



SNOWY MONARO
REGIONAL COUNCIL

BUSINESS PAPER

PUBLIC EXHIBITION COPY

**Ordinary Council Meeting
19 June 2025**

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 COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW
2630**

**ON THURSDAY 19 JUNE 2025
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 15 May 2025	
7.2	Closed Session of the Ordinary Council Meeting held on 15 May 2025	
8.	PLANNING AND DEVELOPMENT APPLICATION MATTERS	
8.1	Development Application 10.2025.105.1 - Construct new Studio and Shed, demolish old fibro shed.	3
8.2	Development Application 10.2024.224.1 - Installation of 5 manufactured homes including manager's residence for eco-tourist facility & construction of shed - Staged Development	21
9.	OTHER REPORTS TO COUNCIL	
9.1	OPERATIONS	
9.1.1	SMRC Detached Studios, Garages, Urban Sheds and Farm Buildings	57
9.1.2	Jindabyne Landfill Project Update	62
9.1.3	Update on New Rural Fire Services Headquarters - Council Resolution 75/25	67
9.2	FINANCE	
9.2.1	Making of the 2025-2026 Annual Rates and Charges	70
9.2.2	Investment Policy	76
9.2.3	Procurement Policy	79
9.2.4	Monthly Funds Management Report - May 2025	82

9.3	STRATEGY	
9.3.1	Agency Information Guide 2025 Review	90
9.3.2	Draft Snowy Monaro Settlements Strategy 2025 - 2045	92
9.3.3	Delivery Program Progress Report	100
9.3.4	Post-Exhibition Report - Integrated Planning and Reporting Suite of Documents and Plans	109
9.3.5	Resourcing Strategy	117
9.3.6	Performance Improvement Order - 3rd Report	128
9.3.7	Unreasonable Customer Conduct Policy	131
9.4	COMMUNICATIONS	
	Nil	
9.5	EXECUTIVE OFFICE	
9.5.1	Resolution Action Sheet Updates	134
9.5.2	Settlement of Claims - Snowy Reservoir Collapse - Status Report	135
9.6	WORKFORCE	
	Nil	
10.	REPORTS OF COMMITTEES	
10.1	Minutes from Management and Advisory Committees	136
11.	NOTICE OF MOTION	
11.1	Acknowledgment of NSW Land and Environment Court Judgement of 2 June 2025	137
11.2	Micalago Road	139
11.3	Library Outreach Service	141
11.4	Strategic Review of Planning Compliance Systems and Reporting	142
11.5	Strategic Review of Responsibility for Plant and Equipment	144
11.6	Simplified Planning and Reporting	146
11.7	Staff Survey – Strategic Response	148
11.8	Internal Review of Toward Excellence	151
11.9	Further Detail About Capital Expenditure	153
11.10	Update on 298 Michelago Road and Implementation of Resolution 18/25	155
11.11	Discontinuation of Routine Confidential Councillor Briefing Sessions	157
12.	MAYORAL MINUTES	
13.	QUESTIONS WITH NOTICE	
13.1	Membership Fees and Value Assessment – External Local Government Bodies	160
14.	CONFIDENTIAL MATTERS	
	Nil	

8.1 DEVELOPMENT APPLICATION 10.2025.105.1 - CONSTRUCT NEW STUDIO AND SHED, DEMOLISH OLD FIBRO SHED.

**8.1 DEVELOPMENT APPLICATION 10.2025.105.1 - CONSTRUCT NEW STUDIO AND SHED,
DEMOLISH OLD FIBRO SHED.**

Record No: I25/326

Applicant Number:	10.2025.105.1
Applicant:	Hugh Gordon
Owner:	M Smith and L Summers
DA Lodged:	30/04/2025
Property Description:	25 Myalla Road Cooma
Property Number:	Lot 29 DP 1131550
Zone:	RU1 – Primary Production
Current Use:	Residential
Proposed Use:	Residential – Ancillary structures
Permitted in Zone:	Permitted with Consent
Recommendation:	Approval subject to conditions

RECOMMENDATION

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to DA10.2025.105.1 for a studio and attached shed and demolition of old fibro shed on 25 Myalla Road, Cooma being Lot 29 DP 1131550 subject to conditions of consent attached to this report.

EXECUTIVE SUMMARY

'Koolaroo' is located approximately 2km south of Cooma and in an area under the Snowy River Local Environmental Plan.

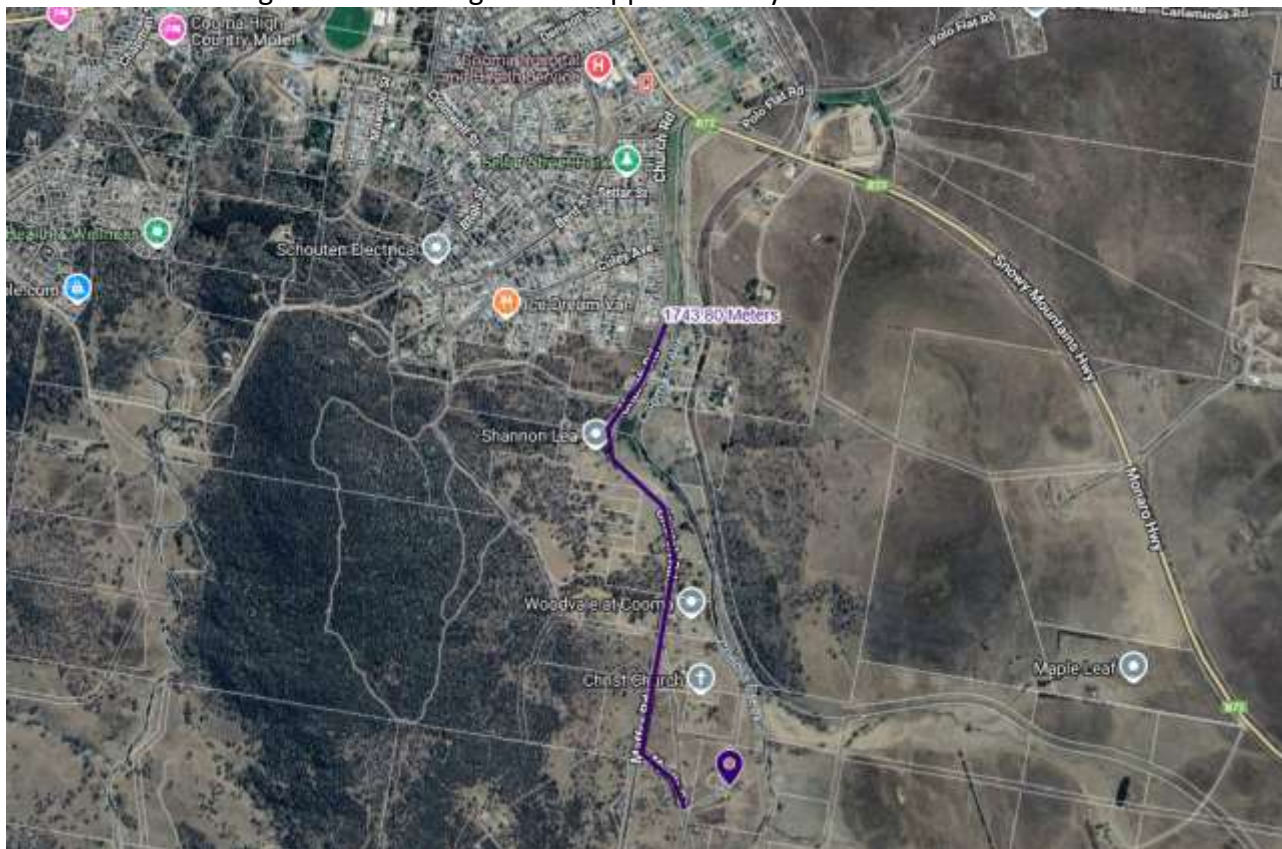
The property is heritage listed as due to the dwelling being one of the earliest structures built in the area and associated structures. The site used to exist as part of the church until auctioned off for private ownership. The heritage dwelling is said to have minimal alterations conducted over the years making it one of the best examples of Colonial Georgian Heritage in the area.

The proposal is for a new studio and attached shed which has been appropriately sited to respect the heritage significance of the site.

The application is referred to Council under the *Referral of Development Applications to Council Policy* as the application is by or on behalf of a Councillor.

BACKGROUND

Koolaroo is a heritage listed dwelling located approximately 2km south of Cooma.



Koolaroo Homestead is one of Monaro's earliest extant buildings. It was built c 1845, as a rectory for Rev. EG Pryce. The role of the complex is significant as the rectory for the Anglican church over many years and the residence of Rev. Pryce who was the first religious minister to travel about the south eastern districts.

The group of buildings appears to have been established as a rectory and farm complex with a residence with separate kitchen, hay barns and other storage buildings. All designed in the colonial vernacular Georgian manner.

A group of farm buildings constructed of random rubble stone with corrugated iron roofs. This includes a rambling single storey stone homestead consisting of a main building with wings to the

rear forming a courtyard and other stone extensions. The ruins of two other buildings are extant, one appears to have been a barn with loft and the other a single storey skillion roofed structure.

There is an existing secondary dwelling on the site approved in 1986 just north of the heritage dwelling.

Subject Site Details

25 Myalla Road Cooma 'the site' comprises of multiple titles accumulating to approximately 45 hectares. There is an existing dwelling and secondary dwelling on the site as well as ancillary barn and shed structures.



Site Photos

The heritage homestead (behind) and weatherboard building to remain.

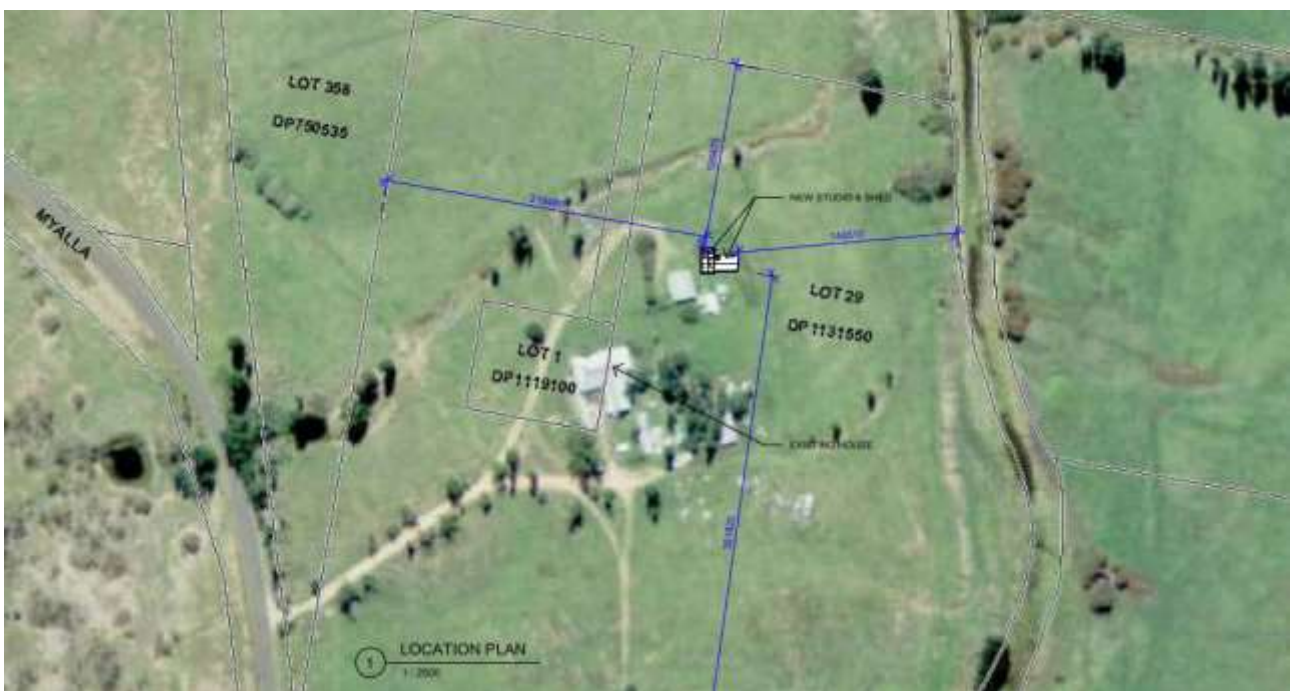


8.1 DEVELOPMENT APPLICATION 10.2025.105.1 - CONSTRUCT NEW STUDIO AND SHED, DEMOLISH OLD FIBRO SHED.

The location of the proposed studio placement below and outlook toward the church once built.



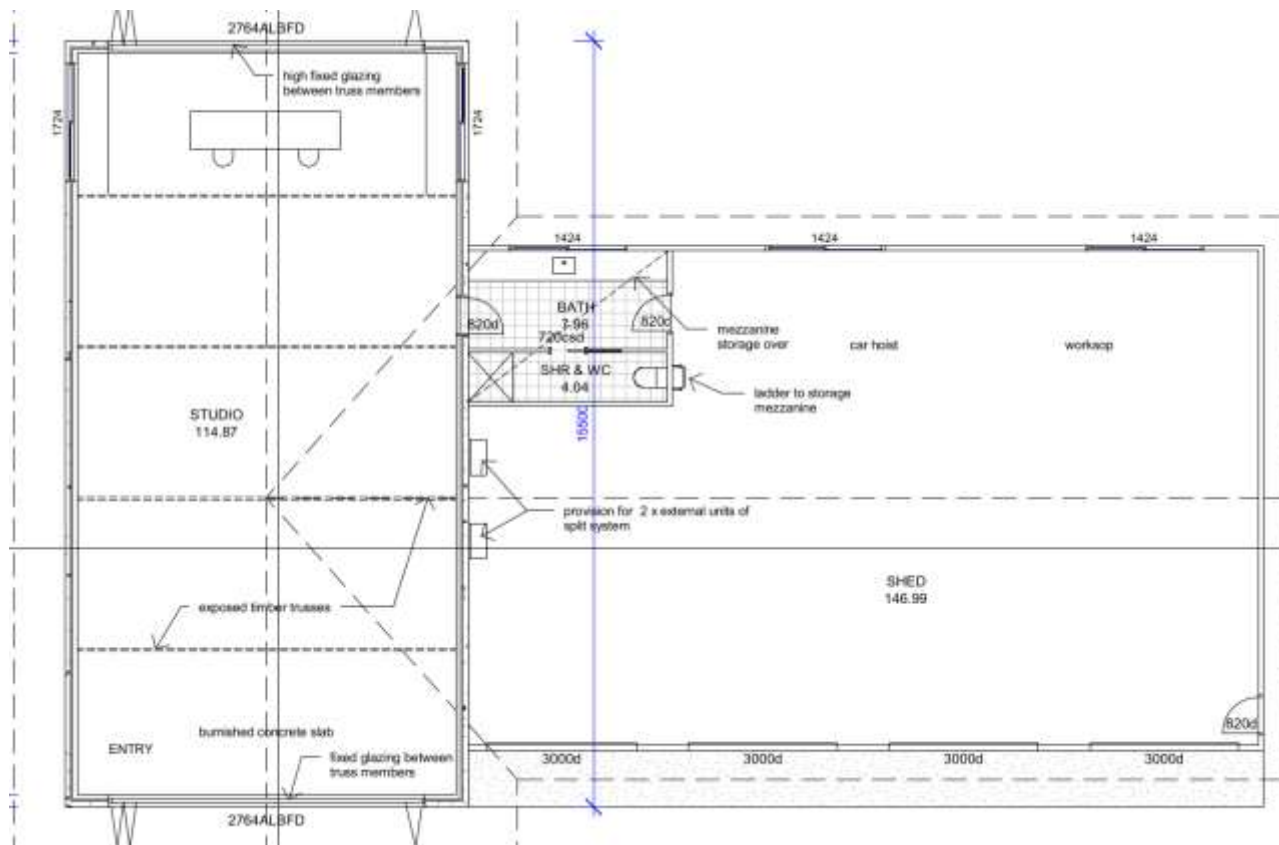
Site plan and distances to boundaries.



PROPOSAL IN DETAIL

The proposal is for a studio and attached shed with bathroom facilities and the demolition of a small fibro shed.

8.1 DEVELOPMENT APPLICATION 10.2025.105.1 - CONSTRUCT NEW STUDIO AND SHED, DEMOLISH OLD FIBRO SHED.



Shed along-side the weatherboard secondary dwelling is proposed for demolition.



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.

SECTION 4.15 ASSESSMENT

SUITABILITY OF THE SITE

Slope	There is a small fall across the site going down to the Creek.
--------------	--

	
Significant vegetation	<p>Cooma Creek that runs through the site is mapped as significant biodiversity.</p> 
Adjoining development	Of a 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 existing on site.
Views	nil impact to and from site.
Contamination	nil identified.
Bushfire	A portion of the subject site is classified as bushfire prone and the development will be required to comply with RFS Planning for Bushfire Protection requirements.
Flooding	nil impact.
Vehicular access	The site has existing legal and practical access.

Easements and restriction on use	 <p>The only restrictions on title are the crown owned portions of the land which would require crown approval.</p> <p>The proposal is outside these areas.</p>
Aboriginal sites	nil identified on-site.
Threatened species	nil identified on-site.
Grasslands	nil identified on-site.
Rivers/streams	Not applicable.
Effluent disposal	Existing onsite effluent system sufficient size to accommodate the additional loading.
Prevailing winds	nil impact
Other matters	Heritage

REFERRALS

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 not deemed to be Integrated Development under Section 4.46 of the Environmental Planning and Assessment Act 1979.

External Referrals

The development application was not referred to any external government agencies for comment or consideration.

Internal Referrals

The development application was not referred to any other sections of council for comment or consideration.

ENVIRONMENTAL PLANNING INSTRUMENTS

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

State Environment Planning Policies (SEPPs)	Biodiversity and Conservation SEPP 2021 Sustainable Buildings SEPP 2022
Local Environmental Plan (LEP) (including draft LEPs)	Snowy River Local Environmental Plan 2013

Development Control Plans	Snowy River Development Control Plan 2013
---------------------------	---

State Environment Planning Policies (SEPPs)

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 (Sustainable Buildings) 2022

Not required as it is fully residential development and a BASIX is only required for Dwellings.

State Environmental Planning Policy (Biodiversity & Conservation) 2021

Applies however no clearing is proposed and no koala habitat is likely to be impacted.

State Environmental Planning Policy (Housing) 2021

Not applicable as the proposal is not for another habitable structure it is for a studio and shed which are considered ancillary structures.

Assessment of the development under The Snowy River Local Environmental Plan 2013 (SR LEP 2013)

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

PERMISSIBILITY

The plans as submitted are consistent with the definition of being an **ancillary structure**, in conjunction *with* the existing dwelling on the property.

Outbuilding means any of the following class 10a buildings under the *Building Code of Australia*—

- (a) balcony, deck, patio, pergola, terrace or verandah that is detached from a dwelling house,
- (b) cabana, cubby house, fernery, garden shed, gazebo or greenhouse,
- (c) carport that is detached from a dwelling house,
- (d) farm building,
- (e) garage that is detached from a dwelling house,
- (f) rainwater tank (above ground) that is detached from a dwelling house,
- (g) shade structure that is detached from a dwelling house,
- (h) **shed**



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

Council is required to have regard to the zone objectives and have been assessed:

Objective 1 - To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.

