Council offices and chambers** through lifts, ramps and shortening the height of the front desk.
- Whilst some participants indicated there is good access to shops, many participants noted there is a need to **improve physical access into shops and buildings** including a need for ramps, lifts, wider doorway entrances and aisles.
- **More and well-maintained accessible public toilets** in town centres and public open spaces.
- Create **more inclusive parks and playgrounds** for children with different types of disability, including sensory play.

Focus area 3: Meaningful employment

Access to employment was identified as a key priority area to improve inclusion in the Snowy Monaro region.

Many participants indicated there are barriers for people with disability accessing employment, with the lack of awareness within local businesses being a key barrier to employing people with disability. Participants also indicated other barriers to employment including stigma associated with employing people with disability, particularly those who are long-term unemployment or with an intellectual or physical disability.

Ideas to improve access to meaningful employment include:

- **Raise awareness within local businesses** about the various resources, funding and support that are available to employers when employing people with disability.
- **Provide training for local businesses** to increase employment of people with disability.
- **Increase collaboration across interagencies and committees**, including employment services committee, to improve inclusion and access to meaningful employment.
- **Increase employment of persons with disability at Council.**
- **Advocate for local businesses** to be more **inclusive in job descriptions** so as to not exclude people with disability from applying.
- **Increase employment services in the area**, such as Vision Australia and Guide Dogs, to support people with disability finding meaningful jobs.

Focus area 4: Systems and processes

Participants identified opportunities for Snowy Monaro Regional Council to improve communication with people with disability and carers and support access to resources and information.

Ideas to improve communication with Council and access to resources and information include:

- **More consultation with people with lived experiences and carers**, ensuring there is adequate promotion of ways people can engage and have their say.
- **Improve Council's website** by providing more information and resources for people with disability, such as an accessible toilet map and accessible event information.
- **Provide up to date information** online and on Council's community notice board.
- **Find alternative ways to communicate** with residents and not just relying on technology and internet, noting good reception is a challenge in the region and many people don't use email.

1. Introduction

1.1 Background

Snowy Monaro Regional Council (Council) engaged Cred Consulting to develop a new Disability Inclusion Action Plan (DIAP) 2023-2027.

The DIAP is a four-year roadmap for Council, partners and community to work together to build a more inclusive and accessible local government area for people with disability. The DIAP will set out actions under the following four focus areas:

- positive community behaviours and attitudes
- liveable communities
- meaningful employment, and
- systems and processes.

This report provides a detailed summary of findings from community and stakeholder engagement.

1.2 How we engaged

Community and stakeholder engagement to inform the DIAP took place in October and November 2023. In total, we heard from over 60 people through surveys, workshops and interviews. Table 1 provides an overview of engagement activities and the number of participants reached.

Table 1 - Engagement activities and reach

Engagement activities	Number of participants
Community survey	31 participants
Easy read survey	9 participants
Community interviews	15 participants
Service providers survey	6 participants
Service provider workshop	10 participants
Total	70

2. Community survey

2.1 About the surveys

An online survey was open from 12 October – 6 November 2023 on Council's Have Your Say webpage. In total, 31 people responded to the survey. Hard copy surveys were also available at Council facilities and through local service providers which are also reported on in this section.

The aim of the online survey was to gather information about how accessible and inclusive the Snowy Monaro region is now, and their priorities and ideas for improvement in the future.

2.2 Key findings

- 63% of survey participants 'somewhat' agree that the Snowy Monaro community has positive attitudes and behaviours towards people with disability. To improve these attitudes and behaviours participants want to see:
 - more accessible and inclusive events
 - more friendly and accessible local businesses, and
 - better understanding in the community of different types of disabilities.
- Markets, festivals and events, shopping centres and shops and parks and playgrounds are the least accessible places and spaces in Snowy Monaro to survey participants. In particular local shops and buildings with stairways to access are difficult for people with disability to visit.
- Participants want to see more accessible toilets, ramps, lifts and accessible parking spaces available across these places and spaces in Snowy Monaro.
- 53% of survey participants rated the footpaths in the Snowy Monaro as 'not easy' to navigate. They want to see upgraded footpaths and road crossings across the region.
- Food support, housing support and mental health support are the services participants have the most difficulty accessing in the Snowy Monaro. The main reasons for this are waitlists, not having enough information and not being able to travel there.
- 52% of survey participants told us it is 'not easy' for them to access meaningful employment in the Snowy Monaro region. To improve this participants want to see:
 - the physical environment of workplaces accessible and inclusive
 - more inclusive workplace cultures
 - more accessible and inclusive recruitment processes, and
 - training opportunities.
- 46% of survey participants told us it is 'somewhat easy' to access the information they need from Council. To improve this participants want to see Council:
 - listen more to people with disability
 - share resources and events
 - provide easy read and large print versions of Council forms and documents, and

- update Council's website to be more accessible.

2.3 Participant profile

2.3.1 Disability

Community survey participants were asked how they identify. As shown in Table 2, 29% of participants identify as a person with disability and 29% identify as working at a service provider. This is followed by 18% of participants who identify as unpaid carers to people of disability and 14% as family or friend of a person with disability.

4.4% of people in Snowy Monaro reported needing help in their day to day lives due to disability in the Australian Bureau of Statistics (ABS) 2021 census.

Table 2 - Which best describes you? Please tick all that apply (28 participants answered)

	Number of participants (%)
Community member	36%
Provider of services to people with disability	29%
Person with disability	29%
Unpaid carer of a person with disability	18%
Family member or friend of a person with disability	14%
Other	7%

Two participants (7%) responded with other. This includes one participant who is retired with health problems but does not wish to be labelled and the president of Cooma Men's Shed that has a permanently wheelchair bound member.

2.3.2 Suburb

Community survey participants were asked which suburb they live in. Most participants live in Cooma (70%). This is followed by Jindabyne (12%) and Berridale (8%).

2.3.3 Gender identity

63% of survey participants identify as female and 30% identify as male.

2.3.4 Age

As shown in Table 3, survey participants ranged in age from 25 to 84.

Table 3 - How old are you? (26 participants answered)

Age	Number of participants (%)
Under 18	0%
18 – 24 years	0%
25 – 34 years	15%
35 – 49 years	23%
50 – 59 years	23%
60 – 69 years	19%
70 – 84 years	19%
85 or over	0%

2.3.5 Cultural diversity

Aboriginal and/or Torres Strait Islander

No survey participants identify as Aboriginal and/or Torres Strait Islander.

Language other than English

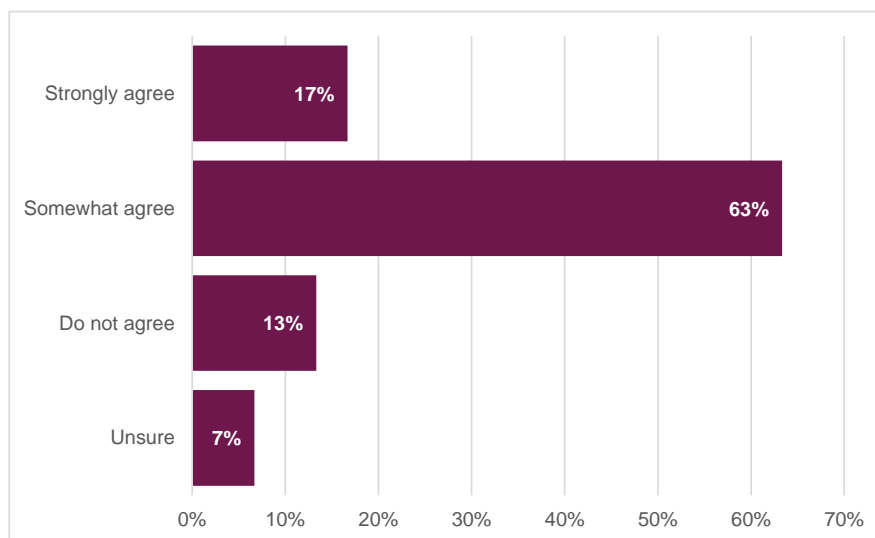
One survey participant indicated they speak Korean at home.

2.4 What we heard

2.4.1 Attitudes towards people with disability

Community survey participants were asked to rate their level of agreement that the Snowy Monaro community has positive attitudes and behaviours towards people with disability. As shown in Figure 1, most participants (63%) 'somewhat agree'. This is followed by 13% that do not agree, 17% that strongly agree and 7% that are unsure.

Figure 1 - Do you agree that the Snowy Monaro community has positive attitudes and behaviours towards people with disability? (30 participants answered)



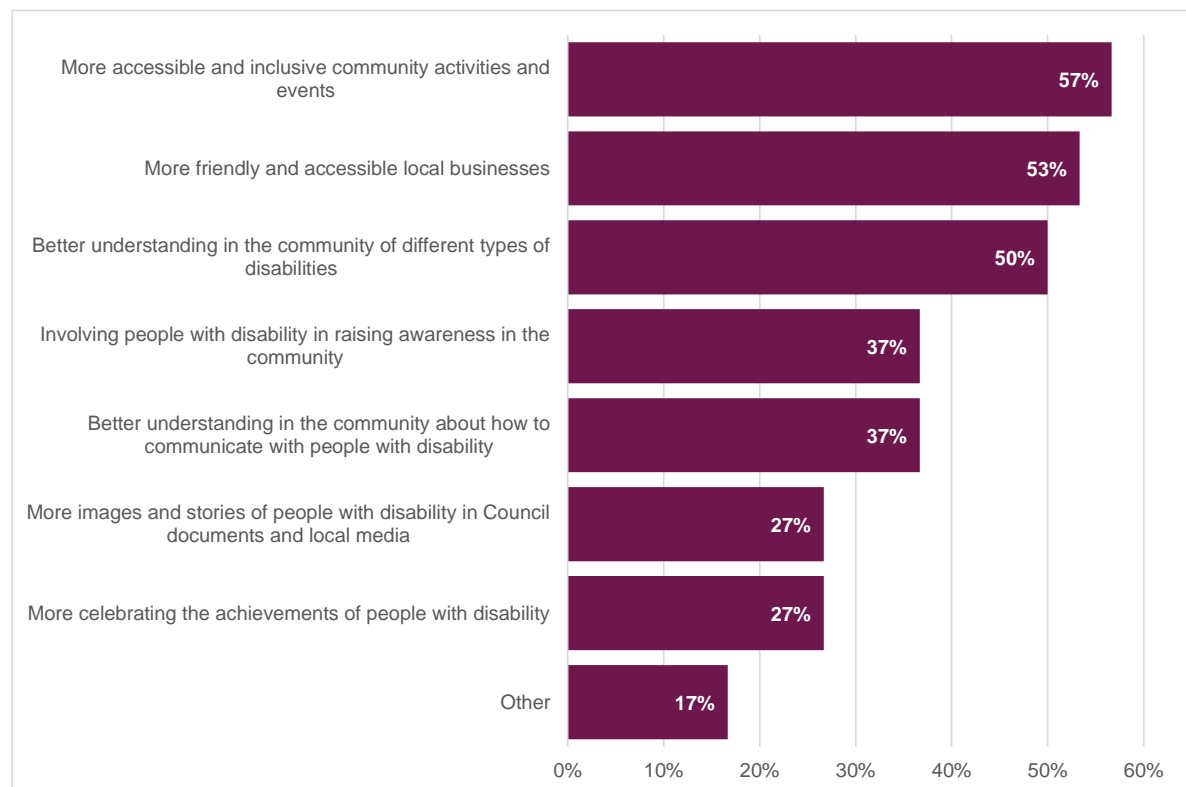
Participants were then asked what would make more positive attitudes and behaviours towards people with disability. As shown in Figure 2, the top ideas selected by participants include:

- more accessible and inclusive activities and events (57%)
- more friendly and accessible local businesses (53%), and
- better understanding in the community of different types of disabilities (50%).

As participants were able to select more than one response, numbers in Figure 2 will not add to 100%.

A number of participants (17%) provided other ideas for how to improve the attitudes and behaviours towards people with disability. Some of these include becoming a dementia friendly community and enforcing existing disability legislation.

Figure 2 - What types of things would you like to see in Snowy Monaro to encourage more positive attitudes and behaviours towards people with disability? (30 participants answered)



2.4.2 Access to places and events

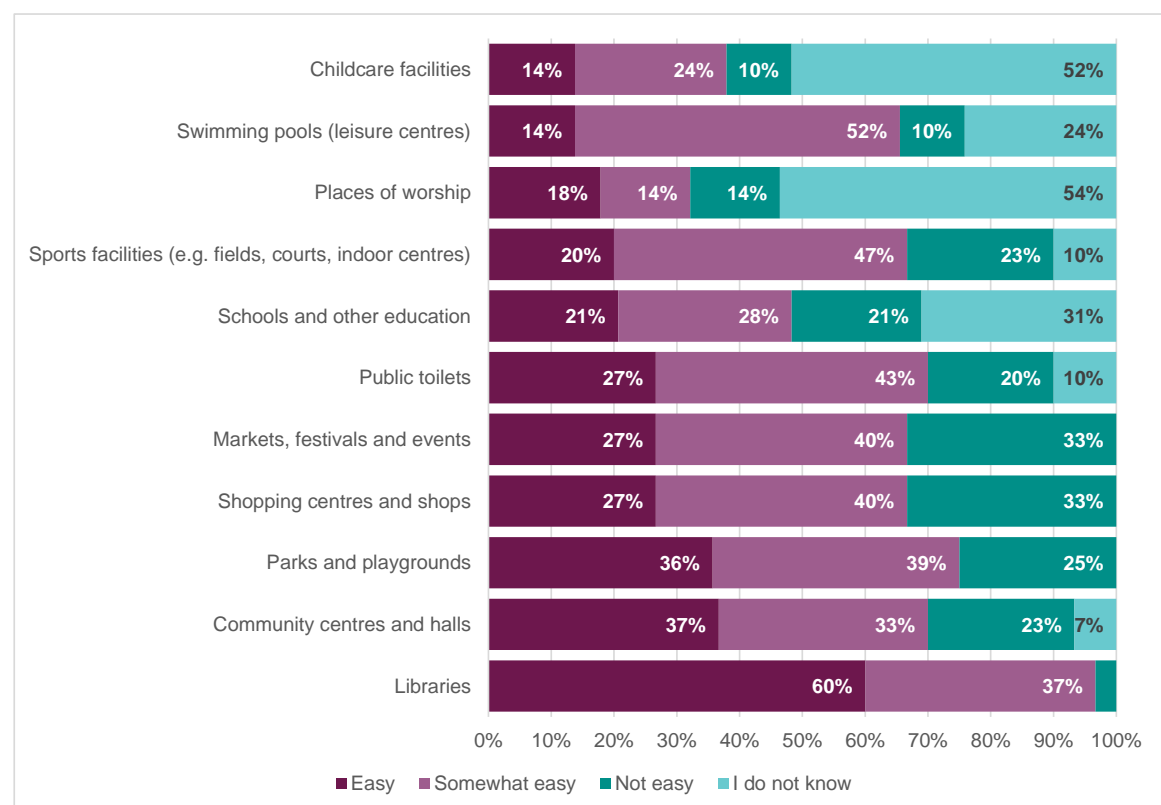
Community survey participants were asked how easy it is to visit a list of places and events in the Snowy Monaro region. As shown in Figure 3, the places and events participants rated as the most difficult to visit include:

- markets, festivals and events (33% rated as 'not easy')
- shopping centres and shops (33%), and
- parks and playgrounds (25%).

Libraries were rated as the easiest to visit (60% rated as 'easy'). This is followed by community centres and halls (37%). Interestingly, while 25% of participants rated parks and playgrounds as not easy to visit, 36% indicated they are easy to visit.

Some facilities such as swimming pools (52% rated as 'somewhat easy'), sporting facilities (47%) and public toilets (43%) were rated as somewhat easy to visit in the region.

Figure 3 - How easy is it for you to visit the following places and events in the Snowy Monaro region? (30 participants answered)



Participants were then asked about the specific places, buildings and events that are not accessible and why. Participants told us places with steps, including local shops and Council buildings and facilities, are hard to access.

Table 4 shows the key places participants told us are not accessible and why.

Table 4 - Can you identify any specific places, buildings or events in the Snowy Monaro region that are not accessible? Why are they not accessible? (27 participants answered)

Theme	Specific locations and reasons
Local shops (11 comments)	<ul style="list-style-type: none"> Local shops with stairs and no ramps. <ul style="list-style-type: none"> Cooma Post Office. Cooma Savoy Cinema. Cooma newsagent. Royal Hotel did not have wheelchair accessible toilets when open. General shops and cafes, especially ones with outdoor displays and furniture that take up space along footpaths.
Footpaths (8 comments)	<ul style="list-style-type: none"> Poor condition of and lack of footpaths, particularly in Berridale. Street crossings. Gutters are too high to transition from disabled parking to footpaths. Lake Jindabyne foreshore does not have safe pedestrian access.
Council buildings and facilities (7 comments)	<ul style="list-style-type: none"> Main Council building including chambers require stairs to access the top. Jindabyne Library has no disability parking. Y Space Cooma lift does not work. Nimmitabel Hall has poor access.
Parks (2 comments)	<ul style="list-style-type: none"> The showground grandstand does not have a specific area for people with disability to view.
Parking (3 comments)	<ul style="list-style-type: none"> Disability parking is not well signed. There is limited disability parking in Jindabyne. Bombala Main Street toilet block needs a disabled parking spot on same side of the road.
Events (1 comment)	<ul style="list-style-type: none"> Events such shows and markets on grassy hills are not good for mobility devices.
Other	<ul style="list-style-type: none"> Places without automatic doors are hard for people with wheelchairs or mobility scooters to access.

“Accessibility is far more than physical access. It can include the attitude of staff and community and the sensory environment.”

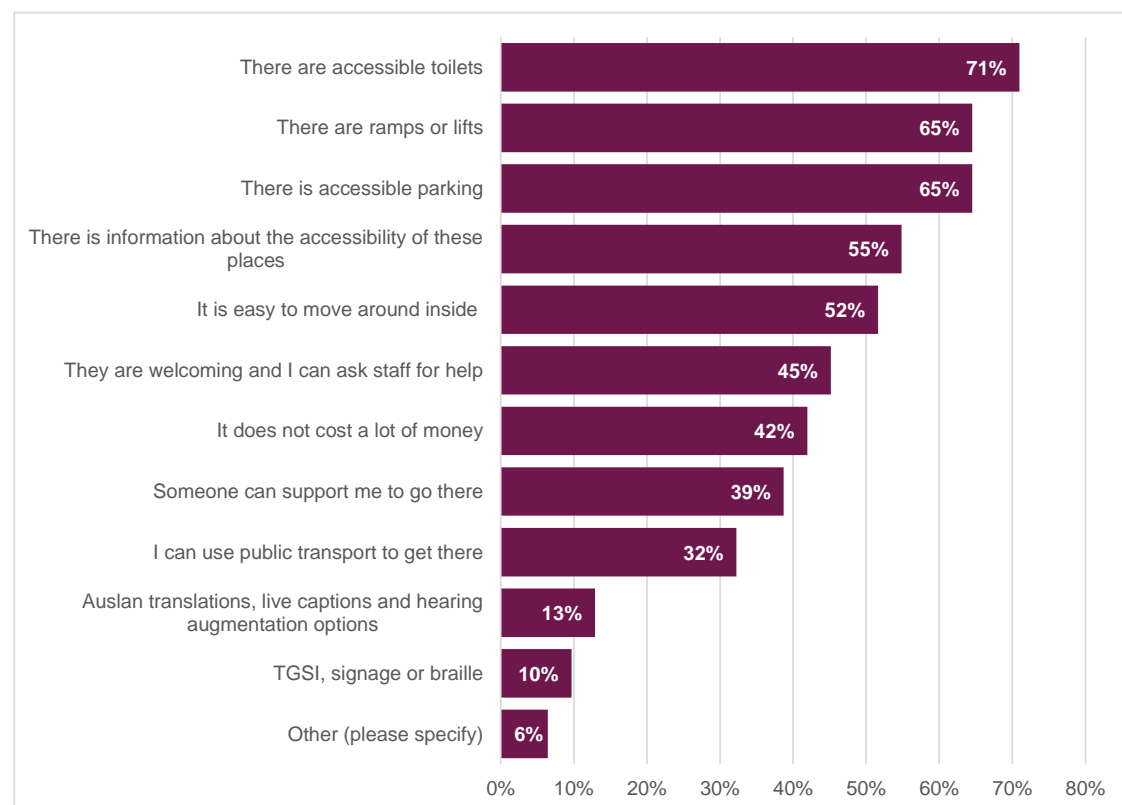
- Survey participant

Participants were then asked to select which options were most important to them to make places and events accessible. As shown in Figure 4, the top ideas selected by participants include:

- there are accessible toilets (71%)
- there are ramps or lifts (65%)
- there is accessible parking (65%), and
- there is information about the accessibility of these places and what I can do there (55%).

As participants were able to select more than one response, numbers in Figure 4 will not add to 100%.

Figure 4 - Which of the following options are most important to make places and events accessible? Please select any that apply to you or the person with disability that you care for. (31 participants answered)



A number of participants (6%) provided other ideas for how to make places and events more accessible. Some of these include more consideration around what people with disability want to do, and education for local businesses around disability and dementia.

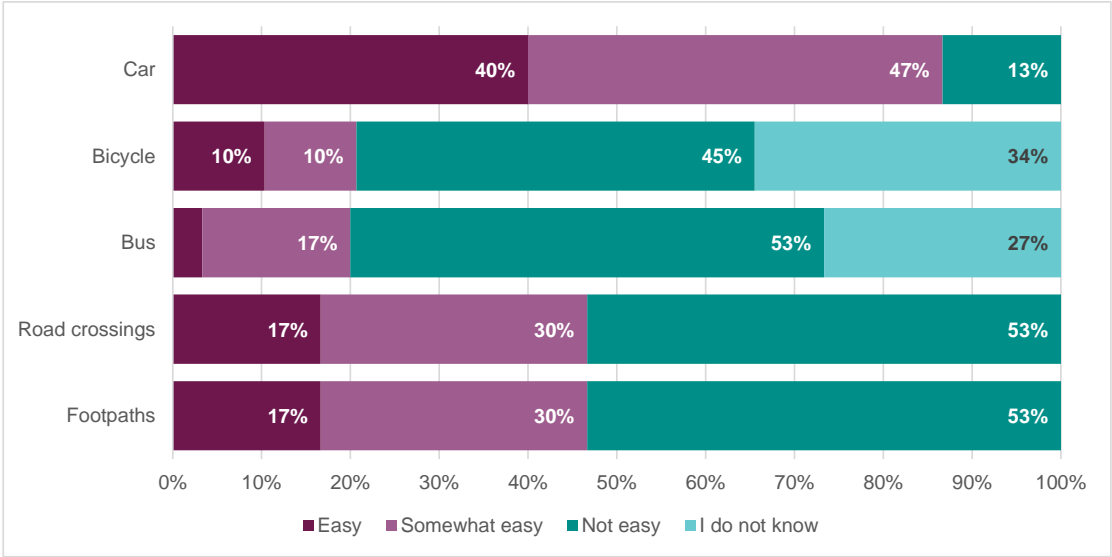
2.4.3 Getting around

Community survey participants were asked how easy it is for them to get around the Snowy Monaro region using different types of transport. As shown in Figure 5, the most difficult forms of transport for participants to use include:

- footpaths (53% rated as ‘not easy’)
- road crossing (53%), and
- bus (53%).

Cars were rated as the easiest form of transport to get around Snowy Monaro (40% rated as ‘easy’).

Figure 5 - How easy is it for you to get around in the Snowy Monaro region by: (30 participants answered)



“Footpaths are really helpful for people with limited cognition and are also great for people who drive mobility scooters.”

- Survey participant

Participants were then asked to select which options could be improved to help get around the Snowy Monaro region. As shown in Figure 6, the top selected options include:

- upgrade footpaths and road crossings (80%)
- more disability parking spaces (57%), and
- more affordable and accessible community transport options (57%).

As participants were able to select more than one response, numbers in Figure 6 will not add to 100%.

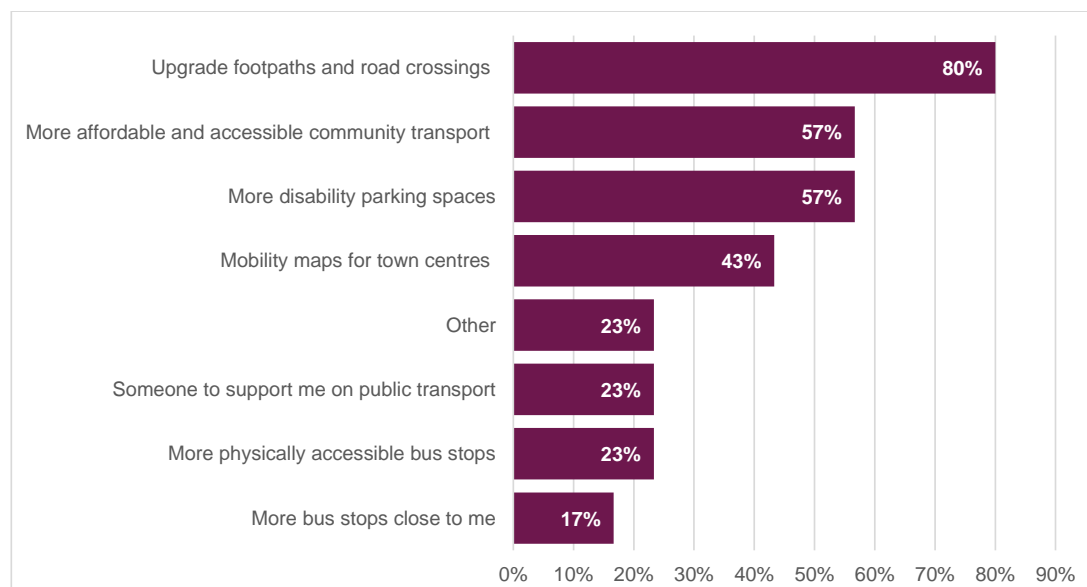
A number of participants (23%) provided other ideas for how to make places and events more accessible. Some of these include:

- a bus service from Jindabyne
- pedestrian friendly traffic lights and signage in the LGA, including along Sharp Street in Cooma
- more accessible undercover parking, and
- ensuring all towns receive attention and upgrades during this process.

“As a resident of Jindabyne, there is not a bus service! I have used community car and bus services, and they are good. Unfortunately, the bus to Cooma via individual pick-up all through Berridale as well, left little time for a slow mover to carry out tasks and left me exhausted with such a long day.”

- Survey participant

Figure 6 - What could be improved to help get around the Snowy Monaro region? (30 participants answered)



2.4.4 Accessing services

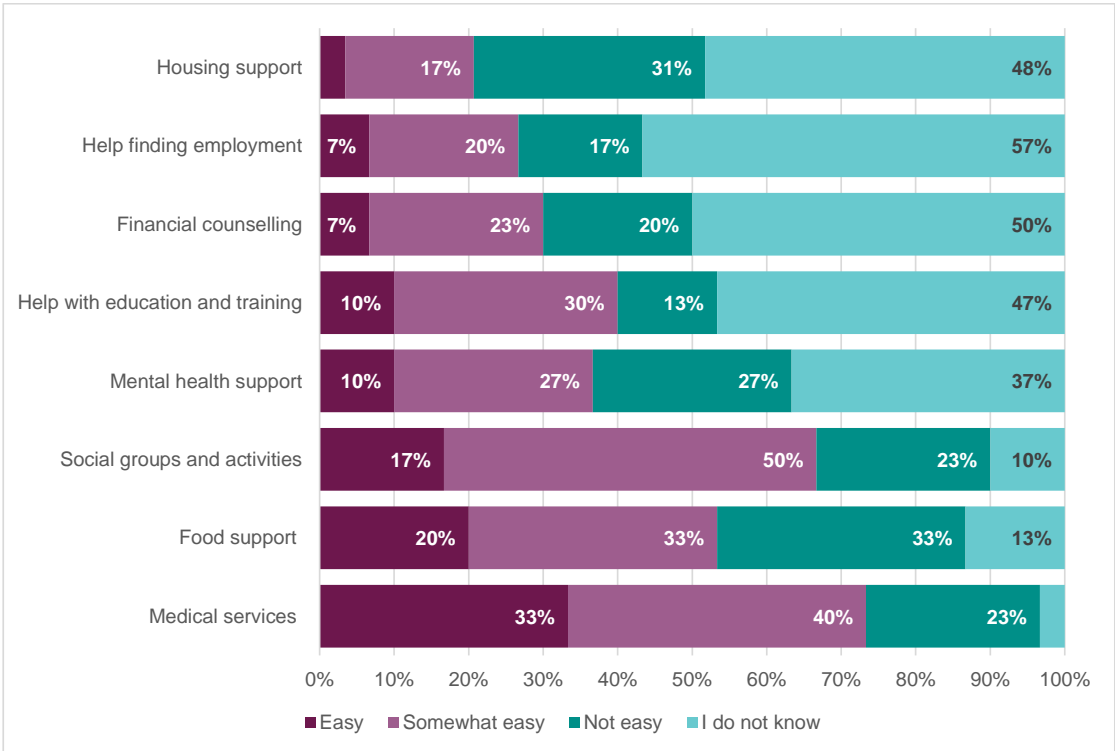
Community survey participants were asked how easy it is for them to access services in the Snowy Monaro region. As shown in Figure 7, the services that are most difficult to access include:

- food support (33% rated as 'not easy')
- housing support (31%), and
- mental health support (27%).

Medical services were rated as the easiest to access (30% rated as easy and 40% as somewhat easy). Social groups and activities were also rated as easier to access (17% rated as easy and 50% as somewhat easy).

Interestingly, while food support was the top ranked most difficult service to access it also had the second highest number of participants rated it as easy to access (20%).

Figure 7 - How easy is it for you to access the following services: (30 participants answered)

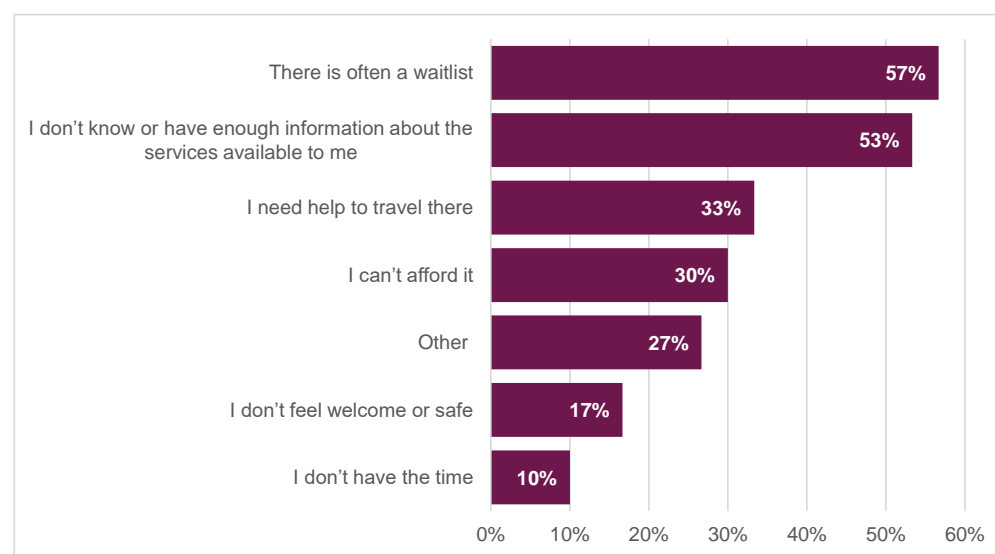


Participants were then asked what makes it difficult to access these services. As shown in Figure 8, the top reasons include:

- there is often a waitlist (57%)
- I don't know or have enough information about the services available to me (53%), and
- I need help to travel there (33%).

As participants were able to select more than one response, numbers in Figure 8 will not add to 100%.

Figure 8 - What makes it difficult to access these services? (30 participants answered)



A number of participants (27%) provided other reasons for why they find it difficult to access services. Some of these reasons include:

- no services available in the area, and
- concerns around the accessibility of venues, including the size of spaces.

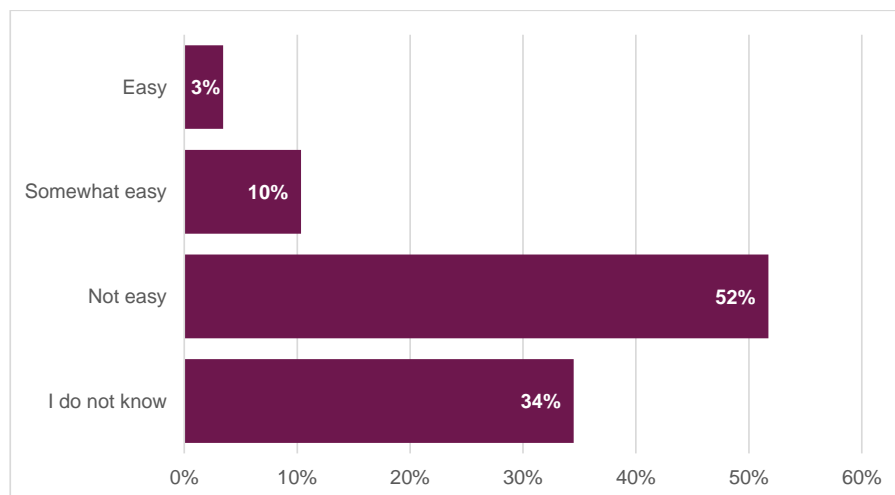
"Most of my health needs are via Canberra which means the days are quite long. There are other services in Cooma but even then, only to a certain extent. I have had to go to Queanbeyan! Services NSW mobile unit has been a help if I plan ahead. It was a great loss for the Neighbourhood Centre to close down."

- Survey participant

2.4.5 Employment

Community survey participants were asked how easy it is for people with disability to find meaningful employment in the Snowy Monaro region. As shown in Figure 9, the majority of participants told us it was 'not easy' (52%).