Assessing officer's response

The proposal is ancillary to the existing dwelling on the site which also supports an existing primary production activity on the site.

Objective 2 - To encourage diversity in primary industry enterprises and systems appropriate for the area.

Assessing officer's response

The proposal does not alter or oppose the ability for diversity in primary industry enterprises to occur elsewhere on the site.

Objective 3 - To minimise the fragmentation and alienation of resource lands.

Assessing officer's response

The proposal does not fragment or alienate resource land further.

Objective 4 - To minimise conflict between land uses within this zone and land uses within adjoining zones.

Assessing officer's response

The proposal does not change the existing use or intensify the use, therefore it is not likely to create any land use conflict with no adjoining neighbours within close proximity either.

Objective 5 - 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.

Assessing officer's response

The use of the site will remain as Dwelling House and Agricultural use.

Objective 6 - To ensure that development maintains and protects the scenic values and rural landscape characteristics of the zone through compatible, small-scale development.

Assessing officer's response

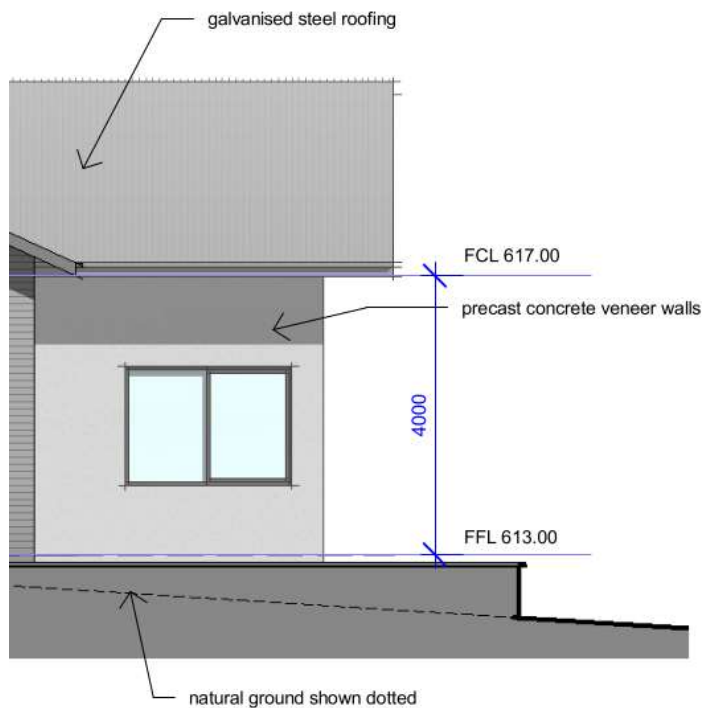
The proposal is well placed along-side existing dwellings and outbuildings in a scattering of small structures associated with the site.

PART 4 Principal development standards.

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

Clause 4.3 Height of building – 9m maximum permitted

8.1 DEVELOPMENT APPLICATION 10.2025.105.1 - CONSTRUCT NEW STUDIO AND SHED, DEMOLISH OLD FIBRO SHED.



Complies - Height proposed is 7m

Clause 4.4 Floor space ratio – Not applicable.

PART 5 Miscellaneous provisions.

Clause 5.10 Heritage conservation - Koolaroo Homestead is Local Heritage Item 95 (Lot 1, DP1119100; Lot 28, DP750535; Lot 29, DP1131550)



Koolaroo, originally called 'The Grange' is one of the oldest buildings in the district constructed c1845. It was built by the Anglican Church after Rev. EG Pryce returned from Gippsland with over 200 sovereigns to contribute to the building of Christ church and the adjoining rectory. The buildings illustrate the colonial vernacular Georgian style and set out. It is a good example of a mid-19th century farmstead and rare as there has been little upgrading for modern farming practices and machinery.

It is unusual for a 19th century farmstead to remain relatively unchanged but as these buildings were used for so long as a the residence for the Anglican minister and then later just as a residence there has been no requirement to upgrade them for modern farming practices and machinery. The integrity is known to be fair but dilapidated.

The Heritage Impact Statement provided addresses potential impacts to the heritage item, character of the site, scale and views to the site from adjoining Christ Church and the roadside.

It is determined that the placement of the shed near the weatherboard cottage rather than the homestead ensures no detrimental impacts to the heritage nature of the property or the heritage items themselves is likely to occur.

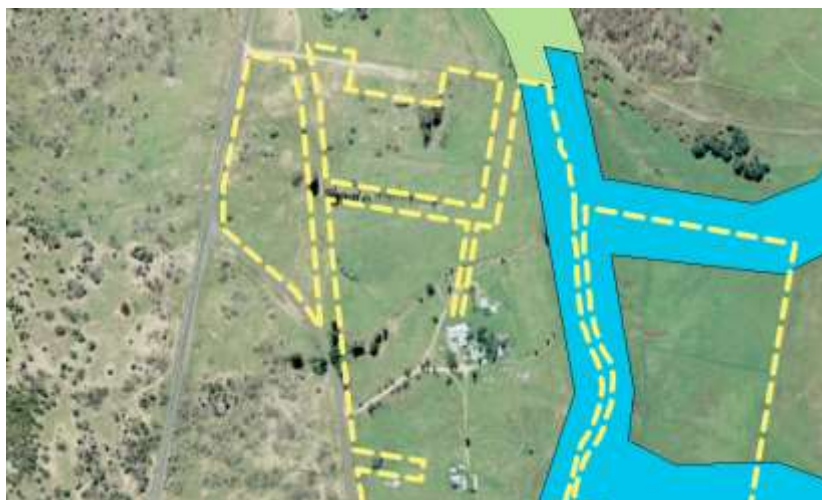
Clause 5.21 and Clause 5.22 Special flood considerations

The site appears outside the scope of any flood mapping data and the development is for a non-habitable building.

PART 7 Additional local provisions

Clause 7.3 Riparian land and watercourses

The proposed development is outside the areas identified on the Riparian land and watercourses mapping.



Clause 7.9 Essential services


All services are existing on site and can be provided to the new proposed studio/shed.

SCHEDULE 5 Environmental heritage – listed as Local Heritage item 95

Assessment of the development under the Snowy River Development Control Plan 2013

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

Provision	Response/Acceptable Solution
A1 Introduction	Satisfied
A2 Development application requirements	Satisfied
A3 Public Notification	Not applicable
B2 Town & Village Plans	Not applicable
C General planning considerations	
C1 Subdivision	Not applicable
C2 Design	Nil effects on neighbouring properties as adjacent land is vacant land or the church. The proposed location of the studio/shed is towards the rear of the property minimise potential view impacts from the road and future developments.
C3 Car-parking, Traffic & Access	Existing access to the site is via a 2 wheel all weather access track directly off Myalla Road. Adequate car parking space on site.
C4 Heritage	Complies A Heritage Impact Statement has been provided and supports the application.

	No impacts to the heritage significance of the site is likely to occur.
C5 Tree preservation & Landscaping	Complies – no clearing or tree removal proposed
C6 Signage & Advertising	Not applicable
C7 Natural Hazard Management <ul style="list-style-type: none"> - Bushfire - Flood Prone Land 	<p>The proximity of the studio/shed to the existing secondary dwelling is just over 6m. A bushfire report has been provided and a BAL 19 proposed. The site is able to achieve all required APZ required within the boundaries.</p>  <p>The diagram is a site plan showing the proposed layout of a studio and shed. The studio is labeled 'PROPOSED STUDIO FFL 613.00' and the shed is 'PROPOSED SHED FFL 613.00'. To the left of the studio is a 'DECK'. Below the studio is a 'CONC PIT'. The plan also shows various boundary lines, easements, and points labeled P2 and P3. A note indicates 'land (gentle bank) required for cut'. The plan is oriented with North at the top.</p> <p>Flooding is not mapped as a risk.</p>
C8 Environmental Management	<p>No land use conflict is likely to occur.</p> <p>The site is not listed as contaminated.</p> <p>Erosion and sediment will be managed during construction in accordance with the requirements.</p> <p>No biodiversity is mapped with the area proposed for development already managed land.</p> <p>Demolition of the old fibro shed will be required to be undertaken in line with relevant Australian Standards including demolition and handling of asbestos containing materials.</p>
C9 Energy & Waste Efficiency, Water Supply & Effluent Disposal	<p>Complies.</p> <p>The proposal is not required to produce a BASIX as it is not for Human Habitation. An energy efficiency report has been provided to support the application.</p> <p>Orientation and windows are facing north.</p>
C10 Waste management & Recycling	<p>Existing waste managed by landowners to landfill.</p> <p>Construction and demolition waste will be conditioned for compliance.</p>
D Residential Development	
D1 Residential Accommodation	The proposal is <i>ancillary</i> to the existing residential accommodation

3. Site Planning & layout	Site coverage is minimal and open space is plentiful.
4. Building Envelope	No building envelopes apply. Height complies with the LEP controls at 7m high and no harmful impacts occur to the visual amenity. No FSR requirement indicated in the LEP. Setback to the front of the site remain unchanged with no setback controls to the side setback appear in the RU1 zone.
5. Building Design	The built form is consistent with the existing weatherboard structure on the site and is sited to not impact on the heritage elements.
6. Amenity	No overshadowing to adjoining properties expected. The view from adjoining properties and the road has been protected by siting the studio/shed to the rear of the existing dwellings. No safety or security concerns.
7. Car parking & access	Existing parking and access on the site is suitable for the dwelling and secondary dwelling requirements. No additional requirements.
8. Services & site facility	All existing on site and can be provided to the studio/shed
9. Fencing & ancillary development	The studio/outbuilding has been positioned such that it allows for ample open space.
E Non-residential Development	Not applicable
F Controls for specific sites & localities	Not applicable

The proposal has also been examined in detail against the provisions of Council's relevant Development Control Plans (Section 4.15(a)(iii) of the Act) and has been found to achieve an acceptable level of compliance.

IMPACTS OF THE DEVELOPMENT – ENVIRONMENTAL, SOCIAL & ECONOMIC

Access, transport and traffic

No changes to the existing access required. No impacts expected.

Easements/88B Restrictions on Use

No easements or restrictions on use identified. No impacts expected.

Impacts on supply of utilities

Minimal impacts expected

Bushfire

No impacts expected. The proposal does not create any significant risk with building and ongoing asset management controls able to be easily achieved.

Waste facilities and controls

Minimal impacts expected during the construction stage otherwise ongoing waste is likely to be similar to the existing waste generated from the site.

Noise and vibration

No impacts expected

Safety, security and crime prevention

No impacts expected

Social impact in locality

No impacts expected

Economic impact in locality

No impacts expected

Impacts on Heritage Items or Conservation areas (in the relevant LEP).

No impacts expected – the siting of the proposal the development is considered to poses no risk.

Impacts on aboriginal heritage.

No impacts expected

Natural and other land resources

No impacts expected

Flora and fauna & Consideration of Threatened Species

No impacts expected

Energy efficiency and greenhouse gas emissions

Minimal impacts expected – ongoing usage shouldn't be much more than the existing usage as a site with a dwelling and secondary dwelling.

Site and internal design issues

No issues expected

Impacts during construction.

No impacts expected

Cumulative impacts

No impacts expected

SUBMISSIONS

The proposed development was assessed against the requirements of the Snowy Monaro Planning and Development Community Participation Plan 2019 (SMPDCPP) and was not required to be notified.

Type of Development	Notification carried out as per minimum SMPDCPP
Dwelling House less than 2 stories - Ancillary structure only	No notification or advertising is required

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:

- The development does not change the use of the site and is ancillary to the existing use only.
- A Heritage Impact Statement has been provided and no negative impacts to the Heritage of the site is likely.
- The proposed structures are not to be used for sleeping or accommodation purposes.

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.

ATTACHMENTS

1. DRAFT Conditions - ApprovalCooma (*Under Separate Cover*)
 2. Architectural Plans - Koolaroo Gallery and shed (*Under Separate Cover*)
 3. Statement Of Environmental Effects (*Under Separate Cover*)
 4. Heritage Impact Statement (*Under Separate Cover*)
 5. Bushfire Report - Koolaroo Studio and Shed (*Under Separate Cover*)
 6. Section J Energy Efficiency Assessment (*Under Separate Cover*)
 7. Generated Pre-DA Form (*Under Separate Cover*)
-

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

8.2 DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

Record No: I25/318

Applicant Number:	10.2024.224.1
Applicant:	H M Cooper
Owner:	H M Cooper & Suzanne Cooper
DA Lodged:	25/09/2024
Property Description:	7704 Snowy River Way JINDABYNE Lot 2 DP 873034 Ph Beloka
Area:	19.2277 HA
Zone:	RU1 Primary Production
Current Use:	Vacant Land
Proposed Use:	Eco-Tourist Facility
Permitted in Zone:	Yes
Recommendation:	Refusal

RECOMMENDATION

That Council, pursuant to section 4.16(1)(b) of the *Environmental Planning and Assessment Act 1979 (as amended)* **refuse** DA 10.2024.224.1 for an Eco-Tourist Facility on Lot 2 DP 873034, 7704 Snowy River Way JINDABYNE for the following reasons:

1. The proposed development does not meet the definition of Eco-Tourist Facility of the Snowy River LEP 2013.
2. The development as presented in the application does not adequately meet the following requirements of clause 5.13 Eco-tourist facilities, in the Snowy River LEP 2013 including Clauses (3)(a), (b), (c), (d), (e), (h) and (k).
3. The development as presented in the application does not adequately meet the development standards of the Snowy River DCP 2013 including Chapter C2 Design and Chapter E1 Tourist Development – Eco Tourist Facility included control C2.1-1, C2.1-2, E1.3-3, E1.3-4 and E1.3-6.

EXECUTIVE SUMMARY

The purpose of this report is to present the proposed development of an Eco-Tourist Facility at 7704 The Snowy River Way JINDABYNE (Lot 2 DP 873034) which comprises of the installation of a manager's residence, four (4) cabins and a new shed.

The application has been referred to state agencies for comments.

The application was open for submissions for an extended 21 day period, during which three (3) submissions were received, one (1) submission was received after the notification period had concluded and they are discussed in the body of the report.

In accordance with Council's *"Referral of Development Applications to Council"* policy, the application is referred to Council for determination as the application *is by or on behalf of a Council staff member (other than a designated Senior Staff member) for other than a single dwelling house (Class 1 building), an outbuilding (Class 10 building), or renovations/extension/demolition of a Class 1 or Class 10 building.*

Following assessment, the assessing officer is not satisfied that the development complies with the provisions of the Snowy River Local Environment Plan 2013 (SRLEP) and the Snowy River Development Control Plan 2013 (SRDCP).

It is recommended that the application be refused.

BACKGROUND

Subject Site Details



The proposed development is located along The Snowy River Way approximately 8 kilometres south east of the Jindabyne Township. The existing site is currently vacant land in a rural setting with a dwelling house located on the adjacent allotment (Lot 1 DP 873034) under the same address 7704 The Snowy River Way JINDABYNE.



8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT



Site Photos



8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT



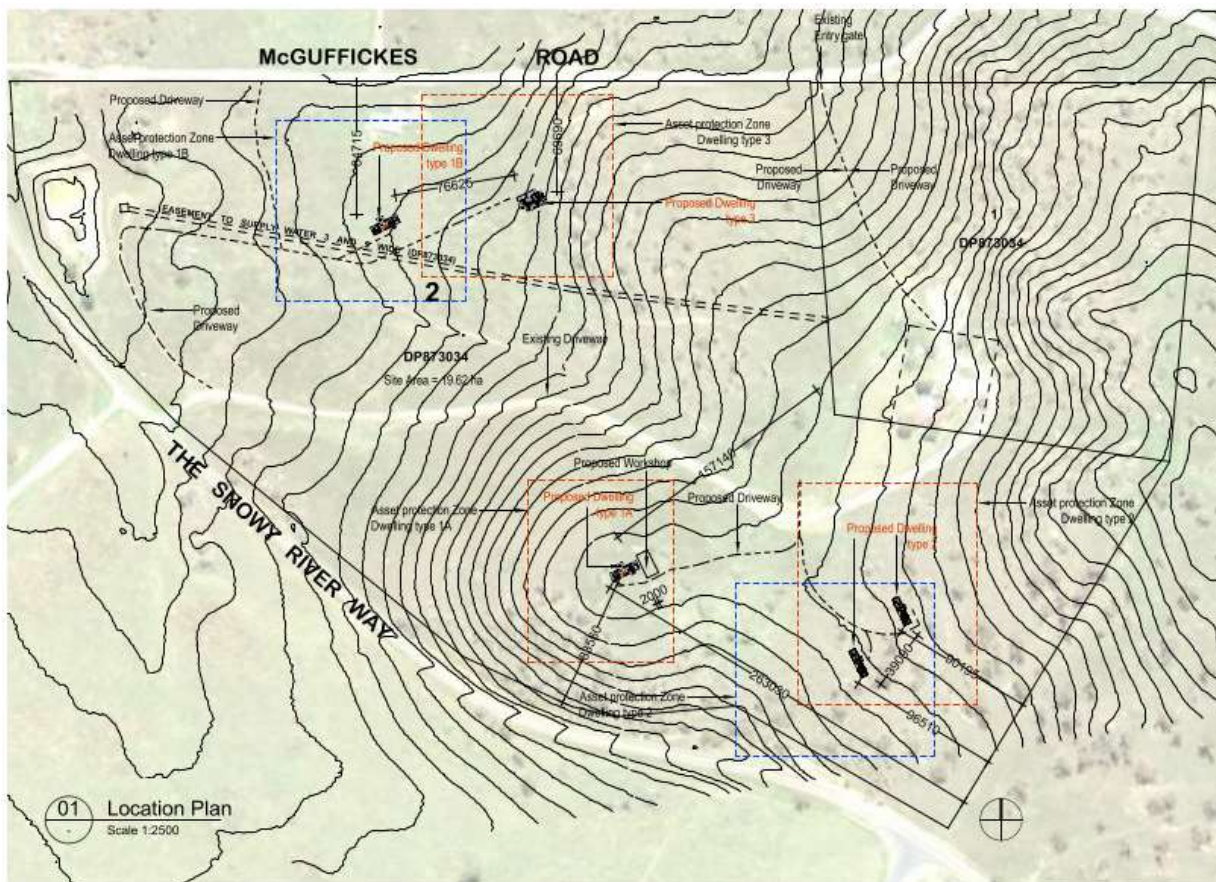
PROPOSAL IN DETAIL

The proposed development seeks approval to install 4 manufactured cabins, manager's residence and a shed building. It is proposed that the development be staged; Stage 1 includes the installation of one (1) manufactured cabin, manager's residence and a workshop (shed) building. Stage 2 includes the installation of the remaining 3 manufactured cabins. The purpose of the proposed development is an eco-tourist facility for the use of visitor and tourist accommodation. The cabins are split into 4 designs (types); Type 1A, Type 1B, Type 2 and Type 3.

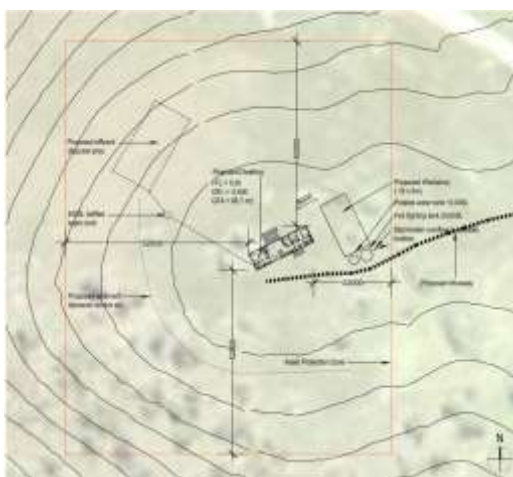
Site Plan – Detail Survey Plan



8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT



Manager's Residence – Type 1A – Site Plan



8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT



Manufactured Cabin – Type 1B – Floor Plan



Manufactured Cabin – Type 2 – Perspective



Manufactured Cabin – Type 2 – Floor Plan



Manufactured Cabin – Type 2 – West Elevation



Manufactured Cabin – Type 2 – East Elevation



8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

Manufactured Cabin – Type 2 – North Elevation



Type 2 – South Elevation



Manufactured Cabin – Type 3 – Perspective



Manufactured Cabin – Type 3 – Floor Plan



Manufactured Cabin – Type 3 – Elevation 1



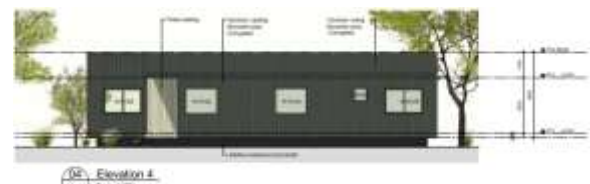
Manufactured Cabin – Type 3 – Elevation 2



Manufactured Cabin – Type 3 – Elevation 3



Manufactured Cabin – Type 3 – Elevation 4



8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

Workshop / Shed Building – Elevations and Layout



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.

SECTION 4.15 ASSESSMENT

SUITABILITY OF THE SITE

Slope	No significant slope located in the disturbed areas of the proposed cabins. The cabins will be built on top of the land as manufactured homes and therefore will not result in excessive cut and fill.
-------	--

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

Significant vegetation	Native vegetation is located on the site. A Test of Significance has been submitted by the applicant demonstration the vegetation of the site is not of any significant value.
Adjoining development	Adjoining developments are rural farm land and prominently single dwelling houses.
Suitability of proposed works / building	The proposed works of the development is considered to be generally acceptable having regard to constraints of the land
Streetscape	Generally compatible with adjoining development
Stormwater disposal	Management of stormwater will be managed on-site via detention into rainwater tanks.
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. The development application has been referred to NSW RFS for concurrence as the proposed development is considered to be integrated development as per Planning for Bushfire Protection 2019. NSW RFS General Comments have been attached and form part of this report (see attachment 11)
Flooding	nil impact
Vehicular access	The site is considered to have coinciding legal and practical access. The subject site has existing access via The Snowy River Way. Additional access has been proposed via McGuffickes Road which is a Crown Road. The development application has been referred to Crown Lands for comments and their advice is that if the application is approved then Council MUST apply for transfer of Part of the Crown Road (McGufficke's Road) that adjoins the site (refer attachment 13).
Easements and restriction on use	Easement for water supply 3 and 5 wide from the dam located on Lot 2 DP 873034 to service the dwelling house on Lot 1 DP 873034.
Aboriginal sites	nil identified on-site
Threatened species	nil identified on-site
Grasslands	nil identified on-site
Rivers/streams	Not applicable
Effluent disposal	Onsite treatment and disposal proposed
Prevailing winds	nil impact

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

Other matters	nil
---------------	-----

REFERRALS

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

Integrated Development

State or Federal Agency	Comments
NSW RFS	The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the Environmental Planning and Assessment Act 1979, and a Bush Fire Safety Authority, under section 100B of the Rural Fires Act 1997 (attachment 11), where approval is granted these would form a condition of consent.

External Referrals

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

The development application has been referred to Crown Lands for comments and their advice is that if the application is approved then Council MUST apply for transfer of Part of the Crown Road (McGufficke's Road) that adjoins the site (refer attachment 13).

Internal Referrals

Section	Comments
Development Engineering	<p>Access - McGuffickes</p> <ol style="list-style-type: none">1. McGuffickes road have a very poor drainage. A site visit revealed no culverts or properly constructed table drains. Which is causing potholes in the pavement, and pavement is degrading at a very quick rate.2. The road geometry is also very poor. Road width is very narrow and some section of the road are even less than 4.0m wide. Horizontal curves and vertical curves have consistently shorter length. Which results in a very poor sight distances.3. Combination of poor drainage and poor road geomerty makes McGuffickes road unsafe. <p>Should the development be approved conditions to upgrade</p>

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

McGuffickes road from the Snowy River Way to the proposed development driveway should be applied. The condition should be based on Snowy River Development Design Specification for a rural road. These are the minimum criteria that needs to be followed to ensure the safety of the road users.

NOTE: where access is granted from McGuffickes Road it will trigger a part road dedication to Council from Crown.



8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT



Access - The Snowy River Way

Where the development is proposed to be accessed via the existing driveway from The Snowy River Way and upgrade works are require. Where the application is approved a condition of consent including a BAL should be included.



ENVIRONMENTAL PLANNING INSTRUMENTS

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

State Environment Planning Policies (SEPPs)	State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Resources & Energy) 2021 Biodiversity Conservation Act 2016
Local Environmental Plan (LEP) (including draft LEPs)	Snowy River Local Environmental Plan 2013

Development Control Plans	Snowy River Development Control Plan 2013
---------------------------	---

State Environment Planning Policies (SEPPs)

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 (Resilience and Hazards) 2021

Contamination of the site is unlikely. The site has been used for rural purposes and there is no evidence of contaminants such as previous land uses. The contamination status of the site remains unchanged and the proposal therefore complies with the requirements of the SEPP.

Biodiversity Conservation Act 2016



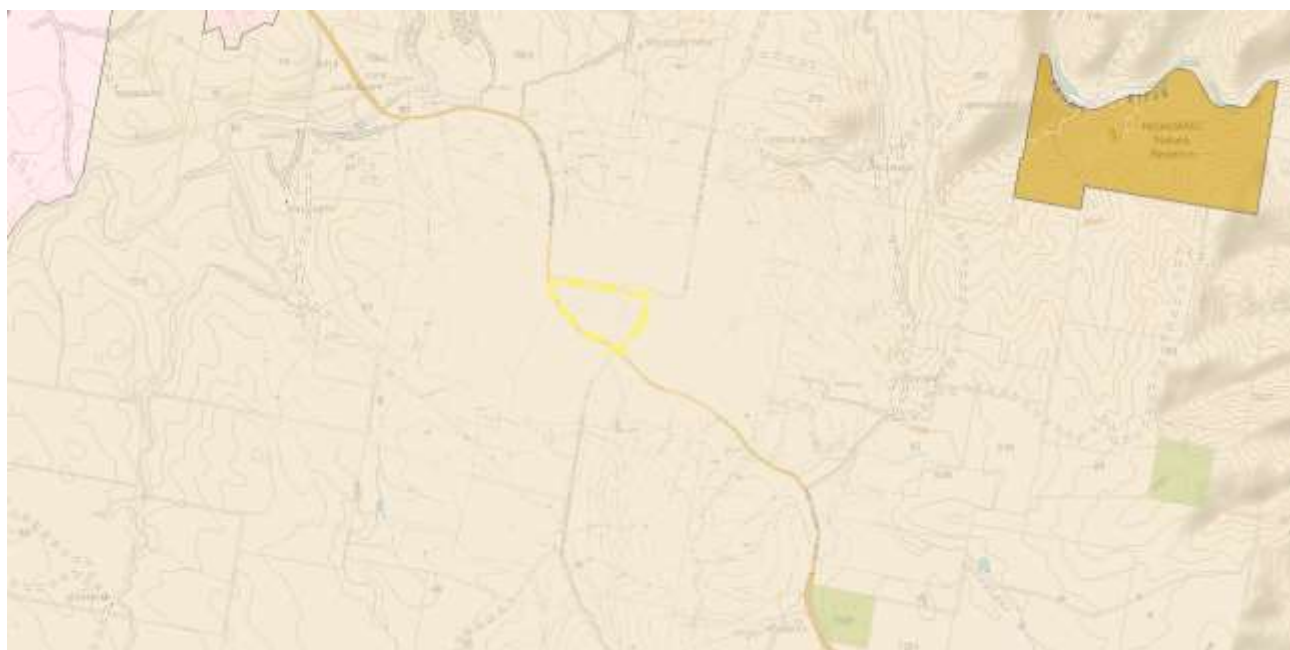
The subject site is not identified as a site containing significant biodiversity value on the biodiversity values map. The subject site contains native vegetation and a Test of Significance has been provided by the applicant to demonstrate the impact the proposed development will have on the native vegetation contained on the subject site. The ecologist has demonstrated that the impacted vegetation on the site contains no threatened species, nor threatened ecological communities. The biodiversity levels impacted on the site are considered to be low and to be relatively poor ecological condition. As such the proposed development does not trigger entrance into the Biodiversity Offsets Scheme.

Assessment of the Development under The Snowy River Local Environmental Plan 2013

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

Permissibility

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT



Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- 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.
- To ensure that development maintains and protects the scenic values and rural landscape characteristics of the zone through compatible, small-scale development.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home occupations

3 Permitted with consent

Agritourism; Air transport facilities; Airtraps; 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; Helpads; 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

4 Prohibited

Any development not specified in item 2 or 3

Objectives of zone – RU1 Primary Production

Council is required to have regard to the zone objectives and have been assessed:

Objective 1

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

Assessing officer's response: The proposed development is wholly off grid and is considered to be a renewable and a sustainable development.

Objective 2

To encourage diversity in primary industry enterprises and systems appropriate for the area.Assessing officer's response: An Eco-tourism facility could meets this objective by diversifying primary industry through sustainable, low-impact tourism that complements existing land uses and leverages the natural and cultural assets of the area in an

environmentally appropriate manner, however in this case it is considered that this has not been achieved.

Objective 3

- To minimise the fragmentation and alienation of resource lands.

Assessing officer's response: The proposed development does not proposed subdivision of land and is not considered to fragment or alienate resourceful lands.

Objective 4

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

Assessing officer's response: The development surrounding the subject site are rural allotments containing dwelling houses. There are no known large scale intensive agricultural used land on the neighbouring allotments, although there is evidence of cattle, horse and other small scale farm use on neighbouring allotments. It has been considered that there will be no foreseeable impacts on conflicting land uses resulting from this proposed development.

Objective 5

- 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.

Assessing officer's response: The proposed development intends to promote tourism, educational and recreational opportunities within the area while enhancing the historical and cultural values of the zone. The application has proposed hypothetical educational resources, activities and conservation but fails to adequately demonstrate exactly how these are going to be delivered.

Objective 6

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

Assessing officer's response: Each cabin is small in size and single storey less than 4.5 metres in height. The cabins are scattered around the site for both privacy and to avoid an intrusive group of buildings on the rural site. The cabins are proposed in locations on the site with minimal visibility when view from The Snowy River Way which is a public road. This is due to the vegetation on the site creating natural screening for the cabins. The proposed development is considered to be consistent with this objective.

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.

Note— See clause 5.13 for requirements in relation to the granting of development consent for eco-tourist facilities.

Eco-tourist facilities are not a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

The applicant states *“The proposal will meet the LEP definition of eco-tourist facility because the cabins will provide temporary and short term accommodation to visitors”*

Assessing officer’s response: It is considered that provision of short-term accommodation alone does not adequately demonstrate that the proposed development aligns with the criteria for an Eco-Tourist facility. Offering short-term accommodation to visitors for commercial purposes represents only one aspect of the overall definition. It is considered that the application does not adequately demonstrate how the proposal is situated within or near areas of special ecological or cultural significance.

The applicant was requested to provide additional information to further demonstrate how the proposed development application satisfies the definition of an Eco-tourist facility.

The applicant’s additional response:

The proposal will meet the LEP definition of eco-tourist facility in the following ways:

Sub-clause (a) provides temporary or short-term accommodation to visitors on a commercial basis, and

- The cabins will provide temporary and short term accommodation to visitors who will pay a nightly rate for accommodation;

Assessing officer’s response: providing temporary or short term accommodation to visitors satisfies subsection (a) of the definition.

Sub-clause (b) is located in or adjacent to an area with special ecological or cultural features, and

- The site is adjacent to the Kosciuszko National Park, an area with special ecological features encompassing Australia's highest mountain, glacial lakes, wildflower meadows, historic huts, streams and rivers, with activities such as snow sports, walks, mountain biking, camping, caves exploration, swimming, fishing, horse riding and climbing. The site is perfectly located to provide accommodation to tourists visiting the national park;

Assessing officer’s response: The site is not considered to be adjacent to Kosciuszko National Park. Located at 7704 Snowy River Way, it is more than 15 kilometres from the National Park in a straight line, and approximately 44 kilometres from Thredbo and 41 kilometres from Perisher Valley by road.

The definition specifically states located in or adjacent to an area with special ecological or cultural features being over 40km to the National Park is not considered

to be adjacent. The subject site is adjacent to farm land with no known ecological significance.

- The site is largely cleared for agricultural use however there are stands of *Eucalyptus viminalis* (manna gums), *Poa labillardierei* (poa grass) and *Eucalyptus pauciflora* (snow gum), that are endemic to the area and provide habitat for native fauna. Manna provides excellent habitat and its foliage is good koala forage. Possums favour the gum. Nectar-rich flowers are a food source for birds such as honeyeaters. Hollows are valuable nesting sites for a range of native birds and mammals. Aboriginal use was the collection of the pellets from ground and use as a mild laxative and many types of eucalyptus leaves were taken with water to treat diarrhoea. Flat shields and "tarnuks" or water containers were hollowed out from trunk burls, made from timber. Manna gum leaves were laid on fires to smoke out fever. Bark and leaves were moistened to treat sore eyes;
- The site hosts the remnants of c.1880 shearing shed that was the largest in the district and utilised by farmers who would bring their sheep for shearing and dipping. The shed is in a state of collapse but has cultural value for its demonstration of former work practices and shared community resources.

Assessing officer's response: The applicant states the vegetation on the site is of significance and states the importance of the vegetation to fauna within the area of the proposed development. The test of significance states that the vegetation on the site is of poor ecological condition and has not identified any area with special ecological significance. There is no evidence of aboriginal significance or aboriginal artefacts on the site. The applicant has presented the dilapidated shearing shed on the site to have significant European heritage. This shearing shed does not form part of Local or State Heritage register nor has the applicant demonstrated through historical information the importance of this shearing and therefore is not considered to be of significant heritage value. The shearing shed is a dilapidated building on the site and has no further cultural value. It is considered that this does not satisfy sub-clause (b) of the definition.

- The site has a spring welling from the Kosciusko fault line, located towards the entrance to the property near the existing dam. The water has been tested and is suitable for drinking however is only utilised for personal use by the owners;

Assessing officer's response: This site feature is considered to be irrelevant to the demonstrating compliance with the definition. There is an existing dam on the site used for agricultural purposes and has no ecological significance.

- Basalt outcrops on the property provide evidence of the geomorphology of the area;

Assessing officer's response: Basalt outcrops are considered to be an ecological feature with significance. The development application has not gone in to detail on the importance of the Basalt outcrops on the site. The development application has not demonstrated in specific detail how the Basalt outcrops will be incorporated into the Eco-Tourist Facility to educate guests and visitors to the site on the significance or importance of Basalt outcrops.

Taking the lack of information demonstrating how the Basalt outcrops on the site are significant and linking the significance of the Basalt outcrops to the Eco-Tourist facility Council is unable to consider this as satisfying sub-clause (b) of the definition.

Sub-clause (c) - is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

- The site will be off grid, with power supplied from a PV system and water supplied from the existing bore and from rainwater tanks;
- The development has a "light touch" approach to preserve the environment. Each cabin is small in size and single storey. The cabins are scattered around the site for both privacy and to avoid an intrusive group of buildings on the rural site;
- Sustainable practices, including water conservation and renewable energy use, will be integral to the facility's operation;
- The development utilises manufactured homes which do not require extensive concrete slabs or footings. The manufacture generates little waste in comparison to standard build homes;

Assessing officer's response: The above items are considered to be compliant with subclause (c) of the definition.

According to the definition of eco-tourism, all sub-clauses must be satisfied, as indicated by the conjunction "and" following sub-clauses (a) and (b). The development satisfies criteria (a) and (c) but does not meet (b). Therefore, based on the submitted information, the proposed development does not fully conform to the definition of an eco-tourist facility in its current form.

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

Principal development standards.

Clause 4.3 Height of building

The proposed height of the cabins are as follows;

- Type 1A: proposed 4.35 metres
- Type 1B: proposed 4.35 metres
- Type 2: proposed 4.35 metres
- Type 3: proposed 4.35 metres

The proposed buildings do not exceed 9 metres and therefore complies.

PART 5 Miscellaneous provisions.

Clause 5.11 Bushfire hazard reduction

The subject site is wholly bushfire prone land. The applicant has submitted a Bushfire Assessment report with the development application. As the proposed development is for an Eco-Tourist Facility which is considered as a Special Fire Protection Propose Development per the Planning for Bushfire Protection 2019 and requires the development application to be referred to NSW RFS for

concurrence as integrated development. NSW RFS have provided General Conditions for the proposed development, this has been attached (attachment 11) and can be seen under the Integrated Development section of this report.

Clause 5.13 Eco-tourism facility

(3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that—

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

Assessing officer's response: The applicant outlines that the proposal will achieve connection between the development and the ecological, environmental and cultural values of the site. The applicant does not adequately demonstrate in-depth how the proposed development will achieve these outcomes. The applicant states the proposal will protect and enhance the biodiversity on the site through restoration and creation of a wildlife corridor but does not demonstrate a management plan or strategies on how the proposed development will achieve environment restoration and the creation of a wildlife corridor on the site. There is no demonstration of wildlife on the site assessing the impact of the proposed development and demonstrating how the proposed development will mitigate these impacts. In this section of the Statement of Environmental Effects the applicant states how the presence of the biodiversity layer on the land is a key ecological feature although earlier under the Biodiversity Conservation section of the SEE the applicant states there is no significant biodiversity on the site. This is considered to be contradictory to one another. The proposal incorporates being used as an educational hub promoting environmental awareness among visitors but does not demonstrate how the proposed development will implement an educational management plan or business plan to educate the visitors of the tourist facility. It is considered stating the proposed development will be an education hub is **not demonstrating** how the proposed development will achieve this outcome. This is consistent throughout their response and also applies to their response to incorporating cultural aspects to the proposed development.