Figure 9 - How easy is it for people with disability to access meaningful employment in the Snowy Monaro region? (29 participants answered)



Participants were then asked to pick their top four improvements to make it easier for people with disability to access meaningful employment. As shown in

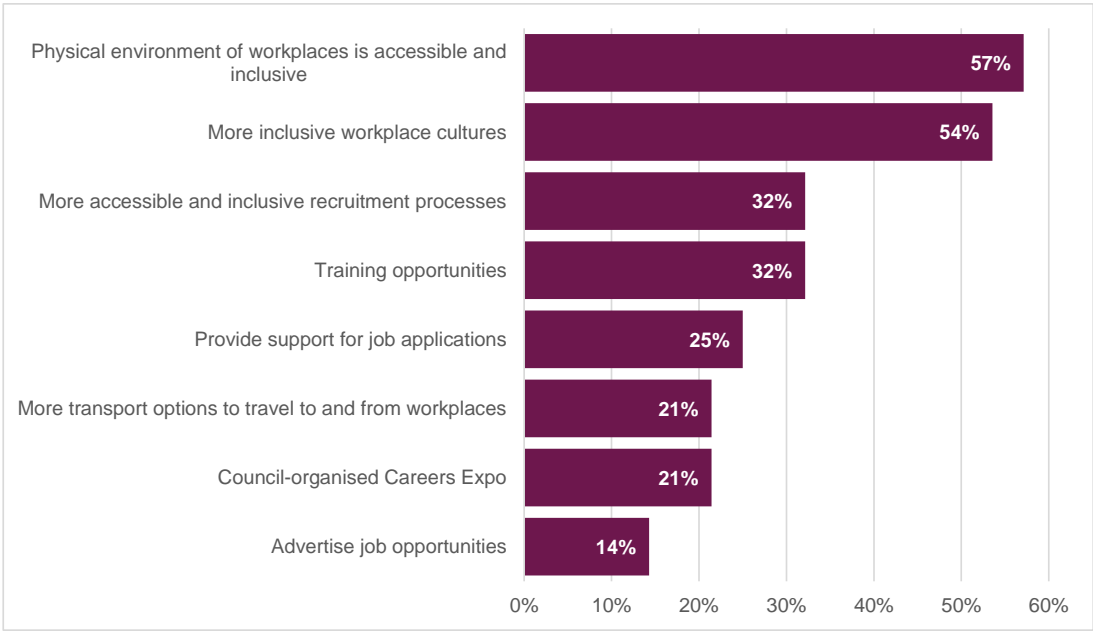
Figure 10, the top selected options include:

- physical environment of workplaces is accessible and inclusive (57%)
- more inclusive workplace cultures (54%)
- more accessible and inclusive recruitment processes (32%), and
- training opportunities (32%).

As participants were able to select more than one response, numbers in

Figure 10 will not add to 100%.

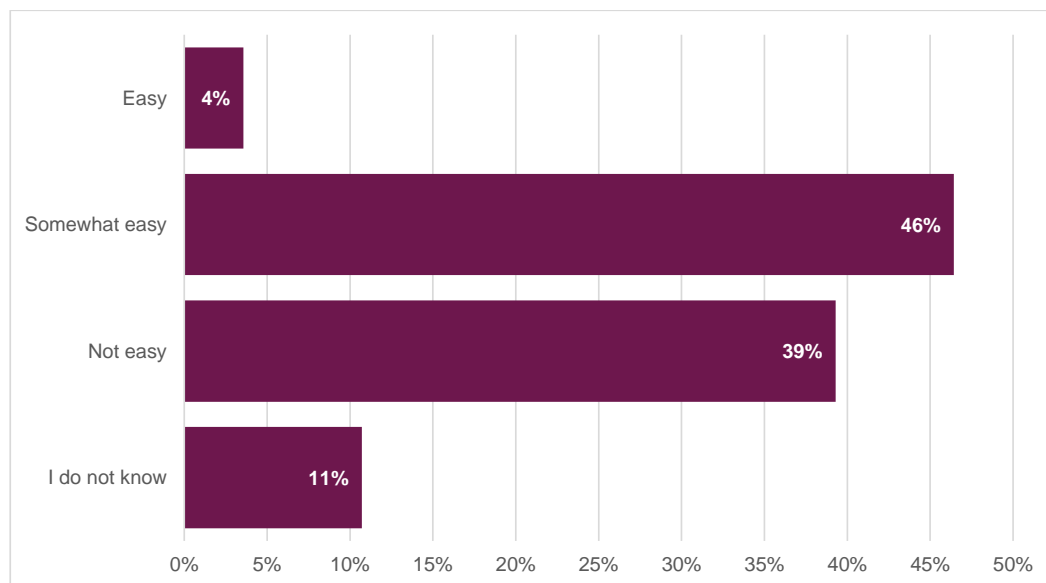
Figure 10 - What could be improved to make it easier for people with disability to access meaningful employment? Please choose up to four options. (28 participants answered)



2.4.6 Access to information and communication with Council

Community survey participants were asked how easy it is for them to find the information they need and to communicate with Council. As shown in Figure 11, 46% of participants told us it was 'somewhat easy' and 39% told us it was 'not easy'.

Figure 11 - How easy it is for you to find the information you need and to communicate with Council? (28 participants answered)

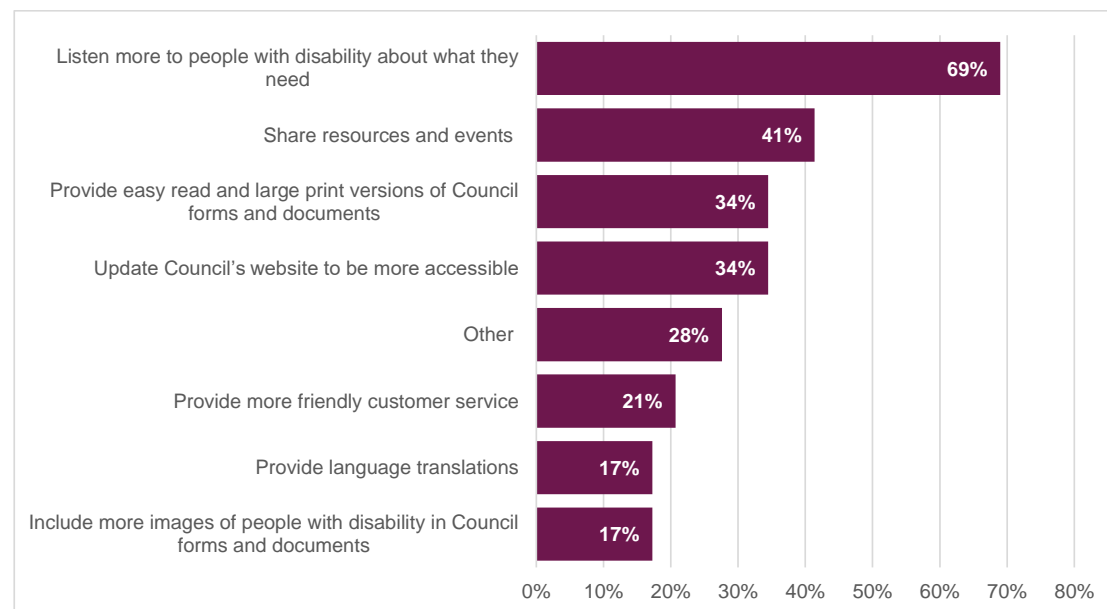


Participants were then asked how Council can communicate better with people with disability. As shown in Figure 12, the top ideas include:

- listen more to people with disability about what they need (69%)
- share resources and events (41%)
- provide easy read and large print versions of Council forms and document (34%), and
- update Council's website to be more accessible (34%).

As participants were able to select more than one response, numbers in Figure 12 will not add to 100%.

Figure 12 - How can Council better communicate with people with disability and their networks? (29 participants answered)



A number of participants (28%) commented other ideas for how Council can communicate better with people with disability including:

- employ people with disability
- work with local service providers
- employ a disability liaison in the community to actively work with people with disability and their carers, and
- provide more information on accessible events.

2.4.7 Priorities

Community survey participants were asked, via an open-ended question, if there were any other priorities or needs they wanted Council to consider in preparing the Disability Inclusion Action Plan.

- more housing, including social housing and/or assisted living for people with disability
- consult with the whole community including those who live in smaller towns and villages
- include people with disability on committees within Council, including those around the DIAP or for park/facility upgrades
- more training for support workers
- improve quality of footpaths across the Snowy Monaro region
- all businesses should be accessible to people with disability
- accessible adult change facilities with disability parking in the region
- mobility scooter charging points
- more jobs for people with disability that, and
- ensure Council meetings are held in accessible venues.

3. Easy read survey

3.1 About the easy read survey

The easy read survey was open from 12 October – 6 November 2023. It was available to download from the Snowy Monaro Council's Have Your Say webpage. In total, nine people responded to the survey.

The aim of the easy read survey was to gather information about how accessible and inclusive the Snowy Monaro region is now, and their priorities and ideas for improvement in the future.

This section reports on high level key findings from the easy read survey.

3.2 What we heard

- Easy read survey participants told us they find it easy to access the following places and events in Snowy Monaro:
 - shopping centres and shops
 - cafes and restaurants
 - parks and playgrounds, and
 - festivals and events.
- Participants told us problems with the footpath make it hard for them to access places in their community. This is followed by a lack of accessible parking and costs associated with attending these places.
- The majority of participants told us they feel safe and included living in the Snowy Monaro region. However, some told us they can struggle to access the support they need or find fun activities to participate in.
- Participants want Council to provide them with information in the following ways:
 - newsletters
 - emails, and
 - meetings.
- Participants also suggested the following ideas for the Snowy Monaro region:
 - More footpaths, particularly in Berridale and along Yareen Road
 - Improving footpaths
 - More and well-maintained public toilets, with lighting
 - Help from My Aged Care
 - More disability parking spots

- Pedestrian crossings in main streets.

“More footpaths in Berridale. Since I lost my eyesight in my right eye, I can’t walk to the shops or the doctor as there isn’t any footpaths and the side of the road is very uneven.”

“It’s possibly 7 years since this was last addressed, via a community forum where many people gave their thoughts and wishes. Priority No. 1 was footpaths. Very little has been done since. Multi dollars spent on policies, strategies, plans consultants etc. but no visible improvements. Many items of minimal costs could be actioned immediately for benefit, especially for access.”

- Easy read survey participants

Other verbatim comments include:

- Cooma bypass for heavy vehicles and people that want to travel past Cooma without stopping
- Cooma swimming pool to be enclosed, heated and open all year round
- Pram ramp to Health one from Thredbo terrace at front door.
- Disability parking sign on ground near skate park, re-install & hatch the empty space next to the 2 spaces as cars park here blocking access.
- Footpath and Pram ramp from disability parking to the Lake Path to avoid having to go into the road and over the bumps
- Pram ramps to Thredbo Terrace Kosciusko Road end from footpath to Banjo Paterson Inn.
- Extend paving around stairs/handrail to allow access to ramp outside design and Detail/Seasn.
- Footpath from front of Memorial Hall to Library and on to NP&WS on to Kosciusko Road path at front of Nuggets Xing.

4. Community interviews

4.1 About the community interviews

Cred conducted 15 phone interviews with community members to understand what's working well and what's not working well about inclusion and accessibility for people in the Snowy Monaro region, and their ideas to make the Snowy Monaro Region a more inclusive and accessible place to live.

4.2 Key findings

- Thinking about what is working well, participants told us they have fairly good access to services, community groups, shops and restaurants, access to reliable taxi services, and Council provides shuttle buses.
- Thinking about what is not working well, participants were concerned about lack of footpaths and pedestrian crossings, particularly on Sharp Street, lack of reliable and affordable transport options, lack of disability parking, lack of social and recreational activities, lack of accessible information, poor access into shops, restaurants and buildings, and poorly maintained and inaccessible public toilets.
- Participants expressed the following ideas to make the Snowy Monaro region more accessible:
 - More programs and activities for people with disability, carers and seniors to socialise and recreate
 - Increase footpaths and crossings across the region
 - Increase seating
 - Increase awareness of different types of disabilities
 - Increase disability parking
 - Improve access to employment

4.3 Outcomes

4.3.1 What's working well

Participants told us the following is working well for access and inclusion in the Snowy Monaro region:

Access to local services and groups (6 comments)

- There are a few organisations in Cooma that are doing a really good job around mental health.
- There are good services in Cooma that are trying to make a difference
- Access to health services, particularly being close to Canberra
- Services provided by Council to support people in accessing direct services in their homes such as meals, cleaning, helping people shower
- Hearing Voices Support group in Cooma is working well
- Community groups, such as the Lions Club, are an asset to the area

Connected and positive community (5 comments)

- Community is nice to people with disability, and there is more of an awareness and understanding of disability
- Most of the council staff have a positive attitude towards people with disability
- Strong community spirit
- As a small community, people do better
- Nice town to be in, walk around nice little coffee shops

Access to shops and restaurants (4 comments)

- Access to local restaurants, clubs and pubs (2 comments) including, with two participants noting the Chinese restaurant on Sharpe Street and the local bowling club in Jindabyne installed a lift to make their space accessible
- The sports fields, pubs and clubs with ramps or lifts are easy to access
- New chemist is now accessible for people with disability, noting that in 2022 it had steps at the entrance
- Access to businesses is generally good

Access to taxis (2 comments)

- Taxis are available, reliant and wheelchair accessible (2 comments)
- Council has provided cards to use taxis

Public spaces and facilities (2 comments)

- Lions Parks is well maintained and a nice park to meet for social gatherings
- Tech savvy course at the library

Other strengths:

- Service NSW run a bus to Jindabyne and set it up in a car park, and the service centre moves around the area.
- Access to transport options including Community Transport Service based in Berridale (takes people to Canberra and their carers can go with them)
- Cooma is conveniently located to get to other areas e.g. Canberra
- There are a few disability parking spots around town
- Celebrate Ability Festival
- Social activities through local church, Disability Trust and Salvos.

4.3.2 What's not working well

Participants indicated the following challenges in the Snowy Monaro Region when thinking about accessibility and inclusion:

Lack of footpaths and crossings (13 comments)

- Lack of footpaths in residential areas and town centres, with many participants indicating people have to use the roads if footpaths are not connected or unpaved
 - Footpaths near the library are unlevelled and in poor condition
 - Yareen Road footpath has high foot traffic and incomplete footpaths
- Lack of pedestrian crossings to safely travel around the region, with common areas mentioned including:
 - Sharpe Street, Cooma. Some participants expressed a need for pedestrian traffic lights to ensure vehicles completely stop and people can travel safely.
 - Jindabyne Road and Kosciuszko Road into Myack Street Berridale.
 - Refuge in Berridale is dangerous, noting trucks drive don't slow down
- High gutters
- Concerns of mountain bikers and people on electric bikes speeding along footpaths
- The entrance to Coles via Sharpe Street is very narrow for cars

"You always need to jay walk and you're taking your own life in your own hands when crossing the road, especially people with disability."

"The pedestrian crossings is all the way up near the library and people can't walk that far."

"In Cooma, I drive down one side of Sharp Street and then drive to the other side. If I walk, I can't hurry across the road, not that anyone should have to, but cars don't stop for you on a refuge."

"Poor quality footpaths around town, and sometimes there aren't even footpaths to get to some areas. I have a student who has just finished Year 12, but he often has to go along the road to travel because there is no footpath."

"Mountain bikers and electric bikes doing 15km-20km more in the middle of the path, and they have the expectation that you have to move out of their way. I don't have the ability to do that. I have been hit so many times now, and people say 'I thought I'd move'."

- Interviewees

Lack of reliable and affordable transport options (8 comments)

- Lack of buses that are frequent and reliable
- Council community bus from Jindabyne and Cooma stops door to door, making the trip too long and not enough time to spend in Cooma

- Lack of access to Canberra via public transport. One participant noted the coach only goes to the railway and not to the airport.
- Taxis are too expensive to be a primary transport option
- Gutters are too high which makes it challenging to get on and off buses

“Council runs a community bus from Jindabyne to Cooma – I have used it in the past but because of how its run, it has to pick you up from the door so to speak. So it takes so long. It takes sometimes 1-2hrs to get there, then you only have 1hr or so in Cooma. I’m not sure if it’s weekly or fortnightly.”

“Getting to places is difficult if you don’t have own car. If elderly or disabled maybe you can get to Canberra for appointments but then difficulty is getting around. Community transport can take you there but can’t take mobility scooter so how can you get around when you’re there?”

“Jindabyne worst town to get around with disability.”

- Interviewees

Lack of disability parking (8 comments)

- Disability parking spaces are poorly located around town centres, for example, disability parking is behind Sharp Street surgery but that entrance has steps.
- Not enough disability parking spots, with specific places mentioned including Jindabyne Library and Coles in Cooma
- Lack of street parking, particularly during Winter (peak season for visitation).
- Disability parking spots presumes the driver has the disability
- Disability parking spots are not designed properly, with many participants noting gutters are too high

“There is no parking in front of the doctors surgery in Sharp Street, Cooma. I had to go right up to Commissioner Street and walk all the way down the street until I got to Sharp Street. I needed to sit in my car for at least 10 minutes to rest.”

“The new library in Jindabyne has no disabled parking nearby. They should put it right next to the entrance, and there are no footpaths to the library.”

“Disability parking assumes that the driver has the disability not the passenger, and I need to help them get up the step/gutter.”

“When we parked in the disability spot and got out of our car, we couldn’t up the gutter because it was too high. There needs to be access to the footpaths to get from the car park to the footpath safely.”

- Interviewees

Lack of social and recreational activities (7 comments)

- Loneliness and social isolation within the community
- It’s hard to get to know people as a new resident
- There are no social spaces for people to meet
- Unable to attend Council programs and activities due to conflicting appointments

- Currently travel 1-1.5 hours to Canberra to play 10-pin bowling.

“Nothing inclusive at all for my son, he has been extremely isolated. Years ago we started a group to get young adults with disability to have more social and lead normal life. We did manage to do things but faded away over a period of time.”

“Council has been trying to do the right thing by offering tech for seniors course. I haven’t been able to do that because of hospital and medical appointments – I can’t commit to the days and hours the course is being run.”

- Interviewee

Lack of accessible information (5 comments)

- Lack of up-to-date information on Council’s notice board and the phone book
- Council’s website isn’t overly friendly
- No consistent contact with Council to solve issues

“The notice board outside of Council’s office isn’t kept up to date. We are reliant on Council’s Facebook, and there are lots of older people who don’t have access to the internet.”

“I have had repeated experiences where I needed to find out information and I get passed from one person to another.”

Poor access into and around shops and buildings (3 comments)

- Narrow entrances, doorways and space within shops and businesses

“There needs to be better access to shops for people with wheelchairs and more space within shops. Coles and Aldi are good but Woolies is too narrow.”

“There was a ramp built that was 900cm wide but it should be 1m wide.”

- Interviewees

Poorly maintained and inaccessible public toilets (3 comments)

- Difficult to access public toilets
- Disabled toilet in Coles complex has narrow access leading into the toilets
- Public toilet amenities in Cooma are well-below standards, are in out of the way places and no lighting. In particular, Centennial Park toilet block.

“The disabled toilet in Coles complex has narrow access leading into the toilets. Hard for people in wheelchair. There isn’t really a wheelchair facility at all anywhere in town.”

“Toilet amenities in town are well-below standard of a civilized community. They are in out of the way places, no lighting, opaque ceiling lighting which is just not what they should be. I feel for the women in the town that need to use the amenities block. People don’t go to them, so they go buy a coffee and use the business toilets.”

- Interviewees

Lack of employment opportunities (2 comments)

- Lack of opportunities outside of mainstream employment, noting that people with mental illness struggle with mainstream work
- Lack of employment opportunities and knowledge of employers.

Other:

- Small Council office in Jindabyne
- Community hall in Jindabyne doesn't have storage and is too expensive to hire
- There is only one disability swing in Centennial Park and is often broken
- Council is limited with their funding
- Stigma around mental illness
- One of the bridges on the walkway along Cooma Creek has been missing since the last flood and needs to be replaced, noting the walkway is frequently used, particularly by elderly
- Lack of access and success in engaging with My Aged Care for support.
- Constant tech upgrades and changes makes it hard to keep up
- Parents of children with disability struggle to access programs and activities for their children, noting that some parents have mild intellectual disabilities which makes it hard for them to find information about what is available to them.
- Access is good in Cooma but maybe less so in the villages.

4.3.3 Ideas to improve accessibility and inclusion

The top ideas in the Snowy Monaro Region to improve accessibility and inclusion were:

More programs and activities for people to socialise and recreate (11 comments)

- More social like coffee clubs to meet people
- More local and affordable recreational activities for people with disability in the region like bowling and hiring bikes
- Opportunity to provide more indoor events at the new stadium, with suggestions for recreational activities such as wheelchair basketball competitions for people of all ages
- More inclusive social spaces and activities for people with disability, carers and seniors
 - Coffee clubs to meet people
 - Carers respite 'Get together with the carers'
- Increase funding, support and promotion of local social groups
- More activities for people who are severely disabled that are on the NDIS. There's not much for them to do other than going to restaurants and cafes.

"We go to Tennis on Tuesdays and singing group (Cooma School of Music is very good with people). Council could do more of this."

"More things to do in Cooma such as social activities, workshops, interesting things to do for socialising – that are close by so no need to travel to Canberra."

"East Jindabyne – meeting place for carers and people with disability. A more relaxed open space other than 4 walls or noisy café. Relax. Help each other."

"Council needs to support carers more so they can help the people they are looking after. Carers need respite themselves because carers burn out. Because distance between towns and everyone has schedule – it's finding what works for other people that they may not have experienced."

- Interviewee

Increase footpaths and crossings across the region (5 comments)

- Increase number of footpaths in residential areas and town centres, and ensure they are connected
- Increase signage for pedestrians and drivers e.g. look before you cross
- Add pedestrian crossings or pedestrian traffic lights along Sharp Street and Bombala Street

"Start with the footpaths. 13 years ago there used to be a footpath on one side of the street in every road but there isn't anymore, so you're forced to walk on the road. In winter its worse, people park on the grass - if there was a footpath then they wouldn't do it."

"Traffic lights would be ideal on Sharp Street where people cross the road outside the Coles centre. There are so many people, I see people with disabilities that stand there and can't cross, and some

people just walk out because they think it's a pedestrian crossing. It needs actual traffic lights so people know it's safe to cross."

- Interviewees

Increase seating (3 comments)

- More seating in town centres and shops to support people with disability and elderly for rests
 - One participant noted Woolworths has a seat near the checkouts, but Aldi doesn't
 - More seating towards Bombala Street

"More seats in Cooma. I can only walk so far. I can't walk from Sharp Street to Matthew Street – I'm trying to find places to sit down."

- Interviewee

Increase awareness of different types of disabilities (2 comments)

- Educate businesses on different types of disabilities to create more inclusive environments

"We need a program where we can educate businesses to be more inclusive. My son, who many years ago while he was able to walk, had a friend take him to a hotel to meet up with other young people. He couldn't speak clearly so he was ordered out of hotel in front of everyone else for "being drunk". He eventually stopped even trying to go out or mix with other people because he said 'what's the point they either think I am drunk on drugs or retarded'."

- Interviewee

Increase disability parking (2 comments)

- Increase disability parking spots in town centres and ensure they are practical for use (e.g. for both drivers and passengers with disability)

Improve access to employment (2 comments)

- Educate local businesses and provide support to enable them to employ people with disability
- More support from organisations such as Vision Australia and Guide Dogs in the region

Other ideas:

- Create a drop-in centre/hub for mental health at the cottage in Woolworths Cooma car park (for people with schizophrenia and other mental illnesses)
- Handrails for shop entrances and for stairs
- More bus services, noting that sometimes connecting buses are late and it affects travel around the region
- Improving maintenance of public toilet amenities
- More shops such as department stores in Cooma to reduce travel to Canberra

- More training for support workers for different disabilities
- More engagement with people with disability to get feedback such as more meetings.

5. Service providers workshop

5.1 About the workshop

Cred facilitated an online workshop with service providers on Wednesday 26 October via Zoom from 10am – 11.30am. A total of ten participants from eight service providers attended the session.

Service providers represented the following organisations:

- Cooma Challenge
- Cooma Community Health
- Disability Trust
- EACH
- Hudson House
- Salvation Army Cooma
- Southern Cross Community Housing, and
- Uniting Local Area Co-ordination Partners.

The purpose of the workshop was to understand what service providers think is working well and what's not working well about inclusion and accessibility for people in the Snowy Monaro region, and their ideas to make the Snowy Monaro region a more inclusive and accessible place to live.

5.2 Overview of activities

The session commenced with a presentation by Cred about the project and its deliverables. This was followed by a facilitated conversation that focused on the following three questions:

- What is working well in the Snowy Monaro region when thinking about accessibility and inclusion?
- What is not working well in the Snowy Monaro region when thinking about accessibility and inclusion?
- What are your ideas to make the Snowy Monaro region a more accessible and inclusive place?

5.3 Key findings

- Thinking about what is working well, participants highlighted the collaboration between service providers, Councils' website, and attitude towards people with disability and improving community attitudes towards and perceptions towards people with disability are key strengths of the Snowy Monaro region.
- Thinking about what is not working well, participants indicated there is limited access to information via a range of platforms other than the internet, lack of accessible buildings, spaces and events, inaccessible footpaths, and lack of meaningful employment opportunities for people with disability. Participants also expressed concerns for lack of resources for services providers in the Snowy Monaro region, particularly limited funding and staffing or service providers working in the disability sector.
- Participants expressed the following ideas to make the Snowy Monaro region more accessible:
 - Providing and sharing up to date information and resources on both Council website, as well as in a variety of formats other than via the internet.
 - Making events more accessible and supporting event organisers to make their events accessible. This could include sensory spaces, or portable matting for outdoor events.
 - Help break down barriers associated with accessing meaningful employment including educating employers on what services are available and reducing stigma.
 - Bring back interagencies and committees focused on disability, access and inclusion.
 - Make sure engagement with the community members with lived experience is meaningful and accessible.

5.4 Outcomes

5.4.1 What is working well

Participants indicated the following are working well in the Snowy Monaro region for the access and inclusion of people with disability.

- **Collaboration between service providers**

- All service providers know each other, and the network is strong.
- The Snowy Monaro Interagency helps facilitate conversations between services that provide mainstream support and those working in the disability space.

“We all know each other and the network is strong. People are willing to step through the door and talk about issues.”

- Service provider workshop participant

- **Council’s website and provision of information**

- There is good access to information on Council’s website.
- Council’s website is easy to use and clearer than other council websites.

- **Council’s attitude**

- Council is passionate about inclusion and access and celebrates people with disability for International Day of People with disability each year.
- Council staff are helpful when engaging with people with disability.

“Council has always been passionate about celebrating people with disability. Every year they celebrate and acknowledge international day of people with disability.”

- Service provider workshop participant

- **Community perceptions and attitudes**

- Over the last few years there has been a visible shift in community attitudes towards people with visibility and more conversations around visibility.

- **Perception that NDIS funding** has reduced a need for crisis support.

- **Council’s building** has been made more accessible with the automatic doors.

5.4.2 What's not working well

Participants indicated the following are not working well in the Snowy Monaro region for the access and inclusion of people with disability.

- **Lack of access to information, particularly information accessible only via the internet**
 - It is not always easy to get information in accessible formats from Council.
 - More information on families with children with disability is needed, much of it focuses on older people with disability.
 - An overreliance on the internet to provide information means people with disability who are unable to access the internet, such as those living in areas with no coverage, or older people, are not able to access information on services.
 - Using social media to communicate can miss groups of people.

"Our clients might not have a phone, or are unable to access the internet to get information especially in areas without service. We also have many ageing clients who don't have the skills to use the internet. We need to come back to basics and have more easy to read formats for participants to access information on services so they know this information exists."

- Service provider workshop participant

- **Lack of accessible buildings and spaces**
 - Buildings and spaces within town centres are not accessible when entering from the footpath. This impacts not only people in wheelchairs but those with walkers and unstable gait.
 - Some buildings have accessible entrances but inside there are no accessible amenities such as toilets.
 - Buildings are not appropriately soundproofed which is an accessibility need for mental health and intellectual disabilities.
 - The cost of making buildings accessible can be prohibitive for small businesses.
 - Council building has accessibility challenges around the height of the front desk and lack of lifts.
 - There are many natural park spaces in Snowy Monaro but they are not always accessible. For example, park benches don't allow for people with wheelchairs to drive up and eat at the table.
 - There are many events hosted at public spaces and parks that are not always accessible for people with physical disabilities.

- **Access to meaningful employment**

- There is a stigma associated with employing people with disability, particularly those who are long-term unemployment or with an intellectual or physical disability.
- There is a management cost of hiring people with disability. The wage subsidy works to some extent but often doesn't lead to sustainable employment for people locally.

"There is a lot of stigma associated with finding employment for people with disability. It's really hard to advocate for people who are long-term unemployed or who have intellectual or physical disabilities."

- Service provider workshop participant

- **Inaccessible footpaths and connected pathways**

- Main Street in Cooma looks great but not accessible for people with disability.
- There are a number of missing bridges and links between footpaths.

- **Funding, staffing and resourcing**

- Lack of funding, staffing and resourcing impacts collaboration between service providers and opportunities to be involved in interagencies and Council committees.
- Service providers competing for same funding pools.

- **Collaboration between service providers**

- There has been a decrease in interagencies/committees working in the disability, access and inclusion space, including the disability committee, access and equity committee, the housing taskforce and the education and employment services committee. These interagencies used to have over 50 people in a room all the time with representation across different providers.

- **Access to short-term accommodation**

- **Waiting times for NDIS**

5.4.3 Ideas to improve accessibility and inclusion

Participants shared the following ideas to make Snowy Monaro more accessible and inclusive.

- **Improve access to meaningful employment**

- Raise awareness within businesses about job access for modifications when hiring people with disability. Provide more information on what services are available to support employment
- Provide training for local businesses to increase employment of people with disability
- Communications from employment services and TAFE about how they can adapt what they are offering locally to support local people to upskill into new jobs
- Address stigma and attitudes within local businesses by providing disability awareness training
- Less restrictive job requirements/criteria to enable people with disability to be eligible to apply (e.g. can apply for jobs if they do not meet all requirements, but are able to access additional support from their support workers to meet the requirements)
- Council to hire more people with disability

"I work with someone who is very senior but in theory is not able to do his job as it requires him to have a license and perform CPR. He has a support person with him, who is able to drive and administer CRP, however the job description would automatically discount him because he has a physical disability. It might be good to look into rewording job descriptions from "license" to "must be able to travel" so as not to discount highly skilled people from applying for jobs."

- Service provider workshop participant

- **Providing and sharing up to date information and resources**

- Technology training for carers and people who provide support for people with disability to support access to information online.
- Improve Council's website by making it easier to find information on disability, noting it is currently under Community Services.
- Include more information on Council's website about the accessibility of the region, such as an accessible toilets map or accessible recreational activities, rather than the focus on NDIS support.

- **Make events more accessible**

- Investigate opportunities for portable matting at outdoor events to make them more accessible
- Provide sensory spaces at events
- Create an accessible events checklist, including for children with disability. EACH is currently working on a resource related to this

- **Make engagement meaningful and accessible.**

- Establish a Council Advisory Committee to hear stories and ideas from people living with disability

- Make sure consultation reaches people with lived experiences through appropriate promotion and communication channels
- Have Council staff members available for interviews and in-person engagement where people may not want to fill in a survey or attend a focus group
- **More representation of people and children with disability in Council publications and social media posts**
- **Bring back interagencies and committees focused on disability, access and inclusion**

6. Service providers survey

6.1 About the service providers survey

The online survey was open from 12 October – 6 November 2023 on Snowy Monaro Council's Have Your Say webpage. In total, six people responded to the survey.

The aim of the online survey was to gather information about how accessible and inclusive the Snowy Monaro region is now, and their priorities and ideas for improvement in the future.

6.2 Key findings

- Service providers told us the key strengths for people with disability and carers in the region are positive attitudes, passionate and experienced service providers, new buildings that are accessible and employment opportunities within local businesses.
- Service providers told us the key challenges for people with disability and carers in the region are poor transport connections across the region, lack of support and information for carers, lack of locally based disability service providers, poor footpath access and connections, lack of activities available to people with disability, and stigma and discrimination.
- Key challenges for service providers in the region are lack of funding, staffing and resources, understanding the unique needs of each client and having contact details for clients and carers, client behaviour and mood changes, limitations of NDIS, and connecting with people who do not use technology.
- Service providers told us the role Council can play in strengthening access and inclusion for people with disability is to provide more transport options, accessible parking and toilets, more services and activities, consult with people with lived experiences and carers, ensuring buildings and businesses are accessible, employ people with disability and improve footpaths.

6.3 What we heard

6.3.1 Key strengths for people with disability

Service providers were asked what they think the key strengths are for people with disability and carers in the Snowy Monaro region. Key strengths include:

- Positive community attitude towards people living with disability in Snowy Monaro.
- Passionate and experienced service providers working in the disability space.
- New buildings that take into account the accessibility needs of people with disability.
- Employment opportunities with local businesses.

“Many of these people are known by a range of community members and will look out for them. In their homes they may not have the community isolation that can happen in cities.”

- Service provider survey participant

“There are community organisations and many passionate people working in this area with expertise and experience in disabilities service provision.”

- Service provider survey participant

6.3.2 Key challenges for people with disability

Service providers were asked what they think the key challenges are for people with disability and carers in the Snowy Monaro region. Key challenges include:

- Poor transport connections leading to isolation and the inability to access necessary services.
- A lack of support and information for carers.
- A lack of locally based disability service providers available in the Snowy Monaro region.
- Poor footpath and missing links such as bridges.
- Lack of activities available to people with disability.
- Stigma and discrimination from the wider community.

“Carers always need more support and information that would help them, they can be invisible within the community. People with disabilities still face a lot of stigma and ignorance of the issues from the rest of community.”

- Service provider survey participant

6.3.3 Key challenges for service providers

Service providers were asked what some of the key challenges are for them to address the needs of people with disability and their carers. Key challenges include:

- Lack of funding, staffing and resourcing of service providers leading to burnout.
- Understanding the unique needs of each client and having contact details for clients and carers.
- Client behaviour and mood changes.
- Limitations of NDIS such as a lack of short-term accommodation
- Connecting with people who do not use technology.

6.3.4 Role of Council in strengthening access and inclusion

Service providers were asked what role Council can play in strengthening access and inclusion for people with disability. Ideas include:

- More community transport options available.
- More accessible parking and toilets.
- More services and activities for people with disability.
- More consultation with carers and people with lived experiences.
- Accessible buildings and businesses, including Council buildings.
- Employ people with disability.
- Improve the footpaths.
- More information on the website about how to access accessible parking and toilets.



02 9357 2476
www.credconsulting.com.au
info@credconsulting.com.au
ABN 57 620 957 815

9.3.2 DONATIONS AND SPONSORSHIPS 2024 APPLICATIONS

Record No: I24/237

OFFICER’S RECOMMENDATION

That Council determine successful applications and award funding for the 2024 Donations and Sponsorship program.

ISSUES

Council received applications for donations and sponsorship between 1 February and 15 March 2024. All applications received have been provided to Councillors for their review and assessment against the application criteria. Councillor’s assessment, and applications, are attached to this report.