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

Assessing officer's response: The applicant proposes the development will be located in previously cleared land with no removal of vegetation required. From assessment it is seen that there are areas of Snowy Gums located on the site. The assessing officer agrees that the location of the 1 Cabin (Type 1A) is located in an already cleared area and will not require the clearing of any vegetation to be installed on the site and achieve the required APZ for BAL-12.5 rating. The remaining cabins (4 cabins) are considered to impact the Snowy Gum and grassland vegetation on the site as APZ will need to clear vegetation on the site to achieve the required BAL-12.5 rating and will have significant impact on the land. It is considered that the applicant has **not**

demonstrated that the development will minimise impacts on the natural environment on the site.

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

Assessing officer's response: The applicant states that visitors will be able to view the night's sky due to the site's rural location and its proximity to native vegetation and wildlife. However, the applicant has not detailed how the night sky aspect will be incorporated into the facilities functions, nor is the site located within a recognised Dark Sky Reserve. Additionally, the applicant has not demonstrated that any endangered fauna visit the site, nor identified and listed European heritage or Aboriginal Heritage site on the land. The vegetation have also not been demonstrated to be considered "special" as both the SEE and the submitted Test of significance state otherwise. As such, the information provided is considered to be **inadequate** to explain how the development will **enhance** a special ecological or cultural value. Simply being in a rural area, away from urban development does not in itself enhance appreciation of the environmental and cultural values of the site or area.

- (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

Assessing officer's response: The applicant has stated that the proposed development will provide educational resources to guests to enhance the visitors understanding of the surrounding environment. While this is a positive outcome the applicant has **not demonstrated** how they propose to implement the education programs to guests. This does not adequately address how the development will meet the object of promoting positive environmental outcome. There are no watercourses on the proposed development subject site. The proposed development is required to be off grid and will install septic systems to each cabin. This only partially satisfies this clause.

- (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

Assessing officer's response: The applicant states that no vegetation will be removed due to the proposed development. From assessment the applicant has not considered the vegetation required to be removed to achieve the required BAL-12.5 for each cabin or internal access tracks. The applicant states regeneration of the land is permitted on the property although **no regeneration plan has been submitted** with the application. This is considered to have not adequately address this standard.

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

Assessing officer's response: The applicant adequately addresses how the installation of the cabins will mitigate waste generated.

- (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

Assessing officer's response: The proposed development is not located near watercourses. The proposed Cabins and Manger's Residence has proposed the use of dark materials. The building materials proposed are non-reflective and considered to blend naturally with the existing landscape and surrounding developments. The Cabins have been sited in locations not to be considered on a ridgeline, with no foreseeable impacts to the skyline in the vicinity of the development. The location of the manager's residence will result in **unacceptable visual impacts** as the proposed building is sited on top of a ridgeline and will have foreseeable impacts when viewing subject site from The Snowy River Way. The proposed cabins are located in close proximity to Snowy River Way which may have a potential visual impacts, no landscaping has been proposed.

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

Assessing officer's response: Internal access tracks have not been considered in the applicant's response. Internal access tracks will require the clearing of vegetation, as no assessment has been submitted with the development application and as such has not adequately considered the potential impact to the environment.

Solar panels have been proposed to service the cabins with minimal impact and OSSMS to manage the disposal of effluent have been proposed in cleared areas.

- (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

Assessing officer's response: All cabins are required to be off grid, solar panels have been proposed. Water supply to service the cabins will be via rain water tanks and the existing on site water bore.

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

Assessing officer's response: The proposed development is considered to not have an impact on neighbouring land to undertake agricultural production.

- (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,
 - (iii) efficient and minimal energy and water use and waste output,
 - (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,
 - (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.

Assessing officer's response:

- (i) The submitted Test of Significance demonstrates how the proposed development will not result in any serious or irreversible impacts to the vegetation of the site as the installation of the Cabins and Manager's residence have been sited in locations to be considered with low to poor ecological condition.
- (ii) No environmental management plan demonstrating maintenance or regeneration of habitats on the land has been submitted with the development application. Therefore an assessment is unable to be made of any impacts resulting from the proposed development or assess how the proposed development will meet the objective of maintenance (or regeneration where necessary) of habitats.
- (iii) The proposed development complies with this provision as the proposed development is required to be self-sufficient and has proposed solar panels for energy, rainwater tanks for water supply and OSSM to service the disposal of effluent.
- (iv) The applicant states why they will monitor and review the effects of the development but does not demonstrate how they will they will implement a management plan to assess the potential impacts in the future for the proposed development. This is considered to not meet the objective.
- (v) The applicant states implementing programs to restore degrading vegetation on the site but does not demonstrate how the stated programs will facilitate in improving the vegetation on the site and the on-going management of the site. This is considered to not meet the objective.

PART 7 Additional local provisions

Clause 7.2 Terrestrial biodiversity

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT



Test of significance was requested and has been received. In the conclusion of the Test of Significance the ecologist has stated that as there were no threatened species or threatened ecological communities on this property and the sites are in relatively poor ecological condition. The proposed development will have not result in serious or irreversible impacts on the native vegetation on the site.

Clause 7.9 Essential services (including access)

The essential services have been proposed as the following;

- (a) Water supply is existing on the site via bore water. Rainwater will be collected via roof collection. Each cabin will serviced by a rain water tank.
- (b) Electricity supply will be via renewable energy (solar panels).
- (c) OSSM will service each of the cabins
- (d) Stormwater will be collected via the roof into rain water tanks from each cabin. Overflow will be diverted away from the cabins.
- (e) Access is via Snowy River Way, existing crossover and alternative access has been proposed off McGuffickes Road. Requirements for access will be in accordance with Council's development engineering specifications.

Snowy River Development Control Plan 2013

Provision	Response/Acceptable Solution
A3 Public Notification	21 days
B1 Rural localities, Towns & Villages	
1.8 – Jindabyne	The proposed development is considered to be in accordance with the Key Planning Response for the Locality.

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

C General planning considerations	
C2 Design	<p>C2.1-1 Visual Landscape Character Assessment</p> <p>The locations of the cabins are proposed on the site so as they present minimal visual impact when viewing the subject site from The Snowy River Way. This is due to the vegetation on the site creating natural screening for the cabins.</p> <p>The location of the manager's residence will result in unacceptable visual impacts as the proposed building is sited on top of a ridgeline and will have foreseeable impacts when viewing subject site from The Snowy River Way.</p> <p>The building materials proposed are non-reflective and considered to blend naturally with the existing landscape and surrounding developments.</p> <p>C2.1-2 Building on Ridgelines</p> <p>The construction of the cabins are not considered to be constructed on ridgelines and will not result in impacts to skylines in the vicinity of the proposed development.</p> <p>The proposed manager's residence is located on top of the highest point of the land which is considered to be constructed on top of a ridgeline and will result in impacts to skylines when viewing from public areas such as The Snowy River Way.</p> <p>C2.1-3 Development in Lake Eucumbene and Lake Jindabyne Scenic Protection Areas</p> <p>The proposed development is not located within an identified Scenic Protection area</p> <p>C2.1-4 Development within the Eastern Approaches to Kosciuszko National Park</p> <p>The proposed development is not located within the identified the Eastern Approaches to Kosciuszko National Park area.</p> <p>C2.1-5 Building Design</p> <p>The locations of the proposed cabins have been located in areas with minimal slope and therefore minimal cut and fill will be required during the installation of the cabins. As the cabins are manufactured homes they will be installed on footings which will reduce the requirement for any</p>

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

	<p>excavations. Subfloor closure would form part of the conditions of consent if the development application was approved. Building heights are single storey and are considered to be appropriate for the proposed development. As an eco-facility, the structures are designed to blend into the environment. No reflective surfaces are proposed and dark colours will assist the structures to recede into the landscape.</p> <p>C2.1-6 Landscaping</p> <p>No additional landscaping is proposed and the site will be left in its natural state as far as possible.</p> <p>C2.1-7 View Sharing</p> <p>No foreseeable impacts to neighbouring developments views will result from the proposed development.</p>
C3 Car-parking, Traffic & Access	<p>Access to the site is via The Snowy River Way. Alternative access has been proposed off McGuffickes Road. McGuffickes Road is a crown road and requires concurrence from Crown Land prior to the approval of the development application. The portion of the McGuffickes Road that would service the site would be required to be upgraded to Council's development engineering specification and transferred to Council. The development application has been referred to Crown Land for comments.</p>
C5 Tree preservation & Landscaping	<p>No landscaping plans have been submitted with the development application. Tree removal will be required to achieve the proposed BAL-12.5 and appropriate APZ.</p>
<p>C7 Natural Hazard Management</p> <ul style="list-style-type: none"> - Bushfire - Flood Prone Land 	<p>The development application has been referred to NSW RFS for concurrence. NSW RFS have responded with conditions of approval.</p>
C8 Environmental Management	<p>The development surrounding the subject site are rural allotments containing dwelling houses. There are no known large scale intensive agricultural used land on the neighbouring allotments, although there is evidence of cattle, horse and other small scale farm use on neighbouring allotments. It has been considered that there will be no foreseeable impacts on conflicting land uses</p>

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

	<p>resulting from this proposed development.</p> <p>There are no records/history of the subject site being potentially contaminated. Contamination of the site is unlikely. The site has been used for rural purposes and there is no evidence of contaminants such as previous land uses.</p> <p>Erosion, sediment and stormwater control would form part of the conditions of consent. This would need be in place prior to the installation of the cabins and manager's residence.</p> <p>The site does not have a history of weed infestation as per Council records.</p> <p>The Test of Significance concludes that the native vegetation on the site are not considered to be a threatened ecological community. The vegetation areas are considered to be in relatively poor ecological condition.</p>
C9 Energy & Waste Efficiency, Water Supply & Effluent Disposal	<p>The proposed cabins are manufactured homes and do not require BASIX Certificates therefore the applicant must demonstrate compliance with the Building Performance and Energy Efficiency Table in C9 of the Snowy River DCP.</p> <p>The applicant has demonstrated the following;</p> <p>A1 - The proposed dwelling has large windows and doors along each side of the structure that will allow the free passage of air through the dwelling. The cabins also have openings for cross ventilation.</p> <p>A2 - The Type 2 structures have the short side oriented to the north, however, this has a covered deck and openings to the main living area so is an appropriate orientation. Types 1A, 1B and 3 are oriented with the long axis towards the north. All designs have openings on the northern side into the kitchen, living and dining rooms to ensure good solar access to living areas.</p> <p>A3 - The submitted plans show all windows and skylights. Windows and skylights are all double glazed. More than 50% of the total glazing is installed on the northern side of the dwelling and there is a pergola to shade some windows and doors, as depicted on plans.</p> <p>A4 - Ceilings are insulated with R1 roof blanket plus R3 batts. Walls have glass wool R2.5 insulation</p>

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

	<p>and floors have yellow tongue R2 insulation.</p> <p>A5 - There is no proposal for landscaping as part of this application. The site plan illustrates the location of existing trees.</p> <p>A6 - Vents are fitted for roof cavity ventilation.</p> <p>A7 - All habitable rooms have windows and/or doors for natural ventilation.</p> <p>A8 - Electric heat pump hot water system with PV system as site is off grid</p> <p>A9 - A rainwater tank will be installed for each cabin and to the manager's dwelling, with minimum 10,000L capacity. All tap fittings and toilets are 4 star. Bushfire fighting supply is provided in a separate 20,000L tank. There is a permanent water supply from the bore on site.</p> <p>Water Supply to the proposed development is via rainwater tanks attached to each cabin.</p> <p>Stormwater will be collected via roof water catchment of each cabin and diverted into rainwater tanks.</p> <p>Effluent disposal will be via on site sewer management systems. An OSSM report has been submitted with the development application demonstrating suitable locations on the site to service each cabin.</p>
C10 Waste management & Recycling	<p>Waste generated from the proposed development must be removed from the site and recycled in accordance with the Waste Management Plan. This would form part of the conditions of consent.</p>
E Non-residential Development	
E1 Tourist Accommodation	
4. Eco-tourist Accommodation	<p>E1.3-1 Design of Eco-Tourist Facility</p> <p>The proposed cabins have demonstrated there will be minimal impact to the land during the installation. The cabins will be solely off grid and proposed renewable energy source to service the cabins. The cabins are considered to be sustainable and complies with the controls for this section of the SRDCP.</p> <p>E1.3-2 Operation of Eco-Tourist Facility</p>

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

	<p>The operation of the eco-tourist facility in regards to the controls of the SRDCP would fall as conditions of the consent if the development application was to be approved.</p> <p>E1.3-3 Nature of Eco-Tourist Facility</p> <p>The site is not considered to be of ecological significant or cultural significance as no vegetation of significance or items of cultural significance has been identified from the supporting documents. The applicant has not demonstrated any methods of how the operation of the eco-tourist facility will educate guests on the site in regards to natural or cultural significance.</p> <p>E1.3-4 Car Parking</p> <p>No traffic management report has been submitted with the development application therefore unable to assess the potential impacts to traffic generated from the site. Car parking has been proposed as informal, each cabin will have space adjacent to the cabin for car parking. No enclosed or undercover car parking has been proposed.</p> <p>E1.3-5 Access for Persons with a Disability</p> <p>One cabin has been proposed to service the needs of people or persons with disabilities.</p> <p>E1.3-6 Waste Management</p> <p>The application has demonstrated how waste generated from the installation of cabins, managers residence and shed but has not submitted a waste management strategy for the operation of the eco tourist facility.</p>
--	--

The proposal has also been examined in detail against the provisions of Council's relevant Development Control Plans (Section 4.15(a)(iii) of the Act) and has been found to not achieve an acceptable level of compliance.

Impacts of the Development – Environmental, Social & Economic

Access, transport and traffic	Existing access to the site is via The Snowy River Way. Two additional access ways have been proposed via McGuffickes Road. A portion of McGuffickes Road and the existing access to the site via The Snowy River Way
-------------------------------	---

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

	would require upgrade works to ensure the access points and roads are safe for visitors to the site.
Easements/88B Restrictions on Use	No easements or restrictions on use applicable to the proposed development.
Bushfire Assessment s4.14	The proposed development is required to meet the requirements of Planning For Bushfire Protection 2019 SFPP – Eco-Tourism Facility. This would be conditioned as part of the consent.
Impacts on supply of utilities	The proposed development is expected to be self-sufficient and not requiring any connection to electricity mains, sewer mains or water mains infrastructure.
Heritage	No heritage items will be impacted by the proposed development
Natural and other land resources	The proposed development is considered unlikely to result in any significant impacts upon natural or other land resources
Water supply and potential impacts on surface and ground water	The cabins and manager's residence are installed onto the land rather than constructed into the land. This requires minimal cut and fill and results in less disturbance across the land. The proposed development has no foreseeable impacts to water supply and potential impacts on surface and ground water from the installation of the cabins and manager's residence onto the land.
Soils	The installation of the cabins and manger's residence are installed onto the land which results in minimal soil disturbance and minimal cut and fill required. It is therefore considered the proposed development will result in minimal impact to the soils on the land.
Air quality, pollution and microclimate impacts (eg odour)	No foreseeable impacts 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	A test of significance was submitted to assess the potential impacts of the proposed development on the native vegetation on the site. The test of significance demonstrated that the proposed development will not result in serious or irreversible impacts on the native vegetation due to the native vegetation on the site being considered to be of low and poor ecological significance.
Waste facilities and controls	Waste management would form part of the conditions of consent. The Eco-tourist facility is expected to operate in a safe and self-sufficient manner ensuring the recycling of waste products and rubbish are managed

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

	correctly.
Energy efficiency and greenhouse gas emissions	The proposed development is expected to be 100% self-sufficient with using renewable energy source such as solar panels to supply each cabin with power. No greenhouse gas emissions are expected to result from the proposed development.
Noise and vibration	Noise and vibration is not expected from the proposed development during the operation of the eco-tourist facility. The installation of the cabins and manager's residence may result in noise impacts to neighbouring properties. This is to be expected during the installation of the cabins and manager's residence only and is not expected to be an unacceptable impact on neighbouring property owners.
Safety, security and crime prevention	The proposed development is located within a rural locality. The manager of eco-tourist facility is expected to ensure the safety and security of guests and visitors to the site are maintained during any length of stay and ensure that no crime is generated from development on the site or within the vicinity of the proposed development.
Social impact in locality	No foreseeable social impacts within the locality of the development. The proposed development creates opportunities for visitors and guests to explore the area.
Economic impact in locality	No foreseeable economic impacts within the locality of the development. The proposed development will create income for the land owners and has potential for jobs opportunities.
Site and internal design issues	No site or internal design issues resulting from the proposed cabins. The manager's residence is proposed on top of a ridgeline which will result in unacceptable impacts to the skyline within the vicinity of the proposed development.
Impacts during construction	The cabins and manager's residence are not constructed on the site but rather installed on the site as they are manufactured homes. No foreseeable impacts are considered to be unacceptable during the installation of the cabins and manager's residence. There is potential for minimal impacts to occur during the installation of the cabins and manager's residence as large trucks are required to transport the manufactured home to the site which has potential to result in minimal traffic delays and impacts on users of The Snowy River Way and McGuffickes Road.

8.DEVELOPMENT APPLICATION 10.2024.224.1 - INSTALLATION OF 5 MANUFACTURED HOMES INCLUDING MANAGER'S RESIDENCE
2 FOR ECO-TOURIST FACILITY & CONSTRUCTION OF SHED - STAGED DEVELOPMENT

Cumulative impacts	No foreseeable cumulative impacts resulting from the propose development.
Impact on pedestrian movements and safety	The subject site is within a rural locality. There is no pedestrian infrastructure surrounding the subject site.
Mineral resources and/or deposits in the vicinity	No known mineral resources and/or deposits in the vicinity
Impacts on aboriginal heritage	No aboriginal heritage items will be impacted from the proposed development.
Health Impacts of High Voltage Power Lines	Not applicable, no High Voltage Power Lines are within the vicinity of the proposed development.

7.9 Public Interest

The proposal is not contrary to the public interest, although the proposed development does not comply with the Council's standards and will contribute to creating an undesirable precedent.

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
Tourist & Visitor Accommodation & Eco-tourist Facilities	Neighbour notification 21 days

The proposed development was amended and those amended plans were placed on public exhibition and adjoining landowners were notified in accordance with the provisions of the Snowy Monaro Planning and Development Community Participation Plan 2019 for a period of 21 days.

The application was not publicly advertised.

In total 3 objections were received and the issues raised have been summarised below.

1 submission was received out the notification period and issues raised have been summarised below.

Below is a summary of the submissions received. Copies of all submissions can be read in attachment 12.

Submission 1

Summary of Key Concerns

- The submitter objects to the land owner's proposing two formal access ways to the site with the proposed eco-tourist facility and the existing dwelling house via McGuffickes Road. Would prefer the access to the proposed eco-tourist facility and existing dwelling house remains via The Snowy River Way.
- The submitter requests the land owner's contribute to the ongoing costs of the maintenance of McGuffickes Road.

Assessing Officer's response: McGuffickes Road is a crown road and requires consent from Crown Land prior to the determination of this development application. Crown Land will require McGuffickes Road to be transferred to Council and the road will be required to be upgraded to Council's Development Engineer Specifications to ensure the road is suitable and safe for all users of the road. Council is unable to comment on the land owner's contribution of the ongoing cost to maintain McGuffickes Road as this matter is not within the scope of this development application.

Submission 2

Summary of Key Concerns

- The submitter is concerned in regards to the proposed access to the eco-tourist facility site and existing dwelling site via proposed access ways from McGuffickes Road. The submitter is concerned that drainage along McGuffickes Road must be developed and the road surface must be upgraded especially at the intersection of The Snowy River Way and McGuffickes Road.
- The land owner's currently do not contribute to the maintenance of McGuffickes Road.
- Extra traffic generated from the proposed development will further deteriorate McGuffickes Road.

Assessing officer's response: McGuffickes Road is a crown road and requires consent from Crown Land prior to the determination of this development application. Crown Land will require McGuffickes Road to be transferred to Council and the road will be required to be upgraded to Council's Development Engineer Specifications to ensure the road is suitable and safe for all users of the road. Council's Development Engineer will determine the specifications and standards the road must be upgraded to in accordance with the Snowy River Development Control Plan 2013. Council is unable to comment on the land owner's contribution of the ongoing cost to maintain McGuffickes Road as this matter is not within the scope of this development application. The proposed Eco-Tourist facility is considered to be a traffic generating development which will require all access points to be built to an acceptable standard to ensure that access to the site is suitable and safe for all users. This must be maintained for the life of the development and would be conditioned accordingly if approval was granted for this proposed development.

Submission 3

Summary of Key Concerns

- The submitter raises concerns in regards to the Manufactured Homes that have been

selected by the applicant to be used as the proposed Cabins for the Eco-tourist facility. The submitter believes the style of the Manufactured Homes resemble tourist cabins for tourist and visitor accommodation or a manufactured housing estate similar to major caravan parks rather than an Eco-Tourist Facility.

- The development application and supporting documents do not adequately demonstrate the traffic impacts generated from the proposed development, no biodiversity assessment and no details on how McGuffickes Road will be upgraded.

Assessing officer's response: Manufactured Homes have been selected by the applicant as the Cabins and Manager's Residence which the applicant proposes to be a 'light touch' approach with minimal impacts to the land rather than constructing cabins on the site. Council is in agreement with the submitter that the proposed development as a whole is more in line with Tourist and Visitor Accommodation which is no longer a permissible land use in the RU1 Primary Production Zone rather than an Eco-Tourist Facility. Inadequate information has been provided by the applicant to assess the traffic generated from the proposed development. Additional information was requested by Council to the applicant to address the impact the proposed development will impose on the native vegetation on the site, these matters have been addressed in this report. Overall, the issues raised in this submission are in line with the reasons for recommendation to be refuse this development application.

Submission 4 - Support

This submission to the development application was received after the 21 days of neighbour notification period. The key concerns raised from this submission have been taken into consideration during the assessment of this development application.

Summary of Key Concerns

- The submitter generally supports the overall development as the submitter states the proposed development is the perfect form of utilisation of land which is totally useless for agriculture (there is next to NO grazing or crop growing in our area) and the submitter believes this development to be a real benefit to the community.
- The submitter objects to the likelihood of Council imposing a condition of consent on the development application requiring the upgrade of McGuffickes.

Assessing officer's response: Assessment of conflicting land uses has been concluded in this assessment and it has been considered that there will be no foreseeable impacts on conflicting land uses resulting from this proposed development. McGuffickes Road is a crown road and requires consent from Crown Land prior to the determination of this development application. Crown Land will require McGuffickes Road to be transferred to Council and the road will be required to be upgraded to Council's Development Engineer Specifications to ensure the road is suitable and safe for all users of the road. Council's Development Engineer will determine the specifications and standards the road must be upgraded to in accordance with the Snowy River Development Control Plan 2013.

CONCLUSION

It is considered that the proposed development does not comply 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:

1. The design of the proposed development does not meet the definition of Eco-Tourist Facility of the Snowy River LEP 2013.
2. The design of the proposed development and does not meet the following requirements of clause 5.13 Eco-tourist facilities, in the Snowy River LEP 2013 including Clauses (3)(a), (b), (c), (d), (e), (h) and (k).
3. The development as presented in the application does not adequately meet the development standards of the Snowy River DCP 2013 including Chapter C2 Design and Chapter E1 Tourist Development – Eco Tourist Facility included control C2.1-1, C2.1-2, E1.3-3, E1.3-4 and E1.3-6.

In conclusion, it is considered that the proposal has aesthetical, social and environmental **unacceptable** impacts having regard to the surrounding natural and built environment. Accordingly, **refusal is recommended** subject to the Statement of Reasons 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.

ATTACHMENTS

1. 2025/02/17 - Statement Of Environmental Effects *(Under Separate Cover)*
 2. 2024/09/11 - Architectural Plans 1 *(Under Separate Cover)*
 3. 2024/09/11 - Architectural Plans 2 *(Under Separate Cover)*
 4. 2024/09/11 - Architectural Plans 3 *(Under Separate Cover)*
 5. 2024/09/11 - Architectural Plans 4 *(Under Separate Cover)*
 6. 2025/02/17 - Biodiversitysignificance *(Under Separate Cover)*
 7. 2024/09/11 - Site Plans *(Under Separate Cover)*
 8. 2024/09/11 - Survey Plan *(Under Separate Cover)*
 9. 2024/09/11 - Wastewater Management Plan *(Under Separate Cover)*
 10. 2024/09/11 - Bushfire Report *(Under Separate Cover)*
 11. 2025/04/16 - RFS Determination Letter *(Under Separate Cover)*
 12. 2025/05/13 - Submissions Redacted *(Under Separate Cover)*
 13. 2025/05/16 - Crown Lands Letter *(Under Separate Cover)*
-

9.1.1 SMRC DETACHED STUDIOS, GARAGES, URBAN SHEDS AND FARM BUILDINGS

Record No: I25/226

OFFICER'S RECOMMENDATION

That Council adopt the proposed SMRC Expanded Dwellings (Studios), Garages, Urban Sheds and Farm Buildings Policy.

BACKGROUND

The establishment of a policy governing Detached Studios, Garages, Urban Sheds, and Farm Buildings is important to provide clarity on permissible uses, ensure compliance with legal precedents, and uphold planning controls that prevent unauthorized residential occupation of non-residential structures.

Increased instances of non-compliant buildings adds to the already high level of compliance issues being addressed by Council's compliance officer.

Recent court rulings highlight the necessity of such a policy to maintain the intended function of these buildings and to assist in preventing their conversion into unapproved dwellings.

ISSUES

The establishment of a *Detached Studios, Garages, Urban Sheds, and Farm Buildings Policy* will assist in addressing gaps in the current planning instrument controls applicable to the Snowy Monaro LGA.

Existing controls do not provide adequate guidance on the design, inclusions, scale, and appropriate use of these structures, leading to increasing instances of non-compliant development.

Building Surveyor inspections have identified that many sheds are being constructed or retrofitted with additional laundry facilities, wet bars, kitchen sinks, and full bathrooms without prior approval —features that indicate a high likelihood of future habitation.

Without clear policies to guide landowners, there is an increased likelihood of sheds being used as dwellings without appropriate approvals, raising concerns around compliance, safety, health and amenity, and the integrity of planning regulations.

This can also complicate future property sales where unapproved uses are identified while properties are being advertised for sale. Although it is a 'let the buyer beware' situation, preventing these complications from occurring (as much as possible) is a far better solution than trying to rectify such problems at a future time.

A specific sheds policy is beneficial to establish clear standards and inform the public that the installation of a bathroom—by definition—changes the legal classification of a shed from an 'outbuilding' (Building Code of Australia/National Construction Code Class 10), to a 'dwelling' (BCA/NCC Class 1).

‘Sheds’ are not buildings that are subject to Basix provisions, i.e. they are not required to meet mandatory minimum standards for water and energy efficiency, and thermal comfort as for dwellings. Retrofitting a shed building to meet Basix requirements can be costly.

‘Sheds’ are also not required to be fitted with active smoke alarms, which is a very basic form of protecting life and safety of occupants, and a mandatory requirement for a residential building.

The policy would clarify that the Snowy Monaro Regional Council will only permit a toilet and hand basin in sheds, ensuring consistency in assessment and enforcement while preventing the gradual, unregulated conversion of sheds into dwellings.

The case of *Sikma and Anor v Hawkesbury City Council [2012] NSWLEC 1200* underscores the rationale for prohibiting wet bars, kitchens, and other residential amenities in sheds and similar structures. The court determined that the inclusion of such facilities blurs the distinction between sheds and dwellings, raising concerns about unauthorized residential use. Without clear policy direction, there is a risk that sheds and garages could be misused as independent living quarters, circumventing planning controls designed to regulate housing density and land use.

Additionally, for sheds constructed as ‘farm buildings’ on Rural land, a structure must qualify as a “*farm building*” under the Local Environmental Plan (LEP) by demonstrating that it is ancillary to a commercial agricultural use of the land.

The ruling in *Walker v Queanbeyan-Palerang Regional Council [2023] NSWLEC 1032* reinforces this requirement, mandating that applications for farm buildings provide substantive evidence that the structure will support an ongoing commercial agricultural enterprise. This provision is crucial to ensuring that farm buildings are used for their intended agricultural purpose rather than unauthorized residential accommodation.

Additionally, the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)* provides a clear definition of a detached studio, specifying that it must be ancillary to a dwelling house and must not contain cooking facilities. According to the Codes SEPP, a detached studio:

- *Must be established in conjunction with a dwelling house.*
- *Must be located on the same lot as the dwelling house.*
- *Must be separate from the dwelling house.*
- *Must not function as a separate dwelling.*
- *Must not contain cooking facilities.*

Given these legal precedents and regulatory requirements, the implementation of a formal Detached Studios, Garages, Urban Sheds, and Farm Buildings Policy is considered to be necessary to assist with meeting planning controls, prevent unauthorized residential conversion, and uphold the intended land use provisions.

This policy will provide clear guidelines for applicants and ensure that development applications align with established legal principles, reducing the risk of disputes and unauthorized use.

Strategic Direction

This policy aligns with SMRC's strategic goals by ensuring sustainable and controlled development that upholds planning and building standards. It supports the Council's objectives to provide clear guidelines that may assist in minimising unregulated habitation of structures not designed for residential use.

The policy will help protect the character of residential and rural areas, ensuring that development remains consistent with intended land use and infrastructure capacity. By setting clear expectations, the policy will also provide landowners with the opportunity of achieving compliance and reduce the administrative burden of retrospective enforcement.

Stakeholder Impact

The policy will affect multiple stakeholders, including:

- **Property Owners & Developers:** Clarity on what is permissible in terms of shed design and facilities, reducing instances of non-compliance and costly rectifications.
- **Building Surveyors & Certifiers:** A consistent framework for assessing applications and identifying non-compliance, improving regulatory efficiency.
- **Residents & Community:** Protection from potential issues arising from the use of non-compliant structures as dwellings, such as inadequate infrastructure, fire safety and amenity impacts.
- **Consumers:** Providing a level of protection to avoid problems arising from unwittingly purchasing a non-compliant property.

Social, Environmental, Economic & Civic Leadership Impacts

- **Social:** Ensuring that structures are used appropriately and meet safety and liveability standards.
- **Environmental:** Preventing unregulated residential development in areas that may not have adequate infrastructure (e.g., sewage, water, and waste management).
- **Economic:** Protecting property values and reducing financial risk for owners who may unknowingly invest in non-compliant structures.
- **Civic Leadership:** Demonstrating proactive governance by addressing an identified regulatory gap and setting a clear standard for responsible development.

Without this policy, there is limited information available to landowners to enable them to adhere to relevant planning requirements, which can lead to avoidable compliance issues, safety concerns, inconsistent development outcomes, and increased costs.

A dedicated policy will assist in providing clarity, enforceability, and fairness while ensuring that sheds remain non-habitable structures.

By establishing a clear standard—such as limiting shed facilities to a toilet and hand basin—SMRC can proactively manage development and prevent ongoing regulatory challenges.

RISK ASSESSMENT

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

FINANCIAL IMPACTS

	Amount	Details
Current Annualised Net Cost	N/A	
Estimated Annualised Net Cost	N/A	
Capital Investment	N/A	
Capital Funding Source	N/A	

RESPONSIBLE OFFICER: Chief of Community Services

OPTIONS CONSIDERED **SMRC Development Control Plan** - Instead of establishing a separate policy at this time, it is an option to wait until these controls can be integrated into the consolidated Snowy Monaro Development Control Plan (DCP), however, this is not expected to be implemented for at least three (3) years. In the interim, development applications for these structures will continue to be evaluated according to the existing standards, which currently lack specific controls to inform their design, scale, and impact.

Delaying the introduction of specific controls until the consolidated Snowy Monaro Development Control Plan (DCP) is implemented is not an ideal option due to the increasing prevalence of sheds being constructed or modified in ways that indicate potential future habitation.

Without a dedicated policy in place, there is a risk of continued non-compliance, leading to increasing demands on our Compliance Officer, as well as unregulated and potentially unsafe living arrangements.

Implementing this policy now will provide certainty for both property owners and regulatory authorities.

EXISTING POLICY

Current Snowy River Policy - *ENV-010 Garden Shed and the Like*

The proposed Detached Studios, Garages, Urban Sheds, and Farm Buildings Policy builds upon and strengthens the principles established in the former Snowy River Council's "*ENV-010 Garden Shed and the Like*" policy.

The existing policy was designed to minimise misunderstandings regarding the intended use of garages, sheds, and similar structures while discouraging unauthorised habitation. Key provisions, such as requiring external-only access to sanitary compartments and restricting the construction of sheds on unsewered land without an approved dwelling, assisted in guiding responsible development.

The new *draft* policy enhances these controls by providing clearer definitions and further clarity regarding what facilities can be included in sheds, explicitly stating that the installation of a bathroom, beyond a toilet and hand basin, reclassifies a shed as a habitable structure.

This improved framework strengthens compliance, prevents incremental conversion of sheds into dwellings, and ensures consistency across the entire Snowy Monaro region, addressing gaps that have been increasingly identified during Building Surveyor inspections.

ATTACHMENTS

1. Draft Detached Studios, Garages, Urban Sheds, and Farm Buildings Policy (*Under Separate Cover*)

9.1.2 JINDABYNE LANDFILL PROJECT UPDATE

Record No: I25/373

OFFICER'S RECOMMENDATION

That Council note:

- A. The Jindabyne Landfill Project Update report
- B. That a community consultation activity was scheduled to be held in Jindabyne on 12 June at the Jindabyne Memorial Hall with Commercial and Domestic users.
- C. Council has received a briefing on the findings of the Geo Tech Investigations and options for the medium and long term solutions.

ISSUES

The Jindabyne waste facility is open as a waste transfer facility.

Advice from our operations team indicate that the interim solution is working and that it is fit for purpose. However, minor works were required to allow the sawtooth transfer station area to be more accessible with a smoother road base and better traffic control. These works have been undertaken.

SMRC will continue to monitor the use of the transfer station, and other associated drop off areas over peak periods and will have contingency plans in place for increased usage over the winter period.

As noted in the previous monthly report, the domestic waste collection does not require a 'drop and go' concrete pad. This position has not changed and will continue to be monitored, especially over the peak winter period.

The concept designed Resource Recovery Centre (RRC) still maintains a high degree of amenity against the waste objectives and will be an available option (if so varied) for the community. This option will be objectively value managed to determine if the long-term solution can be a viable option at an affordable budget. A variation to the design and quote has been accepted from the Designer to undertake this action.

Since implementation of the interim waste transfer solution (31 March 2025), Council have transferred twelve (12) 32m³ bins from Jindabyne to the Cooma landfill facility. This continues to equate to approximately one (1) 32m³ bin per week. This continues to present no major impacts in terms of waste congestion at the Cooma landfill facility. Operators of the Jindabyne facility continue to see high use of recycled and separated waste. This indicates that the community is separating waste at a greater level than undertaken previously and this activity is contributing to minimising impact to the Cooma landfill facility.

A WHS site inspection was carried out on Thursday, 24 April 2025 and as a result, minor works were noted as being required to improve efficiency, access and safety. The Works included:

Signage:

- Improved signage for increased efficiency in customer transit.

Road works

- Primary road bituminising;
- Landfill side weighbridge bituminising;
- Transfer station hardstand road base;
- Entry and exit path road base;
- Visibility improvements to traffic entry pinch points; and
- Drainage swale works.

Widening road at sawtooth transfer station:

- The waste facility was closed for 2 days between 14 -15 May, and reopened to allow civil works and lay the road base where concurrent construction and access could not be achieved. This was clearly messaged to the community ahead of the works being conducted to allow domestic customers to work around the closure. Remaining works which had less of an impact to transport conflixtions were carried out while remaining open to the public.

Star pickets adjacent to roadway:

- Despite having appropriate safety caps, these start pickets were removed to increase safety.

Transfer Station gates:

- Gate are to remain closed.

Railing at weighbridge:

- Railing to the weighbridge has been actioned

All interim works are complete and have improved the efficiency, cleanliness and access to the site.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Asset Management	Medium	Low	Yes
Economic Activity	Low	Low	Yes
Environmental Security	High	Low	Yes
External Political Environment	Medium	High	No
Financial Sustainability	High	Low	Yes

Risk Type	Current Risk	Expected Risk	Within Accepted
Health and Safety	Medium	Low	Yes
Legislative Governance and Compliance	High	Low	Yes
Reputation and Image	High	Low	Yes
Service Delivery	High	Low	Yes

The risks associated with the interim solution is that it does not currently provide for commercial waste disposals, greater than 1mtr³. This will somewhat disrupt commercial operators from their historic usage of Jindabyne landfill facility and extend their transiting times to dispose of larger commercial waste to Cooma landfill facility. However, this is not a permanent restriction. The long-term solution will aim to bring the ability for commercial waste back into the Jindabyne service

FINANCIAL IMPACTS

Geo tech Analysis	\$13,200
Waste Transfer Jindabyne to Cooma	\$11,300*
Internal Plant Hire	\$18,000*
Site Improvements estimate	\$66,000
Options and design value management (VM).	Option 3 \$44,500 (VM) Option 1 \$30,000 *

*The commitments list is expenditure which is committed but not yet paid.

RESPONSIBLE OFFICER: Manager Corporate Projects

OPTIONS CONSIDERED

There are two primary sites in consideration of a long-term waste solution. These being:

- The current landfill area; and
- The acquired site directly above the extant landfill site, located on the entry road to the existing Jindabyne landfill.

The initial options that the project identified for siting of a Waste Transfer Station, and longer-term Resource Recovery Centre were:

- **Opt 1:** Long term solution using Interim Facilities (plus additional minor works if needed – roof, expanded sawtooth pad, additional transfer bins), including a future stage for the Resource Recovery Centre (**Low cost**)
- **Opt 2:** Landfill site: Waste Transfer Station, including a future stage for the Resource Recovery Centre (**Medium Cost**)
- **Opt 3:** Landfill site: Waste Transfer Station; Hill site: future stage for the Resource Recovery Centre (**Medium cost**)
- **Opt 4:** Hill Site: Waste Transfer Station, including future stage for the Resource Recovery Centre (de-scoped Resource Recovery Centre) (**Medium cost**)
- **Opt 5:** Hill Site: Waste Transfer Station, including Resource Recovery Centre (**Full build option - High cost**) (**High cost - concept design complete; Value Managing for Medium cost**).