Council is required to determine the successful applicants for the 2024 Donations and Sponsorship funding.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Financial Sustainability	Low	Low	Yes
Legislative Governance and Compliance	Low	Low	Yes
Reputation and Image	Low	Low	Yes

FINANCIAL IMPACTS

Council has an approved budget providing financial assistance through its donation and sponsorships program. Resolution number 63/22.

RESPONSIBLE OFFICER: Coordinator Governance

OPTIONS CONSIDERED

Council may choose to award funding in excess of the budget. Any additional funds would need to be identified from another source of funding, within Council’s budget. However this would be acting outside of the policy and is not recommended.

Council may choose to award less than the full amount within the \$50,000 budget and return the balance of funds to the operational budget.

IMPLEMENTATION PLANS

Once the funds are awarded all applicants will be notified of the outcome. Funds will be allocated accordingly, following the return of completed funding agreements. The results will be published on Council's website.

EXISTING POLICY/DECISIONS

The Donations and Sponsorship policy is clear on application eligibility and approval criteria. A link is provided below for reference.

[Donations and Sponsorship Policy](#)

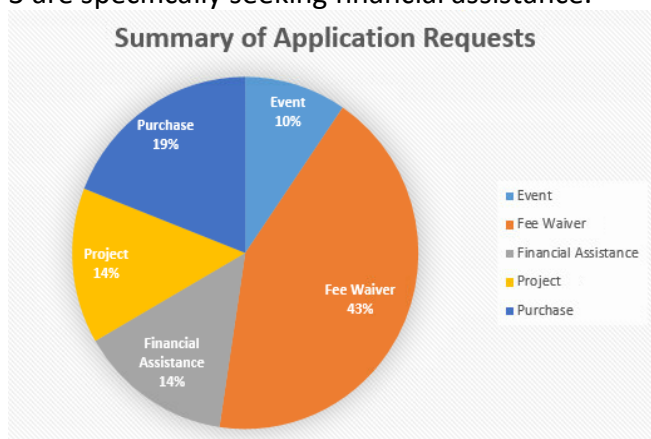
BACKGROUND

The advertising campaign for the donations and sponsorship program commenced in December 2023. Applications were received for 6 weeks, from 1 February to 15 March 2024. A total of 21 applications were received.

On 3 April 2024, Councillors were provided the applications, accompanied by a summary of each request and any relevant information pertaining to previous funding. Councillors were provided scorecards containing criteria from the policy to inform evaluation of each application against the criteria and an opportunity to returning their scored assessments. The purpose of providing the collated and ranked scores is designed to help facilitate the deliberation process during the council meeting to streamline the selection of successful applicants.

To provide insight into the distribution of applications, among the 21 received:

- 9 sought fee waivers for Council related costs, including event fee waivers,
- 3 are related to projects,
- 2 are in conjunction with hosting an event,
- 4 are towards purchases,
- 3 are specifically seeking financial assistance.



At the time of collating this report two scorecards had been returned by Councillors Attached is a summary of the scores received and applications ranked from highest to lowest. Requested funding from the applicant and average of suggested amounts from Councillors are also included.

ATTACHMENTS

1. Donations and Sponsorship 2024-2025 - Lions Club of Jindabyne (*Under Separate Cover*)
 2. Donations and Sponsorship 2024-2025 - Nimmitabel Advancement Group - Expenses (*Under Separate Cover*)
 3. Donations and Sponsorship 2024-2025 - Nimmitabel Advancement Group - Seniors Bingo (*Under Separate Cover*)
 4. Donations and Sponsorship 2024-2025 - Cooma Football Club (*Under Separate Cover*)
 5. Donations and Sponsorship 2024-2025 - Monaro Equestrian Association Inc (*Under Separate Cover*)
 6. Donations and Sponsorship 2024-2025 - Bombala Youth Booth Inc (*Under Separate Cover*)
 7. Donations and Sponsorship 2024-2025 - Delegate RSL Sub-Branch (*Under Separate Cover*)
 8. Donations and Sponsorship 2024-2025 - Enjo Clean Up Volunteer Group (*Under Separate Cover*)
 9. Donations and Sponsorship 2024-2025 - Bredbo Mens Shed (*Under Separate Cover*)
 10. Donations and Sponsorship 2024-2025 - Jindabyne Cycling Club Inc (*Under Separate Cover*)
 11. Donations and Sponsorship 2024-2025 - Cooma Landcare Inc (*Under Separate Cover*)
 12. Donations and Sponsorship 2024-2025 - Rosie O'Sullivan School of Dance (*Under Separate Cover*)
 13. Donations and Sponsorship 2024-2025 - Yugo Ryu Jiu-Jitsu (*Under Separate Cover*)
 14. Donations and Sponsorship 2024-2025 - Monaro Community Radio Inc - 2MNO (*Under Separate Cover*)
 15. Donations and Sponsorship 2024-2025 - Cantabile Cooma (*Under Separate Cover*)
 16. Donations and Sponsorship 2024-2025 - Lake Jindabyne Snowy Dragons (*Under Separate Cover*)
 17. Donations and Sponsorship 2024-2025 - Michelago Region Community Association (*Under Separate Cover*)
 18. Donations and Sponsorship 2024-2025 - Motherland (*Under Separate Cover*)
 19. Donations and Sponsorship 2024-2025 - Berridale Tennis Club (*Under Separate Cover*)
 20. Donations and Sponsorship 2024-2025 - Michelago Memorial Hall (*Under Separate Cover*)
 21. Donations and Sponsorship 2024-2025 - Cooma Lambie Street Preschool Association (*Under Separate Cover*)
-

9.3.3 DELIVERY PROGRAM PROGRESS REPORT

Record No: I24/256

OFFICER'S RECOMMENDATION

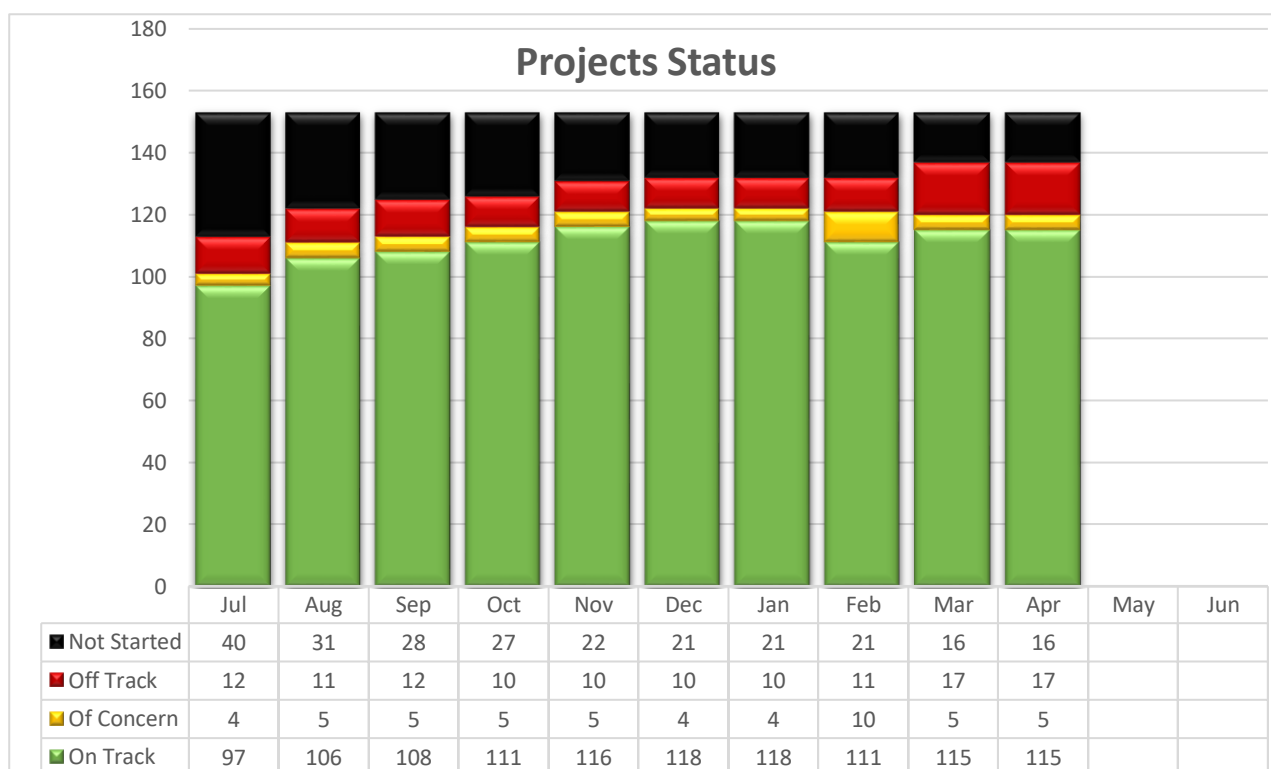
That Council note the delivery program progress report.

PROJECT DELIVERY

The revised 2022-26 delivery program has 153 projects identified for delivery over the four year period. We are currently in year two of the delivery program with 125 projects being worked on in the 2023-24 financial year.

The following chart shows the status against the original plans for the projects to be undertaken. Since the original plans were adopted, variations have been made to due dates.

Several projects have now moved from being 'of concern' into being considered off track. Some of the projects and actions identified will not be delivered in the 2023-2024 operational plan year as planned and adopted within the 2022-2026 Delivery Program, with reasons identified in the Table 1 below.



Project: Towards Excellence Program

Status: On Track

Works and services plans are still in development. Draft documents have been established showing the unconstrained (Activities that would be carried out to properly provide the service if funding was not limited) and discussions are ongoing around these servicing plans to see if they have capture the actual activities required and if there are constraints, how those will impact service delivery.

9.3.3 DELIVERY PROGRAM PROGRESS REPORT

Council's names register has been fixed to remove many duplicate entries as the first step towards putting in place the customer request system that will allow all incoming service requests to be captured in one place and monitored.

The first stages in establishing a new way of working have been undertaken in the planning and building service. This activity is looking at how the service currently operates and considering whether this meets the customer's needs. The focus on way of working has been reduced due to the need to put increased resources into the development of the information to drive the annual works and services plans, which is looking at the activities that need doing and the tasks and resources involved in doing that work effectively and efficiently.

Project: Development of the new LEP **Status: Off track**

Council has resolved to undertake further consultation. The loss of key strategic planning staff means that the council does not have the available resources to undertake another round of consultation, nor amend the informing land use strategies. Due to this, the project plan is being reviewed to determine the next steps and the resourcing required to undertake the resolved actions.

Project: Prepare and active transport strategy (ATP) **Status: On Track**

The first draft of the ATP has been completed, and a briefing to Council took place in February 2024. Council resolved to place the draft strategy on exhibition at the March 2024 Council meeting to seek feedback from the community. The draft plan was exhibited for a period of 28 days and concluded 21 April 2024. It is anticipated that the post exhibition report will be tabled at the ordinary June Council meeting.

Project: Myack Creek Berridale Sewer Crossing **Status: On Track**

The tenders received for this project exceeded the allocated budget, with the remainder of the scope proposed to be delivered in-house. Geotechnical investigation has been completed and council are waiting final and firm price proposal from the preferred consultant.

Project: Cooma Swimming Pool Upgrades **Status: Of Concern**

The critical issue with the delivery of the pool project remains the funding availability. The aged facilities require significantly more work than funding allows. This project will focus on water treatment primarily and carry out additional works (as outlined in the DA submission) if grant funding allows. Delivery timeline has become an issue; Council has extended our previously requested 12-month extension to the delivery deadline to an 18-month extension bringing it to the end 2025; this will hopefully prevent the pool works having to be carried out during the pool's usual open period. Council is also waiting for feedback from the Bega Local Aboriginal Land Council.

Table 1: Listing of projects identified as off track

Summary of projects currently considered off track to original plans	
Fire service and general upgrades for aged care facilities	Residential aged care services have been finalised or transferred. This project will no longer continue.
Yallambee Lodge new section of facility	This project has concluded at design and tender stage. The design has been completed and the tender was run. Due to the divestment, the new high care wing project is no longer going ahead.
Bobeyan Road upgrade	<ul style="list-style-type: none"> • Change of scope to be submitted, to reduce the project length from 19.5Km to 10Km (Ashvale Rd to Shannons Flat Rd). • Jones Creek Bridge construction complete • Preparation of subgrade to Shannons Flat to be completed this month. • Subgrade complete from Ashvale to Shannons Flat • DGS production underway at Shannons Flat Quarry. • Quotation for guardrail installation received. • Quotation for sealing requested. • Planned recommencement of construction 15 May.
Jindabyne Town Centre improvements	The Regional Growth and Development Corporation (SAP) have developed the brief for the upgrades to the Town Square. The demolition/rebuild of the toilets will be considered within this project design. A confirmed plan for execution on this item is being worked through now that the SAP projects have been announced.
Lake Jindabyne Shared Trail	<ul style="list-style-type: none"> • Tyrolean Village to Kunama Estate & Rainbow Beach – DA achieved and AHIP in place • 2.1 Kunama Estate & Rainbow Beach to East Jindabyne – still waiting on land acquisition, once landowner consent is received the DA application will be lodged and AHIP request submitted. • 2.2 Mill Creek Mountain Bike Park - DA application has been lodged. AHIP request to be submitted. • 3.1 Hatchery Bay to Gaden Rd Trout Hatchery - waiting on land acquisition, once received with landowner consent the DA application will be lodged. Section 1.1, 2.1, 2.2 & 3.1 will go out to tender thereafter.

Summary of projects currently considered off track to original plans	
	<ul style="list-style-type: none"> • Main issue is achieving timely land acquisition to prevent further project delays. • The main risk is delayed land acquisitions have pushed the underpass construction (stage 3.1) closer to the upcoming ski season and TfNSW will not let us undertake construction in this time. Council now expects delivery to be pushed out to the end of 2024. • The next step is Council and PWA are actively following up with landowners about land acquisition approvals, which is holding up DA submission for Sections 2.1 and 3.1. Confirm appropriate internal resourcing is available for ongoing maintenance of the trail. • Pending the approval of the scope variation to remove Creel Bay and Kalkite from works, the project will be on budget. • Council has commenced footpath and pedestrian crossing works around Townsend St, Jindabyne to enhance the connection between the Lake Jindabyne foreshore track and Copper Tom.
Delegate School of Arts	The original trade estimate indicated that there was a funding shortfall for this project of \$76,000. Testing of the market through a recent tender process has resulted in tenders pleasingly coming in within Council's allocated budget. While the project can now proceed, timing for the delivery is now out of scope for this financial year as initially planned. This project will now not commence until the 2024-2025 FY. In addition to time delays, the scope may have to be reviewed to align with compliance issues with the National Construction Code.
Jindabyne landfill rehabilitation and capping	When developing the waste strategy it was identified that due to the cost of operating landfills, the best outcome was the development of a transfer station and centralising landfill operations. The transfer station needs to be completed prior to rehabilitation of the landfill site. Currently, work is being undertaken on the costing of the required facility.
Development of the Integrated Water Cycle Management (IWCM) Strategy and Grey Water Management Plan	Council's Water and Wastewater Strategic Planner, unfortunately, has resigned, leaving two outstanding water security projects, which are currently being

Summary of projects currently considered off track to original plans	
	scoped, and NSW Public Works will undertake both projects. While the project delivery is of concern due to the funding milestone of project completion in June 2024, and now limited resources, reallocation of the projects has allowed the projects to continue.
Development of the new Local Environmental Plan (LEP)	Council has resolved to move forward with the development of a community reference group for the development of the LEP. Limited Strategic Planning resources continue to be problematic with ensuring progress. Council recently again advertised for the recruitment for a new Team Leader Strategic Planning, positive negotiations with a suitable candidate is underway.
Review fit for purpose applications	The current commitments to the “Towards Excellence” project has meant that the review of council’s software applications is unable to commence in the planned 2023-2024 financial year due to resourcing constraints. This project is now planned for the 2024-2025 financial year.
Investment Attraction Strategy	This project was due for completion in the 2024-2025 financial year, however, progress has been slow. The projected timing to complete this project is now considered off track and will not be completed this financial year. The impacts of not completing this project this financial year are minimal, in that, the status quo will remain, which is no clear strategic direction on what investment our region would like to attract and where it should go, and what council is going to do for its part. There are also actions from the Financial Sustainability Review that relate to the Special Activation precinct (SAP) that is tied to the development of the Investment Attraction Strategy (IAS), however, the delay in the SAP implementation has meant that informing detail cannot be included in the IAS at this time.
Develop a framework for policies and procedures to support the organisation	As part of the Governance Service Review in 2021, it was identified that Council should develop a framework for policies and procedures to support the organisation. While a register of policies is in development, continual vacancies has meant that progress has been minimal and the original timeframe for completion be June 2024, will not be met. This project will now be deferred to the 2024-2025 financial year.

Summary of projects currently considered off track to original plans	
Cooma Water Treatment Plant raw water pump intake design	This project was planned for 2024-2025 financial year, however, is dependent on the outcome of the Cooma water supply strategic security study currently being undertaken. This project should be removed from the 2023-2024 Operational Plan, and budgeted amount of \$300,000 returned to the restricted water fund.
Cooma Water Treatment Plant inlet and outlet flow meters	The original scope was to install new inlet and outlet flow meters for the Cooma WTP plant. Council has completed the works for the inlet flowmeter. Upon investigation of the installation of the outlet flow meter it has been determined that a more suitable location to reduce cost and complications is for this flow meter to be installed at the Snowy Reservoir site and the end of the distribution rising main. This work will not be commenced this year as it needs to coincide with the Snowy reservoir project which is taking place next year 2024-2025.
Jindabyne Resource Recovery Centre	<ul style="list-style-type: none"> • A meeting was held with the engineering firm to review the design against the agreed budget and scale for the design to match. Council is awaiting a design that is scaled to within the project budget. • The project, while required, is beyond Council's ability to fund. A grant funding source is being sought. • Council is yet to receive the amended design and seek grant funding for construction. End date for construction to be updated to June 2027 to allow for amendments and funding to be received. • Once designs are finalized the DA will be submitted and exhibited for community make comment.
Upgrades to Cooma Showground toilet block under the Crown Reserves Improvement Fund (CRIF)	The current resourcing has not allowed for progression with this project, leaving Council no alternative but to seek a variation with the funding body to extend the timeframe for delivery and defer delivery to the 2024-2025 operational plan. There is minimal impact, and will not affect the users of the showground.
Weir and fishway at Murrumbidgee River	This project was planned for 2023-2024 financial year, however, is dependent on the outcome of the Cooma water supply strategic security study currently being undertaken. This project should be removed from the

Summary of projects currently considered off track to original plans

2023-2024 Operational Plan, and budgeted amount of \$1,868,834 returned to the restricted water fund.

SERVICE DELIVERY

Service Area: Infrastructure Roads – Resealing Program

Throughout April, Council continued with the resealing program. In determining the program, Council's Asset Management System identified priority renewal resealing works in several town and villages across the region.

Cooma, Jindabyne, Bombala and Berridale saw a number of streets resealed, funded by Council. While some disruption has taken place in some instances, the overall program is on track to be completed before the weather turns too cold and resealing works are unable to be undertaken.

Service Area: Corporate Projects – Ryrie Street Bridge

Construction of the long-awaited Ryrie Street Bridge in Michelago commenced mid-April.

This work will improve road safety and slash travel times for local drivers and highway commuters, especially during peak tourist season. By allowing local traffic to bypass the Monaro Highway, the new Ryrie Street Bridge will also greatly reduce emergency response times.

The work involves replacing a hazardous and only seasonally-passable causeway, the extension of Ryrie Street – via a new 20-metre bridge over Michelago Creek – it will allow residents from the southern end of the Michelago area along Micalago Road to access the village centre without using the Monaro Highway.

The bridge is expected to be complete by the end of June 2024, subject to weather.

Service Area: Water main renewal work in Berridale

Water main upgrades and renewals got underway across Berridale from Monday 8 April 2024, with work on this significant maintenance project scheduled to run through until December 2024.

Sections of the town's water mains totalling four kilometres in length will be upgraded, maintained, or replaced by the end of 2024.

This essential work will improve the reliability of the town's water supply, ensuring that Berridale residents will enjoy dependable access to clean, safe drinking water into the future.

A majority of this scheduled maintenance work is concentrated along Myack Street, with most water supply interruptions affecting properties on this street. Properties in other locations across Berridale will also be affected on occasion.

Contractors performing this essential maintenance will require access onto private property to connect individual homes and businesses to the new water mains. This stage of the project is not scheduled until later 2024, and all affected properties will be notified in advance.

Crews began preliminary investigation works on Monday 8 April 2024.

9.3.3 DELIVERY PROGRAM PROGRESS REPORT



KEY PERFORMANCE INDICATORS

KPI	Actual	Target	Commentary
<p>% KPI's on target</p> <p>KPI Status</p> <p>64.79% 19.72% 14.08% 1.41%</p> <p>■ On Track ■ Monitor ■ Needs Work ■ No Target</p>	63.38%	75%	<p>KPI's Needing work</p> <ul style="list-style-type: none"> <15 water main breaks per 100km of water main/year <20 repairs and chokes per 100km/year Quarterly meetings with Chair of South East Forestry Hub
% projects/actions on target	52.24%	45.83%	<p>Council is 22 months into a 48 month Delivery Program. We are tracking ahead of the calculated progress target of 45.83% to this point with our principal activities and</p>

9.3.3 DELIVERY PROGRAM PROGRESS REPORT

KPI	Actual	Target	Commentary
% KPI's on target <p>KPI Status</p> <p>64.79% 19.72% 14.08% 1.41%</p> <p>■ On Track ■ Monitor ■ Needs Work ■ No Target</p>	63.38%	75%	KPI's Needing work <ul style="list-style-type: none"> <15 water main breaks per 100km of water main/year <20 repairs and chokes per 100km/year Quarterly meetings with Chair of South East Forestry Hub
			commenced projects. There are still several projects that are not due to commence until years three and four of the Delivery Program.

Performance Measures	Period	Unit	Target	Actual	Comment
<15 water main breaks per 100km of water main/year	Month	#	4.00	16.00	For the Month of March 16 water main breaks were attended to.
<20 repairs and chokes per 100km/year	Month	#	4.00	9.00	For the month of March 9 repairs or chokes were attended to.
Quarterly meetings with Chair of South East Forestry Hub	Quarterly	#	1.00	0.00	No meeting was facilitated last quarter.

RESPONSIBLE OFFICER: Coordinator Strategy Development.

ATTACHMENTS

Nil

9.5.1 RESOLUTION ACTION SHEET UPDATES

9.5.1 RESOLUTION ACTION SHEET UPDATES

Record No: I24/258

OFFICER'S RECOMMENDATION

That Council note the resolution action updates.

This is an information only report.

BACKGROUND

In order to provide councillors with updates on resolutions of Council, a report has been generated with a summary of actions that are current.

RESPONSIBLE OFFICER: Chief Strategy Officer

ATTACHMENTS

1. Resolution Action Sheets - Up to End of April 2024


Date From:

Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	110/24	Coordinator Economic Development	Communications	20/05/2024	Outstanding

Council to Progress to a Grant Application for Construction of Monaro Rail Trail - Stage 1 - Cr Davis

COUNCIL RESOLUTION

110/24

That Council:

A. Apply for a “Regional Precincts Partnership Program” (RPPP) Federal Government grant or similar type grant by December 15, 2024 (separately or jointly with QPRC) to engage an independent consultant to undertake a business case on the Monaro Rail Trail project from Queanbeyan to Bombala.

B. Engage a project manager for the Bombala section of the MRT project funded by the Federal “Investing in Our Communities” grant. Selection of the project manager will be based upon previous experience in successfully constructing rail trails. Learnings and associated project management policy, procedures and work practices should be documented and leveraged into future MRT stages.

Moved Councillor Davis

Seconded Councillor Mitchell

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

Notes

30 Apr 2024

A. Work on the scope of the business case has not yet started. B. Funding agreement not yet finalised.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	87/24	Design Engineer	Operations	20/05/2024	Outstanding

Acceptance of Funding under the NSW Government Country Passenger Transport Infrastructure Grants Scheme - Round 2


COUNCIL RESOLUTION

87/24

That Council

A. Endorses the delivery of bus shelters funded under CPTIGS Round 2 for inclusion into Councils 23/24 Delivery and Operational Plan.

B. Ensure a second round of information be communicated to affected business holders before construction takes place.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	
	Committee: Ordinary Council	

Moved Deputy Mayor Higgins	Seconded Councillor Johnson	CARRIED
Record of Voting <i>Councillors For: Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.</i> <i>Councillors Against: Nil.</i>		
Notes 01 May 2024 Funding acceptance letter signed by CEO and sent to CPTIGS R2 funding authority. Second round of community consultation will commence week starting 13 May.		


Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	102/24	GIS Administrator	Strategy	20/05/2024	Outstanding
Road Naming - Approve Higgins, Hyles and Try for Berridale subdivision					
COUNCIL RESOLUTION			102/24		
That the road names proposed under DA10.2021.382.1, being Higgins Circuit, Hyles Street and Try Street be approved for gazettal by the Geographical Names Board.					
Moved Councillor Davis		Seconded Councillor Frolich		CARRIED	
Record of Voting					
Councillors For:		Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.			
Councillors Against:		Nil.			
Notes					
30 Apr 2024					
No further action required until the roads are publicly accessible at which time it will be forwarded to the Geographical Names Board for gazettal.					

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council



SNOWY MONARO
REGIONAL COUNCIL


Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	88/24	Land & Property Officer	Operations	20/05/2024	Outstanding
Bunyan Quarry Land Acquisition - Crown Land Lots 159, 160 & 161 DP 724552					
COUNCIL RESOLUTION			88/24		
That Council					
A. Acquire the following land by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) by authority contained in the Local Government Act 1993 (NSW) for the purposes of the Bunyan Quarry:					
i) Lots 159, 160 & 161 in Deposited Plan 724552;					
B. Proceed with the necessary applications to the NSW Minister for Local Government and the NSW Governor to acquire Lots 159, 160 & 161 in Deposited Plan 724552;					
C. Acknowledge that minerals are to be excluded from the acquisition;					
D. Acknowledge that the acquisition is not for the purpose of resale;					
E. Classify the acquired land (Lots 159, 160 & 161 DP 724552) as operational land in accordance with the Local Government Act 1993 (NSW);					
F. Authorise the CEO to sign any documentation required for the acquisition process.					
Moved Councillor Davis		Seconded Councillor Frolich		CARRIED	
Record of Voting					
Councillors For:		Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.			
Councillors Against:		Nil.			
Notes					
23 Apr 2024					
Public Works Advisory (PWA) has carriage of the land acquisition. Proposed Acquisition Notices will be issued in the coming months.					

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council



SNOWY MONARO
REGIONAL COUNCIL

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	99/24	Coordinator Strategy Development	Strategy	20/05/2024	Completed
<div>Delivery Program Progress Report</div> <div>COUNCIL RESOLUTION<div>99/24</div></div> <div>That Council:<div><div>A. Note the delivery program progress report.</div><div>B. Defer the following projects identified within the 2023-2024 operational plan to the 2024-2025 operational plan.<div><div>i. Review fit for purpose applications</div><div>ii. Investment Attraction Strategy</div><div>iii. Develop a framework for policies and procedures to support the organisation</div><div>iv. Cooma Water Treatment Plant raw water pump intake design – and return budgeted amount of \$300,000 to the restricted water fund</div><div>v. Complete - Cooma Water Treatment Plant inlet and outlet flow meters</div><div>vi. Upgrades to Cooma Showground toilet block under the Crown Reserves Improvement Fund (CRIF)</div><div>vii. Complete Delegate School of Arts</div></div></div></div></div> <div><div>Moved Councillor Davis</div><div>Seconded Councillor Frolich</div><div>CARRIED</div></div> <div><div>Record of Voting</div><div>Councillors For:<div>Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.</div></div><div>Councillors Against:<div>Nil.</div></div></div>					
<div>Notes</div> <div>30 Apr 2024</div> <div>Delivery program updated.</div>					


Date From:

Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	105/24	Manager Corporate Projects	Strategy	20/05/2024	Outstanding
Bombala Arts and Innovation Centre (8-12 Wellington Street) - future direction for site					
COUNCIL RESOLUTION			105/24		
That Council proceed with spending the existing funding to undertake highest priority works on the building.					
Moved Councillor Hopkins		Seconded Councillor Mitchell		CARRIED	
Record of Voting					
Councillors For: Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Stewart, Councillor Summers and Councillor Mitchell.					
Councillors Against: Councillor Johnson and Councillor Williamson.					
Notes					
01 May 2024					
Reassigned to appropriate area for action.					

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	94/24	GIS Administrator	Strategy	06/06/2024	Outstanding
Road naming proposal for subdivision of 167 Yallakool Place Cooma					
COUNCIL RESOLUTION			94/24		
That Council endorse the road name proposal, for Themeda, Dianella, Poa and Swainsona Close, for the subdivision DA10.2010.02000046.1 at 167 Yallakool Road Cooma to be:					
A. Created on the Geographical Names Board road naming proposal portal and submitted for pre-approval.					
B. Publicly advertised for 28 days in the Monaro Post.					
Moved Councillor Davis		Seconded Councillor Frolich		CARRIED	

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

Record of Voting
<i>Councillors For: Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.</i>
<i>Councillors Against: Nil.</i>
Notes
30 Apr 2024
The road naming proposal will be advertised in the Monaro Post from May 8th until June 5th. The estimated completion date for the action is 6 June.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	92/24	Manager Infrastructure	Operations	20/05/2024	Outstanding

John Connors Oval Lighting - Jindabyne		
COUNCIL RESOLUTION	92/24	
That Council accept the allocation of \$85,000 of Local Roads and Community Infrastructure Program funding to contribute towards the upgrade of John Connors Oval light towers.		
Moved Councillor Davis	Seconded Councillor Frolich	CARRIED
Record of Voting		
Councillors For:	Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.	
Councillors Against:	Nil.	
Notes		
02 May 2024		
Work program for the LRCIP Grant is currently being completed for submission so the funding can be attributed.		
Discussions to take place with the Rugby Union club holding the lighting grant to confirm timeframes.		


Date From:

Date To:

IN-PROGRESS ACTIONS REPORT


Committee:

Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	91/24	Manager for Community Services	Operations	20/05/2024	Outstanding
Update on Bombala Livestock Yards					
COUNCIL RESOLUTION			91/24		
That Council:					
A. Continue to maintain operations of the Bombala Livestock Yards and undertake the immediate repairs with a supporting budget in the 2023/24 financial year, while long-term options are considered.					
B. Negotiate with the previous expression of interest for a successful lease arrangement with a report to come back with outcomes, to the May 2024 Council meeting.					
Moved Councillor Stewart		Seconded Councillor Davis		CARRIED	
Record of Voting					
Councillors For:		Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Williamson and Councillor Mitchell.			
Councillors Against:		Councillor Summers.			
Notes					
01 May 2024					
A. The facility is being accessed by the community while upgrades continue. The walkway for the loading ramp is being scoped and in the final quotation phase.					
B. The meeting has not been able to be facilitated in this time period and consequently the report back to Council is to be deferred until June 2024.					

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	101/24	Governance Officer	Strategy	20/05/2024	Outstanding
Appointment of Members to the Open Space and Recreation Committee					
COUNCIL RESOLUTION			101/24		
That Council :					
A. Appoint the following 10 community members to the Open Space and Recreation Facilities Advisory Committee:					
1. Christopher Reeks					
2. Jim Johnston					
3. Bill Euston					

Date From: Date To:	IN-PROGRESS ACTIONS REPORT Committee: Ordinary Council	 SNOWY MONARO REGIONAL COUNCIL
<div style="margin-left: 40px;"> 4. Louise Jenkins 5. Ineke Stephens 6. John Britton 7. Lorraine Alford 8. Suzanne Dunning 9. Stacey Manson 10. Darren McIntosh </div> <p>B. Amend the charter to increase the number of committee members from 8 to 10.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> Moved Councillor Hopkins Seconded Councillor Mitchell CARRIED </div> <p>Record of Voting <i>Councillors For: Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Mitchell.</i> <i>Councillors Against: Councillor Williamson.</i></p>		
Notes 30 Apr 2024 No current update.		

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	100/24	Coordinator Strategy Development	Strategy	20/05/2024	Outstanding

Disposal of Council Land

100/24

COUNCIL RESOLUTION

To support Council’s reform programs, delivery of financial sustainability recommendations and safety improvements:

- Subdivide 8 North Street Cooma – Lot 3 DP 226204 into two lots and 66-68 Wangie Street Cooma – Lot 9 DP246089 into two lots, subject to final investigation of below ground infrastructure placement;
- Budget \$150,000 for the 2024-2025 budget to cover subdivision and land sale costs for the two parent lots;
- Authorise the Chief Executive Officer (CEO) to execute any document necessary to complete the subdivision process, and any related easement creation as/if required;
- Authorise the Chief Executive Officer (CEO) to place the identified land on North Street & Wangie Street Cooma, either as newly created lots or ‘as is’ pending existing below ground infrastructure constraints, on the market for sale.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT		SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council		

E. If there is a requirement to borrow, including the option of externally, up to 80% of a certified valuers evaluation, that a report be brought back to Council.

Moved Councillor Mitchell

Seconded Councillor Hopkins

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.


Councillors Against: Nil.

Notes

01 May 2024

This action has been added to the draft Operational Plan 2024-2025 for Council's Land and Property team to action.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	98/24	Strategic Land Use Planner	Strategy	20/05/2024	Completed
Planning Proposal 2-14 Ryrie Street Michelago					
COUNCIL RESOLUTION			98/24		
That Council acknowledges the planning proposal for 2-14 Ryrie Street Michelago, DD330.2023.1010.1.					
Moved Councillor Davis		Seconded Deputy Mayor Higgins		CARRIED	
Record of Voting					
Councillors For:		Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.			
Councillors Against:		Nil.			
Notes					
23 Apr 2024					
COMPLETE - Proponent notified of Council resolution 22/04/2024					

<p>Date From:</p> <p>Date To:</p>	<p>IN-PROGRESS ACTIONS REPORT</p> <p>Committee: Ordinary Council</p>	 <p>SNOWY MONARO REGIONAL COUNCIL</p>
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Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/04/2024	106/24	Tourism Promotion and Events Coordinator	Communications	20/05/2024	Completed

Event Support Grant Applications

COUNCIL RESOLUTION

106/24

That Council approve the 'Hot City Disco' - \$2,000 to the Monaro Committee for Cancer Research (mcCr) support application, in line with the funding support for Events Policy.

Moved Councillor Davis

Seconded Councillor Frolich

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

Notes

30 Apr 2024

Completed.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
21/03/2024	51/24	Coordinator Governance	Strategy	22/04/2024	Outstanding

Strategic Services Planning Framework

COUNCIL RESOLUTION

51/24

That;

- A. The strategic service planning policy be adopted, and
- B. The service level remain at a 17 year cycle for strategic service reviews to be carried out.