IMPLEMENTATION PLANS

An initial schedule has been developed in order to provide Council with an indicative schedule to achieve the long-term solution, including construction options. It is noted that the schedule is subject to change as a result of further definition into the options available.

Activity	Commence	Complete
Interim works (road base, transfer point extension, signage etc).	March 2025	May 2025
Options Feasibility	May 2025	June 2025
Recommendation to Council		August 2025
Design	August 2025	Dependant on Option selected
Prime Contractor Procurement	Design complete + 1 months	Design complete + 4 months
Construction	Design complete + 5 months	Dependant on Option selected

Options will be developed and tested against engineering feasibility, strategic and environmental compliance objectives, value for money, whole of life consideration, community expectations and requirements, as well as highest and best land use.

Regarding commercial waste on the long-term solution, the project will look into an ability and the feasibility to reinstate commercial waste accessibility to the Jindabyne waste service provision in a reduced scope solution. However, this will also require strong education messages and on-site management with commercial operators to separate waste, which will also assist in conjunction with the longer-term Resource Recovery Centre to minimise landfill impacts into the future.

Council will also be establishing a community consultation group throughout this project, with participation from the public, commercial waste users, and other key stakeholders as identified to assist in further development and refinement of the options and design. However, for the time being, the interim solution is a viable means for a short to medium term service of operations and will give Council the time to adequately scope and refine the longer-term solution.

ATTACHMENTS

Nil

9.1.3 UPDATE ON NEW RURAL FIRE SERVICES HEADQUARTERS - COUNCIL RESOLUTION 75/25

Record No: I25/435

OFFICER'S RECOMMENDATION

That Council:

- A. Note the Update on New Rural Fire Services Headquarters - Council Resolution 75/25.
- B. Allocate an additional budget of \$389,000 for the construction of the Geebung Street extension and related ancillary services, funded from the proceeds of Leesville land sales, to be combined with the existing \$500,000 for a total of \$889,000.

EXECUTIVE SUMMARY

Council has undertaken the following actions in response to Council Resolutions 75/25, as follows:

- A. *A report be provided to council detailing the current status of the of proposed new Rural Fires Service Headquarters to be constructed at Polo Flat*

The contract pre-start meeting has been held and the contractor is mobilising to site.

- B. *The cost projections to Council of the project, including the (now over-run) cost of the electrical services connection.*

There were no cost projections. However, three years ago Council set aside \$500,000 from future land sales at Leesville for road construction (resolution 217/22). Council, as is the case for any developer, is responsible for providing in addition to the road; sewer, water, power and communications within the town area. It should also be acknowledged that in the last 4 years construction costs have dramatically risen well over 50%, and so further funds of from the Leesville land sales of \$389,000 not realised until the 24/25 year have been allocated and recommended for adoption in this report.

Stating that the project is over-budget is not correct as the original allocation did not account for utility services or potential inflationary escalations. The tendered price obtained from the market plus a contingency sum to address unforeseen latent conditions reflects a total project cost of \$889,000.

- C. *The Chief Executive Officer provide, without limitation:*

- (a) *The contract, if any, or agreement between SMRC and NSW RFS.*

There is currently no Contract with NSW RFS. There is a draft Deed between Council and NSW RFS, ready for signatures for the project management and delivery of the road project and ancillary works. Delays occurred in the execution of this contract due to finalisation of pricing through the tendering process.

(b) Any document or agreement that sets out the ownership of the facility and obligations as to operational costs

Ownership of the facility when completed will be a “vested asset” of Council*, as per the Rural Fires Act, 1997. This is consistent with the current FCC and all brigade stations across the LGA. Ongoing operational costs of the facility will be paid by Council from the Maintenance & Repair (M&R) budget of Council, which is funded annually by the Rural Fire Fighting Fund, the allocation Council is provided with one overall number for all RFS facilities, which for this year is \$448,500. Ongoing operational costs include electricity, cleaning, office supplies, security, repairs, etc. All aspects of the aviation side (hanger and Jet A-1 fuel storage) will be borne by RFS Aviation section, as is currently the case with the temporary airbase at Polo Flat airstrip. It should be noted that whilst the new facility is a bigger facility, a small increase in running cost can be expected, but that will be offset over the next 10-15 years by a reduction in maintenance and repairs needed, as it will be a brand-new facility. The only cost that Council must fully fund is land and water rates, as is the case with the current FCC and all brigade stations.

*Just announced NSW Parliamentary committee has recommended Amending the Rural Fires Act so that the NSW RFS is responsible for the provision of new premises in the future. When this is to be implemented, and the timeframe is unknown.

(c) The expected insurance cost projected insurance needs (noting the proposed helicopter maintenance hangar)

This is an operational cost borne by RFS

(d) Details of the expected rent and income from this facility

Nil income or rent is expected. Fire prevention and suppression is a Local Government responsibility under the Local Government Act of 1993. RFS undertakes the majority of these responsibilities for Council under the Service Agreement contract. Part of Council’s responsibilities is to provide the accommodation, for which RFS assists Council by way of providing funding allocations to construct the facilities on Council owned or leased land. There is no responsibility on the RFS to pay rent to Council for the use of the vested asset as RFS has supplied the funds to construct it.

(e) Details of the annual funding to be provided to SMRC from the Crown, in right of New South Wales.

Unsure of what is being asked, Crown lands would be giving Council nothing in relation to the RFS FCC building, the State through the Rural Fire Fighting Fund allocates funding to cover all RFS facilities vested to Council, which for this year is \$448,500.

(f) Status of the current ‘construction’ progress and where we can view this actual construction.

Construction has not commenced at time of writing the report.

(g) The net proceeds from the sale of the tied land at Leesville; Net of all development and planning costs.

- i. Proceeds Materialised from Sold Lots (2): \$1,081,818
-

- ii. Estimated Proceeds from Remaining Lots (2): \$852,500
- iii. Total Proceeds: \$1,081,818 + \$852,500 = \$1,934,318 (Revenue Budget per Resolution 160/23)
- iv. Development/Planning/Construction Costs: \$920,168 (includes cost of upgraded electrical substation works for future development stages, as mandated by Essential Energy)
- v. Net Proceeds: \$1,934,318 - \$920,168 = \$1,014,150

(h) The cost of the electrical kiosk substation installation now required for the site.

This component is not part of the SMRC works or tender pricing and is fully funded by RFS, this is “commercial in confidence” to the RFS.

(i) The CEO certify in writing that the Council will not be required to pay for any hydrocarbon fuel/s used at this site.

Council can advise that:

1. All Jet A-1 fuel is provided and paid for by RFS Aviation Section, as is currently the case with the temporary airbase at Polo Flat airstrip and all other RFS aviation fuel sites across NSW.
2. RFS is responsible for supplying their own fuel for vehicles.
3. Council cannot certify in an emergency situation that fuel won't be supplied to the RFS.

RESPONSIBLE OFFICER: Chief Operating Officer

ATTACHMENTS

Nil

9.2.1 MAKING OF THE 2025-2026 ANNUAL RATES AND CHARGES

Record No: I25/356

OFFICER'S RECOMMENDATION

That Council approves the making of the rates and charges separately for each category and sub-category as follows;

Making of the Levy of Ordinary Rates for Snowy Monaro Regional Council

- A. For the year 2025/2026, in accordance with Section 518 of the *Local Government Act 1993*, Council make an Ordinary Rate of **0.00211421** rate in the dollar on the land value. In accordance with Section 499 of the *Local Government Act 1993*, Council make a **base amount** of **\$608.00** per assessment being 49.07% of the total amount payable on all rateable land categorised as Business. This rate is to be named **Business**.
- B. For the year 2025/2026, in accordance with Section 518 of the *Local Government Act 1993*, Council make an Ordinary Rate of **0.00528395** rate in the dollar on the land value. In accordance with Section 499 of the *Local Government Act 1993*, Council make a **base amount** of **\$1,520.00** per assessment being 4.40% of the total amount payable on all rateable land categorised as Business Electricity Generation. This rate is to be named **Business Electricity Generation**.
- C. For the year 2025/2026, in accordance with Section 515 of the *Local Government Act 1993*, Council make an Ordinary Rate of **0.00211421** rate in the dollar on the land value. In accordance with Section 499 of the *Local Government Act 1993*, Council make a **base amount** of **\$608.00** per assessment being 22.19% of the total amount payable on all rateable land categorised as Farmland. This rate is to be named **Farmland**.
- D. For the year 2025/2026, in accordance with Section 517 of the *Local Government Act 1993*, Council make an Ordinary Rate of **0.00528395** rate in the dollar on the land value. In accordance with Section 499 of the *Local Government Act 1993*, Council make a **base amount** of **\$1,520.00** per assessment being 0% of the total amount payable on all rateable land categorised as Mining. This rate is to be named **Mining**.
- E. For the year 2025/2026, in accordance with Section 516 of the *Local Government Act 1993*, Council make an Ordinary Rate of **0.00211421** rate in the dollar on the land value. In accordance with Section 499 of the *Local Government Act 1993*, Council make a **base amount** of **\$608.00** per assessment being 43.40% of the total amount payable on all rateable land categorised as Residential. This rate is to be named **Residential**.

Levy of Rates

- F. That the rates as made be levied for the 2025/2026 year by service of a Rates and Charges Notice pursuant to section 546 of the *Local Government Act 1993*.

Interest

- G. In accordance with section 566(3) of the *Local Government Act*, it has been determined that the maximum rate of interest payable on overdue rates and charges for the period 1 July 2025 to 30 June 2026 (inclusive) will be **10.5% per annum**.

Waste Management

That in accordance with Section 496, Section 501 and Section 502 of the *Local Government Act 1993*, Council make an Annual Charge for Waste Management Services.

9.2.1 MAKING OF THE 2025-2026 ANNUAL RATES AND CHARGES

Waste Management Charge	\$151.00
Domestic Waste Collection Service	\$310.00
Domestic Waste Collection – Upsize to 240L Bin from 120L Bin	\$185.00
Domestic Recycling Collection Service	\$201.00
Domestic Food and Garden Organic Collection Charge (Cooma-Monaro Region ONLY)	\$92.00
Domestic Waste Vacant Land Charge	\$29.00
Change over Domestic Bin Charge (per event)	\$41.00
Bank of Bins Charge	\$303.00
Wheel Out/Wheel In Service	\$990.00
Commercial Waste Management	
Adaminaby/Bredbo/Bombala/Delegate/Nimmitabel/ Michelago Areas (If Kerbside Collection Services are provided)	
240L Bin	\$550.00
360L Bin	\$820.00
All other areas	Per fees & charges
Commercial Recycling Management	
Adaminaby/Bredbo/Bombala/Delegate/Nimmitabel/ Michelago Areas (If Kerbside Collection Services are provided)	\$365.00
All other areas	Per fees & charges
Commercial Food and Garden Organic Management	
Cooma-Monaro Region	\$170.00
All other areas	N/A

Liquid Trade Waste

That in accordance with Section 501 of the *Local Government Act 1993*, Council make an annual Liquid Trade Waste Charge per annum for where the program exists.

Classification “A” Charging Category 1 – Low Risk	\$276.00
Classification “B” Charging Category 1 – Low Risk	\$306.00
Classification “A” Charging Category 2 – Medium Risk	\$1,053.00
Classification “B” Charging Category 2 – Medium Risk	\$1,053.00
Classification “S” Charging Category 2 - Dischargers of Chemical Toilet Waste	\$120.00
Classification “B” Charging Category 1 – High Risk/Industrial	\$2,088.00

Stormwater management

In accordance with Section 496A of the *Local Government Act 1993*, Council levy an annual Stormwater Management Charge of \$20 per annum for each parcel of rateable (occupied) land for which the service is available within the former Bombala Council area.

Onsite Sewer Management System

This renewal fee will apply to all onsite sewage management systems and will be charged on the annual rates notice. The 2025/2026 fee will be \$34.00.

Residential Water and Sewer

That in accordance with section 501 and 502 of the *Local Government Act 1993*, Council make and annual Residential Water Access Charge of \$327.00 per annum, connected or unconnected.

Water

Residential and Non-Residential Usage Charge of \$3.89 per Kilolitre.

Sewer

That in accordance with Section 501 and 502 of the *Local Government Act 1993*, Council make an annual Residential Sewer Access Charge of \$1,143.00 per annum, connected or unconnected.

Water and Sewer

With reference to Best Practice Management of Water Supply and Sewerage, Council make an annual Water Access Charge for properties based on meter size.

Water Annual Access Charge					
Meter Size	Vacant	20mm	25mm	32mm	40mm
2025-26	\$327.00	\$327.00	\$510.00	\$834.00	\$1,302.00

Water Annual Access Charge – Continued					
50mm	65mm	75mm	80mm	100mm	150mm
\$2,034.00	\$3,444.00	\$4,587.00	\$5,211.00	\$8,154.00	\$18,360.00

With reference to Best Practice Management of Water Supply and Sewerage, Council make an annual Sewer Access Charge for properties based on meter size.

Sewer Annual Access Charge					
Meter Size	Vacant	20mm	25mm	32mm	40mm
2025-26	\$1,143.00	\$1,143.00	\$1,785.00	\$2,925.00	\$4,575.00

50mm	65mm	75mm	80mm	100mm	150mm
\$7,143.00	\$12,072.00	\$16,074.00	\$18,288.00	\$28,575.00	\$64,293.00

Sewer Usage Charge – Non Residential

Non-Residential Usage Charge of \$1.25 per kilolitre with discharge factor of 0.6 based on water meter readings multiplied by the discharge factor. Where the reading is taken directly from a Sewer Flow Meter, the discharge factor shall not apply.

Pipes, Rails and Structures

In accordance with the provisions of Section 611 of the *Local Government Act 1993* Council may make an Annual Charge for any rail, pipe, wire, pole, cable, tunnel, or structure laid, erected, suspended, constructed or placed on, under or over a public place. The annual charge for 2025-2026 shall be:

1. Under a public place - Current Market Value
2. On or over a public place - Current Market Value

ISSUES

- The Local Government Act 1993 requires that general income (ordinary rates) must not exceed the percentage increase determined for the year by the Minister for Local Government under Section 506 of the Act unless approval is provided. The Independent Pricing and Regulatory Tribunal of NSW (IPART) has advised that the rate peg for Snowy Monaro Regional Council in 2026 will be 5.2% which is made up of a core rate peg of 4.2% and a population factor of 1.0%
- SMRC applied to the Independent Pricing and Regulatory Tribunal (IPART) for a Special Rate Variation (SRV) in 2023. IPART approved a SRV of 52.48% over 4 years. This included an increase of 12.25% in 2023-24, then increases of 10.75% per year for 2024-25, 2025-26 and 2026-27.
- The Rate peg is included in, not additional to the SRV. The total percentage increase in ordinary rates for 2025-26 will be 10.75%
- In making the rates and annual charges for 2025-2026, Council is required to apply the NSW Valuer General's land values as a 1 July 2022.

RISK ASSESSMENT

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

[Type text here](#)

FINANCIAL IMPACTS

Category/Sub Category	Base	Ad Valorem (Rate in dollar)	Yield	% of Yield	% from Base Rate
Business	\$608.00	0.00211421	\$1,351,663.44	5.43%	49.07%
Business – Electricity Generation	\$1,520.00	0.00528395	\$414,317.03	1.66%	4.40%
Farmland	\$608.00	0.00211421	\$7,954,833.72	31.93%	22.19%
Mining	\$1,520.00	0.00528395	\$0	0%	0%
Residential	\$608.00	0.00211421	\$15,189,779.00	60.98%	43.40%

Total estimated ordinary rates to be raised from the 2025/2026 Rates is \$24,910,593.19

Rate Peg Increase since 2016/17

Year	IPART Rate Peg Increase	SMRC Approved Rate Increase
2017	1.80%	1.80%
2018	1.50%	1.50%
2019	2.30%	2.30%
2020	2.70%	2.70%
2021	2.60%	2.60%
2022	2.00%	2.00%
2023	2.30%	2.30%
2024	4.00%	12.25%
2025	5.20%	10.75%
2026	5.20%	10.75%

RESPONSIBLE OFFICER: Financial Accountant

OPTIONS CONSIDERED

In 2023 Council endorsed a Special Rate Variation Application outlined under Option 2. IPART assessed the application and determined under s508A of the Local Government Act 1993, the percentage by which Snowy Monaro Regional Council may increase its general income for the period from Year 2023/24 to 2026/27 and is set out below.

Year	Annual increase in general income	Cumulative increase in general income
Year 2023-24	12.25%	12.25%
Year 2024-25	10.75%	24.32%
Year 2025-26	10.75%	37.68%
Year 2026-27	10.75%	52.48%

To address the financial sustainability concerns, the Council should increase rate revenue as per the determination from IPART.

IMPLEMENTATION PLANS

- If the delivery program, operational plan, revenue policy and fees and charges are adopted, all submitters will be notified of the outcomes and Council resolution. The adopted plans will be published to Council website within 28 days of Council resolution. The 2025/26 budget will take effect from 1 July 2025 and the rates and annual charges will be levied as per the recommendation.
-

EXISTING POLICY/DECISIONS

The making of the rates and charges is a legislative requirement as per Section 494, 496, 535 and 548 of the *Local Government Act 1993*.

BACKGROUND

For 2025/26 The Minister of Local Government approved the rate pegging increase of 5.20%.

In order to maintain financial sustainability, provide similar levels of service to the community through asset renewals and address existing asset priorities to meet demand of growth in services, Snowy Monaro Applied to IPART for a Special Rate Variation.

IPART approved a Special Variation as per below table:

2023-24	2024-25	2025-26	2026-27	Cumulative Increase
12.25%	10.75%	10.75%	10.75%	52.48%

ATTACHMENTS

Nil

9.2.2 INVESTMENT POLICY

Record No: I25/357

OFFICER'S RECOMMENDATION

That Council adopt the Investment Policy

ISSUES

Under Section 625 of the Local Government Act 1993 and the Ministerial Investment Order, Council is restricted to investing in low-risk financial instruments, primarily term deposits and other secure products offered by authorised deposit-taking institutions (ADIs) such as credit unions. These restrictions are designed to ensure that public funds are managed prudently and with a focus on capital preservation.

The purpose of the Investment Policy is to provide a clear and compliant framework for the management of Council's surplus funds. It outlines the principles, responsibilities, and controls that govern investment decisions, with an emphasis on security, liquidity, and return – in that order of priority.

The policy also reinforces Council's commitment to transparency, accountability, and sound financial management practices, in line with legislative obligations and the expectations of the community.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Asset Management	Low	Low	Yes
Financial Sustainability	Low	Low	Yes
Legislative Governance and Compliance	Low	Low	Yes

[Type text here](#)

FINANCIAL IMPACTS

The Investment Policy is designed to ensure that Council's surplus funds are managed in a manner that prioritises the security of capital while also achieving a reasonable return within the constraints of the legislative framework. As Council is limited to investing in term deposits with authorised deposit-taking institutions, the financial impact of this policy is primarily reflected in the interest income generated from these low-risk investments. While returns are modest compared to higher-risk alternatives, this approach ensures a stable and secure income stream that supports Council's financial sustainability. The policy also includes provisions for regularly reviewing interest rates and investment terms to maximise returns within the allowable risk profile.

RESPONSIBLE OFFICER: Chief Financial Officer

OPTIONS CONSIDERED

N/A

IMPLEMENTATION PLANS

The Recommended Investment Policy as presented at Attachment 2 is being presented to Council's Audit, Risk & Improvement Committee for consideration at its meeting to be held on 16 June 2025. Feedback from ARIC will be provided to the Council meeting on 19 June 2025.

EXISTING POLICY/DECISIONS

This Policy replaces all previous policies. The previous policy is attached to reference any wording changes. Changes to the Tables are copied here for reference:

Current Policy Credit and Maturity Guidelines (to be superseded by the recommended policy)

Standard & Poor's Rating		Overall Portfolio Maximum % Credit limit	Institutional Direct Investment Maximum % Credit limit	Term to maturity Maximum Time Frame
Long Term	Short Term			
AAA	A-1+	100%	100%	5 years
AA+ to AA-	A-1+	100%	100%	5 years
A+ to A		100%	30%	3 years
A-	A-1/A-2	40%	20%	3 years
BBB+ to BBB	A-2	30% (no more than 10% in BBB)	10% (no more than 5% for BBB)	3 years (12 months for BBB)
BBB- and Unrated	A-3	5%	1.5% (5% for local ADI)	12 months
TCorplM		30%	10%	

Recommended changes to Credit and Maturity Guidelines

Long Term Rating Range (or Moody's equivalent)	Maximum Holding
All AAA Categories (1)	100%
All AA Categories or Major Banks (2)	100%
All A Categories	70%
All BBB Categories	40%
Unrated ADI's	15%

Recommended changes to the direct investment limit

Individual Institution or Counterparty Limits	
Long Term Rating Range (or Moody's equivalent)	Limit
All AAA Categories ¹	50%
All AA Categories or Major Banks ²	50%
All A Categories	35%
All BBB Categories	20%
Unrated ADI's	7.5%

BACKGROUND

The investment policy is required to be updated once in every Council term

ATTACHMENTS

1. Current policy for reference only (*Under Separate Cover*)
2. Recommended Investment Policy (*Under Separate Cover*)

9.2.3 PROCUREMENT POLICY

Record No: I25/359

OFFICER'S RECOMMENDATION

That Council adopt the Procurement and Tendering Policy

ISSUES

As a result of regulatory and industry changes for a central lead procurement department, there was a need to review SMRC procurement policy. These changes aim to provide our staff with a foundation of effective, standardised and efficient procurement practices underpinned by responsible financial management.

The updated Procurement Policy outlines guidelines to ensure positive outcomes for Council and the community. The principles defined in the policy promote honest, transparent, effective and sustainable practices to achieve value for money and fair competition outcomes for our organisation.

Additionally, the policy sets out the methods of procurement and discusses cumulative supplier spend as an area of focus when procuring on behalf of Council. Procurement thresholds have been reviewed and benchmarked with other Local Councils of similar operational requirements.

The policy sets the foundations for ethical procurement by discussing officers' obligations regarding probity, transparency, accountability, ethical behaviour and risk management.

The policy ensures that procurement activities are conducted in accordance with the Local Government Act 1993 (NSW), the Local Government (General) Regulation 2021.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Economic Activity	Low	Low	Low
Environmental Security	Low	Low	Low
Financial Sustainability	Low	Low	Low
Legislative Governance and Compliance	Low	Low	Low
Service Delivery	Medium	Low	Low

[Type text here](#)

FINANCIAL IMPACTS

Effective implementation of the Procurement Policy is expected to deliver long-term financial benefits to Council. By ensuring a consistent and transparent approach to procurement, the policy supports value-for-money outcomes through competitive processes, robust supplier selection, and risk-managed contracting. This reduces the likelihood of overspending, non-compliance, and inefficiencies. Over time, these practices contribute to improved budget management and lower

overall costs for goods, services, and capital works, while ensuring quality and accountability in Council expenditure

RESPONSIBLE OFFICER: Chief Financial Officer

OPTIONS CONSIDERED

N/A

IMPLEMENTATION PLANS

With the formation of a centralised procurement department, staff are already aware of the new processes and the policy makes clear their responsibilities.

The Recommended Procurement Policy as presented at Attachment 2 is being presented to Council's Audit, Risk & Improvement Committee for consideration at its meeting to be held on 16 June 2025. Feedback from ARIC will be provided to the Council meeting on 19 June.

EXISTING POLICY/DECISIONS

This policy replaces any previous policies, the current policy is attached for referencing changes.

The table summary of tendering thresholds has been moved from the procedure to be policy and the changes are detailed below

Previous threshold table

Level	\$ Value (incl GST)	Procurement Method	# of quotes (panel) ¹	# of quotes (non-panel)
1	Less than \$1,000 ²	Verbal quote	At least 1	At least 1
2	Between \$1,001 and \$25,000	Verbal quote	At least 1	At least 1
3	Between \$25,000 and \$100,000	Written quote	2 written quotes	3 written quotes
4	Between \$100,001 and \$249,999	Written quote	3 written quote via RFQ process	3 written quotes via RFQ process
5	Greater than \$250,000	Public tender (RFT, EOI, Select tender) or preferred panel	3 written quotes via RFQ process	Public tender (RFT or EOI followed by selective tender)

Recommended threshold table

9.2.3 PROCUREMENT POLICY

Level	Monetary Value (inclusive of GST)	Require method of procurement	Number of quotes required (panel)	Number of quotes required (non-panel)
1	Less than \$20,000	Verbal quotation	At least 1	At least 1
2	Between \$20,001 and \$40,000	Written quotation	At least 1	At least 1
3	Between \$40,001 and \$100,000	Written quotation	2 written	3 written
4	Between \$100,001 and \$249,999	Written quotation	3 written via RFQ process	3 written via RFQ
5	Greater than \$250,000	Public tender (RFQ, EOI or other preferred panel)	3 written via RFQ process	Public Tender (Request for tender or EOI followed by selective tender)

BACKGROUND

None

ATTACHMENTS

1. Current Procurment Policy for Reference only (*Under Separate Cover*)
2. Recommeded Procurement Policy (*Under Separate Cover*)

9.2.4 MONTHLY FUNDS MANAGEMENT REPORT - MAY 2025

Record No: I25/411

OFFICER'S RECOMMENDATION

That Council receive the report indicating Council's cash and investments position as at 31 May 2025; and the certification 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 above is only associated with funds management. Total cash and investments are managed to ensure the protection of the principal invested; that 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 change, the investment strategy needs to be agile to ensure Council can take advantage of higher yield investments when they are presented.

RESPONSIBLE OFFICER: 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 Investment Policy. 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.

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).

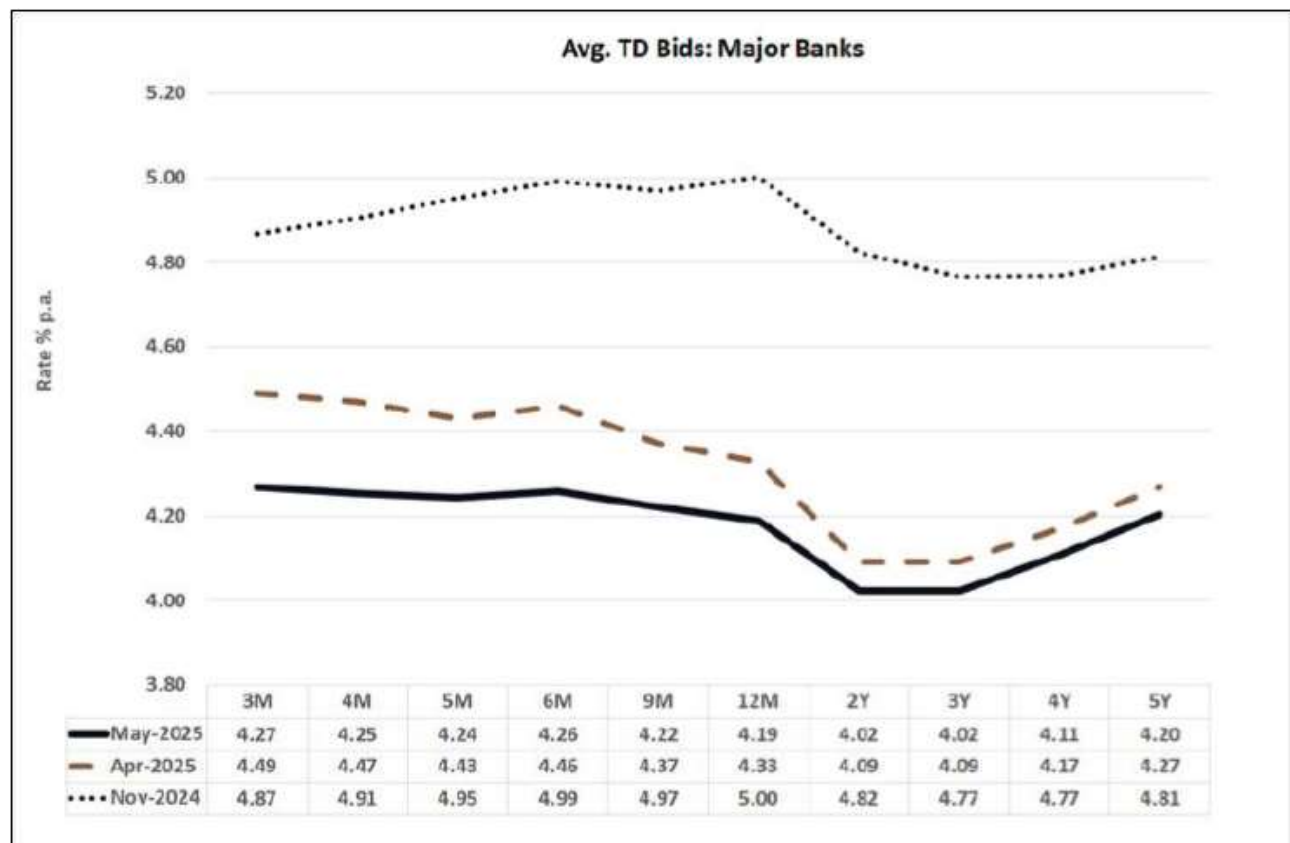
The revised policy was adopted on 17 November 2022. The aim of Council's Investment Policy is to provide a framework for the investing of Council funds at the most favourable rate of interest available to it at the time whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met. A new Investment Policy is recommend for adopted in the June Ordinary Council meeting.

BACKGROUND The portfolio is directed to fixed term deposits (80%). The remainder of the portfolio is held in cash (20%).

With additional rate cuts and a global economic downturn being priced in 2025, Council will allocate a small proportion of longer-term funds and undertake an insurance policy against additional rate cuts by investing across 1-3 year fixed deposits, diversifying, locking in and targeting yields above 4% p.a. against a potentially lower rate environment.

In the deposit market, over May, at the very short-end of the curve (less than 6 months), the average deposit rates offered by the major banks fell by around 20bp compared to where they were the previous month (April), after the RBA delivered another rate cut. At the longer-end of the Curve (1-5 years), the average rates fell by 7bp compared to where they were in April, with the market factoring up to another three rate cuts over the next 12 months.

9.2.4 MONTHLY FUNDS MANAGEMENT REPORT - MAY 2025



TERM TO MATURITY Currently, the portfolio remains highly liquid with 46% of assets maturing within 90 days and an additional 30% maturing within 12 months.

As liquidity permits, Council will invest a slightly larger proportion of surplus funds in 1-3 year horizons through fixed deposits to optimise returns of the portfolio in the long-run.

COUNTERPARTY

As at the end of May, applying long-term ratings only, all individual banks were within the Policy limits. We acknowledge that limits are also dependent on capital inflows/outflows which will affect the exposures as at the reporting period.

Overall, the portfolio is lightly diversified with 10 ADIs being utilised. Council will consider opening other deposit accounts with further investment grade ADIs, not only to diversify, but increase the overall returns of the portfolio in the long-run.

9.2.4 MONTHLY FUNDS MANAGEMENT REPORT - MAY 2025

Compliant	Issuer	Rating	Invested (\$)	Invested (%)	Max Limit (%)	Available (\$)
✓	ANZ	AA-	\$13,000,000	15.62%	100%	\$70,238,036
✓	NAB	AA-	\$29,238,036	35.13%	100%	\$54,000,000
✓	ING Bank Aus.	A	\$17,000,000	20.42%	30%	\$7,971,411
✓	BoQ	A-	\$5,000,000	6.01%	20%	\$11,647,607
✓	AMP	BBB+	\$3,000,000	3.60%	10%	\$5,323,804
✓	BankVIC	BBB+	\$7,000,000	8.41%	10%	\$1,323,804
✓	Heritage Bank	BBB+	\$1,000,000	1.20%	10%	\$7,323,804
✓	Hume Bank	BBB+	\$3,000,000	3.60%	10%	\$5,323,804
✓	Judo	BBB	\$4,000,000	4.81%	5%	\$161,902
✓	State Bank of India	BBB-	\$1,000,000	1.20%	1.5%	\$248,571
			\$83,238,036	100.00%		

Individual cash and investments held as at 31 May 2025:

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	2,754,185	Tiered	n/a
n/a	National Australia Bank - Professional Funds A	A1+	AA-	At Call	13,483,851	4.10%	At Call
28-Sep-23	ING Bank	A1	A	TD	5,000,000	5.35%	25-Sep-25
06-Nov-23	ING Bank	A1	A	TD	5,000,000	5.70%	06-Nov-28
12-Jun-24	Judo Bank	A2	BBB	TD	3,000,000	5.30%	12-Jun-25
30-Jul-24	National Australia Bank	A1+	AA-	TD	5,000,000	5.25%	30-Jul-25
30-Jul-24	National Australia Bank	A1+	AA-	TD	5,000,000	5.22%	27-Aug-25
07-Aug-24	AMP Bank	A2	BBB+	TD	3,000,000	5.20%	05-Jun-25
29-Oct-24	ING Bank	A1	A	TD	3,000,000	5.10%	29-Oct-25
05-Nov-24	BankVic	A2	BBB+	TD	5,000,000	5.06%	04-Jul-25
05-Dec-24	Suncorp Bank	A1+	AA-	TD	2,000,000	5.03%	07-Oct-25
06-Jan-25	BankVic	A2	BBB+	TD	2,000,000	4.70%	06-Jan-27
06-Jan-25	Bank of Queensland	A2	A-	TD	5,000,000	4.60%	06-Jan-27
06-Jan-25	Hume Bank	A2	BBB+	TD	3,000,000	4.60%	06-Jan-27
13-Jan-25	Suncorp Bank	A1+	AA-	TD	5,000,000	4.79%	13-Jan-27
25-Feb-25	ING Bank	A1	A	TD	3,000,000	4.80%	25-Feb-26
27-Feb-25	Heritage and People's Choice	A2	BBB+	TD	1,000,000	4.70%	27-Aug-25
27-Feb-25	ING Bank	A1	A	TD	1,000,000	4.73%	27-Jan-26
27-Feb-25	National Australia Bank	A1+	AA-	TD	3,000,000	4.65%	27-Feb-26
17-Mar-25	Judo Bank	A2	BBB	TD	1,000,000	4.80%	15-Sep-25
19-Mar-25	Suncorp Bank	A1+	AA-	TD	1,000,000	4.72%	19-Mar-26
26-Mar-25	State Bank of India, Sydney Branch	A3	BBB-	TD	1,000,000	5.00%	26-Nov-25
26-Mar-25	Suncorp Bank	A1+	AA-	TD	2,000,000	4.79%	26-Nov-25
27-Mar-25	Suncorp Bank	A1+	AA-	TD	2,000,000	4.75%	15-Dec-25
06-May-25	Suncorp Bank	A1+	AA-	TD	1,000,000	4.37%	07-Apr-26
					83,238,036		

CREDIT QUALITY

The portfolio remains well diversified across the investment grade credit spectrum. All aggregate ratings categories are within the Policy limits. There is now much higher capacity to invest with the "BBB" rated ADIs following the rating upgrade for BoQ (moved up from BBB to A category range).

Compliant	Credit Rating	Invested (\$)	Invested (%)	Max Limit (%)	Available (\$)
✓	AAA Category	\$0	0.0%	100%	\$83,238,036
✓	AA Category	\$42,238,036	50.7%	100%	\$41,000,000
✓	A Category	\$22,000,000	26.4%	100%	\$61,238,036
✓	BBB Category	\$19,000,000	22.8%	30%	\$5,971,411
✓	Unrated ADIs	\$0	0.0%	30%	\$24,971,411
		\$83,238,036	100.0%		

PERFORMANCE

Council's performance (excluding cash holdings) for the month ended May 2025:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.32%	1.00%	2.04%	3.88%	4.25%
AusBond Bank Bill Index	0.34%	1.05%	2.16%	4.06%	4.42%
Council's T/D Portfolio[^]	0.43%	1.25%	2.49%	4.68%	5.09%
Outperformance	0.09%	0.21%	0.33%	0.62%	0.67%

[^]Total portfolio performance excludes Council's cash account holdings.

Performance (Annualised)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	3.85%	4.02%	4.14%	4.24%	4.25%
AusBond Bank Bill Index	4.12%	4.22%	4.38%	4.43%	4.42%
Council's Portfolio[^]	5.18%	5.07%	5.07%	5.11%	5.09%
Outperformance	1.07%	0.85%	0.69%	0.67%	0.67%

For the month of May 2025, the portfolio (excluding cash) provided a return of +0.43% (actual) or +5.18% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.34% (actual) or +4.12% p.a. (annualised).

STRATEGY FOR COUNCIL

Going forward, the longer-term strategy remains ideally placing term deposits across 12-24 months terms as it is likely to earn up to ¼-½% p.a. higher compared to shorter tenors in a normal market environment. There is growing belief that additional interest rate cuts and a global economic downturn is forthcoming and so locking in rates above 4% p.a. across 1-3 year tenors may provide some income protection against a lower rate environment in coming years.

As at the end of May 2025, Council's investment portfolio was yielding 5.01% p.a. (down 2bp from the previous month) with a weighted average duration of around 313 days (10½ months). Council's aim is to maintain this average duration to optimise returns in the long-run.