Moved Councillor Davis

Seconded Councillor Williamson

CARRIED

Record of Voting

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	
Committee: Ordinary Council		
<i>Councillors For:</i> Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell. <i>Councillors Against:</i> Councillor Hopkins.		
Notes 30 Apr 2024 Policy to be updated and published on Council's website prior to the 16 May 2024 ordinary Council meeting. 29 Mar 2024 Policy to be added to web site.		

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
21/03/2024	75/24	Coordinator Public Health & Environment	Operations	22/04/2024	Outstanding

Cmnt Legal Matters

COUNCIL RESOLUTION **75/24**

That Council seeks to recover the outstanding amount by proceeding with Option 1 as outlined in the report.

Moved Councillor Summers **Seconded Councillor Mitchell** **CARRIED**

Record of Voting


Councillors For: Councillor Beer, Mayor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Summers and Councillor Mitchell.
Councillors Against: Councillor Davis, Councillor Frolich, Councillor Stewart and Councillor Williamson.

Notes

01 May 2024
No further update.

11 Apr 2024
Direction has been given to Slaven Torline to prepare a funding agreement in keeping with Council's resolution. This will be prepared and submitted for consideration in the coming weeks.

03 Apr 2024
Slavin and Torline (Trustee for the Cmunts bankrupt estate) have been advised in writing that Council has resolved to proceed.


Date From: Date To:		IN-PROGRESS ACTIONS REPORT		 SNOWY MONARO REGIONAL COUNCIL	
		Committee: Ordinary Council			
Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
21/03/2024	58/24	Project Manager - Commercial Projects	Strategy	22/04/2024	Outstanding
Biogas Flaring - Cooma & Jindabyne Landfills COUNCIL RESOLUTION 58/24 That Council: A. In accordance with c.178(1)(b) of the <i>Local Government (General Regulation) 2021</i> , decline to accept any of the tenders for Biogas Flaring at Cooma and Jindabyne Landfills as negotiating the share of the Australian Carbon Credits Units will provide a better financial return for the Council. B. Seek a best and final offer (BAFO) from the two shortlisted tenderers, as the organisations found to have the best capability to provide the service for those lodging a tender to provide the service. Moved Councillor Stewart Seconded Councillor Mitchell CARRIED Record of Voting Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell. Councillors Against: Nil.					
Notes 30 Apr 2024 BAFOs have been received and a preferred tenderer identified. Council is resolving some requested contract clause amendments with the contractor. 02 Apr 2024 BAFO submissions were sought from the two shortlisted tenderers following the March Council Meeting. BAFOs are due back on 5/04.					
Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
21/03/2024	55/24	GIS Administrator	Strategy	22/04/2024	Outstanding
Approval of Mountainside Stage 1 Road Names COUNCIL RESOLUTION 55/24 That Council approve stage 1 road names of Mountainside, Traverse and Sidecut for the Mountainside subdivision in Jindabyne.					

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

Moved Councillor Stewart

Seconded Councillor Mitchell

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

Notes

30 Apr 2024

No further action required until the subdivision is complete and registered.

28 Mar 2024

Approved by Council. Next step is to gain final approval by the Geographical Names Board. After this time period to gazettal depends on completion of the sub-division by the developers. Current estimate by SMRC Development Engineers is end of 2024.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
21/03/2024	57/24	GIS Administrator	Strategy	06/06/2024	Outstanding

Endorse road name proposal Speargrass Lane for Michelago subdivision

COUNCIL RESOLUTION

57/24

That Council endorse the name Speargrass Lane to be;

A. Submitted to the Geographical Names Board for pre-approval, and

B. Advertised in the Monaro Post for a period of 28 days.

Moved Councillor Stewart

Seconded Councillor Mitchell

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

Notes

30 Apr 2024


The road naming proposal will be advertised in the Monaro Post from May 8th to June 5th. The expected completion for this action date is June 6th.

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council

 SNOWY MONARO
REGIONAL COUNCIL

28 Mar 2024

Road name has been endorsed by Council. Next step is to publicly advertise for 28 days and create a road naming proposal on the Geographical Names Board online road naming portal.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
21/03/2024	44/24	Manager Community Services	Operations	22/04/2024	Completed

Update on Bombala Livestock Yards including Expression of Interest (EOI)

COUNCIL RESOLUTION

44/24

That key users of the Bombala Depot Yards be engaged to a meeting in the next 5 business days to discuss and inform the users of the mitigation strategies required from the WH&S review of the facility. This meeting is to include the CEO, two Saleyards Committee members and key staff.

The EOI received be acknowledged and the applicant be invited to negotiate in the terms/parameters of the EOI within 5 business days.

Moved Councillor Stewart

Seconded Councillor Davis

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Frolich, Mayor Hanna, Councillor Hopkins, Councillor Stewart, Councillor Williamson and Councillor Mitchell.

Councillors Against: Councillor Beer, Deputy Mayor Higgins, Councillor Johnson and Councillor Summers.

Notes


01 May 2024

1. Key Stakeholder were engaged by the timeframe required and necessary requirements actions. Closed.

2. This meeting is yet to be confirmed amongst Council and the Respondent. Contact has been made however a time has not been committed as at 1 May 2024. This action has been superseded by resolution 91/24 and will be closed.

08 Apr 2024

Key stakeholders were engaged within required timeframe. Report being presented at the 18 April 2024 Council meeting with further options and recommendations for the ongoing options for the site.

Date From: Date To:		IN-PROGRESS ACTIONS REPORT		 SNOWY MONARO REGIONAL COUNCIL	
		Committee: Ordinary Council			
Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
15/02/2024	26/24	Chief Strategy Officer	Strategy	15/04/2024	Completed
Australian Local Government Association - Notice of Motions for National General Assembly 2024 COUNCIL RESOLUTION 26/24 That Council put forward the following Notices of Motion to NGA July 2024; <ul style="list-style-type: none"> - Financial sustainability: Restoring financial assistance grant to 1% of taxation revenue. - Request the Australian Government to urgently address the access and price of insurance in Australia, particularly in the context of extreme weather events and pricing in regional areas. - That the Australian Government work with other levels of government in regards to ensuring suitable supply of affordable housing in the regions. <p> Moved Councillor Davis Seconded Councillor Summers CARRIED </p> <p> Record of Voting Councillors For: Councillor Beer, Councillor Davis, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Mitchell. Councillors Against: Councillor Frolich. </p>					
Notes 29 Apr 2024 Notices of motions have been lodged. 29 Mar 2024 Notices remain to be drafted. 29 Feb 2024 Work has commenced on drafting submissions.					


Date From:

Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council



Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
15/02/2024	23/24, 24/24	Coordinator Economic Development	Communications	30/04/2024	Completed

Bombala Arts and Innovation Centre (8-12 Wellington Street) Update

COUNCIL RESOLUTION

23/24

That Council;

A. Continue to investigate and liaise with stakeholders regarding the option of permitting use of the Centre by a child care provider.

B. Progress all stakeholder discussions on the proviso that Council cannot contribute to the capital cost of building renovations/changes or contribute to the on-going operational costs of a future use (noting that continuing investigations will continue to cost Council in terms of staff time) meaning that an Expression of Interest (EOI) process on this basis will likely need to be undertaken in due course if the facility is ultimately to be offered to a third party for use.

Moved Councillor Summers

Seconded Councillor Davis

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Mitchell.

Councillors Against: Nil.

COUNCIL RESOLUTION

24/24

That Council approve the following event support applications, in line with the funding support for Events Policy;

A. Multicultural Festival Cooma \$2,000

B. Snowy Mountains Disc Golf Marathon \$300

Moved Councillor Summers

Seconded Councillor Davis

CARRIED

Record of Voting


Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Mitchell.

Councillors Against: Nil.

Snowy Monaro Regional Council

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

 SNOWY MONARO
REGIONAL COUNCIL

Committee:Ordinary Council

28 Mar 2024

One submission supporting the proposal from a Michelago community member was received during the advertisement period. Next step is to create a Geographical Names Board place naming proposal to gain GNB pre-approval.

29 Feb 2024

Consultation documents have been prepared with consultation occurring in March in the Monaro Post and Michelago Magpie.

31 Jan 2024

No update.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
21/12/2023	322/23	Land & Property Officer	Operations	26/04/2024	Completed

Little Paupong Road - Completion of Matter

COUNCIL RESOLUTION

322/23

That Council:

A. Approve staff to proceed with the closure of the surplus portion of former Crown Road corridor, now Council road corridor, located between Lot 70 and Lot 69 (shown as Lot 5 on *Figure 1 diagram*, shaded yellow, in the report body), for the purpose of land exchange.

B. Transfer this surplus land parcel to the owner of Lot 70 DP 756708 as full compensation for the land acquired by Council, from the owners of Lot 70, for road purposes.

C. Compensate the owners of Lot 69 DP 756708 the cash amount determined by a suitably qualified valuer, for the portion of land acquired through Lot 69, by Council for road purposes, in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW).

D. Authorise the CEO to approve the terms for acquisition and deliver compensation to the land owners for the land acquired, in accordance with provisions of the Roads Act 1993 (NSW) and the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW).

Moved Councillor Davis

Seconded Councillor Mitchell

CARRIED

Record of Voting

Councillors For: *Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.*

Councillors Against: *Nil.*

Notes

23 Apr 2024

Public Road Notation has been removed and Land parcel was transferred to G C Miners on 16 April 2024

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

25 Mar 2024

Gazette notice of road closure was published on 9 March 2024. Solicitors have now been engaged to remove Public Road notation from title of land parcel followed by transfer of land to adjoining landholder.

29 Feb 2024

Mandated road closure notifications have been published in preparation of former road to be transferred to owners of Lot 70 in compensation. Compensation monies paid to Lot 69. Solicitors engaged for land transfer on gazettal of road closure. Road closure gazette notice scheduled for 9 March 2024.

24 Jan 2024

Part A - Approve staff to proceed with the closure of the surplus portion of former Crown Road corridor, now Council road corridor, located between Lot 70 and Lot 69, Legislated notifications have been prepared and the Notifiable authorities have been contacted., Part B. Transfer this surplus land parcel to the owner of Lot 70 DP 756708 as full compensation for the land acquired by Council, from the owners of Lot 70, for road purposes, Solicitors have been engaged to facilitate the land transfer., Part C - COMPLETE - 22 Jan 2024 - Payment request sent through to process the cash payment for compensation to R Miners / road corridor acquired through original lot 69., Part D. Authorise the CEO to approve the terms for acquisition and deliver compensation to the land owners for the land acquired, in accordance with provisions of the Roads Act 1993 (NSW) and the Land Acquisition (Just Terms Compensation) Act 1991 (NSW).

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
21/12/2023	341/23	Chief Executive Officer	Executive Office	29/03/2024	Completed
Yallambee Lodge Transition					
COUNCIL RESOLUTION			341/23		
That Council:					
A. Authorise the CEO to continue negotiations to transfer Yallambee Lodge to Respect with a target date of 1 April 2024					
B. Request a report, including final deed prior to execution, be presented to the February Ordinary Council meeting for final approval					
Moved Councillor Davis		Seconded Councillor Hopkins		CARRIED	
Record of Voting					
Councillors For:		Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Councillor Hopkins, Councillor Johnson, Councillor Summers, Councillor Williamson and Councillor Mitchell.			
Councillors Against:		Councillor Stewart.			

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

Notes

08 May 2024

The final deeds and agreements were completed effecting the transfer as of the 29 April the IRC determination regarding the transfer of staff awards was successful and RESPECT Aged Care are now the operators on Yallambee Lodge - Action Complete.

03 Apr 2024

Final deeds have now been completed ready for execution with a nominal target date of 15 April 2024. Application to the IRC has now commenced and may require a transfer date to be a week or two later, pending advice.

29 Feb 2024

CEO of Respect Aged Care will be meeting with Yallambee staff and residents along with SMRC CEO and team in coming weeks. Negotiations with staff employment offers are currently underway and IRC applications being drafted by LGNSW.

01 Feb 2024

Discussions with Respect, staff and residents have been continuing. An "all parties" meeting with representatives from Respect and Council and the respective solicitors to negotiate the final items in the various agreement documentation. Discussions will continue in February with all stakeholder the outcomes of which will be summarised in the February council report.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
21/12/2023	342/23	Senior Engineer Water and Wastewater	Operations	31/05/2024	Outstanding

Myack Creek Sewer Support Structure-Berridale

COUNCIL RESOLUTION

342/23

That Council:

- A. Reject all tender responses for the construction of new box culvert sewer support structure at Myack Creek in Berridale, as all responses are above allocated budget.
- B. Approve staff to enter into negotiations with Leed Engineering and Construction with an aim to reach an agreement on a revised negotiated price within budget.
- C. Approve the Chief Executive Officer to award contract if within budget after successful negotiations on agreed contract conditions and price.

Moved Councillor Davis


Seconded Councillor Mitchell

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee: Ordinary Council		

Notes

01 May 2024
Awaiting final geotechnical report and price to come through from Leed Engineering today or tomorrow.

28 Mar 2024
Ongoing discussions with Leed Engineering. Council is unable to provide rock or sewer diversion. Leed have recommended a Geotechnical DCP test for site conditions. Will discuss with manager when back from leave.

29 Feb 2024
Awaiting quote from Schmidt quarries to provide rock required. Internal crew investigating whether sewer bypass can be conducted in house from Jindabyne Sewer crew. Estimated target, end April 24.

05 Feb 2024
Awaiting correspondence from Leed Engineering.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
16/11/2023	296/23	GIS Administrator	Strategy	30/12/2024	Outstanding

Proposed Road Name Bank - endorse list of selected names for public advertisement

296/23

COUNCIL RESOLUTION

That Council before going out to public advertisement, invite local Indigenous groups to make submissions for inclusion in the road name bank and the proposed road name bank to be publicly advertised for comment via Your Say for a period of 28 days.

Moved Councillor Davis **Seconded Councillor Mitchell** **CARRIED**

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

Notes

30 Apr 2024
No road name submissions have been received from the Indigenous communities at this point. The invitation to submit names runs for 3 months until 17th May 2024 at which point names will be collated, verified against Geographical Names Board road naming guidelines and the final list provided back to the Indigenous community contacts for 28 days to provide comment.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

28 Mar 2024

A Ngarigo elder, Aunty Therese Webster, has responded indicating that the Ngarigo elders will follow up and discuss and that she will be a contact point for the Ngarigo Elders and community.

15 Feb 2024

An invitation to First Nations communities to submit names for the proposed road name bank has been distributed to SMRCs network of local aboriginal community members. The final version and contact list was developed in consultation with SMRCs Community Development Planner and CEO.

31 Jan 2024

An invitation to First Nations communities to submit names for the proposed road name bank has been prepared and is due to be sent out in February 2024.

12 Dec 2023

No action to date.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
16/11/2023	301/23	Chief Executive Officer	Executive Office	28/06/2024	Outstanding
<p>Divestment of Snowy River Hostel</p> <p style="text-align: right;">301/23</p> <p>COUNCIL RESOLUTION</p> <p>That Council:</p> <ul style="list-style-type: none"> A. Close the Snowy River Hostel residential aged care service at 5pm Thursday 28 March 2024. B. Ensure satisfactory support arrangements are in place to assist Hostel residents find new accommodation. C. Issue an Expression of Interest to organisations to repurpose the facility to provide short term respite care (or similar type services) and outlining how this can be achieved. D. A report recommending a 'best fit' provider and/or options come back to the March 2024 Council meeting. E. Following identification of a preferred provider, Council commit to apply for Federal transition funding to bring the building to fit for purpose standard. F. Seek endorsement from Hon Kristy McBain MP for part E. <p>Moved Deputy Mayor Higgins Seconded Councillor Davis CARRIED</p> <p>Record of Voting</p> <p>Councillors For: Councillor Davis, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Summers and Councillor Mitchell.</p> <p>Councillors Against: Councillor Beer, Councillor Frolich, Councillor Stewart and Councillor Williamson.</p>					

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

Notes

08 May 2024

No further update - Continuing to engage with the two parties who have expressed interest.

03 Apr 2024

A report will be addressed at the May 2024 Council meeting following the EOI process.

29 Feb 2024

The EOI period for SRH has been extended 4 weeks. Mayor Hanna and the CEO have advised Federal MP McBain of the closure. Depending on outcomes from the EOI process and future use, McBain's office will support SMRC on possible funding options.

01 Feb 2024

The last resident is scheduled to transfer to Yallambee Lodge on Friday 2 February and subsequently Snowy River Lodge residential aged care service will close at 3pm. The majority of staff are transferring to Yallambee Lodge. Expressions of Interest for the future use of the facility are currently being sought.

12 Dec 2023

Are continuing to work with the residents and their families to support their transition to another facility.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
16/11/2023	292/23	Supervisor Civic Maintenance	Operations	18/12/2023	Outstanding

Post-Exhibition Report - Amended Fees and Charges

COUNCIL RESOLUTION

292/23

That Council adopt the amendments to the fees and charges and update the published fees and charges schedule on council's webpage, excluding fees and charges relating to Mountain Bike Trails subject to further consultation on the Mountain Bike Trails fees and charges by June 2024.

Moved Mayor Hanna

Seconded Councillor Davis

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

Notes

30 Apr 2024


No further update

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

04 Apr 2024

Initial Draft Fees and Charges have been submitted as part of the forward budget process. Communications strategy to inform the community is currently being drafted.

04 Mar 2024

24/25FY Fees and charges are currently being drafted. Once the draft has been completed a communications strategy will be developed to ensure that the relevant community members are aware of a proposed change for fees, for feedback to be received prior to IPR documents being developed.

31 Jan 2024

No further update.

27 Nov 2023

Complete.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
19/10/2023	267/23	Coordinator Economic Development	Communications	30/11/2026	Outstanding

Grant invitation to begin construction of the Monaro Rail Trail at Bombala

COUNCIL RESOLUTION

267/23

That Council, subject to receiving landowner consent from TfNSW (or relevant sub-entity):

A. Accept the invitation from the federal government to apply for \$1 million of funding to begin construction of the Monaro Rail Trail at Bombala.

B. Prepare and submit the application on the basis that, outside of the Bombala Station complex, the rail trail will be constructed on the track alignment necessitating the removal of the rails.

C. The trail be constructed for as far as the funding will permit.

D. Make preparations with TfNSW to enter into a lease of the rail corridor for the rail trail.

E. Write to the three community groups who provided letters for this report, formally informing them of council’s decision and inviting them to engage with the working group.

F. That the removed rails be retained for potential repurposing for a future rail project.

Moved Councillor Summers

Seconded Councillor Johnson

CARRIED

Record of Voting

Councillors For:

Councillors Against:

Councillor Beer, Councillor Davis, Mayor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillor Frolich, Councillor Hopkins and Councillor Williamson.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

Notes

30 Apr 2024

A – Complete., B – Complete., C – Noted., D – Council is waiting for the funding deed to be signed before commencing discussions in earnest., E – The community groups have been advised and discussions are in progress about how best for them all to engage with the working group. , F – Noted.

02 Apr 2024

A – Complete., B – Complete., C – The construction of the trail will be completed in 2026., D – Council is liaising with TfNSW in regard to the required lease and this will progress once the funding agreement for the grant is completed. Funding agreement is close to being signed off. , E – The community groups have been advised of Council's decision and discussions are in progress about how best for them all to engage with the working group. , F – Noted.

01 Mar 2024

A – Complete., B – Complete., C – The construction of the trail will be completed in 2026., D – Council is liaising with TfNSW in regard to the required lease and this will progress once the funding agreement for the grant is signed off. , E – The community groups have been advised of Council's decision and discussions are in progress about how best for them all to engage with the working group. , F – Noted.

29 Jan 2024

A - Council's Economic Development Coordinator has submitted Council's application. Completed. , B - Noted., C - Noted., D - Council has received TfNSW's lease documents and will work with TfNSW regarding lease requirements. , E - Completed, subject to formation of a working group for the project once grant is received., F - Noted.

01 Dec 2023

A – Council's Economic Development Coordinator has submitted Council's application. Completed. , B - Noted., C - Noted., D – Council has received TfNSW's lease documents and will work with TfNSW regarding lease requirements. , E – Completed., F - Noted.

27 Oct 2023

A - The Economic Development Coordinator will prepare the documentation for submission., B - Noted., C - Noted., D - TfNSW indicated Council will receive the lease documents in November. , E - Letter currently being drafted., F - Noted.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
19/10/2023	276/23	Manager Resource & Waste Services	Operations	21/06/2025	Outstanding
Notice of Motion - Waste Management Strategy					
COUNCIL RESOLUTION			276/23		
That Council include in the 2024-25 operational plan an action to;					
a) Undertake a 'midterm review' of the Waste Management Strategy; and					

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee: Ordinary Council		

b) Consider reconstituting the Waste Management Committee.

Moved Deputy Mayor Higgins

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Notes

01 May 2024

No further update.

04 Apr 2024

Review of Waste Strategy to be undertaken within the 24/25 FY.

29 Feb 2024

This revised date is due to the review into the waste strategy being made part of the 24/25 DP & OP.

31 Jan 2024

This review of the Waste Strategy and the potential for resurrection of the waste committee will form part of discussion and planning for Councils 24/25 DP & OP

31 Oct 2023

Action allocated for inclusion into the 24/25 Operational Plan.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
19/10/2023	271/23	Acting Chief Operating Officer	Operations	1/07/2024	Outstanding

Proposal for a Social Enterprise Nursery

COUNCIL RESOLUTION

271/23

That Council support the development of a social enterprise nursery as ancillary to the Adaminaby sewage treatment plant, subject to there being no nett cost to Council and obtaining the relevant approvals, by:

- A. Providing owner's consent for SHL to lodge a development application for the land;
- B. Entering into a long-term lease for the balance of lot 1 DP539221 at an annual rent that covers Council's costs including depreciation;
- C. Providing treated effluent to the nursery for irrigation purposes, rather than simply discharging the treated effluent to the creek.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

D. Request SHL in developing the charter for the social enterprise, incorporate a principle of complementary relationship with the existing local native nurseries, to encourage mutual long term sustainability.

Moved Councillor Summers

Seconded Councillor Davis

CARRIED

Record of Voting

Councillors For: Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against: Nil.

Notes

02 May 2024

No further update.

08 Apr 2024

Awaiting response from Snowy Hydro.

28 Feb 2024

Consultation ongoing with SHL. Target date July 2024.

02 Feb 2024

Initial contact has been made with Snowy Hydro. Awaiting Snowy Hydro to confirm meeting time to further progress the detail of the proposal.

31 Oct 2023

SHL to be contacted to continue the planning and development of the nursery.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
21/09/2023	242/23	Coordinator Strategy Development	Strategy	23/10/2024	Outstanding

General Motion - Adoption of Settlement Strategy and Rural Land Use Strategies

COUNCIL RESOLUTION

242/23


That Council implement Part A of Council resolution 109/23 of 18 May 2023 regarding the draft Land Use Strategies and hold a Councillor workshop to:

- Develop a specific community engagement strategy including a community reference group with the aim of finalising land use strategies that facilitate local communities that are strong, healthy and prosperous and reflect and meet the diverse needs and interests of the overall local community;
- That minutes of the community reference group be referred to Council.
- Determine and implement a specific community engagement strategy for the development of the Snowy Monaro Local Environment Plan (LEP).
- Final report to be presented by 30 April 2024.

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee: Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

Moved Councillor Stewart

Seconded Councillor Williamson

CARRIED

Record of Voting

Councillors For: Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

Notes

30 Apr 2024

Further development of these strategies is planned for the 24-25 Operational Plan Year.

26 Mar 2024

Resourcing has meant that the further development of these strategies has not been able to progress.

28 Feb 2024

Resourcing has meant that the further development of these strategies has not been able to progress.

23 Jan 2024

Indicative pricing has been sought for the provision of external consultants to undertake this work. Currently, Strategic Planning has two vacant positions, one being the Team leader and the other is the Senior Strategic Planner, leaving the capacity and capability of the team at an extremely low level of service. Initial responses from consultancies approached have not been optimistic, with most consultancies only having the capacity to deliver part of the required scope of work within the required timeframe. Further testing of the market capability and availability is ongoing. Until the positions are filled or budget is made available to undertake this work, this work remains in abeyance.

27 Nov 2023


Indicative pricing has been sought for the provision of external consultants to undertake this work. Currently, Strategic Planning has two vacant positions, one being the Team leader and the other is the Senior Strategic Planner, leaving the capacity and capability of the team at an extremely low level of service. Initial responses from consultancies approached have not been optimistic, with most consultancies only having the capacity to deliver part of the required scope of work within the required timeframe. Further testing of the market capability and availability is ongoing. Awaiting quarterly budget review to determine if a budget for this work becomes available.

27 Oct 2023

Indicative pricing has been sought for the provision of external consultants to undertake this work. Currently, Strategic Planning has two vacant positions, one being the Team leader and the other is the Senior Strategic Planner, leaving the capacity and capability of the team at an extremely low level of service. Initial responses from consultancies approached have not been optimistic, with most consultancies only having the capacity to deliver part of the required scope of work within the required timeframe. Further testing of the market capability and availability is ongoing.

26 Sep 2023

Indicative pricing is being sought for the provision of external contractor resourcing to undertake this work. Currently, Strategic Planning has two vacant positions, one being the Team leader and the other is the Senior Strategic Planner, leaving the capacity and capability of the team at an extremely low level of service.

Date From: Date To:		IN-PROGRESS ACTIONS REPORT		 SNOWY MONARO REGIONAL COUNCIL	
		Committee: Ordinary Council			
Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
17/08/2023	203/23	Acting Chief Workforce Officer	Workforce	30/04/2024	Outstanding
Council Action on Social Media Posts that Threaten, Intimidate, Harass, Humiliate, Slander, Defame or Troll Snowy Monaro Staff and Councillors. COUNCIL RESOLUTION 203/23 That Council: A. Establish a policy that is responsive to inappropriate social media postings that target Council members and staff. B. Base the policy on the following principles: (a) Social media posts that threaten, intimidate, harass, humiliate, slander, defame or troll Snowy Monaro Staff and Councillors be reported to the E Safety Commissioner in the first instance. (b) That social media account administrators who enable or permit social media posts that threaten, intimidate, harass, humiliate, slander, defame or troll Snowy Monaro staff, contractors and Councillors be requested to immediately remove such posts. (c) If requests for the removal of posts are not actioned, Council is to pursue legal action. (d) Social media accounts, and the hosting social media platform, that publish online abuse be reported to the E Safety Commissioner. (e) Independent live streaming and recording of SMRC facilitated community meetings, consultation and events be prohibited without prior written permission from Council. (f) Community members who threaten, intimidate, harass, humiliate, slander, defame or troll Snowy Monaro staff and Councillors in any forum, be prohibited from attending SMRC facilitated community meetings, consultation and events. C. Snowy Monaro Regional Council submit a motion to the November 2023 NSW Local Government Conference supporting stronger laws and protection for Council staff and Councillors from online abuse. Moved Mayor Davis Seconded Councillor Summers CARRIED Record of Voting Councillors For: <i>Councillor Beer, Mayor Davis, Councillor Hanna, Deputy Mayor Higgins, Councillor Johnson, Councillor Summers and Councillor Mitchell.</i> Councillors Against: <i>Councillor Frolich, Councillor Hopkins, Councillor Stewart and Councillor Williamson.</i>					
Notes 01 May 2024 No further update.					

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

<p>02 Apr 2024 No further update.</p> <p>04 Mar 2024 No further update.</p> <p>05 Feb 2024 Due do competing priorities, workforce management has not had adequate time to invest in this matter at present.</p> <p>12 Dec 2023 Council's motion was incorporated with a number of other motions on similar themes. LGNSW will now progress the issue at a state level.</p> <p>12 Dec 2023 No further update due to competing priorities at this time to address requirement to undertake closure of Snowy River Hostel, divestment of Yallambee Lodge, and commencement of Towards Excellence project.</p> <p>27 Oct 2023 Notice of Motion sent to LGNSW on 13 October 2023 for the November LG Conference.</p> <p>03 Oct 2023 Minimal progression due to competing priorities. A number of NSW Councils have given advice through LGNSW and directly on what strategies they have previously used to address these types of issues, noting the complexity around what is supported through legislation. This information has been collected and is being reviewed to understand the best direction to take the development of any policy in for Snowy Monaro Regional Council.</p> <p>25 Aug 2023 Contacted LGNSW HR Network to understand what action other councils have taken in establishing a policy of this nature.</p>
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Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
17/08/2023	194/23	Manager Corporate Projects	Strategy	31/05/2024	Outstanding
<p>Cooma Office Building - Foreshadowed Motion</p> <p>COUNCIL RESOLUTION 194/23</p> <p>That Council:</p> <p>A: Acknowledge that there is to be no further significant investment in 81 Commissioner Street premises.</p> <p>B: Request a report to Council with respect to establishing a new facility to house the administrative functions of SMRC.</p> <p>C: Write to our local State Member, Premier and relevant State Ministers to request financial support for this project.</p>					

Date From:

Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council

SNOWY MONARO

REGIONAL COUNCIL

Moved Councillor Hopkins

Seconded Councillor Stewart

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Councillors Against: Councillor Frolich.

Notes

01 May 2024

Further information to be provided at a future council meeting, no further update at this time.

02 Apr 2024

Further information to be provided at May council meeting, no further update at this time.

31 Jan 2024

No further progress. The Manager Corporate Projects position has now been filled and the project will be considered in conjunction with the other demands on that role.

12 Dec 2023

No further progress on this matter.

30 Oct 2023

At the moment the other work required to be undertaken has meant that resources have not been able to be reallocated to undertake this review of office building needs.

05 Oct 2023

The additional work has yet to be able to be scheduled.

01 Sep 2023

B. Request a report to Council with respect to establishing a new facility to house the administrative functions of SMRC. , A revised budget will need to be identified and prepared. , C: Write to our local State Member, Premier and relevant State Ministers to request financial support for this project. , Awaiting new GM

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
20/07/2023	173/23	Coordinator Economic Development	Communications	30/04/2024	Completed

Bombala Arts and Innovation Centre

COUNCIL RESOLUTION173/23

That Council seek an extension of the BLERF grant and undertake community consultation to develop a plan for managing the facility to be completed by the first ordinary Council meeting in 2024


Date From:

Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

Moved Councillor Stewart

Seconded Councillor Mitchell

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

Notes

30 Apr 2024

COMPLETE.

02 Apr 2024

No extension of the BLERF grant is possible. Report to April 2024 Council Meeting. Councillors will be briefed at the 4 April Councillor Briefing Session. A stakeholder meeting was held 12 February 2024 with Council’s Economic Development Coordinator and Council’s Land and Development Coordinator attending.

01 Mar 2024

Investigations into possible future use are continuing with a report to be provided to council in April.

29 Jan 2024

Council’s Economic Development team are still liaising with stakeholders regarding future management of the facility and potential occupiers. A meeting with stakeholders was held on 17 November with a further meeting in December to begin to chart a way forwards. Meetings have been productive however individual liaison with the potential child care provider is required to understand all required work required at the site. No extension of the BLERF grant seems possible.

01 Dec 2023

Council’s Economic Development team are still liaising with stakeholders regarding future management of the facility and potential occupiers. A meeting with stakeholders was held on 17 November to begin to chart a way forwards with a further meeting planned in December, subject to stakeholder availability. No extension of the BLERF grant seems possible.

27 Oct 2023

Economic Development are liaising with stakeholders regarding future management of the facility and potential occupiers. No extension of the BLERF grant seems possible.

28 Sep 2023


Economic Development are in the process of coming up to speed with the situation and how to implement the Council’s resolution.


01 Sep 2023

This action was recently reassigned to Economic Development who are in the process of coming up to speed with the situation and how to implement the Council’s resolution.

02 Aug 2023

Action to be reassigned to Economic Development.

Date From: Date To:		IN-PROGRESS ACTIONS REPORT			
		Committee: Ordinary Council			
Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
20/07/2023	166/23	GIS Administrator	Strategy	31/12/2023	Completed
Road Naming Proposal - Mountainside subdivision stage 1 - Jindabyne COUNCIL RESOLUTION 166/23 <p>That for the Mountainside subdivision in Jindabyne approved under DA10.2022.232.1</p> <p>A. Council endorse the proposed road names Mountainside, Traverse and Sidecut to be publicly advertised in the Monaro Post for a period of 28 days.</p> <p>B. Council endorse the proposed road names Mountainside, Traverse and Sidecut to go to the Geographical Names Board for pre-approval.</p> <p>Moved Councillor Williamson Seconded Councillor Summers CARRIED</p> <p>Record of Voting</p> <p>Councillors For: <i>Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.</i></p> <p>Councillors Against: <i>Nil.</i></p>					
Notes 30 Apr 2024 Endorsement and Public Advertising completed. Action Complete. 28 Mar 2024 Approved for gazettal by Council. Next step is to progress online road naming portal to gain final approval from Geographical Names Board. Time frame after this for formal gazettal will depend on developers rate of construction and finalisation of STAGE 1A of the subdivision. Development Engineers from Development Control Unit estimate end of 2024. This actions next steps are now covered by a subsequent action, 'Approval of Mountainside Stage 1 Road Names. This action can be marked as complete. 29 Feb 2024 No further update. 31 Jan 2024 A report recommending approval has been added to the meeting schedule for the 21 March 2024 Ordinary Council meeting. 13 Dec 2023 No comments or objections have been received so far during public advertisement of the Mountainside road naming proposal, which finishes on 20 December 2023. A council report will be submitted in early 2024 recommending approval of the road names. 31 Oct 2023 The road naming proposed is set to begin Public Advertisement in November for 28 days in the Monaro Post.					

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

<p>03 Oct 2023 No further update.</p> <p>31 Aug 2023 Pre-approval from the Geographical names board have been received. Next step is for public consultation and if no objections received report to Council to approve the road names for gazettal.</p> <p>02 Aug 2023 Road naming proposal has been submitted to the Geographical Names Board for pre-approval. When pre-approval is received the proposal will be publicly advertised for 28 days in the Monaro Post.</p>

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
20/07/2023	165/23	GIS Administrator	Strategy	30/06/2024	Outstanding

<p>Locality Boundary Adjustment for Kalkite and Hill Top</p> <p>COUNCIL RESOLUTION 165/23</p> <p>That Council:</p> <p>A. Endorse the proposed adjustment of the boundary of Kalkite and Hill Top to be publicly advertised for a period of 28 days in the Monaro Post.</p> <p>B. Endorse the creation of a locality boundary adjustment proposal in the Geographical Names Board place naming system and seek pre-approval.</p> <p>Moved Councillor Williamson Seconded Councillor Summers CARRIED</p> <p>Record of Voting</p> <p>Councillors For: <i>Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.</i></p> <p>Councillors Against: <i>Nil.</i></p>					
<p>Notes</p> <p>30 Apr 2024 No further update.</p> <p>28 Mar 2024 No further update. Based on challenges with the Ando_Bibbenluke locality boundary adjustment which has similar context, it is likely that this will also be a slow process. Estimate to have an answer from Geographical Names Board on whether it will be approved is 20/12/2024.</p> <p>29 Feb 2024 No further update.</p>					


Date From:

Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

31 Jan 2024

No further update.

13 Dec 2023

No further update.

31 Oct 2023

No further update.

03 Oct 2023

No further update.

31 Aug 2023

No further update. This proposal will be progressed when the Ando-Bibbenluke locality boundary adjustment proposal is resolved.

02 Aug 2023

No further update at this time.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
20/07/2023	171/23	Project Manager - Commercial Projects	Strategy	22/03/2024	Outstanding

Variation Approval - Jindabyne Shared Trail

COUNCIL RESOLUTION

171/23

That Council approve a variation to the deliverables of the Jindabyne Shared Trail covered under Deed RNSW 1166 (2019)

A. That Council request a variation to Restart NSW to vary Deed RNSW1166 to not proceed with construction of Section 5; East Jindabyne to Kalkite and Thredbo Valley Picnic Area to Creel Bay.

B. That prior to the project proceeding a formal agreement be entered into with the relevant community organisations setting out the responsibilities that will be taken on by those groups.

C. That prior to commencement of construction a financial report identifying maintenance funds, sponsorship income, potential fees and charges and depreciation cost is provided to Council.

Moved Councillor Williamson


Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For:

Councillor Beer, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT Committee: Ordinary Council	 SNOWY MONARO REGIONAL COUNCIL
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Councillors Against: Nil.

Notes

30 Apr 2024
The grant office has verbally confirmed that the variation has been approved. We have been told to expect the variation deed this week.

02 Apr 2024
The Grant Office had committed to providing the Grant Variation Deed by the end of March, but no deed has been received. The Project Team are chasing a revised delivery date.

29 Feb 2024
The Grant Office still has not approved the scope variation. They have advised that the variation deed will be complete in mid-March.

31 Jan 2024
Still no update from Restart Grant Office. Project is proceeding as per variation submission.

12 Dec 2023
No further information has yet been received. Project is proceeding to the point where it will be ready for tender and will then sit at a hold point until the issues are finalised.

30 Oct 2023
No further update

29 Sep 2023
No further update

01 Sep 2023
Variation was lodged with Restart (Infrastructure NSW) 5 August 2023 - no updates received. , (Unlikely until post State Budget 19 September)

02 Aug 2023
The Grant Office had intended to provide the Grant Variation Deed by the end of March. The Project Team are currently awaiting a revised delivery date.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
15/06/2023	133/23	GIS Administrator	Strategy	30/06/2024	Outstanding

Locality Boundary Adjustment - Bibbenluke and Ando

COUNCIL RESOLUTION **133/23**

That Council


A. Endorse the proposed Ando-Bibbenluke locality boundary adjustment for a public notification period of 28 days.

B. Endorse creation of a proposal with the Geographical Names Board for the proposed Ando-Bibbenluke locality boundary adjustment and progress to stage of pre-approval.

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee: Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

Moved Councillor Stewart

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Summers, Councillor Williamson and Councillor Mitchell.

Councillors Against: Nil.

Notes

30 Apr 2024

Request sent to the Geographical Names Board to progress, which will mean going to the GNB board as one resident has not provided support for the proposal.

28 Mar 2024

No further update

29 Feb 2024

Preparing documents and supporting evidence from residents for this to go to a Geographical Names Board meeting. We have been unable to get a response from all 5 property owners meaning it will need to go to a board meeting rather than be an administrative matter. Four owners have shown support and one owner has not responded to correspondence detailing the proposal and asking for submissions.

31 Jan 2024

No further update.

13 Dec 2023

Not all affected residents have responded to a request for comment on the proposal. This means that the proposal will likely go to a meeting of the board to be assessed. The time for this is not set.

31 Oct 2023

Affected residents have been sent letters asking for comment on proposal as multiple owners had not responded to the initial direct consultation. If all owners respond and support the matter will be an administrative manner with the Geographical Names Board. If not it will become an agenda item on for the Geographical Names Board for discussion., Examples of delayed or affected services are being collated from residents to ensure clarity around issues caused by locality boundaries when the proposal goes to the Geographical Names Board for approval.

03 Oct 2023

Geographical Names Board (GNB) have asked for further examples in provision of services being delayed or interrupted due to current boundaries and documentation from owners on their position who provided no response to direct consultation by SMRC with land owners. If all owners provide support to the proposal it will be approved by GNB as an administrative matter. If not it will go to the GNB board for approval.


31 Aug 2023

No submissions received. Geographical Names Board have requested further information before pre-approval of the proposal regarding specifics of occasions where services where not provided or delayed due to the locality boundaries not reflecting local access to services.

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee: Ordinary Council

 SNOWY MONARO
REGIONAL COUNCIL

31 Jul 2023

Currently being advertised. Public Notification period ends 9th August. No submissions received so far.

30 Jun 2023

Preparing documents and supporting evidence from residents for this to go to a Geographical names Board meeting. We have been unable to get a response from all 5 property owners meaning it will need to go to a board meeting rather than be an administrative matter. Four owners have shown support and one owner has not responded to correspondence detailing the proposal and asking for submissions.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/05/2023	113/23	Coordinator Governance	Strategy	18/04/2024	Outstanding

Establishment of an s.355 Advisory Committee for Open Spaces and Recreational Facilities

COUNCIL RESOLUTION113/23

That Council establish an s.355 advisory committee for open spaces and recreational facilities with effect from 1 July 2023.

Moved Councillor HopkinsSeconded Councillor JohnsonCARRIED

Record of Voting

Councillors For: Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Summers and Councillor Mitchell.

Councillors Against: Councillor Williamson.

Notes

30 Apr 2024

The Recreational Facilities and Open Spaces charter to be amended in accordance with resolution 101/24 and applicants notified prior to the 16 May 2024 Council meeting.

08 Apr 2024

A report containing nominations for community membership is submitted to the 18 April 2024 Council meeting. Following Council’s decision and the appointment of members to the committee, each new member will be provided with a copy of the committee charter, Council’s code of conduct, and contact details for all members.

04 Mar 2024

New charter written. Will advertise for members for 2 weeks in March

31 Jan 2024

Final edits made to charter, should be included in Feb council report


31 Oct 2023

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council

 SNOWY MONARO
REGIONAL COUNCIL

Further edits to Charter are required, working with Governance to get this completed.

03 Oct 2023

Draft charter edited, next steps are to follow Governance protocol

01 Sep 2023

Draft committee Charter underway to identify proposed membership and confirm purpose of the committee

03 Aug 2023

No further update

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
20/10/2022	294/22	Coordinator Economic Development	Communications	30/04/2024	Outstanding

Future use of the Cooma to Bombala Rail Corridor

COUNCIL RESOLUTION

294/22

That Council

A.

Support the continued planning for the Monaro Rail Trail from Queanbeyan to Cooma, and Bombala to Jincumbilly, including finalising the business case and potential lease discussions with TfNSW for those sections (noting this is not a resolution to apply for funding to construct the rail trail or enter a lease, but to commence discussion);

B.

Provide a written undertaking to Cooma Monaro Railway (CMR) that Council will agree to vary any future rail trail lease between Bombala and Jincumbilly (at no cost to CMR) to enable reinstatement of the rail line (at no cost to Council) should Stage 4 funding of the CMR Operational Business Plan (Version 2.3.2 August 2022) be received, and subject to Stages 2 and 3 of that Plan (ie Cooma to Nimmitabel) having been constructed prior to this;

C.

Not undertake to fund the cost of relocating the MRT if point B (above) eventuates;

D.

Resolve to continue to work with all parties on continuing investigations of potential shared use arrangements, costings, feasibility evaluations, etc along the rail corridor between Cooma and Bombala;

E.

Inform state agencies (TfNSW, DRNSW) and federal and state members of Council’s adopted position on this matter.

Moved Councillor Stewart

Seconded Councillor Hanna

CARRIED


Record of Voting


Councillors For:


Councillor Beer, Mayor Davis, Deputy Mayor Higgins, Councillor Johnson, Councillor Stewart, Councillor Summers and Councillor Williamson.

Councillors Against:

Councillor Frolich, Councillor Hanna and Councillor Hopkins.

<p>Date From: Date To:</p>	<p>IN-PROGRESS ACTIONS REPORT</p>	 <p>SNOWY MONARO REGIONAL COUNCIL</p>
<p>Committee: Ordinary Council</p>	<p>Notes</p> <p>30 Apr 2024 A – Ongoing. Council will liaise with TfNSW regarding potential lease. BCSD grant funding reports have been received., B - Complete. , C - Complete. , D - Ongoing. Council is liaising with interested stakeholders. , E - Complete.</p> <p>02 Apr 2024 A - Ongoing. Council will liaise with TfNSW regarding potential lease. BCSD grant funding reports have been received., B - Complete. , C - Complete. , D - Ongoing. Council is liaising with interested stakeholders. , E - Complete.</p> <p>01 Mar 2024 A – Ongoing. Council will liaise with TfNSW regarding potential lease. Working with MRT Inc and BCSD funded consultants to strengthen business case. BCSD grant funding draft reports have been received.; - Trail Development Plans for Queanbeyan to Cooma and Old Bombala Rd to Jincumbilly., - Biosecurity and biodiversity assessment reports for Stage 1a plus Old Bombala Rd to Jincumbilly and Queanbeyan Station to Tralee., - Monaro Rail Trail Potential Revenue Study, to investigate and estimate possible funds the MRT could raise. , B - Complete. , C - Complete. , D - Ongoing. Council is liaising with interested stakeholders. , E - Complete.</p> <p>29 Jan 2024 A – Ongoing: TfNSW legislation regarding rail trail frameworks was received and Council will liaise with TfNSW regarding potential lease. Working with MRT Inc and BCSD funded consultants to strengthen business case. BCSD grant is funding continued planning for: - Trail Development planning for Queanbeyan to Cooma and Old Bombala Rd to Jincumbilly – draft report received., - Biosecurity and biodiversity assessment reports for Stage 1a plus Old Bombala Rd to Jincumbilly and Queanbeyan Station to Tralee – expecting drafts early February., - Monaro Rail Trail Towns Economic Impact Study, to investigate and articulate the likely economic impacts of the Monaro Rail Trail on each of the towns along the route – expecting drafts in Feb. Draft Revenue report received. , B - Complete. , C - Complete. , D - Ongoing. Council is liaising with interested stakeholders. , E - Complete.</p> <p>01 Dec 2023 A - Ongoing: TfNSW legislation regarding rail trail frameworks was received and Council will liaise with TfNSW regarding potential lease. Working with MRT Inc and BCSD funded consultants to strengthen business case. BCSD grant is funding continued planning for: - Trail Development planning for Queanbeyan to Cooma and Old Bombala Rd to Jincumbilly – draft report received., - Biosecurity and biodiversity assessment reports for Stage 1a plus Old Bombala Rd to Jincumbilly and Queanbeyan Station to Tralee., - Monaro Rail Trail Towns Economic Impact Study, to investigate and articulate the likely economic impacts of the Monaro Rail Trail on each of the towns along the route., B - Complete. , C - Complete. , D - Ongoing. Council is liaising with other interested stakeholders. , E - Complete.</p> <p>27 Oct 2023 A - Ongoing, new legislation to provide a framework for a rail trail lease has not been released. BCSD grant is funding continued planning for: - Trail Development planning for Queanbeyan to Cooma and Old Bombala Rd to Jincumbilly, - Biosecurity and biodiversity assessment reports for Stage 1a plus Old Bombala Rd to Jincumbilly and Queanbeyan Station to Tralee, - Monaro Rail Trail Towns Economic Impact Study, to investigate and articulate the likely economic impacts of the Monaro Rail Trail on each of the towns along the route, Continuing to liaise with TfNSW regarding potential lease. Working with MRT Inc and BCSD funded consultants to strengthen business case. , B - Complete. , C - Complete. , D - Ongoing. Council is liaising with other interested stakeholders. , E - Complete.</p>	

<p>Date From: Date To:</p>	<p>IN-PROGRESS ACTIONS REPORT</p>	 SNOWY MONARO REGIONAL COUNCIL
	<p>Committee: Ordinary Council</p>	
<p>28 Sep 2023 A - Ongoing, new legislation to provide a framework for a rail trail lease has not been released. BCSD grant is funding continued planning for; - Trail Development planning for Queanbeyan to Cooma and Old Bombala Rd to Jincumbilly, - Biosecurity and biodiversity assessment reports for Stage 1a plus Old Bombala Rd to Jincumbilly and Queanbeyan Station to Tralee, - Monaro Rail Trail Towns Economic Impact Study: to investigate and articulate the likely economic impacts of the Monaro Rail Trail on each of the towns along the route, Continuing to liaise with TfNSW regarding potential lease. Working with MRT Inc and BCSD funded consultants to strengthen business case. , A \$1m Grant is being considered and a report to Council is being provided on this topic. , B - Complete. , C - Complete. , D - Ongoing. Council is liaising with other interested stakeholders. , E - Complete.</p> <p>01 Sep 2023 A - Ongoing, new legislation to provide a framework for a rail trail lease has not been released. BCSD grant is funding continued planning for; - Trail Development planning for Queanbeyan to Cooma and Old Bombala Rd to Jincumbilly, - Biosecurity and biodiversity assessment reports for Stage 1a plus Old Bombala Rd to Jincumbilly and Queanbeyan Station to Tralee, - Monaro Rail Trail Towns Economic Impact Study, to investigate and articulate the likely economic impacts of the Monaro Rail Trail on each of the towns along the route, Continuing to liaise with TfNSW regarding potential lease. Working with MRT Inc and BCSD funded consultants to strengthen business case. , B - Complete. , C - Complete. , D - Ongoing. Council is liaising with other interested stakeholders. , E - Complete.</p> <p>31 Jul 2023 A - Ongoing, new legislation to provide a framework for a rail trail lease has not been released. BCSD grant is funding continued planning for the Queanbeyan to Cooma section. Continuing to liaise with TfNSW regarding potential lease. Working with MRT Inc and BCSD funded consultants to strengthen business case. , B - Complete. , C - Complete. , D - Ongoing. , E - Complete.</p> <p>30 Jun 2023 A - Ongoing, new legislation has not been released. BCSD grant is funding continued planning for the Queanbeyan to Cooma section. Continuing to liaise with TfNSW regarding potential lease. Working with MRT Inc and BCSD funded consultants to strengthen business case. , B - Complete. , C - Complete. , D - Ongoing. , E - Complete.</p> <p>31 May 2023 A - Ongoing, new legislation has not been released. BCSD grant is funding continued planning for the Queanbeyan to Cooma section. Continuing to liaise with TfNSW regarding potential lease. , B - Complete. , C - Complete. , D - Ongoing. , E - Complete.</p> <p>01 May 2023 A - Ongoing, new legislation that is due around March has not been released as yet. BCSD grant is funding continued planning for the Queanbeyan to Cooma section. , B - Complete. , C - Complete. , D - Ongoing. , E - Complete.</p> <p>30 Mar 2023 A - Ongoing, new legislation that is due around March has not been released as yet. BCSD grant is funding continued planning for the Queanbeyan to Cooma section. , B - Complete. , C - Complete. , D - Ongoing. , E - Complete.</p> <p>28 Feb 2023 A - Ongoing, with new legislation is due around March that will contain a framework regarding lease arrangements., B - Complete. , C - Complete. , D - Ongoing. , E - Complete.</p>		

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

24 Jan 2023

A - Ongoing, with new legislation is due around March that will contain a framework regarding lease arrangements., B - Complete. , C - Complete. , D - Ongoing. , E - Complete.

21 Dec 2022

A - Continuing to work on the business case with MRT Inc. Initial meeting held with TfNSW who advised a new legislation is due around March that will contain a framework regarding lease arrangements., B - Complete. , C - Complete. , D - Ongoing. , E - Complete.

29 Nov 2022

A - Continuing to work on the business case with MRT Inc and beginning discussions with TfNSW regarding the lease. B - Complete. C - Complete. D - Ongoing. E - Complete.

31 Oct 2022

A - Continuing to work on the business case with MRT Inc and beginning discussions with TfNSW regarding the lease. B - At time of writing a letter is being drafted. C - Complete. D - Ongoing. E - At time of writing draft letters are under review.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/08/2022	217/22	Coordinator Land & Property	Operations	30/11/2024	Outstanding

Construction of NSW Rural Fire Service emergency operations centre in Cooma - land acquisition and access construction

COUNCIL RESOLUTION

217/22

That Council


- A. Enter into an agreement with Snowy Hydro Limited (SHL) to enable progression of the future construction of an Emergency Operations Centre (EOC) on the land adjacent to Council's current holding of Lot 1 DP 832813; the key agreement elements being:
 - i) Council to secure the land required to achieve legal & practical access to the intended EOC location via Geebung Street COOMA, through subdivision (boundary adjustment) by negotiation with the neighbouring landholder (Lot 2 DP 832813);
 - ii) Council to construct suitable access road segment through to the intended SHL boundary, enabling access to both the future EOC site and reaching the boundary of SHL's residual landholding (indicative access path as per the report image);
 - iii) Council to action the development approval process in relation to the specified access road segment;
 - iv) SHL to transfer to Council approximately 2 hectares of land (part of SHL owned Lot 14 DP 250029) upon completion of the access road segment referred to in A ii).
- B. Proceed with the subdivision (boundary adjustment) actions as necessary in order to deliver the new access road segment as identified in A ii);
- C. Classify any land acquired, for both the new public access road segment and the intended gifted transfer from SHL of 2 Ha of land (part of Lot 14 DP 250029) related to the EOC construction in the Polo Flat area of Cooma, as operational land in accordance with *the Local Government Act 1993*;
- D. Add the construction of the new access road segment for the EOC in Polo Flat area of Cooma to the capital works program within Council's 2022-2026 Delivery Program and 2022-2023 Operational Plan;

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

E. Assign a budget of \$500,000 (capital project), with understanding that revenue from the intended land sale of Stage 3D Leesville Industrial Estate will provide the corresponding cost offset (linkage to Resolution 154/21 activities);

F. Note that the other costs associated with the development and construction of the EOC will be borne by the NSW Rural Fire Service.

Moved Councillor Beer

Seconded Councillor Summers

CARRIED

Record of Voting

Councillors For: Councillor Beer, Mayor Davis, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against: Councillor Frolich.

Notes

30 Apr 2024

Boundary adjustment survey work completed for between SMRC owned lot & GWF adjacent lot.

02 Apr 2024

No further update

28 Feb 2024

Awaiting final construction drawings for the road corridor to inform the tender release (for construction).

31 Jan 2024

Signed owner’s consent forms from both GWF and SHL, for the Part 5 SEPP assessment for the intended public road corridor & new lot subdivision related to the future RFS Cooma Fire Control Centre / Emergency Operation Centre are on file.

12 Dec 2023

Updated survey plan drafting is in progress - SHL have agreed to relinquishment of surplus easements and creation. Road design in final stages. Planning Panel site inspection and preliminary assessment has been scheduled for 31 January 2024.

30 Oct 2023


No further update

28 Sep 2023

Meetings held with adjacent landowner, surveyor and key SMRC Infrastructure staff to progress driveway interface design; as an essential component of the logistic road design. Easement adjustment queries tabled to SHL to support functionality of the future FCC/EOC land.

31 Aug 2023

The Owner’s Consent form relating to Development Application lodgement for the building construction element of the future RFS Cooma Fire Control Centre / Emergency Operation Centre has been signed by SHL, and provided to the RFS/PWA. Draft subdivision plan provided by Council to RFS/PWA to assist with the preparation of the building construction DA.


Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	
<p>31 Jul 2023 Discussions between stakeholders are ongoing. The approval path for the new lot creation and public road corridor creation will likely be via SEPP mechanics, which should result in a fast-tracked assessment process in terms of planning consent. Neighbouring Landowner of Lot 2 DP 832813 has indicated in writing of their "in principle" agreement for the boundary adjustment subject to tuck movement functionality being unhindered; no loss of operational function is a critical component to their agreeance. SMRC have committed to ensuring that any driveway design be approved by the Owners of Lot 2 DP 832813 prior to any road way construction commencing. Related note: The RFQ for the access road (inclusive of driveway remodelling pertaining to Lot 2 DP 832813) was issued to potential design contractors on Wed 26th July; they now have 3 weeks to respond as per standard procurement policy.</p> <p>30 Jun 2023 Meeting between RFS, SHL and Council officers scheduled for Monday 3/7/23.</p> <p>31 May 2023 Meeting scheduled for 6/6/23 between PWA, RFS & Council specific to realistic timeline aims and sharing of reports ie Ecologist and survey plus bushfire aspects.</p> <p>28 Apr 2023 Collaboration with SHL, neighbouring landowner, RFS and others is progressive. Various elements continue to be refined.</p> <p>30 Mar 2023 As before - Awaiting feedback from landowner of Lot 2 DP 832813 as to in principle agreement to action 'land swap' (of approximately 85-90m2) for boundary adjustment proposal, to enable new public access road., Note: Endorsement of final concept design for intended new RFS/EOC building in progress (PWA on behalf of RFS).</p> <p>01 Mar 2023 Awaiting feedback from landowner of Lot 2 DP 832813 as to in principle agreement to action 'land swap' (of approximately 85-90m2) for boundary adjustment proposal, to enable new public access road. Note: Endorsement of final concept design for intended new RFS/EOC building in progress (PWA on behalf of RFS).</p> <p>29 Jan 2023 Next Project Control Group stakeholder meeting scheduled for 7/2/22.</p> <p>29 Nov 2022 No further update at this point.</p> <p>31 Oct 2022 Initial site meeting held on 17/10/22 with SHL and PWA.</p> <p>03 Oct 2022 Project Control Group for EOC/Cooma Fire Control Centre (FCC) project initiated with RFS.</p> <p>31 Aug 2022 A - D & F will be initiated. E - Completed.</p>		

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
21/04/2022	95/22	Coordinator Land & Property	Operations	30/11/2024	Outstanding

Land Acquisition for Road Reserve Alignment - Micalago Road & Ryrie Street Extension, Michelago

COUNCIL RESOLUTION95/22

That Council

A. Approve and proceed with the acquisition of land described as part of Lot 1 DP 1158327 & Lot 5405 DP 1244970 for the purpose of creating road reserve over existing (Micalago Road) and new infrastructure (Ryrie Street), in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*;

B. Where necessary, make an application to the Minister and the Governor for approval to acquire part of Lot 1 DP 1158327 & Lot 5405 DP 1244970 by compulsory process under Section 186(1) of the *Local Government Act 1993* and in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*; and

C. Classify the land acquired as operational land in accordance with the *Local Government Act 1993*.

Moved Councillor Summers

Seconded Councillor Hanna

CARRIED

Record of Voting

Councillors For:

Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart and Councillor Summers.

Councillors Against:

Councillor Last.

Notes

30 Apr 2024

Awaiting response from TAHE to our request for timeframe for when the briefing note will be finalised and a high level summary of the steps/timeframes that will follow

02 Apr 2024


No further update

28 Feb 2024

Email with further follow up prompt to TAHE sent 27/2/24 - Response pending.

31 Jan 2024

A request for update from TAHE in relation to this matter resulted in the following response from NSW Transport's Project Manager Assessment and Disposal being received: ". I have requested the Briefing Note from UGL Regional Linx who are the operational managers for the rail corridor. I have received this Briefing Note from UGL earlier today. This will need to be reviewed by myself and signed off on by my director. It can then be progressed through the Transport for NSW clearance process.", Email sent on behalf of Council seeking indication of time as to when the referenced review & Director sign off will occur - Response pending.

<div>Date From: Date To:</div>	<div>IN-PROGRESS ACTIONS REPORT</div>	<div> SNOWY MONARO REGIONAL COUNCIL</div>
<div>Committee:</div>	<div>Ordinary Council</div>	

12 Dec 2023

In accordance with the Council resolution this matter has been escalated to the minister, seeking the process to be expedited.

30 Oct 2023

No further update

28 Sep 2023

Awaiting registered plan of acquisition from Surveyor (pending consent from TAHE). Initial Notification letter issued to TAHE/TfNSW on 21/08/2023 – acknowledged by TAHE/TfNSW on 21/08/2023, rail corridor manager instructed by TfNSW to prepare briefing note. Awaiting further advice from TfNSW.

31 Aug 2023

No further update at this point.

31 Jul 2023

PWA tasked with reaching out to higher level within TfNSW to outline the background of the acquisition for road corridor purposes, and the interdependence on the intended bridge build.

30 Jun 2023

Meeting with PWA scheduled in week beginning Monday 3/7/23 to discuss compulsory acquisition pathway next steps.

27 Jun 2023

Public Works Advisory awaiting response from Surveyor for adjustments to the plan.

31 May 2023

No further update at this point.

04 May 2023

Draft plan sent on 27/04/2023 by PWA to TfNSW for initial review. TfNSW will provide preliminary comments (if any) before issuing their in-principal consent. If preliminary comments are received, PWA will forward those comments to Surveyor. When the in-principal consent is received, PWA will send the plan back to Surveyor to have the ‘draft’ stamps removed... then send the final plan back to TfNSW for stamping and issuance of consent letter. Will probably take a couple of weeks.

20 Apr 2023

13/04/2023 - Draft Survey plan received and sent on to PWA and Council Engineering

30 Mar 2023

Surveyor attending to the survey works over the next few weeks

01 Mar 2023

No further update at this point.

01 Feb 2023

Surveyor to finalise survey report.

29 Nov 2022

Contractor engagement finalised in order for the survey plan of acquisition to be completed.


Date From:

Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council



SNOWY MONARO

REGIONAL COUNCIL

31 Oct 2022

No further update at this point.

03 Oct 2022

A - In progress, land acquisition process sequenced by PWA. B - To be actioned at the appropriate time. C - Completed.

31 Aug 2022

PWA engagement active to deliver matter.

26 Jul 2022

Matter sitting with PWA for delivery - No further updates.

05 Jul 2022

Matter sitting with PWA for delivery - No further updates.

30 May 2022

Engagement email sent to PWA - estimated delivery time from PWA 18-24 months.

04 May 2022

A to C - Matter to be referred to PWA for execution

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
17/03/2022	55/22	Coordinator Land & Property	Operations	30/07/2024	Outstanding

Bombala Showground Lot Consolidation

COUNCIL RESOLUTION

55/22

That Council consolidate eight lots (Lot 10 DP 1097766, Lot 11 DP 1097766, Lot 12 DP 1097766, Lot 13 DP 1097766, Lot 14 DP 1097766, Lot 1 DP 151403, Lot 1 DP 151404 and Lot A DP 154400) known as the Bombala Showground into one allotment.

Moved Councillor Summers

Seconded Deputy Mayor Higgins

CARRIED

Record of Voting

Councillors For:

Councillor Beer, Councillor Castellari, Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Last, Councillor Stewart and Councillor Summers.


Councillors Against:

Nil.

Notes

23 Apr 2024

Surveyor confirmed they will progress the Lot Consolidation process with a sliver of land along the boundary with the Craig property

Date From: Date To:	IN-PROGRESS ACTIONS REPORT Committee: Ordinary Council	 SNOWY MONARO REGIONAL COUNCIL
25 Mar 2024 Investigating alternate pathway to registration as suggested by Surveyor. Slivers of Land as a possible way forward. 28 Feb 2024 Pursuing an avenue of lodging an "Expression of Interest in Claiming Sliver Lot(s)" by way of a specific plan via surveyor in order to progress this lot consolidation. 31 Jan 2024 No further update. 12 Dec 2023 LRS requisition has flagged that probate/transmission on neighbouring lot has not been completed and advised that "the consent of Public Trustee is, required in lieu of probate/transmission." - This external holding probate matter delays registration of Council's Plan of Consolidation. 30 Oct 2023 No further update 28 Sep 2023 No further update 30 Aug 2023 Signature acquired from the adjacent landholder representative on Plan of Consolidation as required due to LRS requisition. Surveyor discussing with LRS. 31 Jul 2023 No further update at this point. Gentleman has been unavailable to contact on successive occasions. 27 Jun 2023 Preliminary discussion had with deceased property owner's heir. Efforts are underway to meet with them and execute plan of consolidation, according to LRS requisition. 31 May 2023 No further update at this point. 04 May 2023 Signature of adjoining landholder is being sought to confirm survey. 28 Apr 2023 No further update at this point. 28 Mar 2023 Copy of Proposed Plan requires signature by owner of 49 Caveat St to confirm agreement to boundary as shown on plan. (due to old system title entitlement to occupied land / 200mm beyond fence line) This will fulfil part of the LRS requisition. It has been established that the current owner on title has passed away. Further investigation to find executor underway. 01 Mar 2023 Surveyor addressing LRS requisition aspects.		


Date From:

Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council



SNOWY MONARO

REGIONAL COUNCIL

29 Jan 2023

Surveyor update on LRS registration of Lot 15 DP 1285587 pending. Note: LRS Requisition Due Date currently listing as 17/3/2023.

29 Nov 2022

Surveyor responding to LRS requisition requests.

01 Nov 2022

Awaiting LRS registration of the plan of consolidation.

03 Oct 2022

No further update at this point.

31 Aug 2022

No further update at this point.

26 Jul 2022

Plans & administration sheet lodged with LRS awaiting registration.

05 Jul 2022

Survey work completed, administration sheet signed and returned to surveyor for lodgement.

30 May 2022

Survey works delayed due to internal competing priorities. Estimated delivery time June 2022.

29 Apr 2022

Title name change complete, awaiting consolidation plan from surveyor to progress the matter further.

01 Apr 2022

Resolution 55/22 - Title name change initiated with BMR & Surveyor engaged to undertake works. ETA of Consolidation Plan is early May 2022.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
17/06/2021	140/21	Manager Water & Wastewater Operations	Operations	1/12/2024	Outstanding

Delegate Water Treatment Plant Reservoir & Pump Station - Acquisition of Part Lot 1 DP 348134 Delegate - Acquisition of Easements - Application for Crown Licence

COUNCIL RESOLUTION

That Council

A. Authorise the CEO to:


i. Negotiate the purchase under private treaty of part of Lot 1 DP 348134 Delegate or, if required;

140/21

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee: Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

ii. Proceed with the Compulsory Acquisition of the land described as part of Lot 1 DP 348134 Delegate and having an area of approximately 507m² for the purpose of water treatment plant, two reservoirs (one existing) in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

a. Make an application to the Minister and the Governor for approval to acquire part of Lot 1 DP 348134 Delegate, having an area of approximately 507m², by compulsory process under section 186(1) of the Local Government Act 1993 and in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act;

B. That the land being acquired within Lot 1 DP 348134, having an area of approximately 507m², is to be classified as operational land;

C. Application be made to the Minister for Local Government and the Governor to acquire easements for raw water pipeline purposes being 3 metres wide within (or over) Lot 2 DP 1015012 and Lot 8 DP 1167423 at Delegate by compulsory acquisition process in accordance with Council’s power under Section 186(1) of the Local Government Act 1993 in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991;

D. Application be made for a Licence from Department of Planning, Industry & Environment, Crown Lands for purpose of town water supply infrastructure on the Delegate River adjacent to Lot 8 DP 1167423;

E. Authorise the CEO to sign any documentation required for the acquisition processes defined.

Moved Councillor Stewart

Seconded Councillor Rooney

Notes

30 Apr 2024

No further update

02 Apr 2024

No further update.

29 Feb 2024

Draft offer letter completed and ready for offer to landowner. , Valuation of land has been confirmed. This is the value that will be put to the landowner to accept.

24 Jan 2024

No further update.

13 Dec 2023


No further update.

30 Oct 2023

Acquisition of Lot is progressing.

03 Oct 2023

Opening Letter issued to landowner on 13/07/2023. RFQ issued on 26/07/2023 for engagement of valuation services, RFQ closed on 18/08/2023 – selection and engagement of valuer in progress.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee: Ordinary Council		
04 Sep 2023	No further update.	
28 Jul 2023	Acquisition of Lot is progressing. Formal lease to allow for construction of the plant has been finalised that protects SMRC from any actions.	
22 Jun 2023	No further updates	
31 May 2023	No further update.	
27 Apr 2023	No further update	
20 Mar 2023	No further update	
02 Mar 2023	No further update	
01 Feb 2023	No further update	
30 Nov 2022	No further update	
02 Nov 2022	No further update	
07 Oct 2022	Licence document has been finalised and is in the process of being signed, Land acquisition has been formally notified to snowy forests and the process has begun.	
06 Sep 2022	No further update.	
03 Aug 2022	No further updates.	
07 Jul 2022	No further updates	
27 May 2022	No further updates	
25 Mar 2022	No further updates	


Date From:

Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council



SNOWY MONARO

REGIONAL COUNCIL

20 Jan 2022

No further updates

03 Nov 2021

No further updates

28 Sep 2021

No further updates

30 Aug 2021

Valuation of land has been received. Lawyers amending license following comments from Snowy Forests and SMRC

02 Aug 2021

Valuation done on land required and agreement and license being drawn up by BMR Lawyers

29 Jun 2021

Action Officer changed from Land and Property to Water & Wastewater

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
17/06/2021	154/21	Coordinator Land & Property	Operations	30/06/2024	Outstanding

Leesville Civil Works Progression to Enable Sale of Subdivision Section 3D (4 Lots) - Sale of Industrial Land

COUNCIL RESOLUTION

154/21

That Council

A. Approve the completion of the essential civil works required for Stage 3D of the Leesville Industrial Estate subdivision in Jindabyne, expending up to \$600,000;

B. Approve Lots 17, 18, 19 & 20 in Stage 3D at Leesville Industrial Estate to be sold by public auction, once civil works are completed;

C. Authorise the Chief Executive Officer to establish the reserve price for Lots 17, 18, 19 & 20 at Leesville Industrial Estate ahead of the auction, and to negotiate with the highest bidder should any property fail to meet the reserve;

D. Authorise the Chief Executive Officer to undertake all negotiations for the sale of Lots 17, 18, 19 & 20 at Leesville Industrial Estate, including real estate agent engagement; and

E. Authorise the Chief Executive Officer to execute all legal documents and contracts for the sale of Lots 17, 18, 19 & 20 Leesville Industrial Estate.


Moved Councillor Stewart


Seconded Councillor Rooney

Notes

30 Apr 2024

Subdivision certificate issued pending receipt of EE Notice of Arrangement sign off.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	
02 Apr 2024		
Subdivision Certificate application underway. Awaiting confirmation of Energy Notice of Arrangement.		
28 Feb 2024		
No further update at this point.		
31 Jan 2024		
General update on civil works progress - Roads/Infrastructure helming civil works delivery arrangements with the Infrastructure Planner/Scheduler compiling list of outstanding tasks in order to finalise subdivision in readiness for LRS registration. Auction timing TBC, dependent on LRS registration completion once all civil works are finalised.		
12 Dec 2023		
No further update.		
30 Oct 2023		
No further update		
28 Sep 2023		
General update on civil works progress - Construction Certificate issued for Leesville Stage 3D (4 lots). Auction timing TBC, dependent on LRS registration completion once all civil works are finalised.		
31 Aug 2023		
No further update at this point.		
31 Jul 2023		
Projected revenue from sale adjusted - per Resolution 160/23.		
29 Jun 2023		
Civil works planning is underway. Land and Property investigating options of local Real Estate Agents to conduct land sale at the relevant time.		
26 May 2023		
A. In progress, with Roads/Infrastructure helming civil works delivery arrangements. B, C, D & E: To be actioned by Land & Property upon completion of civil works.		
28 Apr 2023		
A. In progress, with Roads/Infrastructure helming civil works delivery arrangements. B, C, D & E: To be actioned by Land & Property upon completion of civil works.		
30 Mar 2023		
No further update		
01 Mar 2023		
No further update at this point.		
29 Jan 2023		
No further update at this point.		


Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee: Ordinary Council	<p>29 Nov 2022 Notice of Arrangement finalised with Essential Energy - a requirement of the DA/conditions of consent to allow the subdivision registration to proceed.</p> <p>31 Oct 2022 No further update at this point.</p> <p>03 Oct 2022 No further update at this point in time.</p> <p>31 Aug 2022 No further update at this point.</p> <p>02 Aug 2022 No further update at this point.</p> <p>06 Jul 2022 No further update at this point.</p> <p>01 Jun 2022 No further update at this point.</p> <p>03 May 2022 No further update at present.</p> <p>01 Mar 2022 No further update at this point.</p> <p>31 Jan 2022 No further update at this point in time.</p> <p>02 Nov 2021 No further update at this point.</p> <p>04 Oct 2021 No further update at this point.</p> <p>05 Sep 2021 A. In progress, with Coordinator Project & Technical Support helming civil works delivery. B, C, D & E: To be actioned by Land & Property upon completion of civil works.</p> <p>04 Aug 2021 Coordinator Projects & Technical Support progressing delivery arrangements for the expanded civil works.</p> <p>04 Jul 2021 The resolution actions will be initiated.</p>	

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council



SNOWY MONARO
REGIONAL COUNCIL

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
17/06/2021	153/21	Coordinator Land & Property	Operations	30/06/2024	Outstanding

Request to close part of Mittagang Road Reserve - Boundary Adjustment followed by Land Sale to Owner of Lot 2 DP 815248

COUNCIL RESOLUTION

153/21

That Council

A. Approve to proceed partial road closure of Mittagang Road, being approximately 773m2, at the specified location, in accordance with the Roads Act 1993;

B. Authorise the Chief Executive Officer to execute all necessary documents for the partial road closure and boundary adjustment;
Agrees that all costs incurred in actioning the boundary adjustment and partial road closure are to be borne by the adjacent landowner (Lot 2 DP 815248), inclusive of general legal, registration fees and title creation costs incurred by Council;

D. Obtain an independent valuation of the 773m2 land area that is the subject of the boundary adjustment to guide sale price setting;
Approve the sale of the subdivided land parcel, approximate 773m2 in area, by private treaty to the adjacent landowner (Lot 2 DP 815248) subject to the completion of the road closure process; and

F. Authorise the Chief Executive Officer to negotiate the sale price and execute any documentation required to complete the sale, at the appropriate time.

Moved Councillor Stewart

Seconded Councillor Rooney

Notes

30 Apr 2024

No further update at this point.

02 Apr 2024

No further update

28 Feb 2024

No further update at this point.

31 Jan 2024

Awaiting advice from the relevant Landholder as to firm purchase price offer.

12 Dec 2023


No further update.


30 Oct 2023

No further update

28 Sep 2023

No further update

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	
<p>30 Aug 2023 Lot 21 DP 1288427 registered 10 August 2023. Negotiations underway with the relevant Landholder to confirm purchase price to guide land transfer conclusion.</p> <p>31 Jul 2023 Statement of particulars provided to the Surveyor to assist the LRS registration process. Updated Independent Valuation secured to guide price, with sale process to proceed upon lot registration. Note: Future lot's land area upon creation will be 770.4m2</p> <p>27 Jun 2023 Matter rests with adjoining landholder's planning consultants - Land & Property have confirmed that relevant Plan & 88B instrument to create the new lot (Lot 21 DP 1288427) and also the necessary sewer easement (to benefit Council) has been lodged with LRS. Registration pending.</p> <p>31 May 2023 No further update at this point.</p> <p>28 Apr 2023 No further update at this point.</p> <p>30 Mar 2023 88B instrument uploaded to planning portal for easement creation in favour of SMRC for infrastructure.</p> <p>01 Mar 2023 No further update at this point.</p> <p>29 Jan 2023 Purchaser's representative confirmed that the 88B instrument (to provide easement to benefit Council's public infrastructure needs) was uploaded to the Planning Portal on 13/12/23.</p> <p>29 Nov 2022 Purchasing solicitor drawing up 88B instrument for easement creation (which will benefit Council's public infrastructure needs).</p> <p>31 Oct 2022 Deposited Plan to create new lot (subject area of road reserve to be closed and sold) updated to reflect easement for the sewer infrastructure in place, with SMRC referenced as the benefitting authority.</p> <p>03 Oct 2022 A - Survey plan and Admin Sheet received from applicant's surveyor on 29/9/22; CEO sign off of Admin Sheet actioned. Lodgement via Planning Portal to be completed by applicant's representative. Once the LRS has issued a lot identification, then Land & Property will be able to action the road closure gazette step. B - Pending - To be completed at the appropriate time. C - Noted - Conveyed to and understood by the relevant external party. D - Completed - valuation report received 1/8/22. E - Pending - To be completed at the appropriate time. F - Pending - To be completed at the appropriate time.</p> <p>31 Aug 2022 No further update at this point.</p>		

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee:	Ordinary Council	

02 Aug 2022
A - In progress - All relevant information has been provided to the applicant's representative. The progression of the final survey and subdivision lodgement (boundary adjustment) now rests with the applicant. Once the LRS has issued a lot identification, then Land & Property will be able to action the road closure gazette step. B - Pending - To be completed at the appropriate time. C - Noted - Conveyed to and understood by the relevant external party. D - Completed - valuation report received 1/8/22. E - Pending - To be completed at the appropriate time. F - Pending - To be completed at the appropriate time.

06 Jul 2022
A - In progress - All relevant information has been provided to the applicant's representative. The progression of the final survey and subdivision lodgement (boundary adjustment) now rests with the applicant. Once the LRS has issued a lot identification, then Land & Property will be able to action the road closure gazette step. B - Pending - To be completed at the appropriate time. C - Noted - Conveyed to and understood by the relevant external party. D - In progress. E - Pending - To be completed at the appropriate time. F - Pending - To be completed at the appropriate time.

01 Jun 2022
No further update at this point.

03 May 2022
No further update at this point.

01 Mar 2022
A - The partial road closure of the relevant section of the Mittagang Road reserve is queued for processing. B to F - Cost and administrative arrangements to be finalised with Vision TPC (linked to owner of Lot 2 DP 815248) to deliver clarity for both parties involved.

31 Jan 2022
No further update at this point in time.


02 Nov 2021
No further update at this point.

04 Oct 2021
No further update at this point.

05 Sep 2021
No further update at this point.

04 Aug 2021
Land & Property is in contact with the Landowner's Representative to progress mechanics and administration arrangements.

04 Jul 2021
The resolution actions will be initiated.

Date From: Date To:		IN-PROGRESS ACTIONS REPORT		 SNOWY MONARO REGIONAL COUNCIL	
		Committee: Ordinary Council			
Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
20/05/2021	120/21	Coordinator Economic Development	Communications	28/02/2025	Outstanding
Motion to get a report on a bed tax COUNCIL RESOLUTION 120/21 That Council provide a report on the benefits, possible charges, and methods of implementing a bed tax, or other user pays options modelled on successful tourist towns which utilise a user pays system in Australia and overseas. Moved Councillor Maslin Seconded Deputy Mayor Miners CARRIED Record of Voting Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Last, Councillor Maslin, Deputy Mayor Miners, Councillor Old, Councillor Rooney and Councillor Stewart. Councillors Against: Nil.					
Notes 30 Apr 2024 No further update. 02 Apr 2024 To be addressed as part of the development of a new Tourism Strategy currently in progress. 01 Mar 2024 To be addressed as part of the development of a new Tourism Strategy in progress at present. 29 Jan 2024 To be addressed as part of the development of a new Tourism Strategy in progress at present. 01 Dec 2023 Nil further update. OP action for this year. 27 Oct 2023 Nil further update. OP action for this year. 28 Sep 2023 Nil further update. 01 Sep 2023 Nil further update. OP action for this year.					

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

SNOWY MONARO
REGIONAL COUNCIL

Committee:

Ordinary Council

31 Jul 2023

Nil further update. OP action for this year.

30 Jun 2023

Nil further update. OP action for next year.

31 May 2023

Nil further update. OP action for next year.

01 May 2023

Nil further update. OP action for next year.

30 Mar 2023

Nil further update. OP action for next year.

28 Feb 2023

Nil further update. Discussion paper still under preparation. Looking to incorporate this as an OP action for next year.

24 Jan 2023

Nil further update. Discussion paper still under preparation.

21 Dec 2022

Nil further update. Discussion paper still under preparation.

29 Nov 2022

Discussion paper still under preparation.

31 Oct 2022

No further update.

05 Oct 2022

Nothing further to report.

30 Aug 2022

Same as previous update. Nil further update.

10 Aug 2022

Report underway.

25 Jul 2022

Coordinator Economic Development is working on a discussion paper regarding this issue, and aims to complete the paper later in the year.

05 Jul 2022

Same as previous update.

31 May 2022

Same as previous update.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee: Ordinary Council		

05 May 2022

A discussion paper is being prepared on this subject to be presented to the Council in due course.

05 Apr 2022

A subscription user pays model is being explored with MRT Inc in the development of the Monaro Rail Trail business case and TDP. Continuing research into other possible options for tourism funding as well.

03 Mar 2022

As above.

24 Jan 2022

No further update – can discuss with new Council but reviews of other region’s not showing benefit or buy-in to date.

24 Dec 2021

Nil further update.

03 Nov 2021

No further update.

01 Oct 2021

No further update.

02 Sep 2021

A report will be provided in due course once ideas presented in the Council briefing have been developed further.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
17/12/2020	254/20	Coordinator Land & Property	Operations	30/11/2024	Outstanding


Water and Wastewater Easement Acquisitions - Adaminaby and Bombala


COUNCIL RESOLUTION


254/20


That Council:


- 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;
- 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 with the provisions of the Land Acquisition (Just Terms Compensation) Act;
- C. Application be made for a Licence from Department of Planning, Industry & Environment, Crown lands for purpose of town water supply infrastructure on Lot 291 DP 729876 at Adaminaby;


Date From: Date To:	IN-PROGRESS ACTIONS REPORT		 SNOWY MONARO REGIONAL COUNCIL
Committee:	Ordinary Council		
<div>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</div> <div>E. Authorise the CEO to sign any documentation required for the acquisition processes.</div>			
Moved Councillor Stewart	Seconded Councillor Corbett	CARRIED	
<div>Notes</div> <div>30 Apr 2024</div> <div>No further update</div> <div>02 Apr 2024</div> <div>No further update</div> <div>28 Feb 2024</div> <div>No further update at this point.</div> <div>31 Jan 2024</div> <div>VVGC.JT04865 Determination of compensation is confirmed as \$2,690 for the acquisition of land and easements associated with the Bombala STP (plus charges still to materialise from the NSW Valuer General's management of the determination.). VVGC.JT04865</div> <div>12 Dec 2023</div> <div>Adaminaby elements - No further update., Bombala elements - As per 322/22: Acquisition notice published in NSW Government Gazette on Friday 24 November 2023; this officially provides ownership for Bombala STP (acquisition of proposed Lot 2 DP1278691 & easements for sewerage and right of access affecting folio 5/42/758129). The final compensation steps, as prescribed by the Land Acquisition (Just Terms Compensation) Act 1991, will now play out.</div> <div>30 Oct 2023</div> <div>No further update</div> <div>30 Oct 2023</div> <div>No further update</div> <div>28 Sep 2023</div> <div>Adaminaby elements - Application for Landowner’s Consent to receive PAN submitted to NSW Crown Lands on 18/08/2023 – application acknowledged on 22/08/2023 and invoice received on 30/08/2023 (paid by NSW Public Works on 30/08/2023), currently awaiting NSW Crown Lands consent., Bombala elements - PANs issued to Crown Lands, NTS Corp and NSW Aboriginal Land Council on Tuesday 1 August 2023 – currently in statutory 90 day wait period. NSW Valuer General notified and engaged on 7 August 2023. Gazettal of acquisition likely to occur mid-November.</div> <div>31 Aug 2023</div> <div>No further update at this point.</div>			


Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee:	Ordinary Council	
<div><div>31 Jul 2023 Adaminaby elements - Confirmation received on 17/7/23 that the Registrar has now amended the land claims register for ALC 19969, 20002 and 42500., Bombala elements - Proposed Acquisition Notices (PANs) are scheduled to be issued to the interested parties, being Crown Lands (Landowner) and NTSCorp (the body representing the Native Title applicants), on 1st August 2023.</div><div>29 Jun 2023 Confirmation of ALC withdrawing claim to the portions of land required for Council acquisition. Public Works Advisory will now progress our application to the Office of Local Government for consent to the acquisition.</div><div>26 May 2023 Amended scope of acquisition item needs finalised. Resolution of ALC aspects underway.</div><div>28 Apr 2023 W&WW Project Management Consultant working through with PWA to ensure all required parcels & interests in land are captured as part of the compulsory acquisition processing.</div><div>30 Mar 2023 No further update</div><div>01 Mar 2023 No further update at this point.</div><div>29 Jan 2023 As foreshadowed - PWA have provided a Project Change Request (Variation) due to significant scope creep (i.e. additional acquisition areas – due to various sections at Council which have different interests in the land) resulting in expanded service provision of the initial PWA engagement by W&WW. Review of these aspects is underway. , Note: The mandated acquisition elements will likely require alteration (via resolution) to accurately reflect the true needs of Council's public infrastructure.</div><div>29 Nov 2022 Item D of Resolution 254/20 suspended by Resolution 322/22. PWA advice as to any material changes which impact the acquisition scope related to Adaminaby aspects is pending.</div><div>31 Oct 2022 No further update at this point.</div><div>03 Oct 2022 Due to positional changes as to the exact land sections being acquired (both easement & freehold), to meet Bombala Wastewater (sewerage) needs, a refined resolution mandate will be required. Conferring with PWA prior to a further report to Council being initiated.</div><div>06 Sep 2022 No further update.</div><div>03 Aug 2022 No further updates.</div></div>		


Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	
07 Jul 2022	No further updates	
27 May 2022	No further updates	
25 Mar 2022	No further update	
20 Jan 2022	No further updates	
03 Nov 2021	No further updates	
28 Sep 2021	No further updates	
30 Aug 2021	No further updates	
02 Aug 2021	No further updates	
09 Jun 2021	No further updates	
04 May 2021	No further updates	
30 Mar 2021	No further updates	
02 Mar 2021	Acquisition of easements has commenced. PWA procured to undertake this acquisition.	
02 Feb 2021	Process has commenced. PWA engaged to assist SMRC with the applications.	

Date From: Date To:		IN-PROGRESS ACTIONS REPORT		 SNOWY MONARO REGIONAL COUNCIL	
		Committee: Ordinary Council			
Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
19/11/2020	240/20	Coordinator Strategy Development	Strategy	15/12/2024	Outstanding
Bicentennial Garden/ Parks - Bombala COUNCIL RESOLUTION 240/20 That Council: 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 manage parks and gardens, with a Tree Management Plan developed to ensure that trees are conserved into the future; B. Acknowledge that the Bombala Bicentennial Garden is significant to the community; and C. Assess the Bombala Bicentennial Garden by a heritage expert for inclusion on Council's Heritage Listing. Moved Councillor Haslingden Seconded Councillor Maslin CARRIED					
Notes 30 Apr 2024 No further update. 26 Mar 2024 The listing of this heritage item is contingent on the development of the LEP. The LEP has been put on hold until resourcing is at full capacity. 28 Feb 2024 The listing of this heritage item it contingent on the development of the LEP. The LEP has been put on hold until resourcing is at full capacity. 23 Jan 2024 Council resolved not to adopt the land use strategies informing the LEP, therefore, no further progress towards the new LEP, which will list the Bicentennial Park as heritage listed. 27 Nov 2023 Council resolved not to adopt the land use strategies informing the LEP, therefore, no further progress towards the new LEP, which will list the Bicentennial Park as heritage listed. 27 Oct 2023 Council resolved not to adopt the land use strategies informing the LEP, therefore, no further progress towards the new LEP. 26 Sep 2023 No further update. 31 Aug 2023 Council resolved not to adopt the land use strategies informing the LEP, therefore, no further progress towards the new LEP.					

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	
24 Jul 2023	Council resolved not to adopt the land use strategies informing the LEP, therefore, no further progress towards the new LEP.	
05 Jul 2023	Council resolved not to adopt the land use strategies informing the LEP, therefore, no further progress towards the new LEP.	
29 May 2023	Council resolved not to adopt the land use strategies informing the LEP, therefore, no further progress towards the new LEP.	
28 Apr 2023	Has been added to the draft LEP heritage listings within SMRC LGA. Planning Proposal for new draft LEP completed and public exhibition closed on 20 February 2023, Council is waiting gateway approval from NSW Planning.	
31 Mar 2023	Has been added to the draft LEP heritage listings within SMRC LGA. Planning Proposal for new draft LEP completed public exhibition on 20 February 2023, Council is waiting gateway Approval from NSW Planning.	
27 Feb 2023	Has been added to the draft LEP heritage listings within SMRC LGA. Planning Proposal for new draft LEP completed public exhibition on 20 February 2023.	
27 Jan 2023	Has been added to the draft LEP heritage listings within SMRC LGA. Planning Proposal for new draft LEP is on public exhibition until 20 February 2023.	
22 Dec 2022	Has been added to the draft LEP heritage listings within SMRC LGA. Planning Proposal for new draft LEP is on public exhibition until 6 February 2023.	
22 Nov 2022	Has been added to the draft LEP heritage listings within SMRC LGA. Planning Proposal for new draft LEP is on public exhibition until 6 February 2023.	
28 Oct 2022	Has been added to the draft LEP heritage listings within SMRC LGA. Planning Proposal for new draft LEP is to be reported to Council in November 2023.	
27 Sep 2022	To be added to the draft LEP heritage listings within SMRC LGA. LEP expected to be lodged in draft to NSW Planning mid-2023.	
26 Aug 2022	To be added to the draft LEP.	
03 Aug 2022	No further update.	
24 Jun 2022	To be included within the draft LEP by December 2022.	
24 May 2022	To be included in draft LEP by December 2022.	

<p>Date From: Date To:</p>	<p>IN-PROGRESS ACTIONS REPORT</p> <p>Committee: Ordinary Council</p>	 <p>SNOWY MONARO REGIONAL COUNCIL</p>
<p>29 Apr 2022 Process for heritage listing to be finalised through LEP process.</p> <p>25 Mar 2022 Process for heritage Listing to be finalised through the LEP process and Heritage NSW.</p> <p>24 Feb 2022 Process for heritage Listing to be finalised through the LEP process and Heritage NSW.</p> <p>29 Oct 2021 No further update - Process for heritage listing to be finalised.</p> <p>30 Sep 2021 No further update - Process for heritage listing to be finalised.</p> <p>30 Aug 2021 No further update - Process for heritage listing to be finalised; however, discussion at 28 August Council meeting held concerns that future development in the area may be hampered by such listing. Enquiries to take place with Council's heritage Officer to seek clarification around this.</p> <p>02 Jul 2021 No further update - Process for heritage listing to be finalised.</p> <p>01 Jun 2021 No further update - Process for heritage listing to be finalised.</p> <p>04 May 2021 C - Council's Heritage Advisor has prepared a report recommending the trees within the Park are heritage listed.</p> <p>07 Apr 2021 No further update.</p> <p>03 Mar 2021 C - Assessment completed, currently being reviewed by Council's Strategic Planning team.</p> <p>02 Feb 2021 C - Assessment completed, currently being reviewed by Council's Strategic Planning team.</p> <p>29 Jan 2021 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>		

Date From: Date To:		IN-PROGRESS ACTIONS REPORT		 SNOWY MONARO REGIONAL COUNCIL	
		Committee: Ordinary Council			
Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
17/09/2020	167/20	Coordinator Land & Property	Operations	30/11/2024	Outstanding
Acquisition - Easement for Access Adaminaby Sewage Treatment Plant and Town Water Supply COUNCIL RESOLUTION 167/20 That Council: 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> ; 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> ; 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> ; D. Classify the land as easement for access in accordance with the <i>Local Government Act 1993</i> ; E. Authorise the CEO to sign any documentation required for this Acquisition process. Moved Councillor Rooney Seconded Deputy Mayor Miners CARRIED					
Notes 30 Apr 2024 No further update. 02 Apr 2024 No further update 28 Feb 2024 No further update. 31 Jan 2024 No further update. 12 Dec 2023 No further update.					

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

30 Oct 2023

No further update

28 Sep 2023

Application for Landowner’s Consent to receive PAN submitted to NSW Crown Lands on 18/08/2023 – application acknowledged on 22/08/2023 and invoice received on 30/08/2023 (paid by NSW Public Works on 30/08/2023), currently awaiting NSW Crown Lands consent.

31 Aug 2023

No further update at this point.

31 Jul 2023

Confirmation received on 17/7/23 that the Registrar has now amended the land claims register for ALC 19969, 20002 and 42500.

29 Jun 2023

Confirmation received from Public Works that the ALC has withdrawn claims to the proposed acquisition areas. Registrar will amend the register and application can now progress to the OLG for consent for the acquisition.

26 May 2023

Amended scope of acquisition item needs finalised. Resolution of ALC aspects underway.

28 Apr 2023

W&WW Project Management Consultant working through with PWA to ensure all required parcels & interests in land are captured as part of the compulsory acquisition processing.

30 Mar 2023

Reiterate:, As foreshadowed - PWA have provided a Project Change Request (Variation) due to significant scope creep (i.e. additional acquisition areas – due to various sections at Council which have different interests in the land) resulting in expanded service provision of the initial PWA engagement by W&WW. Review of these aspects is underway. , Note: The mandated acquisition elements will likely require alteration (via resolution) to accurately reflect the true needs of Council's public infrastructure

01 Mar 2023

No further update at this point.

29 Jan 2023

As foreshadowed - PWA have provided a Project Change Request (Variation) due to significant scope creep (i.e. additional acquisition areas – due to various sections at Council which have different interests in the land) resulting in expanded service provision of the initial PWA engagement by W&WW. Review of these aspects is underway. , Note: The mandated acquisition elements will likely require alteration (via resolution) to accurately reflect the true needs of Council's public infrastructure.

29 Nov 2022


PWA advice as to any material changes which impact the acquisition scope is pending.

31 Oct 2022

No further update.

03 Oct 2022

No further update at this point.


Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee:	Ordinary Council	
06 Sep 2022	No further update	
03 Aug 2022	No further updates.	
07 Jul 2022	No further updates	
27 May 2022	No further updates	
25 Mar 2022	No further update	
20 Jan 2022	No further updates	
03 Nov 2021	No further updates	
28 Sep 2021	No further updates	
30 Aug 2021	No further updates	
02 Aug 2021	No further updates	
09 Jun 2021	No further updates	
04 May 2021	No further updates	
30 Mar 2021	No further updates	
02 Mar 2021	Acquisition currently underway	
02 Feb 2021	No further update.	

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee:

Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

28 Jan 2021

Dec 2020, No further update. Nov 2020, A-D. Acquisition process underway and being managed by the Water/Wastewater Team. A. This will take place when required. Oct 2020, A-D. Acquisition process underway. E. This will take place when required. Sept 2020, 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.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
16/07/2020	107/20	Facilities Officer	Operations	30/11/2024	Outstanding

Health One Facility, Jindabyne

COUNCIL RESOLUTION

107/20

That Council

A. Authorise the Chief Executive Officer to execute the Building Management Statement and take steps to finalise and sign the land sale agreement; and

B. Approve the establishment of a Building Management Committee to oversee obligations of the Building Management Statement.

Moved Councillor Corbett

Seconded Councillor Ewart

CARRIED

Notes

30 Apr 2024

Resubmission to LRS with requested information from requisition. Awaiting response.

03 Apr 2024

Request from LRS received on 14 March that further information required. This has now been submitted and awaiting approval.

12 Mar 2024

Advice received from Surveyor to the effect that subdivision approval expected from LRS by end of March

28 Feb 2024

Resubmission to LRS has occurred and awaiting response.

31 Jan 2024


LRS have returned plan requesting further information for subdivision. Lawyer and Surveyor almost complete with updates before resubmission.


27 Nov 2023


Still awaiting registration of subdivision from LPI. Discussions continuing with HealthOne as to Management Committee


18 Oct 2023


Waiting on registration from LPI. Discussions with HealthOne ongoing as to contacts for Management Committee representatives.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	
<p>26 Sep 2023 Documents now all received and signed. Lodged with LPI for subdivision certificate.</p> <p>21 Aug 2023 Approval from Essential Energy now received for updated 88B. Ready for lodgement. Consistent follow up with NSW Health regarding Management Committee but no response to date,</p> <p>02 Aug 2023 Further amendments now required to 88B instrument. This has been approved by lawyer and sent off to Essential Energy for sign off. Still waiting on any movement/response from HealthOne representatives.</p> <p>22 Jun 2023 Holding further discussions with HealthOne as to appropriate contacts for Building Management Committee. Surveyor to undertake final review before lodgement of subdivision.</p> <p>01 Jun 2023 Discussions being held with HealthOne as to creation of Management Group Committee for finalisation and lodgement of subdivision.</p> <p>01 May 2023 Waiting on Surveyor to send final documents off for subdivision</p> <p>27 Mar 2023 Surveyor has received documents from Essential Energy</p> <p>23 Feb 2023 Final documents sent to Essential Energy for sign off</p> <p>24 Jan 2023 Agreement reached with Essential Energy as to inclusions required to show power easement. Awaiting updated plan from surveyor.</p> <p>23 Nov 2022 Discussions continuing with Essential Energy as to requirements for easement. Surveyor considering disclaimer with 4m easement to cover the exact cable location. Work progressing with new Practice Manager of JMP as to formation of Building Management Committee once subdivision finalised.</p> <p>31 Oct 2022 Further request from Essential Energy for easement location. Discussions ongoing with surveyor to finalise.</p> <p>27 Sep 2022 Essential Energy have requested further detail for electricity easement on survey plan. Sent to surveyor for further discussion and update.</p> <p>06 Sep 2022 No further update.</p> <p>30 Aug 2022 Updated 88B sent to Essential Energy for sign off. Awaiting response.</p>		

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	
26 Jul 2022		
Awaiting updated 88B Instrument from lawyers.		
01 Jun 2022		
A. Complete, B. Pending: Awaiting internal response from Planning Department as to issue of subdivision certificate.		
04 May 2022		
A. Building Management Statement signed by CEO. B. Plan of Subdivision awaiting review by Senior Council planners prior to establishment of Building Management Committee.		
01 Mar 2022		
A. Building Management Statement signed by CEO. B. Finalising Plan of Subdivision prior to establishment of Building Management Committee.		
06 Sep 2021		
Follow up query to Planning as to status of subdivision approval.		
27 Apr 2021		
Waiting on Subdivision Certificate approval.		
25 Mar 2021		
Subdivision Certificate and Modifications now lodged by Dabyne Planning.		
02 Mar 2021		
Discussions ongoing between Dabyne Planning and Kleven Spain Surveyors. Subdivision application forms submitted to CEO for signature.		
02 Feb 2021		
A. Surveyor provided plans although further information still required. Waiting on information to be forwarded.		
28 Jan 2021		
27 Nov 2020, No further update, 27 Oct 2020, 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. 24 Sept 2020, 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., B. Building Management Committee to be formed with HealthOne., 26 Aug 2020, 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., B. Building Management Committee to be formed with HealthOne. 22 July 2020, A. Building Management Statement sent to Chief Executive Office for signing., B. Will work on creation of Building Management Committee once BMS signed.		

Date From: Date To:		IN-PROGRESS ACTIONS REPORT		 SNOWY MONARO REGIONAL COUNCIL	
		Committee: Ordinary Council			
Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
18/06/2020	80/20	Coordinator Land & Property	Operations	30/11/2024	Outstanding
Acquisition of Land - RFS Shed Michelago COUNCIL RESOLUTION 80/20 That Council 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 ² for the purpose of Rural Fire Shed in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> ; 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 ² by compulsory process under section 186(1) of the Local Government Act 1993; C. Classify the land as operational land in accordance with the Local Government Act 1993; D. Note that this acquisition is not for the purpose of resale; and E. Authorise CEO to sign any documentation required for this Acquisition process. Moved Deputy Mayor Miners Seconded Councillor Corbett CARRIED					
Notes 30 Apr 2024 No further update 02 Apr 2024 No further update 28 Feb 2024 No further update. 31 Jan 2024 TfNSW/UGL has been a very difficult landowner to negotiate with and the Michelago RFS Land Acquisition matter has been exceedingly protracted. Note: This is a different matter to the Ryrie St/Miclago Road land acquisition; however, there is a common Transport NSW (railway) land parcel involved in both matters. 12 Dec 2023 TfNSW/UGL has been a difficult landowner to negotiate with - Escalation to Minister will be actioned in early 2024 if recent prompts do not agitate progress. 30 Oct 2023 PWA requested URGENT update from TfNSW. Matter has stalled with TfNSW.					


<p>Date From: Date To:</p>	<p>IN-PROGRESS ACTIONS REPORT</p>	 <p>SNOWY MONARO REGIONAL COUNCIL</p>
	<p>Committee: Ordinary Council</p>	
<p>28 Sep 2023 Project considerably delayed. TfNSW advised that new rail corridor manager (UGL) has been appointed. Under the management contract, UGL is required to follow the TfNSW Divestment Procedure – which involves two briefing notes to be signed-off by TfNSW. UGL is currently preparing the BNs. Compensation of land has been agreed in-principle at \$12,500 + disturbance items totalling \$5,480 (to be disputed). Awaiting further advice from TfNSW.</p> <p>31 Aug 2023 No further update at this point.</p> <p>31 Jul 2023 TfNSW notified that their second valuation confirms market value as \$12,500. PWA have notified TfNSW that amount would likely be acceptable to SMRC on the basis of market fluctuations occurring during the time between the date of the two valuation reports. , SMRC are currently awaiting provision of the reassessed market value amount (and the accompanying evidence – e.g the valuation report) from TfNSW so that it can be formally considered and, if acceptable, a revised letter of in-principle offer would be issued to TfNSW. , TfNSW's property sector appear to have resourcing issues that are presenting structural delays, which in turn impede the acquisition process moving forward with efficiency.</p> <p>29 Jun 2023 Compensation offer made to TfNSW. Offer disputed/rejected by TfNSW – awaiting further response and/or counter offer. Terms within s29 Agreement under negotiation – Public Works Advisory are awaiting TfNSW response.</p> <p>26 May 2023 Disappointingly TAHE are now seeking to both step away from the joint independent valuation & to elevate the acquisition base price by around 260% (\$11500 inc GST to \$41250 inc GST). A teleconference between both Valuers has been convened to discuss the contents of each report with a view to reaching an agreed outcome.</p> <p>20 Apr 2023 January 2023 PWA sent to TAHE - Section 29 Agreement - RE: Railway land disposal at Michelago</p> <p>30 Mar 2023 PWA authorised to proceed with agreement and on an agreed amount of \$11 500 to TfNSW in compensation for land. Awaiting Plan of Acquisition from Surveyor.</p> <p>01 Mar 2023 No further update this this point.</p> <p>29 Jan 2023 A - In progress. TfNSW have indicated that they will accept the valuation provided, accepting that this was a joint valuation instruction from SMRC & TfNSW. Formal letter of offer to be tabled by SMRC, as Acquiring Authority, to TfNSW in regards to compensation, per LAJTC Act. B - Pending completion of negotiations related to A. C - No action needed. D - No action needed. E - Ongoing as the acquisition process progresses.</p> <p>29 Nov 2022 Meeting held with TfNSW/TAHE 25/11/22 to address the TfNSW concern that the independent valuation (\$11,500) figure is too low. Council's position is that the valuation methodology has been applied correctly in line with the statutory public purpose aspects as required by the Just Terms Act. TfNSW to review further, with their response pending.</p>		


<p>Date From: Date To:</p>	<p>IN-PROGRESS ACTIONS REPORT</p>	 <p>SNOWY MONARO REGIONAL COUNCIL</p>
	<p>Committee: Ordinary Council</p>	
<p>31 Oct 2022 Council advocating (via PWA) for TfNSW to take a balanced approach to compensation given that the acquisition is for a RFS shed combined with the TfNSW's requirement for easement and covenants containing the subject land; the planned use is aligned with the highest and best use of the subject land for public utility/service purposes.</p> <p>03 Oct 2022 Valuation feedback received and in review.</p> <p>31 Aug 2022 Valuation actioned and payment for this service aspect approved. PWA progressing the matter.</p> <p>26 Jul 2022 A - Plans of Acquisition have been registered with LRS, valuation still to be completed. B - Dependant on A. C - No action needed.</p> <p>05 Jul 2022 A - No further update, PWA still awaiting valuation. B - Awaiting completion of A. C - No action required. D - No action required. E - As required.</p> <p>30 May 2022 A - No further updates. B - Awaiting completion of A. C - No action required. D - No action required. E - As required.</p> <p>04 May 2022 A - Awaiting valuation results, email sent to PWA requesting update for this matter. B - Awaiting completion of A. C - No action required. D - No action required. E - As required.</p> <p>01 Apr 2022 A - Awaiting valuation to be complete. B - Awaiting completion of A. C - No action required. D - No action required. E - As required.</p> <p>02 Mar 2022 B - Awaiting completion of A. C - No action required. D - No action required. E - As required.</p> <p>24 Jan 2022 A - SMRC reviewing PWA recommendation for valuation. B - Awaiting completion of A. C - No action required. D - No action required. E - As required.</p> <p>16 Dec 2021 A - PWA reviewing valuation service quotes. B - Awaiting completion of A. C - No action required. D - No action required. E - As required.</p> <p>15 Sep 2021 PWA received consent letter and plans with approval stamp from Transport For NSW (Railway), PWA will progress the matter with John Holland Rail, still on track for delivery by end of 2021 (PWA advised).</p> <p>17 Aug 2021 PWA advise project is still on track for deliver before end of year. PWA waiting for response from UGL Regional Linx.</p> <p>02 Aug 2021 Advice received from UGL Regional Linx takeover of John Holland. PWA advised acquisition should be complete before Jan 2022 take over.</p>		

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

<p>04 Jul 2021 No further update at this point.</p> <p>06 Jun 2021 No further update at this point.</p> <p>27 Apr 2021 No further updated at this stage.</p> <p>23 Mar 2021 The survey plan has been prepared by PWA to enable the acquisition process to continue.</p> <p>02 Mar 2021 No further update.</p> <p>02 Feb 2021 No further update.</p> <p>28 Jan 2021 Nov 2020 A to C - This process will take approximately 18 months. Oct 2020 A to C - Acquisition process underway. D&E - Will be adhered to throughout this process. Sept 2020 A to C - Survey Plan Quote to be received shortly., Aug 2020 A to C - Acquisition process underway. Research has to take place to find gazette notices, survey plans to be prepared etc. D&E - Will be adhered to throughout this process. Jul 2020 A to C - Acquisition process underway. D&E - Will be adhered to throughout this process. Jun 2020 A to C - The Acquisition process will begin, this is a lengthy process as all items take place under strict timelines. D&E - Complete.</p>
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Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
19/03/2020	55/20	Manager Infrastructure	Operations	28/06/2024	Outstanding
<p>Proposed Acquisition of Easement for Access to Middlingbank Quarry</p> <p>COUNCIL RESOLUTION 55/20</p> <p>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> <p>Moved Councillor Rooney Seconded Councillor Corbett CARRIED</p>					

Date From: Date To:	IN-PROGRESS ACTIONS REPORT Committee: Ordinary Council	 SNOWY MONARO REGIONAL COUNCIL
Notes 02 May 2024 No further update. 04 Apr 2024 No further update. 29 Feb 2024 No further update. 25 Jan 2024 No further update. 31 Oct 2023 No further update. 01 Sep 2023 No further update. 01 Aug 2023 No further update. 30 Jun 2023 No further update. With the recent sale of an adjacent lot, conversation to recommence for access early in the new financial year. 01 Jun 2023 No further update. 01 May 2023 No further update. 03 Apr 2023 No further update. 02 Mar 2023 No further update. 04 Jan 2023 After a desktop investigation of the proposed access site for purchase, it was noted that there is no obvious access to the Middlingbank Quarry from this site. 30 Nov 2022 Comment has been raised to the Infrastructure Team about a property that may be for sale which could allow access to the Middlingbank Quarry. This will be investigated. 02 Nov 2022 No further updates.		

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee: Ordinary Council		
07 Oct 2022 No further update. 06 Sep 2022 No further update. 03 Aug 2022 No further update. 07 Jul 2022 No further action. 07 Jun 2022 No further update. 11 May 2022 No further update. 08 Feb 2022 All actions have been undertaken. The owners of Lot 1 refused to negotiate a right of carriageway through their property, so the resolution can be taken no further. There is a Crown Road Reserve through Lot 2 but negotiations with Crown Lands have not yet taken place over the use of that access point. A report will be prepared for Council consideration once Crown Lands have been consulted over the acquisition of the Crown Road Reserve. 29 Sep 2021 This action will be subject to a Council report for consideration in November 2021. 05 Jul 2021 The Owner of Lot 1 DP 1022898 has stated they are not prepared to enter into negotiations for a right of carriageway between Middlingbank Road and Middlingbank Quarry., Discussions are underway with the owner of Lot 2 DP 1271068 to understand if options are available to create an access through that property with further options to acquire the Crown Road (unformed) that's established along the boundary of Lot 1 and Lot 2. 04 Jul 2021 No further update at this point. 06 Jun 2021 No further update at this point. 05 May 2021 No further update at this point. 31 Mar 2021 No further update.		

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

01 Mar 2021

A - Negotiations continue with Manager Infrastructure spearheading discussions. B - Draft plan for right of access pending results of A. C to E - These actions will take place at the appropriate time.


02 Feb 2021


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 finalised as soon as negotiations are completed.


28 Jan 2021

04 Dec 2020 A - Completed. B - Discussions are ongoing to decide the best approach for a permanent access. 23 Oct 2020 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. B - The process to secure permanent access will commence shortly. C - These actions will take place at the appropriate time. 24 Sept 2020 A - The agreement has been executed by both parties and Council is planning dates for access to the quarry to extract material., 26 Aug 2020 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. B - The surveyor has completed the survey for the easement for access subject to negotiation with the landowner. C - Council has engaged the surveyor and will be responsible for all costs. D - Further negotiations are required to understand if a permanent agreement for access to Middlingbank Quarry, through Mr Thomas's property is possible., 28 Jul 2020 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. 26 Jun 2020 A - Negotiations with landowners are ongoing. B - Requests for quotations for survey have been advertised. 28 May 2020 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. 24 Apr 2020 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. 26 Mar 2020 Negotiations have commenced with the landowner.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
21/11/2019	422/19	Coordinator Strategy Development	Strategy	23/01/2025	Outstanding
Managing Heavy Vehicles in Bombala Town Centre - Community Consultation					
COUNCIL RESOLUTION			422/19		
That the matter be deferred for further consultation with the public including correspondence from the Bombala Chamber of Commerce.					
Moved Councillor Stewart		Seconded Councillor Maslin		CARRIED	
Notes					
30 Apr 2024					
No further update.					


Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	
26 Mar 2024	This is not planned work for the strategic planning team and was not considered for the 2023-2024 OP.	
28 Feb 2024	This is not planned work for the strategic planning team and was not considered for the 2023-2024 OP.	
23 Jan 2024	Consultation is waiting on the provision of information from the community members on what option they would like Council to consult with the community on, the previous route options or a new option provided from the community representatives.	
13 Dec 2023	Consultation is waiting on the provision of information from the community members on what option they would like Council to consult with the community on, the previous route options or a new option provided from the community representatives.	
27 Nov 2023	No further action at this point	
27 Oct 2023	No further action at this point	
26 Sep 2023	No further action at this point - This is not work identified within the 23/24 Operational Plan	
31 Aug 2023	No further action at this point - This is not work identified within the 23/24 Operational Plan	
24 Jul 2023	No further action at this point - This is not work identified within the 23/24 Operational Plan	
02 Jul 2023	No further action at this point.	
29 May 2023	On-site discussions with Mayor and staff have taken place. No further action at this point. Project is not identified within the 2022-2023 Operational Plan.	
28 Apr 2023	On-site discussions with Mayor and staff have taken place. No further action at this point. Project is not identified within the 2022-2023 Operational Plan.	
31 Mar 2023	On-site discussions with Mayor and staff have taken place. No further action at this point. Project is not identified within the 2022-2023 Operational Plan.	
27 Feb 2023	On-site discussions with Mayor and staff have taken place. No further action at this point. Project is not identified within the 2022-2023 Operational Plan.	
27 Jan 2023	On-site discussions with Mayor and staff have taken place. No further action at this point. Project is not identified within the 2022-2023 Operational Plan.	


Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee: Ordinary Council	<p>22 Dec 2022 On-site discussions with Mayor and staff have taken place. No further action at this point. Project is not identified within the 2022-2023 Operational Plan.</p> <p>22 Nov 2022 On-site discussions with Mayor and staff have taken place. No further action at this point. Project is not identified within the 2022-2023 Operational Plan.</p> <p>28 Oct 2022 On-site discussions with Mayor and staff have taken place. No further action at this point.</p> <p>27 Sep 2022 On-site discussions with Mayor and staff have taken place. No further action at this point.</p> <p>26 Aug 2022 Some on-site discussions with staff and Mayor undertaken.</p> <p>03 Aug 2022 No further update.</p> <p>24 Jun 2022 This consultation work has not been planned for the 2022-2023 FY.</p> <p>24 May 2022 This consultation work has not been planned for 22/22 financial year.</p> <p>29 Apr 2022 This consultation work has not been planned for 22/22 financial year.</p> <p>25 Mar 2022 This consultation work has not been planned for the 2021/2022 Financial Year within the Strategy Team. Consideration for this action to occur for the 2022-2026 Delivery Program.</p> <p>24 Feb 2022 This consultation work has not been planned for the 2021/2022 Financial Year within the Strategy Team. Consideration for this action to occur for the 2022-2026 Delivery Program.</p> <p>29 Oct 2021 No further update - requested consultation has not been prioritised as part of the 2020-2021 Operational Plan. As per LSPS action 10.7 bypass investigations is a medium to long term action of 10-20 years.</p> <p>30 Sep 2021 No further update - Strategic Planning Team to seek additional information from Councillors.</p> <p>30 Aug 2021 No further update - Strategic Planning to seek additional information.</p>	


Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee: Ordinary Council		

<p>02 Jul 2021 No further update.</p> <p>01 Jun 2021 No further update.</p> <p>04 May 2021 No further update - Strategic Planning to seek further information.</p> <p>01 Apr 2021 No further update - Strategic Planning to seek additional information.</p> <p>03 Mar 2021 No further action at this stage.</p> <p>09 Feb 2021 25 Jan 2021, 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 Nov 2020, 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 Nov 2020, No further update., 25 Sep 2020, No further update., 03 Sep 2020, No further update., 01 Jul 2020, No further update. Consultation occurred from September 2019 to October 2019. , 01 Jun 2020, Communication distribution proposed re Bombala Town Centre Community Consultation: •Noticeboards – IGA and Newsagency, •Bombala Times and Monaro Post •Facebook – Bombala Noticeboard •Facebook – SMRC page •Facebook – SMRC Business Forum Group •Radio – capital network and 2MNO •Notice at SMRC office •Info sent to SMRC customer service for any enquiries •SMRC website, 27 Apr 2020, Working with Chief Communications Officer to establish a strategy for community consultation during the COVID-19 restrictions., 24 Mar 2020, No further update., 28 Feb 2020, Ongoing., 03 Feb 2020, Ongoing.</p>

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
19/09/2019	343/19	Coordinator Land & Property	Operations	30/06/2024	Outstanding
<p>Proposed Compulsory Acquisition of Part Lot 7002 DP 1028529 Crown Land Travelling Stock Reserve</p> <p>COUNCIL RESOLUTION 343/19</p> <p>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 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>					

Date From: Date To:	IN-PROGRESS ACTIONS REPORT		 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council		
<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>			
Moved Councillor Corbett	Seconded Councillor Rooney	CARRIED	
<p>Notes</p> <p>23 Apr 2024 Awaiting notification of Valuation from Valuer General then compensation will be paid which will finalise the matter.</p> <p>25 Mar 2024 Gazette Notice published on 29 March 2024 transferring the acquired land to Council. Payment of compensation to Crown in accordance with the Valuer Generals valuation, will follow.</p> <p>28 Feb 2024 No further update.</p> <p>31 Jan 2024 No further update.</p> <p>12 Dec 2023 Proposed Acquisition Notices (PANs) executed and dated 6th December 2023, issued to interested parties. In accordance with the statutory timeframes of the LAJTC Act, this means the acquisition will be completed by notice published in the Gazette sometime between 8/03/2024 – 29/03/2024.</p> <p>30 Oct 2023 No further update</p> <p>28 Sep 2023 OLG approved issue of PANs - PANs scheduled to be issued on Friday 27 October 2023</p> <p>31 Aug 2023 No further update as this point.</p> <p>31 Jul 2023 No further update at this point.</p> <p>29 Jun 2023 Application submitted by Public Works Advisory, to OLG, to obtain Minister/Governor consent to acquisition and gazettal – awaiting OLG approval to issue PANs</p>			

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee: Ordinary Council	<p>26 May 2023 No further update at this point.</p> <p>17 May 2023 Public Works Advisory have submitted the OLG application which provides the Ministers/Governors consent to acquire the land and to publish the acquisition notice in the government gazette. Expect response by end June 2023</p> <p>28 Apr 2023 No further update at this point.</p> <p>30 Mar 2023 Plan of survey registered with LRS - Nov 2022, Public Works Advisory (PWA) is progressing the compulsory acquisition, from the Crown, of the section of land over which Dalgety Road is constructed, traversing Lot 7002 DP 1028529. Public Works Advisory (PWA) will undertake the necessary negotiations and preliminary dealings required to accomplish Council resolution 343/19, PWA have submitted the OLG application on 31/03/2023 which provides the Ministers/Governors consent to acquire the land and to publish the acquisition notice in the government gazette, this should take 3 months to process.</p> <p>01 Mar 2023 No further update at this point.</p> <p>01 Feb 2023 No further update this point.</p> <p>29 Nov 2022 Survey Plan has been completed. Plan has been registered with LRS (DP 1285419). Application to Crown Lands for 'No Objection to PAN' to be submitted, as part of the prescribed Compulsory Acquisition process.</p> <p>31 Oct 2022 Surveyor has an impasse with LRS registering the plan. Surveyor following up as priority. PWA aware of the circumstances.</p> <p>03 Oct 2022 No further update.</p> <p>31 Aug 2022 No further update at this point.</p> <p>26 Jul 2022 No further update.</p> <p>05 Jul 2022 A - Survey plans have been revised by stakeholders, minor corrections required to title and minor correction required on administration sheet. Once corrections are made plans and admin sheet will be lodged with LRS (plans previously referred to in action comments contained omissions and required alterations). Balance of resolution is process of delivering 'A'.</p> <p>30 May 2022 No further update.</p>	

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee: Ordinary Council		

04 May 2022
A - Surveyor advised works will be conducted before end of June 2022. B - Awaiting delivery of 'A'. C - Awaiting delivery of 'A'. D - Awaiting delivery of 'A'. E - Awaiting delivery of 'A'.

01 Apr 2022
No further update.

02 Mar 2022
No further update.

24 Jan 2022
No further update.

16 Dec 2021
No further update.

15 Nov 2021
A - COMPLETE. B - Part 1) Advice received from ORALRA - ALCs 11150, 40959 and 42460, have been amended to the extent that the portion of Lot 7002 DP 1028529 identified as proposed 'Lot 21' (being approximately 1.17 hectares) in the Draft Plan of Redefinition (at Attachment A: CM9: 21/114612), dated 30 April 2021, has been excluded from the claims (CM9: 21/114613). [The balance of these three claims is to remain 'on foot' for determination in due course]. B - Part 2) Awaiting Survey Plan.

20 Oct 2021
A - COMPLETE. B - Awaiting advice from ORALRA and registered plan from the surveyor. Once Public Works Advisory (PWA) have the survey plan and the ORALRA advice, they can advance the matter towards Office of Local Government application. C - Waiting on 'B'. D - Waiting on 'C'. E - Waiting on 'D'.

17 Aug 2021
Native Title Search Received & email stating no objection to acquisition process from Bega LALC, request for adjustment to land claim sent to ORALRA by ALC.

04 Aug 2021
The surveyor has been instructed to lodge the plan for registration. When registration is confirmed, PWA will further proceed with the acquisition process. Preliminary confirmation from NSW Aboriginal Land Council that there should be no issues obtaining part-withdrawal of ALC 11150, ALC 40959 and ALC 42460 as it applies to the formed road area. Once PWA has received the registered DP advice from the surveyor, engagement with Bega LALC will be made to request that part-withdrawal.

04 Jul 2021
No further update at this point.

06 Jun 2021
No further update at this point.


27 Apr 2021
Draft plans have been produced and are being reviewed by relevant staff and key delivery consultants.

25 Mar 2021
Survey Plan being prepared with the aim for Deposited Plan Administration Sheet for signing early April.

Date From:
Date To:

IN-PROGRESS ACTIONS REPORT

Committee:
Ordinary Council

SNOWY MONARO
REGIONAL COUNCIL

04 Mar 2021

No further update at this point in time.

28 Jan 2021

Nov 2020 A to 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., Oct 2020 A to 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., Sept 2020 A to G - Currently waiting on a reply from the NSW Aboriginal Land Council., Aug 2020 A to G - This acquisition has been placed on hold while further investigations through Local Land Services and Aboriginal Land Council are carried out. , Jul 2020 A - Council is waiting on the survey to be completed. B - When the survey plan is received the application to the Minister and the Governor will be made. C - PANs will be served after the Minister and Governor’s consent is received. D - Gazettal will take place after consent of the Minister and the Governor is received. E - Valuation has been requested from the Dept of the Valuer General for land to be acquired without consent. F - Documents will be sent to the CEO for execution when appropriate. G - Upon acquisition the acquired property will be dedicated as road., Jun 2020 Surveyor is presently carrying out the work., May 2020 Surveyor advised that he will commence the survey in the next week., Apr 2020 Surveyor has been engaged and expects to commence the survey in the immediate future., Mar 2020 The NSW ALC has requested a survey plan be provided prior to proceeding. Quotations are currently being sought for the survey., Feb 2020 The NSW Aboriginal Land Council has given consent in principal and is waiting on a survey plan. , Jan 2020 Currently waiting on survey plan. A - Quotation for Public Works Advisory has been approved and PWA has been asked to proceed.

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
17/04/2019	151/19	Property Officer	Operations	30/11/2024	Outstanding

Consolidation of Reserve no. 530002 Centennial Park and Lot 6 DP 758280 Cooma Visitors Centre as one Crown Reserve for General Community Use

COUNCIL RESOLUTION151/19

That Council

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.

B. Relinquish Licence LI 453017 for the use of the Cooma Visitors Centre when Lot 6 DP 758280 is added to Reserve 530002.

Moved Councillor Beer


Seconded Councillor Stewart


CARRIED


Notes

29 Apr 2024

No further update.


Date From: Date To:	IN-PROGRESS ACTIONS REPORT Committee: Ordinary Council	 SNOWY MONARO REGIONAL COUNCIL
26 Mar 2024 Update from Crown Lands on 21 March 2024 is that they are actively working on the paperwork to appoint Council as the Crown Land Manager for the Visitors Centre site but it still may take several weeks to finalise. 27 Feb 2024 Email sent to Crown Lands on 22/2/2024, seeking assistance in getting this protracted matter resolved. 29 Jan 2024 No further update. 04 Dec 2023 No further update. 18 Oct 2023 No further update. 03 Oct 2023 No further update. 21 Aug 2023 No further update. 02 Aug 2023 No further update. 05 Jul 2023 No further update. 25 May 2023 No further update. 26 Apr 2023 No further update. 23 Mar 2023 No further update. 28 Feb 2023 No further update. 30 Jan 2023 No further update. 23 Nov 2022 No further update.		

IN-PROGRESS ACTIONS REPORT		
Date From: Date To:	Committee: Ordinary Council	
01 Nov 2022	No further update.	
26 Sep 2022	No further update.	
23 Aug 2022	No further update.	
01 Aug 2022	No further update.	
28 Jun 2022	No further update.	
31 May 2022	No further update.	
02 May 2022	No further update.	
04 Apr 2022	No further update.	
23 Feb 2022	No further update.	
13 Dec 2021	No further update.	
15 Nov 2021	No further update.	
19 Oct 2021	No further update.	
28 Sep 2021	No further update.	
01 Sep 2021	No further update.	

Date From: Date To:	IN-PROGRESS ACTIONS REPORT Committee: Ordinary Council	 SNOWY MONARO REGIONAL COUNCIL
05 Aug 2021 Update from Crown Lands - Due to the differing reserve types Crown Lands have decided the best solution is to create a new Reserve for the Cooma Visitor Centre site, with the intention of appointing Council as Crown Land Manager (as is the case with the Centennial Park R530002). This will cancel the licence and associated fee. It will not consolidate both reserves. Currently the application is with the Minister to be assessed / approved. Crown Lands are unable to provide a time-frame but will notify us once this process is complete. 04 Aug 2021 Followed up with Crown Lands. Awaiting a response. 04 Jul 2021 No further update at this point. 06 Jun 2021 No further update at this point. 05 May 2021 No further update at this point. 31 Mar 2021 Further prompts to Crown Land actioned. No further update. 01 Mar 2021 No further update at this point in time. 02 Feb 2021 A - Follow up phone calls to Crown Lands has confirmed that Crown Lands is still awaiting the native title assessment to be completed. 28 Jan 2021 04 Dec 2020 A - Crown Lands are waiting on a native title assessment to be completed internally prior to approval and gazettal. , 26 Oct 2020 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., 24 Sep 2020 A - An email has been sent to Crown Lands asking for an update on the progress of this matter., 26 Aug 2020 A - Crown Lands has assured the Land and Property Officer that the documentation recommending the amendment to both reserves has gone before the Minister. B - The licence will be relinquished when Crown Lands has completed their processes., 29 Jul 2020 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., 26 Jun 2020 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. A - Crown Lands is presently preparing the documentation for transfer to Council as Crown Land Manager. B - The licence will be relinquished in conjunction with transfer to Council Management., 28 May 2020 Reminder was sent to Crown Lands last week. This matter will take some time to resolve at the Crown Lands level., 24 Apr 2020 Crown Lands has advised that due to the COVID-19 Pandemic this process may suffer some delays., 26 Mar 2020 Crown was sent a second reminder today. It is an involved process, and will take a while to review, given the current COVID-19 pandemic and the recent bushfires., 02 Mar 2020 Negotiations with the Crown are ongoing. It is likely that the Crown would prefer lot 6 to be placed under Council management and that the lease be rescinded. We are currently waiting on a reply., 20 Jan 2020 This matter has been escalated at Crown Lands to achieve a decision on the way forward.		


Date From:
Date To:

IN-PROGRESS ACTIONS REPORT


 SNOWY MONARO
REGIONAL COUNCIL

Committee: Ordinary Council

Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
7/05/2018	162/18	Coordinator Land & Property	Operations	30/11/2024	Outstanding
Proposal to Realign the Barry Way Jindabyne and to Address Issues with the Intersections of Barry Way with Eagle View Lane and Bungarra Lane					
COUNCIL RESOLUTION		162/18			
That Council					
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.					
B. Approve the proposal to apply to the Crown to transfer those sections of The Barry Way which are Crown reserve road to Council.					
C. Authorise staff to negotiate with landowners for acquisition of the constructed Barry Way and, where possible, to offer to close corresponding sections of paper road and to dedicate the land to the landowner in compensation.					
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.					
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.					
F. Authorise the General Manager to execute any documents necessary to complete the project.					
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).					
Moved Councillor Castellari		Seconded Councillor Beer		CARRIED	
Notes					
30 Apr 2024					
No further update					
02 Apr 2024					
Process underway to identify sections of Barry way suitable to request transfer from Crown Lands.					
28 Feb 2024					
Progress requires budget certainty, which remains pending. Note: The active Council resolution does not mandate any land acquisition and corridor alignment specific to Eagle View Lane or Bungarra Lane.					
31 Jan 2024					
Progress requires budget certainty, which remains pending. Note: The active Council resolution does not mandate any land acquisition and corridor alignment specific to Eagle View Lane or Bungarra Lane.					
12 Dec 2023					
Progress requires budget certainty, which remains pending. Note: The active Council resolution does not mandate any land acquisition and corridor alignment specific to Eagle View Lane or Bungarra Lane.					

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

30 Oct 2023	No further update
28 Sep 2023	No further update
30 Aug 2023	Progress requires budget certainty, which remains pending. Note: The active Council resolution does not mandate any land acquisition and corridor alignment specific to Eagle View Lane or Bungarra Lane.
31 Jul 2023	Progress requires budget certainty, which remains pending. Note: The active resolution does not mandate any aspects specific to Eagle View Lane or Bungarra Lane.
29 Jun 2023	No further update.
26 May 2023	Progress requires budget certainty, which remains pending. Note: The active resolution does not mandate any aspects specific to Eagle View Lane or Bungarra Lane.
28 Apr 2023	Progress requires budget certainty, which remains pending. Note: The active resolution does not mandate any aspects specific to Eagle View Lane or Bungarra Lane.
30 Mar 2023	No further update.
01 Mar 2023	No further update at this point.
29 Jan 2023	No further update at this point.
29 Nov 2022	No further update at this point.
31 Oct 2022	Progress requires budget certainty, which remains pending. Note: The active resolution does not mandate any aspects specific to Eagle View Lane or Bungarra Lane.
03 Oct 2022	No further update at this point in time.
31 Aug 2022	Confirmation of budget availability sought internally.
26 Jul 2022	No further update.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	

05 Jul 2022
No further update.

30 May 2022
No further update.

04 May 2022
No further update.

01 Apr 2022
No further update.

02 Mar 2022
C - Site inspection successful, reached agreeance with both parties. G - Funding source to be investigated further. A, B, D, E, F - No further updates.

24 Jan 2022
C - Site inspection successful, reached agreeance with Barry party, awaiting response from Stevens Party. G - Funding source to be investigated further. A, B, D, E, F - No further updates.

16 Dec 2021
Site Meeting Scheduled for 16/12/2012.

25 Nov 2021
C - Site meeting to be held as part of negotiations for Eagleview lane realignment from Barry Way to Mowamba River, no further update for at this point for balance of resolution.

28 Sep 2021
Awaiting response from Eagleview Lane landholder addressing negotiated terms of land transfer (fencing request).


07 Sep 2021
Negotiations being conducted with landholder - Eagleview lane. Confirmation from planning sent to landholder, trying to reach outcome for second request. Contact has been made with surveyor, plans and progress information received 06/09/2021. Review to be conducted to find out where we are at and what the next step forward is for the overall matter.

02 Aug 2021
Planning has responded to Land & Property Team. Land & Property Officer will make contact with landholder to advise outcome and how to move forward.

04 Jul 2021
Follow up tabled to the Coordinator Development in relation to landholder queries which are linked the progression of this matter.

06 Jun 2021
No further update at this point.

05 May 2021
No further update at this point.

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee:	Ordinary Council	

31 Mar 2021

No further update at this point.

01 Mar 2021

A&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 Coordinator Development relaying landowner query.

02 Feb 2021

A&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. B - Application is being prepared to apply for sections of Crown Road to be transferred to Council.

28 Jan 2021

Nov 2020 A&B - Waiting on response from landowner who does not live locally. 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., Oct 2020 A&B - Surveyor has provided necessary information which has now been provided to the land owner. Provision of this information will now allow 'C' to be completed., Sept 2020 A&B - Surveyor has addressed questions relating to the plan at the intersection of Eagle View Lane. The landowner was notified and again posed number of questions. Most of these have been answered and the answer to the last question will be provided this week. C - Negotiation will commence next week with landowners adjacent to Cobbon Hill. This section of realignment of the Barry Way will involve compulsory acquisition from the Crown. D - This project has been divided into sections so that the surveyor completes the survey work as Council is ready to address each section. 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., Aug 2020 A&B - Surveyor has notified Council that due to workload this plan may take a little longer. C - Landowner has been notified that there is a delay involved in obtaining the information that they have requested. E to G - Ongoing., Jul 2020 A&B - Surveyor has been requested to provide the plan for the second section which will involve Eagle View Lane. C - Landowners have been notified that Council is waiting on plan. E to G - Ongoing., Jun 2020 The draft plan may be expected. The landowner is waiting on this information before proceeding. A - Survey is being done in sections. B - Request for sections of Crown road to be transferred to Council will be carried out at the end of the project. C - Negotiations with landowners are ongoing. D - See 'A' above. E - Acquisition will be carried out as necessary when the plan for individual sections is finalised. F&G Ongoing., May 2020 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., Apr 2020 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., Mar 2020 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., Feb 2020 The Land and Property Officer met with the landowner and he said he will respond after consultation with his wife., Jan 2020 Waiting on response from landowner on Eagle View Road. He resides in Tasmania.

03 Oct 2018

Kleven Spain engaged to carry out survey.


27 Aug 2018


Surveyor selected and work to progress shortly.


Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
	Committee: Ordinary Council	


<p>07 Aug 2018 Revised Target Date changed from 06 Jun 2019 to 31 Dec 2019</p> <p>02 Aug 2018 Call for expressions of interest from local land surveyors. Submissions currently being considered.</p> <p>23 Jul 2018 No EOI's received by due date. All surveyors were contacted and were given an extension of time to submit their EOI. Closing date is 27/7.</p> <p>11 Jul 2018 Specification sent to three surveyors requesting that they submit expressions of interest. Due by cob 13/7.</p> <p>21 Jun 2018 Revised Target Date changed from 06 Jun 2018 to 06 Jun 2019</p> <p>21 Jun 2018 Draft specification with Group Manager Transport and Infrastructure for approval.</p> <p>04 Jun 2018 The specification is currently been developed for the work to be carried out by the surveyor. Council will call for expressions of interest to carry out the work.</p> <p>23 May 2018 Specification being developed to seek quotations from suitably qualified land surveyors.</p>
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Meeting Date	Res No	R/Officer	Section	Estimated Comp Date	Completed
5/04/2018	118/18,119/18	Coordinator Land & Property	Operations	30/09/2024	Outstanding
<p>Proposed Road Closure & Sale of old Lions Park at Bombala</p> <p>COUNCIL RESOLUTION 118/18</p> <p>That Council;</p> <ul style="list-style-type: none"> 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; B. Engage the services of a land surveyor to provide a plan for the boundary adjustment; C. Authorise the General Manager to execute any documents necessary to complete the boundary adjustment and sale of the property; D. Readvertise the property on the open market for auction with an appropriate reserve; and E. Make the Report public once the matter is settled. <p>Moved Councillor Stewart Seconded Councillor Ewart CARRIED</p>					

Date From: Date To:		IN-PROGRESS ACTIONS REPORT		 SNOWY MONARO REGIONAL COUNCIL
Committee:		Ordinary Council		
COUNCIL RESOLUTION			119/18	
That Council;				
A. Thank Mr Alcock and Mr Jardine for their dedication to preserving this heritage building and its contents; and				
B. Regretfully reject the offer to transfer Lot 6 Section 42 DP 758776 to Council.				
Moved Councillor Beer		Seconded Councillor Ewart		CARRIED
Notes				
30 Apr 2024				
No further update				
02 Apr 2024				
No further update				
28 Feb 2024				
A. Completed; B. Completed; C & D Pending action - Disposal; E. Will be actioned at appropriate time.				
31 Jan 2024				
No further update.				
12 Dec 2023				
No further update.				
30 Oct 2023				
No further update				
28 Sep 2023				
No further update				
30 Aug 2023				
No further update at this stage				
31 Jul 2023				
No further update at this stage.				
30 Jun 2023				
Review of suitability of original resolution to be undertaken (Item D & E) in terms of best result for Council, given the present economic and housing needs environment.				
29 Jun 2023				
No further update at this stage				
26 May 2023				
No further update at this point.				

Date From: Date To:	IN-PROGRESS ACTIONS REPORT	 SNOWY MONARO REGIONAL COUNCIL
Committee: Ordinary Council	<p>28 Apr 2023 Review of suitability of original resolution to be undertaken (Item D & E) in terms of best result for current needs of Council</p> <p>30 Mar 2023 Title search received - Now Lot 1 DP 1267506 - Road restriction removed - lot established - ready to proceed., COUNCIL RESOLUTION 118/18, That Council,, 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; - COMPLETE, B. Engage the services of a land surveyor to provide a plan for the boundary adjustment; - COMPLETE - PLAN REGISTERED - ROAD RESTRICTION REMOVED, C. Authorise the General Manager to execute any documents necessary to complete the boundary adjustment and sale of the property,, D. Readvertise the property on the open market for auction with an appropriate reserve; and, E. Make the Report public once the matter is settled.</p> <p>01 Mar 2023 No further update at this point.</p> <p>29 Jan 2023 No further update at this point.</p> <p>29 Nov 2022 No further update at this point.</p> <p>31 Oct 2022 No further update at this point.</p> <p>03 Oct 2022 No further update at this point.</p> <p>31 Aug 2022 A to C - Complete, road closure complete. D&E - Review of suitability of the final element to be undertaken.</p> <p>26 Jul 2022 No further update.</p> <p>05 Jul 2022 Road closure complete, review of suitability of original resolution to be undertaken.</p> <p>30 May 2022 No further update.</p> <p>04 May 2022 A - Complete. B - Complete. C - Boundary Adjustment Complete. D - Pre-sale assessment to be completed May 2022. E - Awaiting full completion of 'A to E'.</p> <p>01 Apr 2022 No further update.</p> <p>02 Mar 2022 No further update.</p>	

<p>Date From: Date To:</p>	<p>IN-PROGRESS ACTIONS REPORT</p> <p>Committee: Ordinary Council</p>	 <p>SNOWY MONARO REGIONAL COUNCIL</p>
<p>24 Jan 2022 A&B - Completed. C - Completed. D&E - 'A' & 'B' now complete, process of sale will be initiated in a timely manner.</p> <p>15 Dec 2021 A&B - Surveyor advised plans have been registered with LRS, awaiting title advice from solicitor. C – Completed. D&E - Dependant on 'A' being completed.</p> <p>12 Nov 2021 A - All requisitions from LRS have been resolved, final plans for road closure are awaiting LRS registration. B - Surveyor will advise when plans have been registered. C - Boundary adjustment paperwork complete, sale of property is dependent on 'A' being completed. D&E - Dependant on 'A' being completed.</p> <p>28 Sep 2021 Partial Closure Of High Street Bombala Gazetted, 11R form for removing notation from title signed and lodged with LRS, requisitions received from LRS via surveyor these are currently being addressed.</p> <p>01 Sep 2021 No further update.</p> <p>29 Jul 2021 Followed up with surveyor and was advised he was sending updated plan to LRS and he will advise once plan has been registered with LRS.</p> <p>04 Jul 2021 LRS advice is that as due to Lot 9 DP 995614 being a limited title the compiled plan does not comply with current compiled plan guidelines thus a plan of survey is required; being progressed.</p> <p>03 May 2021 No further update at this point.</p> <p>23 Mar 2021 No further update on this item due to waiting for reply from LRS.</p> <p>24 Feb 2021 Target date now 30 June 2021, Waiting for return of lodged documents from LRS.</p> <p>02 Feb 2021 No further update.</p> <p>28 Jan 2021 Nov 2020 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. Oct 2020 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>		

<p>Date From: Date To:</p>	<p>IN-PROGRESS ACTIONS REPORT</p>	 <p>SNOWY MONARO REGIONAL COUNCIL</p>
	<p>Committee: Ordinary Council</p>	
<p>Sep 2020 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., Aug 2020 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'. Jul 2020 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'. Jun 2020 E - Finalised. F - Finalised. C to E - Still waiting finalised consolidation plans from surveyor for this item to be completed. Have sent numerous email requests to Surveyor. May 2020 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. Apr 2020 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. Mar 2020 Followed up with Surveyor and was advised this item is going to be delayed due to the large scale workload he has in place., Feb 2020 Followed up with Surveyor and was advised this item is going to be delayed due to the large scale workload he has in place. 15 Jan 2020 The Surveyor has advised that he is hoping to have the consolidation plan ready for the end of January 2020.</p> <p>05 Oct 2018 Letters have been sent to adjoining landowners with notification of the proposed closure and notification letters to the authorities are being prepared. The advertisement has been placed in the Monaro Post for 11 October and 25 October. The 28 day period for submissions ends on 8 November. Submissions will be reviewed and the correct process followed.</p> <p>03 Oct 2018 Action reassigned.</p> <p>03 Oct 2018 Notifications sent out to commence road closing.</p> <p>27 Aug 2018 Plan has been received. There are issues with a previous resumption which has not been registered on title. When these issues are sorted out and the notification period for road closing has expired, and the resumption issues have been resolved then the plan will be registered and the land will be listed for sale.</p> <p>02 Aug 2018 Spoke to surveyor this week and he has promised to get the plan to me within the week.</p> <p>23 May 2018 Waiting on plan.</p> <p>23 Apr 2018 Revised Target Date changed from 16 Apr 2018 to 30 Jun 2018</p> <p>23 Apr 2018 Surveyor has been engaged to provide a plan for boundary adjustment and road closure will commence as soon as a plan is available. 14/5 - Waiting on plan.</p>		

10.1 MINUTES FROM MANAGEMENT AND ADVISORY COMMITTEES

Record No: I24/229

OFFICER'S RECOMMENDATION

That Council receive the minutes of the:

- i. Bombala Exhibition Ground Management Committee minutes of meeting held 14 February 2024;
- ii. Michelago Hall and Tennis Courts Management Committee minutes of meeting held 21 February 2024;
- iii. Adaminaby Hall Management Committee minutes of meeting held 6 March 2024;

BACKGROUND

Minutes have been received in March and April 2024 and are included for notation by Council.

ATTACHMENTS

1. Minutes - Bombala Exhibition Ground Management Committee meeting held 14 February 2024
2. Minutes - Michelago Hall and Tennis Courts Management Committee meeting held 21 February 2024
3. Minutes - Adaminaby Hall Management Committee - Minutes of Meeting Held 6 March 2024

RECEIVED 11 APR 2024

Minutes Bombala Exhibition Ground Section 355 Management Committee Meeting

Address: CWA Room, Wellington Street, Bombala NSW 2632
Date 14th February, 2024 **Time:** 7.30pm
Present:

Position	User Group	Member (Name)	Present/Apology
Chairman President	Community	Neil Hennessy	Absent
Secretary	Bombala District Netball Club / Community	Anne Caldwell	Present
Treasurer	Bombala Exhibition Society	Graham Hillyer	Present
Vice President	Bombala Exhibition Society	Richard Peadon	Present
	Bombala Exhibition Society / Lions Club	Clare Trevanion	Present
	Bombala Senior Rugby League Club	Hugh Platts	Present
	Bombala Exhibition Society	Bronwyn Podger	Present
	Bombala & District Cricket Club	George Power	Has left the country
	Bombala District Netball Club	Calli Kidman	Absent
	Bombala Exhibition Society	Anita Walder	Apology
	Bombala Exhibition Society	Sophie Campbell	Present
	Bombala Exhibition Society	Nadean White	Absent
	Guest	Peter Gough	Present

1 Opening of the Meeting

The Chair, Richard Peadon opened the meeting at 7.35pm.

2 Apologies

Anne Caldwell received apologies from Anita Walder and Neil Hennessy.

Adoption of Previous Minutes

Minutes from the meeting held on 11th December, 2023 are confirmed as a true and accurate record of proceedings.

Moved: Clare Trevanion **Seconded:** Bronwyn Podger **Carried**

3. Business Arising from Previous Minutes

1. Neil Hennessy has ordered the lounges. They will arrive in the next couple of weeks.

4. Correspondence

In:.

1. email from George Power, he has moved overseas and Paul may be the new cricket representative.
2. email from Anita Walder, an apology for the meeting.
3. email to Erin Donnelly, from Neil Hennessy requesting a reviewed completion date to Friday, 5th April.

5. Business Arising from Correspondence

1. Nil.

6. Treasurer's Report (Management Committee Bombala Exhibition Ground) 01/12/23 – 31/12/23

Income		Expenditure	
Nil			
		10/12/23	M Bennett Constructions \$13,200.00
Balance as at 30/11/23	\$114,606.69		(Caretakers Cottage)
Income	Nil	10/12/23	Milestone Chemicals \$196.35
Expenditure	\$13,709.78		(Cleaning Products)
Balance at at 31/12/23	\$100,896.91	10/12/23	Origin Energy \$192.53
		1	

		(Gas)	
10/12/23	T & J Murphy Building		\$16.40
	(Washers)		
13/12/23	Neil Hennessy		\$104.70
	(Reimbursement Fuel Pipe Fitting)		
	Total		\$13,709.78
	Term Deposit		\$14,526.15

Treasurer's Report (Management Committee Bombala Exhibition Ground) 01/01/24 – 31/01/24

Income		Expenditure	
	NIL	16/01/24	Origin Energy
			(Electricity)
Balance at at 31/12/23	\$100,896.91	Total	\$824.76
Income	NIL		
Expenditure	\$824.76		
Balance as at 31/01/24	\$100,072.13	Term Deposit	\$14,526.15

7. Business Arising Treasurer's Report

1. No word on audit.
2. Account to come for lounges.
3. Account for Hampshire plumbing has been paid.

Moved: Graham Hillyer that the Treasurer's Report and business arising be accepted as a true and correct record.

Seconded: Hugh Platts

Carried

8. General Business

1. Electrical update. Not all electrical work was able to be completed due to increase with other expenses.
2. Peter Gough reported that the power points next to Exhibition Hall are not working.
3. Sophie Campbell requested that the power points and pillars be checked prior to the show.
3. The Committee will check and arrange for any problems to be repaired and or replaced.
4. Hot water in the kitchen to be checked and if not working to be fixed. Check for leaks.
5. Discussion on how best to address the condition of the floor before and after use of the facilities.
6. Graham Hillyer blew the hall floor out and noted that there are splatters of paint on the floor.
7. Graham Hillyer is looking into the price of a blower vac.
- 8 Sophie Campbell and Peter Gough noted that is has been quite sometime since the last PEG Meeting
9. The Netball competition for 2024 commenced on 6th February.
10. Hugh Platts advised that the Senior Football draw should soon be available.
10. Sophie Campbell confirmed that this year there will be cattle at the show and that a road closure will be required with the use of two RFS vehicles.

Seconded: Claire Trevanion

Carried

9. Date of next Meeting

The next committee meeting will be held at the CWA Rooms at 7.30pm on Wednesday, 13th March, 2024 .

10. Close of Meeting

There being no further business the meeting concluded at 9.15pm.

CHAIRPERSON_

DATE 13th March, 2024



Minutes

Michelago Memorial Hall & Tennis Courts S355 Committee

Date: Wednesday 21 February 2024

Time: 6 pm

Location: Michelago Memorial Hall, 64 Ryrie St, Michelago

1. Opening

The Chair opened the meeting at 6.09pm.

2. Attendance and Apologies -

Name	Position	Attendance
Naomi Walton	Chairperson	Present
Jenny Wholohan	Secretary	Present
Belinda Sierzchula	Treasurer	Present
Cath Cotter	Bookings Officer	Apology
Anna Lucas	Committee Member	Present
Allan Lehepuu	Committee Member	Present
Leanne Pattison	MRCA Committee Member	Present
Rachel Harling	Committee Member	Absent – No Apology

3. Adoption of previous Minutes

Minutes of the Meeting held on 15 November 2023

Moved: Leanne Pattison

Seconded: Anna Lucas

Carried/Lost: Carried

4. Correspondence

Notification received of the successful application for a grant of \$10,000 from Anglicare.



5. Action sheet

- 5.1 Acoustic Curtains & Panels - Curtains have been installed, with thanks to Allan Lehepuu for installing timber supports for curtain tracks, then hanging the curtains. Acoustic wall panels have been delivered. The walls will now need to be cleaned, then the panels put up.
- 5.2 Halls Funding - Jenny will contact Emma to see if there are further items to be completed, and to see about the emergency power inlet that Council was to install. Seeing the solar battery work will be taking place soon, if they are equipped to do the emergency power inlet as well, maybe that could be done at the same time.
- 5.3 Hall Dishwasher - now fully installed and ready to be used.
- 5.4 Solar Battery Grant - since making the application, prices have increased. The Hall funds would need to meet the difference of approximately \$2,000, which they have the capacity to do.
Committee recommendation - *to go ahead with the project, pay the one third deposit to secure the order, and the Hall funds will pay the extra to cover the increase in cost.*
Moved: Jenny Wholohan *Seconded:* Belinda Sierzchula *Carried/Lost:* Carried
- 5.5 Gingerbread House Fundraiser - This was well attended, and a lot of fun was had by all with not only the gingerbread houses, but the few crafts as well. The profit generated was \$117.

6. Maintenance items

- 6.1 East Hall external gate + safety tape on stage stairs - completed
- 6.2 Emergency power inlet by SMRC - check with Council (see 5.2)
- 6.3 Hall Rubbish Bin - Allan found the Hall "Otto" bin is under one of the rear water tanks, but it is locked in its stand. Council will be asked if they would have a key.

7. Grants

- 7.1 SMRC Donations & Sponsorship grant closes 15 March 2024.
Committee recommendation - *obtain quotes and proceed with making application to replace existing kitchen appliances (oven/grill and hotplates) that do not work properly.*
Moved: Anna Lucas *Seconded:* Belinda Sierzchula *Carried/Lost:* Carried

8. General Business

- 8.1 Treasurer's Report - current reports have been provided and attached.
- 8.2 Bookings update - with Cath absent, the Committee will consider this next month.



- 8.3 Hall Carpark bollards - Naomi had asked Council via email, but no reply. Will try again.
- 8.4 Manhole Kit - has been purchased and will be installed soon.
- 8.5 Mobile PreSchool - due to start on Monday 26 February 2024.
- 8.6 Volunteer Hours - the Hall documents page has an Excel spreadsheet to document additional hours of work by Committee members that are extra to usual meetings.
- 8.7 MRCA update - in order to comply, a new Constitution has been adopted – the model endorsed for Incorporated Associations which has to be used “as is” in total, but will be updated automatically. By adopting this, an audit will not be required. However, there must be membership applications submitted, and the Annual General Meeting must coincide with the financial year.
- 8.8 Michelago Shop ANZAC Day request - a query to hold a breakfast event on ANZAC Day. Awaiting a decision if it is to go ahead.

9. Items “Held over” for the present

- 9.1 Sound/AC system
- 9.2 Security system
- 9.3 Hall storage room painting
- 9.4 Tennis clubhouse wall lining
- 9.5 Asset Register

10. Date of next Meeting

The next meeting will be held on Wednesday 20 March 2024 from 6pm at Michelago Memorial Hall.

11.Meeting Close

The Chair closed the meeting at 7.25pm

Signed:

Chairperson: _____
Naomi Walton

Date: 20/3/2024

**Minutes for meeting of the
Adaminaby Hall s355 Committee
held in the Meeting Room Adaminaby Hall
06/03/2024**

ATTENDANCE:

Pam Brayshaw, Ed Potter, Bill Fogarty, Tim Corkill, Lynley Miners, Joan Fogarty

APOLOGIES:

Marwa Hudson

MINUTES 7/12/2023 were read and accepted. Moved Bill Fogarty seconded Tim Corkill
Carried

BUSINESS ARISING:

Painting:weatherboard replacement: Ed has spoken to Lee Roberts. Ed showed Lee around and indicated to areas needed work. Lee will contact Ed.

Bus tour viewing: Bus tours have been very successful. Thanks to Ed and Bill for their commitment to this. Now called Michael Riley Tours. They are directly invoiced which saves collecting coin. They now have only one driver so our input is critical. They often have lunch in the supper room but set up all their own gear. They are charged \$4 per head for curtain viewing and a postcard.

Flyer update: Pam has provided copies for presenters on the history of the Hall and the curtain.

Easter Fair: will be held on Easter Saturday. The Community is hoping for a big attendance. The Hall will be occupied by the Adaminaby Art Group. Phillipa Dodds has kindly offered to be there for the day and collect \$2 per head for entrance and to view the curtain.

Anzac Day: will be held as usual and the Red Cross has kindly offered to provide a morning tea afterwards. Members of the RSL and any Community members are invited to lunch, This year it will be at the Snow Goose. (Bill to check on this).

Table legs: A couple of these on the older heavy tables need replacing. Bill sent out email to manufacturer. Cost \$160 . A better option is to buy four new light tables locally which are considerably cheaper and easier to setting up. Moved Ed, Seconded Joan; that these local light tables be purchased and that the older long tables be repaired. Carried

CORRESPONDENCE: Emails from Erin Donnelly indicating that although the minutes are tabled at Council, the s355 Committee should directly contact specific sections within the organisation responsible in relation to work etc., needed.

TREASURER'S REPORT:

Current credit:

\$5121.13

Pending invoice for blinds in meeting room

\$1444

Cash in hand

\$3677.13

Moved Bill Fogarty

Seconded Lynley Miners That the treasurer's report be accepted. Carried

REPORTS: Chair thanked members for their work and indicated that the Hall is an ongoing and used asset for the Adaminaby Community.

:

HALL MANAGER: Community activities are highlighted for the coming months eg., the Red Cross Winter Soup and Sandwich lunch and the local Government Election in September.

GENERAL BUSINESS: Gutters are cleaned and looking good, The step to the entrance is stipulated as legal but a painted strip would be a further caution for people on walkers. The outside seat be moved to cover the step.

NEXT MEETING: The Meeting closed at 6.15 pm. Next meeting will be held before the end of June. Tuesday seems a preferable day. Joan Fogarty will consult with members closer to the time.

11.1 TO HOLD A POLL IN CONJUNCTION WITH THE 14 SEPTEMBER 2024 COUNCIL ELECTIONS REGARDING DE-AMALGAMATION

11.1 TO HOLD A POLL IN CONJUNCTION WITH THE 14 SEPTEMBER 2024 COUNCIL ELECTIONS REGARDING DE-AMALGAMATION

Record No: I24/267

Councillor Bob Stewart has given notice that at the Ordinary Meeting of Council on 16 May 2024, he will move the following motion.

MOTION

That Council hold a poll concurrently with the September 2024 Local Government elections asking the question: "Do you support the de-amalgamation of Snowy Monaro Regional Council (SMRC) to reinstate the former Bombala Council, Cooma Monaro Shire Council and Snowy River Council.

RESPONSIBLE COUNCILLOR: Councillor Stewart.

BACKGROUND

Information will be provided during the meeting.

CHIEF EXECUTIVE OFFICER'S RESPONSE

The code of meeting practice includes the following:

3.12 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the CEO must either:

- a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
- b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

There is no current source of approved funds allocated to implement the proposed motion in the current operational plan or the plans currently on public exhibition. The source of funds will need to be determined as part of resolution. If it is intended to only ask the question and not engage or inform the community those costs are estimated to be in the range of \$30,000 to \$50,000. If it is intended to inform and engage with the community the costs are in the order of \$210,000 to \$330,000.

11.1 TO HOLD A POLL IN CONJUNCTION WITH THE 14 SEPTEMBER 2024 COUNCIL ELECTIONS REGARDING DE-AMALGAMATION

There are two parts to the required funding for the proposed motion. The first is the cost of holding of the poll. It is estimated that the cost of holding the poll in conjunction with the election will be in the order of \$30,000 to \$50,000.

The second is that it is considered best practices that people are informed on the subject of the poll. No information has been provided as to whether the intent is to develop information and engage with the community prior to the poll question being put. If it is intended to the engage and inform the community information will need to be developed on the question and communicated.

Information provided to the last notice of motion seeking that a poll be held indicated costs of the process required to follow through with the poll as follows:

- Development of business case
 - Consultants: \$150k (minimum and likely to be higher)
 - Staff time diverted from other activities: \$80k - \$100k
- Community consultation, including staff time: \$40k

Total: ~ \$280k.

Since the last consideration of a poll for demerger the requirements have also changed. Those requirements include development of a detailed implementation plans that shows how the demerged Councils would be sustainable. Such a plan is what is required to fully inform the community of the potential short and long term impacts of the decision they are being asked to make.

Cootamundra-Gundagai has developed a detailed implementation plan for demerging, which is what would be required to properly inform the community on the impact of the demerger. The estimate for the cost of that plan was \$180,000. Snowy Valley Council reported that the cost of developing their business case is of the order of \$100,000.

It is worth noting that several councils have already considered demergers.

The Cootamundra-Gundagai plan is indicating that the demerger will use up \$3million of their available reserves and will require the councils to be “retreating to a ‘minimalist’ local authority”. It also includes Gundagai increasing rates by 95% above the rate peg over the first three years and Cootamundra by 15% above the rate peg over two years.

Those increases are on top of the 53.9% increase previously approved for the merged council. The model also relies on substantial increases to fees paid towards facilities (eg 25% of costs recouped from fees for swimming pool and sporting grounds costs, 75% of tourism & economic development costs and building costs) and creating profit out of water and sewer services (20%) to transfer back toward the cost of general services. It also relies on the continued existence of shared service provision between the two councils or a range of areas.

Professor Joseph Drew was engaged to provide assistance and undertook their own development of a business case. His report projected diseconomies of scale of between 8%-10% were in existence and would be released through the demerger.

The Canterbury-Bankstown business case shows that both of the former councils will be financially unsustainable post-merger, with increased ongoing costs of \$20.9million. The modelling is stated to have been checked against the outcomes of demergers in Queensland and local government restructuring in Wellington, New Zealand.

11.1 TO HOLD A POLL IN CONJUNCTION WITH THE 14 SEPTEMBER 2024 COUNCIL ELECTIONS REGARDING DE-
AMALGAMATION

The business case for the demerger of the Inner West Council resulted in a negative net present value. The analysis showed a net present cost of -\$150.8million dollars, excluding one-off costs. The assessment indicated increased ongoing costs of \$9.811million per annum.

It is clear that before the community should be provided with all the relevant details, costs and implications of such a decision before being asked to make a decision. The costs to do so would need to be found in the current budget on public exhibition noting the timeframe of the upcoming Local Government Elections in September 2024.

Should Council want to undertake such work, Council must advise as to the services that will be reduced or cease to cover such costs and that should be advised to the community as part of the current draft 2024/25 budget.

It is also worth noting that the NSW Government's position on Local Government demerging does not provide any financial support or assistance to Councils to undertake such a process and that Councils will need to self-fund such actions. Without further service level reductions SMRC does not have the available funds to undertake such actions.

I would encourage Council to not mislead the community about perceived notions about demerging without having a full and detailed engagement as to the costs and implications for council services with our community.

Uninformed debate about demerging without a completed business case and completed implementation plan and detailed costs analysis for ratepayers will only create distraction and delay to pursuing the immediate and necessary reforms for SMRC as already outlined in the Financial Sustainability Report 2022 and as outlined in our 2024/5 Draft Budget and DP /OP.

ATTACHMENTS

1. Notice of Motion Form – Cr Stewart
-



Form | 250.2022.82.1

Notice of Motion

Executive Office

Details of Council Meeting

Date of Meeting 16 May 2024	
Submitted by Councillor Bob Stewart	
Signature	Date 01/05/2024

Motion

Hold a poll in conjunction with the 14 September 2024 Council elections regarding de-amalgamation.

That Council hold a poll concurrently with the September 2024 Local Government elections asking the question: "Do you support the de-amalgamation of Snowy Monaro Regional Council (SMRC) to reinstate the former Bombala Council, Cooma Monaro Shire Council and Snowy River Council.

Background

Background information will be provided during the meeting.



Council's Code of Meeting Practice provides as follows

- 3.9 A Councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted ten (10) full business days before the meeting is to be held.
- 10.2 A Councillor who has submitted a notice of motion under clause 3.9 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

Full details of the Code of Meeting Practice can be found on Council's website:
<https://www.snowymonaro.nsw.gov.au/Council/Meetings>

For further information or assistance on completing this form please contact the Executive Office at SMRCExecOffice@snowymonaro.nsw.gov.au

13.1 QUESTIONS RELATED TO THE NEW SPORTS CENTRE - CR WILLIAMSON

Record No: I24/221

OFFICER'S RECOMMENDATION

That the response to the question/s be noted.

QUESTIONS BY: Cr Williamson

QUESTION

Operating such a facility will have required Council to have commenced accessing, provisioning and deploying business capabilities - some of which may be new capabilities. Operating such a facility also involves risks that need to be identified, assessed and mitigated where appropriate.

I ask the following questions related to the above.

Business capability analysis

1. Did Council conduct an analysis of the required business capabilities it would need to effectively, efficiently and safely operate this facility? If so, please provide a summary of what was done and what the findings of the analysis were.
2. If Council did conduct an analysis as per question 1, how has it sourced or provisioned each of the needed capabilities? Also, are there any needed business capabilities that have not yet been sourced or provisioned?
3. Did Council seek advice from experienced persons or organisations as to the business capabilities it would need to effectively, efficiently and safely operate this facility? If so, from whom or from what organisation did Council receive advice? Please provide a copy of the advice received.

Risk Assessment

4. Did Council conduct an assessment of the risks for operating the centre?

Assuming that Council did conduct a risk assessment:

5. Please confirm the risk assessment analysed:
 - a) reputational risks
 - b) commercial risks (including to expenses and revenues)
 - c) legal risks
 - d) Work health & safety risks relating to staff and contractors?
 - e) risks to facility visitors and users
 - f) risks related to the safety of school children and school visitors

Please also specify any other risk categories that were analysed.

6. Did Council seek advice from experienced persons or organisations as to the risks of operate this facility? If so, from whom or from what organisation did Council receive advice? Please provide a copy of the advice received.
7. What risks and what level of risk (for each risk) were identified and determined?
8. What risk mitigation actions were identified for each of the risks?
9. What is the current risk level for each risk identified and what is the current status of each of the mitigations actions identified?

RESPONSIBLE OFFICER: Manager of Community Services

RESPONSE

- 1. Did Council conduct an analysis of the required business capabilities it would need to effectively, efficiently and safely operate this facility? If so, please provide a summary of what was done and what the findings of the analysis were.**

The initial business case was developed by Wolfpeak Consulting in 2018. It included projected costs for a 0.5 full-time equivalent (FTE) position annually, covering tasks such as scheduling facility usage, managing bookings and fees, and overseeing maintenance. The case noted that costs were expected to rise over time. Its purpose was to support a grant application for a \$20 million design and construction project. Despite the Council's unsuccessful grant application, a later election commitment resulted in \$15 million being awarded to support a scaled-down project in partnership with the Department of Education (DoE). The updated plan focused on community wellness objectives, such as promoting physical activity and sports participation. The business case acknowledged that management and maintenance cost arrangements had yet to be fully agreed between Council and DoE.

- 2. If Council did conduct an analysis as per question 1, how has it sourced or provisioned each of the needed capabilities? Also, are there any needed business capabilities that have not yet been sourced or provisioned?**

The 2018 business case referenced in the first response provided the analysis needed to support the request for initial capital grant funds. As the project developed, the design and specifications were then modified accordingly.

- 3. Did Council seek advice from experienced persons or organisations as to the business capabilities it would need to effectively, efficiently and safely operate this facility? If so, from whom or from what organisation did Council receive advice? Please provide a copy of the advice received.**

The Council engaged WT Australia Pty Ltd to create a detailed report outlining the long-term costs necessary to upkeep the facility. The report focused on replacement costs for assets that were important at the time of completion, as well as estimated utility expenses. However, due to a

change in the Council's approach toward asset replacement, the information in the report is no longer considered significant.

4. Did Council conduct an assessment of the risks for operating the centre?

In February 2023 a Project Control and Engagement Group was formed to progress operational/governance arrangement for the sports centre along with project construction updates. Project risks were discussed at each meeting and can be found in attachment 1.

Assuming that Council did conduct a risk assessment:

5. Please confirm the risk assessment analysed:

a) reputational risks

The risk assessment is contained in attachment 1 where this is covered.

b) commercial risks (including to expenses and revenues)

The risk assessment is contained in attachment 1 where this is covered under Asset Management and Infrastructure.

c) legal risks

This is covered by the contract and legal license agreement with DoE.

d) Work health & safety risks relating to staff and contractors?

This is covered by the contract and legal license agreement with DoE.

e) risks to facility visitors and users

The building is constructed to Australian Standard. This ensures Australian safety standards have been implemental and inspected as part of the occupancy certificate.

f) risks related to the safety of school children and school visitors

Covered by the License agreement with DoE.

Please also specify any other risk categories that were analysed.

In the initial business case, a risk assessment was carried out, with particular attention given to the design and construction aspects. Risks associated with elements c, d, e, and f were also identified in relation to the construction of a facility to specific standards. As this business case did not lead to the end result, it is obsolete.

6. Did Council seek advice from experienced persons or organisations as to the risks of operate this facility? If so, from whom or from what organisation did Council receive advice? Please provide a copy of the advice received.

This is not the first shared use facility that has been operated by DoE and a Council. DoE Schools Infrastructure department had an experienced team that were engaged from the early phases of the project through to project completion. Council also sought advice from operators at Ballina Indoor Sports Centre. This is a similar arrangement to the Cooma Regional Sports Centre. The license agreement states how risk will be managed. This is through the establishment of a management committee which has already been formed under a terms of reference.

7. What risks and what level of risk (for each risk) were identified and determined?

Please refer to attachment 1.

8. What risk mitigation actions were identified for each of the risks?

Please refer to attachment 1.

9. What is the current risk level for each risk identified and what is the current status of each of the mitigations actions identified?

Please refer to attachment 1.

ATTACHMENTS

1. Risk Assessment
 2. Question Form - Cr Williamson
-

13.1 QUESTIONS RELATED TO THE NEW SPORTS CENTRE - CR WILLIAMSON

ATTACHMENT 1 RISK ASSESSMENT



BLU Project: _____
 Assessor: _____
 Date: _____ 24/01/2023

Risk Type	Risk Class (Nature of Risk)	Identified Risks (What Can Go Wrong?)	Risk Analysis				Risk Treatment/ Controls (What/ When/ Where/ How)	Hierarchy of Controls	Controls Owner (Who)	Residual Risk Evaluation				Treatment To Be Implemented?	Treatment Completed? (Date)
			L	C	Score	Risk Rating				L	C	Score	Risk Rating		
Operational	Asset Management and Infrastructure	Council is not able to afford the long-term operational and maintenance costs	3	3	9	HIGH	1. License arrangement with Department of Education will ensure operation costs are shared. This reduces ongoing costs for Council. 2. Complete Q6 lifecycle and operational estimate report. 3. Complete estimates report on proposed revenue. 4. Investigate options for Solar to reduce energy costs. 5. Consult more widely with community user groups to encourage user bookings when construction is complete		SMRC PM/ PC&EG	2	2	4	MEDIUM	YES	1/03/2023
Operational		Transition to operations following construction is not prepared in time for construction completion. There is a delay in community access/use	2	3	6	MEDIUM	PCG and PC&EG meeting undertaken on monthly basis to ensure communication between relevant stakeholders is undertaken and actions are delivered		PC&EG	2	3	6	MEDIUM		
Operational					0	LOW				0	0	0	LOW		
Operational					0	LOW				0	0	0	LOW		
Operational	Environmental Security	Impact to Environment through poor design and construction	2	3	6	MEDIUM	1. Liaison has occurred with various other departments (waste, water, operations) to ensure design meets all environmental and construction standards. PM and Design team will inspect construction on a weekly basis		SMRC PM/ Area3	2	2	4	MEDIUM		
Operational					0	LOW				0	0	0	LOW		
Operational					0	LOW				0	0	0	LOW		
Operational					0	LOW				0	0	0	LOW		
Operational	External Political Environment	Project was funded via election promise by local member and Deputy Premier John Barilaro. Change in leadership may influence pressure on project delivery	3	2	6	MEDIUM	Variation to reduce the scope has been approved. Project construction has commenced and completion dated confirmed with funding sponsor. Regular communication and updates with Office of Sport is required bimonthly		SMRC PM/ PC&EG	2	2	4	Low		
Operational					0	LOW	Continue liaising with State Government regarding additional funding sources.			0	0	0	LOW		
Operational					0	LOW	A change in local member may assist with the allocation of additional funds for completion			0	0	0	LOW		
Operational					0	LOW	Continue Liaison with community user groups			0	0	0	LOW		
Operational	Financial Sustainability, Growth and Commercialisation	Operational Costs Exceeds Revenue	3	2	6	MEDIUM	1. Investigate naming rights of the building and sponsorship as part of funding model 2. Undertake communications with broader community to ensure usage is maximised 3.			3	2	6	MEDIUM		
Operational		Project construction exceeds budget	3	4	12	HIGH	A project contingency of \$1.2M is in place		PCG + PC&EG	2	2	4	MEDIUM		
Operational					0	LOW				0	0	0	LOW		
Operational					0	LOW				0	0	0	LOW		
Operational	Health and Safety	Design faults leading to unsafe facility	2	2	4	MEDIUM	100% detail design is complete and has been assessed. 3 x Weekly visits will occur by PM and design specialists to assure high quality product. Design team consulted to check quality. Tender selection process will undertaken to select reputable construction company			2	2	4	MEDIUM		
Operational		Construction company does not follow WHS & Site management procedures	3	4	12	HIGH	PM to conduct weekly inspection report. SMRC PM and Safety office to also conduct random inspection		PM/Area3	2	2	4	MEDIUM		
Operational					0	LOW				0	0	0	LOW		
Operational					0	LOW				0	0	0	LOW		
Operational	Legislative, Government and Compliance	Building is not certified. Outstanding approved for S138 and Water connection not complete in time	3	4	12	HIGH	Area3 to liaise with private certified. Inspection schedule submitted. Meetings scheduled between relevant stakeholders to ensure design for S138 and water is complete and implemented		SMRC PM/ Area3	2	2	4	MEDIUM		
Operational					0	LOW				0	0	0	LOW		
Operational					0	LOW				0	0	0	LOW		
Operational					0	LOW				0	0	0	LOW		
Operational	Reputation and Image	Risk to SMRC reputation for delivery of a major project on time and within budget	3	3	9	HIGH	Complete detail design and approvals for stage two-athletics track and field. The 'shovel ready' plans place Council in a better position in seeking other funding sources.			3	3	9	HIGH		
Operational		Risk to SMRC Reputation in meeting community sporting group expectations in delivery all components of the sports hubs as promised by the local member			0	LOW	Continue liaising with O&S as per funding agreement arrangements. Variation to reduce scope to remove athletics track and field has been approved. Communication with Councilors and Community user groups has been undertaken and will continue via the PC&EG			0	0	0	LOW		
Operational		Site management procedures not undertaken by contractor. Contamination detected and not reported correctly	3	4	12	HIGH	Investigation procedures undertaken. SMRC compliance and EPA involved. Non-conformance issued to contractor. Site management monitored and site inspections increased to 3 x per week. Documentation included in inspection reports		PM/Area3/ PC&EG	2	3	6	MEDIUM		
Operational		Selection of sub-contractors that include those under investigation or not recommended by SMRC	4	4	16	HIGH	Review of contract with contractor. Variation to contract or use of existing clauses to enforce appropriate notification of sub-contractors to SMRC		PM/Area3/PCG	3	2	6	MEDIUM		
Operational	Projects, Operations and Service Delivery	If the Project is not delivered the community will no longer have access to higher quality, regional level sporting facilities. This is currently lacking in the region.	2	2	4	MEDIUM	Community sporting groups will continue to use existing sporting facilities. There will be no impact to the existing athletic track and AFL field during construction. The indoor sports hall will still proceed. PM undertaken by Recreation planner and corporate projects. The Indoor Sports Hall will provide a regional level facility that caters for a range of sporting groups.			2	2	4	MEDIUM		
Operational		SRV not approved. Review of facilities undertaken	2	4	8	MEDIUM	Regional sports hall is located on DoE Land. Options could include: 1. hand over of building to DoE 2. review options for existing sports stadium and reduce assets to just one facility (existing or new)			2	4	8	MEDIUM		
Operational					0	LOW				0	0	0	LOW		
Operational					0	LOW				0	0	0	LOW		



Form | 250.2022.85.1

Question Form

Executive Office

Details of Council Meeting

Date of Meeting 18-4-24

Submitted by Councillor Luke Williamson

Signature

Date 3-4-24

Subject Cooma Sports Centre

Question

Council has recent commenced operations of the Sports Centre co-located at a school in Cooma. Operating a such a facility will have required Council to have commenced accessing, provisioning and deploying business capabilities - some of which may be new capabilities. Operating such a facility also involves risks that need to be identified, assessed and mitigated where appropriate.

I ask the following questions related to the above.

Business capability analysis

1. Did Council conduct an analysis of the required business capabilities it would need to effectively, efficiently and safely operate this facility? If so, please provide a summary of what was done and what the findings of the analysis were.
2. If Council did conduct an analysis as per question 1, how has it sourced or provisioned each of the needed capabilities? Also, are there any needed business capabilities that have not yet been sourced or provisioned?
3. Did Council seek advice from experienced persons or organisations as to the business capabilities it would need to effectively, efficiently and safely operate this facility? If so, from whom or from what organisation did Council receive advice? Please provide a copy of the advice received.

Risk Assessment

4. Did Council conduct an assessment of the risks for operating the centre?

Assuming that Council did conduct a risk assessment:

5. Please confirm the risk assessment analysed:

(a) reputational risks



Please email to Secretary Council and Committees: SMRCExecOffice@snowymonaro.nsw.gov.au

Council's Code of Meeting Practice provides as follows:

- 3.9 A Councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted ten (10) full business days before the meeting is to be held.
- 3.13 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.
- 3.14 A Councillor is not permitted to ask a question with notice under clause 3.13 that comprises a complaint against the Chief Executive Officer or a member of staff of the council, or a question that implies wrongdoing by the Chief Executive Officer or a member of staff of the council.
- 3.15 The Chief Executive Officer or their nominee may respond to a question with notice submitted under clause 3.13 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Full details of the Code of Meeting Practice can be found on Council's website:

<https://www.snowymonaro.nsw.gov.au/Council/Meetings>

14. 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:

14.1 Legal Actions and Potential Claims Against SMRC

Item 14.1 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

14.2 Awarding of SMRC Waste Services Contract 002/2024

Item 14.2 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and (dii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

2. The press and public be excluded from the proceedings of the Council in Closed Session on the basis that these items are considered to be of a confidential nature.
3. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as confidential and be withheld from access by the press and public, until such time as the Council resolves that the reason for confidentiality has passed or become irrelevant.
4. That the resolutions made by the Council in Closed Session be recorded in the Minutes of

the Council Meeting.

5. That upon this recommendation being moved and seconded, the Chairperson invite representations from the public as to whether this part of the meeting should be closed to consider the nominated item.