TERM DEPOSIT MARKET REVIEW

Current Term Deposits Rates

As at the end of May 2025, we see value in the following:

ADI	LT Credit Rating	Term	Rate % p.a.
ING Bank	A	5 years	4.39%
NAB	AA-	5 years	4.30%
BoQ	A-	5 years	4.30%
Westpac	AA-	5 years	4.24%
ING Bank	A	4 years	4.24%
BoQ	A-	4 years	4.20%
Westpac	AA-	4 years	4.10%
Hume Bank	BBB+	4 years	4.10%
NAB	AA-	3 years	4.13%
ING Bank	A	3 years	4.10%
BankVIC	BBB+	3 years	4.10%
BoQ	A-	3 years	4.05%
State Bank of India	BBB-	2 years	4.25%
NAB	AA-	2 years	4.10%
BankVIC	BBB+	2 years	4.10%
ING Bank	A	2 years	4.06%

The above deposits are suitable for Council looking to maintain diversification and lock-in a slight premium compared to purely investing short-term.

For terms under 12 months, we believe the strongest value is currently being offered by the following ADIs:

ADI	LT Credit Rating	Term	Rate % p.a.
State Bank of India	BBB-	12 months	4.50%
ICBC	A	12 months	4.22%
Westpac	AA-	12 months	4.20%
Australian Unity	BBB+	12 months	4.20%
NAB	AA-	12 months	4.19%
State Bank of India	BBB-	9 months	4.50%
BankVIC	BBB+	9 months	4.25%
NAB	AA-	9 months	4.20%
Westpac	AA-	9 months	4.20%
State Bank of India	BBB-	6 months	4.60%
Bank of Sydney	Unrated ADI	6 months	4.40%
BankVIC	BBB+	6 months	4.35%
BoQ	A-	6 months	4.30%
NAB	AA-	6 months	4.25%
State Bank of India	BBB-	3 months	4.65%
Bank of Sydney	Unrated ADI	3 months	4.45%
NAB	AA-	3 months	4.25%

FIXED INTEREST OUTLOOK

Domestically, after the RBA cut rates again in May, rhetoric on inflation now reflects greater comfort with the inflation forecast. Risks to inflation are described as *“more balanced”*, a change from April, where it was noted that there were *“...risks on both sides and the Board is cautious about the outlook.”* Core inflation was revised down slightly by the RBA, the unemployment rate was revised higher and the 2025 GDP forecast was revised down.

Financial markets are still pricing up to three (3) additional rate cuts by year-end, which would take the official cash rate down to 3.10%, although the RBA is still cautious on the potential upside risks to inflation due to international market developments, particularly surrounding the ongoing tariff wars.

ATTACHMENTS

Nil

9.3.1 AGENCY INFORMATION GUIDE 2025 REVIEW

Record No: I25/277

OFFICER'S RECOMMENDATION

That Council adopt the agency information guide.

ISSUES

The agency information guide (AIG) is a significant portal to information held by Council and how the public can access this information. This guide has been reviewed and attached for adoption.

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

FINANCIAL IMPACTS

There are no financial impacts associated with the adoption, or implementation of the document.

RESPONSIBLE OFFICER: Coordinator Governance

OPTIONS CONSIDERED

If Council choose to not adopt the AIG, it would not be compliant with the requirements under the GIPA Act.

IMPLEMENTATION PLANS

Following adoption of the AIG, it will be communicated internally to all staff as a primary resource when dealing with customer request. The AIG will also be published on the website.

EXISTING POLICY/DECISIONS

- Government Information (Public Access) Act 2009
- Privacy and Personal Information Protection Act 1998
- Council resolution 17/20, adoption of the Government Information Public Access (GIPA) Policy.

BACKGROUND

Under the GIPA Act, Council must have an agency information guide that describes the structure and function of council, ways members of the public can participate in council functions and how council information can be accessed.

The AIG is required to be reviewed annually, the attached AIG has been updated to reflect council's current structure. It has also been updated to reflect recent improvements to how council manages requests for information in line with the GIPA Act.

This document has been provided to the Information and Privacy Commission for their review. On the 6 June 2025 Council received the IPC's assessment, against section 20 to 22 of the GIPA Act. The attached document complies with those sections of the GIPA Act.

ATTACHMENTS

1. 2025 Agency Information Guide (*Under Separate Cover*)

9.3.2 DRAFT SNOWY MONARO SETTLEMENTS STRATEGY 2025 - 2045

Record No: I25/307

OFFICER'S RECOMMENDATION

That Council:

- A. endorse the draft Snowy Monaro Settlements Strategy 2025 – 2045 (draft Strategy) for the purposes of public exhibition;
- B. place the draft Strategy on public exhibition for a period of not less than 8 weeks;
- C. receive a post exhibition report outlining the feedback of the public exhibition.

ISSUES

Draft Strategy Purpose

The purpose of the draft Snowy Monaro Settlements Strategy 2025 – 2045 (draft Strategy) is to:

- outline the location and type of future housing and employment growth for Snowy Monaro until 2045;
- ensure there is an available supply of suitably zoned land to accommodate Snowy Monaro's projected growth;
- inform decision-making by Council, federal and state government, the community and developers; and
- inform the preparation, assessment and determination of Planning Proposals.

The draft Strategy is supported by a draft Background Report that contains detailed information that has served to inform the draft Strategy (**attached**).

Land to which the Draft Strategy Applies

The draft Strategy applies to land zoned residential (including land zoned R5 Large Lot Residential), retail, commercial and industrial zoned land. The draft Strategy does not apply to land zoned for rural or environmental purposes.

Council's Role in Housing and Employment

The complex and interrelated nature of the housing supply and demand cycle has meant that governments at all levels have struggled to address housing issues effectively, particularly attempts to address housing affordability. Recognising this complexity, Council still has an important role to play, including:

- ensure availability of zoned land for housing and employment;
- investment in infrastructure to support growth;
- implement and review planning controls and policies:
 - Local Environmental Plan (LEP);
 - Development Control Plan (DCP); and
 - Local Infrastructure Contributions Plan;

- advocate to state and federal government agencies for increased funding, provision and maintenance of affordable and social housing; and
- educate and inform the community about housing and employment issues; and
- Council is a developer of its land holdings at Leesville industrial estate, Jindabyne, via staged subdivision development, with lots offered for sale to the market via auction.

Draft Strategy Principles

Principles have been developed to inform the draft Strategy's preparation, respond to the region's housing and employment challenges and achieve consistency with the South East and Tablelands Regional Plan 2036 (and the draft South East and Tablelands Regional Plan 2041).

The principles inform Council's decision-making, including the preparation, assessment and determination of Planning Proposals and are as follows:

- A. Growth and infrastructure/services are aligned to promote liveable, walkable communities, make efficient use of existing/planned infrastructure/services and minimise environmental impact;
- B. Settlement roles – development and growth will be focused towards strategic and local centres (1.3.8 Definitions and acronyms of the draft Strategy attachment defines what strategic and local centres are);
- C. Available supply of suitably zoned land for housing and employment growth;
- D. Diverse – encourage diverse housing sizes and types to meet the needs of people of all ages and lifestyles and improve affordability;
- E. The unique character of settlements is maintained and enhanced; and
- F. Resilient – not only must new housing be resilient to natural hazard risks but responses to disasters and housing stress are planned for proactively.

Relationship between Community Strategic Plan, Local Strategic Planning Statement and Draft Settlements Strategy

The draft Strategy is consistent with the Snowy Monaro Community Strategic Plan 2035 (CSP). The relationship between the CSP, Snowy Monaro Local Strategic Planning Statement (LSPS) and the draft Strategy is set out in Table 1 of the draft Strategy **attachment**.

Key Findings and Recommendations

The draft Strategy summary document **attached** outlines key housing and employment land findings.

Key housing recommendations include:

1. Cooma, Jindabyne, Bombala and Berridale are focus settlements for future housing growth.
 2. Housing growth in Cooma, Bombala and Berridale will focus on:
 - a. Revising existing planning controls to increase housing diversity close to centres, and
 - b. In the case of Cooma and Bombala, investigate R5 large lot residential zoned land that is suitable to become residential zoned land (9.19ha and 10.86ha respectively).
-

- c. For Cooma, advocate for government-owned land to be made available for housing;
 - d. For Berridale, replace the RU5 village zone with residential zones (to reflect Berridale's evolution from village to local centre status).
3. Planning interventions are needed to provide growth in other settlements to align growth with strategy principles as follows:
 - a. For Bredbo and Dalgety, investigate R5 large lot residential zoned land that is suitable to become RU5 village zoned land (19.41ha and 11.59ha respectively);
 - b. For Adaminaby and Dalgety, investigate the potential for government-owned land to be made available for housing;
4. In accordance with strategy principles and in response to Kalkite's physical features including:
 - a. strategic bushfire risk and evacuation challenges in the event of bushfire; and
 - b. the Sewage Treatment Plant is operating at maximum capacity;

ensure Kalkite's projected housing demand can be met by Berridale and Jindabyne.
5. Jindabyne and Berridale will also accommodate any unmet projected demand from Dalgety.

Key employment lands recommendations include:

1. Cooma's industrial precinct (Polo Flat) is to be further investigated to confirm the precinct's ability to meet Cooma's projected industrial demand;
2. Provide additional industrial zoned land at Berridale and Bombala to meet projected industrial demand;
3. Consult with the landowners of developable land (in the case of Berridale and Bombala) and industrial stakeholders (Cooma, Berridale, Bombala) to confirm future development aspirations and industry trends;
4. For Berridale, replace the RU5 Village zone with commercial and retail zones over Berridale's existing centre uses and adjoining/nearby vacant land to meet Berridale's projected retail and commercial demand.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Asset Management	Low	Low	Yes
Economic Activity	High	Medium	No
Environmental Security	Medium	Medium	Yes
External Political Environment	Medium	Medium	Yes
Financial Sustainability	Medium	Medium	Yes
Health and Safety	Low	Low	Yes
Legislative Governance and Compliance	Low	Low	Yes
Reputation and Image	Medium	Medium	Yes

Risk Type	Current Risk	Expected Risk	Within Accepted
Service Delivery	Low	Low	Yes

Asset management: the draft Strategy is consistent with Council's Asset Management Plan.

Economic activity: the draft Strategy assesses employment land, consistent with building a stronger economy including: development opportunity, attraction of industry, and increasing population and labour sources. It should be noted that the draft Strategy is not an economic development strategy and additional action may be required to address the shortfall of employment land identified in the draft Strategy.

Environmental security: water security, waste management and natural resources have been taken into account by the draft Strategy.

Financial sustainability: access to grant funding opportunities may be increased through use of the Strategy to provide strategic merit and direction for future projects.

Reputation and image: some of the recommendations of the draft Strategy may be controversial however, these recommendations are based on ensuring residential and employment lands growth is provided in locations where safe and efficient infrastructure provision is possible and there is a lower risk posed by environmental hazards.

FINANCIAL IMPACTS

	Amount	Details
Current Annualised Net Cost	NA	
Estimated Annualised Net Cost	\$43,084.60 (Funded from Council's existing budget)	Prepare draft Strategy Councillor briefing Form Community Reference Group Public exhibition Adopt Strategy Seek Department of Planning, Housing and Infrastructure's endorsement of the Strategy.
Capital Investment	NA	
Capital Funding Source	NA	

The draft Strategy has actions identified in the following categories:

- Provide;
- Advocate;
- Unfunded actions.

The draft action plan (provide) is aligned with Council's available resources, with a focus on implementing Council's Delivery and Operational Plan actions.

Draft unfunded actions have been prioritised (indicative), consistent with the findings of the draft Strategy and its principles. Alternatively, the private sector may elect to prepare and submit a draft Planning Proposal to Council (at the proponent's cost) to progress unfunded actions.

Should Council resolve to establish a Community Reference Group (CRG) (discussed further under the existing policy/decisions heading of this report), it is recommended that Council engage the services of an independent facilitator to facilitate CRG meetings.

A CRG facilitator is estimated to cost \$11,000.00 and is unfunded.

RESPONSIBLE OFFICER: Team Leader Strategic Planning

OPTIONS CONSIDERED

'Finalise the draft Settlements Strategy' is an identified project within Council's Operational and Delivery Plans (adopted and draft plans).

It was considered and is recommended that a Community Reference Group (Council resolution 242/23) is not required due to the extensive communications and engagement plan that has been prepared (discussed further under the Existing Policy/Decisions heading of this report).

IMPLEMENTATION PLANS

This report has identified a Communications and Engagement Plan has been prepared that aims to achieve broad community consultation to inform the community about the draft Strategy and invite feedback.

Reader-friendly exhibition materials have been prepared to facilitate community review and understanding of the draft Strategy, supporting effective communication of the plan for the region and each settlement. These include:

- Summary of key findings/action plan (5 pages approximately) (**attached**);
- Summary of key findings for each settlement (1 to 2 pages approximately).

Council officers propose to undertake targeted consultation with the following stakeholders:

- Chambers of Commerce (all);
- Cooma, Bombala, Berridale industry stakeholders;
- Department of Crown Lands (in relation to government-owned land at Adaminaby, Bombala, Cooma, Dalgety);
- Local Aboriginal Land Councils; and
- Southern Cross Housing.

The purpose of targeted consultation with the above groups is to seek information to assist with validating the results of the draft Strategy. For example, in relation to Bombala industry, the consultation will seek information in relation to trends and drivers for Bombala's future industry, as this in turn informs Bombala's projected demand for industrial land.

Drop-in consultation sessions are proposed to be held in the following settlements: Adaminaby; Berridale; Bombala, Bredbo, Cooma; Dalgety, Jindabyne and Kalkite. These settlements have been selected because the draft Strategy makes specific housing and/or employment recommendations for the settlement (other than Jindabyne, whose strategic planning has been led by the state government's Special Activation Precinct Masterplan).

Landowners, whose properties are referred to in the draft Strategy along with the Smiths Road community, will be contacted ahead of commencement of public exhibition (subject to Council endorsement to proceed to public exhibition).

A broader 'inform' consultation approach will be undertaken with all other settlements in the region, (where the draft Strategy does not propose specific housing and/or employment changes), to ensure the community remains well informed throughout the process.

The draft Strategy will serve to inform government of Snowy Monaro's growth direction and as an advocacy tool for the delivery of government services to the region. The Hon. Kristy McBain MP and The Hon. Steve Whan MP will be consulted, along with a comprehensive list and state and federal government agencies and utility providers, including NSW Department of Planning, Housing and Infrastructure, Regional Growth Development Corporation; Transport for NSW; Southern NSW Local Health District; Water NSW; NSW Department of Climate Change, Energy, the Environment and Water; Essential Energy; Telstra; NBN and Australia Post.

A post exhibition report will be provided to Council that outlines the results of the public exhibition and any recommended post-exhibition amendments to the draft Strategy in response to issues raised in submissions.

In summary, the proposed communications and engagement approach is considered to be comprehensive and equitable. The recommended approach provides an opportunity for all interested stakeholders to participate in engagement throughout the public exhibition period and is designed to reach a broad range of voices in the community.

EXISTING POLICY/DECISIONS

Council resolution: 18 May 2023

COUNCIL RESOLUTION		109/23
That:		
A. Item 9.3.3 Post Exhibition Report - Land Use Strategies be deferred pending further consultation with the community; and		
B. Provide costing for scenic overlay study.		
Moved Deputy Mayor Higgins	Seconded Councillor Hopkins	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Mayor Davis, Councillor Frolich, Councillor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Summers, Councillor Williamson and Councillor Mitchell.</i>	
<i>Councillors Against:</i>	<i>Councillor Stewart.</i>	

Council resolution: 21 September 2023

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:		
<p>A. 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;</p> <p>B. That minutes of the community reference group be referred to Council.</p> <p>C. Determine and implement a specific community engagement strategy for the development of the Snowy Monaro Local Environment Plan (LEP).</p> <p>D. Final report to be presented by 30 April 2024.</p>		
Moved Councillor Stewart	Seconded Councillor Williamson	CARRIED
Record of Voting		
Councillors For:	<i>Councillor Beer, Councillor Davis, Councillor Frolich, Mayor Hanna, Deputy Mayor Higgins, Councillor Hopkins, Councillor Johnson, Councillor Stewart, Councillor Williamson and Councillor Mitchell.</i>	
Councillors Against:	<i>Nil.</i>	

Officer comment

This report has outlined a Communications and Engagement Plan has been prepared to achieve broad community consultation on the draft Strategy (minimum of 8 weeks).

The draft Strategy document has been prepared to be reader-friendly, with more detail provided in the draft Background Report. Each settlement has its own chapter outlining the settlement's future growth for housing and employment in one place.

A summary document has also been prepared to communicate the draft Strategy's key findings and draft action plan.

Persons who made a submission to Council regarding previous draft Strategies will be advised of the upcoming public exhibition (subject to Council's endorsement to proceed to public exhibition). This report recommends that Council receive a post-exhibition report (that outlines the results of the public exhibition and any recommended post-exhibition amendments to the draft Strategy). As a result, the establishment of a community reference group (CRG) is not considered to be warranted.

Should Council resolve to establish a CRG, this will require an extension of time to complete the project so that governance and administration steps can be undertaken to establish and operate a CRG including:

- Prepare a draft CRG terms of reference and report to Council to seek its adoption;
- Call for expressions of interest (EOI) to be appointed to the CRG;
- Select and appoint an independent assessor of EOI applications to ensure transparency;
- Select and appoint an independent facilitator for CRG meetings;
- Assess EOIs and prepare a report to Council recommending appointments to the CRG;

- Prepare CRG business papers and minutes and coordinate CRG meetings; and
- Report CRG minutes to Council.

BACKGROUND

A draft Settlements Strategy was placed on public exhibition from October 2020 to February 2021, with 56 submissions received.

A revised draft Strategy was placed on public exhibition from November 2022 to February 2023, with 171 submissions received in total (draft Settlements and Rural Land Use Strategies and draft Local Environmental Plan), with 20 submissions opposed to the draft Settlements Strategy,

The previous Council's resolutions on this matter are outlined under the existing policy/decisions heading of this report and 'finalise a revised draft Settlements Strategy' is an identified project within Council's Operational and Delivery Plans.

The draft Strategy has been prepared to be consistent with the Department of Planning, Housing and Infrastructure's *Local Housing Strategy Guideline 2018* and *A Guideline for Local Employment Land Strategies 2022*.

Conclusion

This report has outlined a draft Settlements Strategy has been prepared to address the region's housing and employment growth to 2045. The draft Strategy provides an evidence-based assessment of the region's housing and employment needs and is considered to provide a sound basis for consultation and engagement with the community.

ATTACHMENTS

1. Draft Snowy Monaro Settlements Strategy 2025-2045 (*Under Separate Cover*)
 2. Draft Snowy Monaro Settlements Strategy 2025-2045 Background Report (*Under Separate Cover*)
 3. Summary of Strategy
-

9.3.3 DELIVERY PROGRAM PROGRESS REPORT

Record No: I25/334

OFFICER’S RECOMMENDATION

That Council note the delivery program progress report.

PROJECT DELIVERY

The revised 2022-26 delivery program has 137 projects identified for delivery over the four-year period. In the 2024-2025 financial year up until 31 May, 126 projects were being worked on.

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 and to the scope of projects as issues have arisen.

We are now heading into the final quarter of the 2024-2025 financial year and the number of projects that were identified as being on track or of concern are starting to slip into the status as showing to be off track. Overall, the percentage on track has remained relatively stable, with the main overall movement being actions moving from being of concern into the off track category.

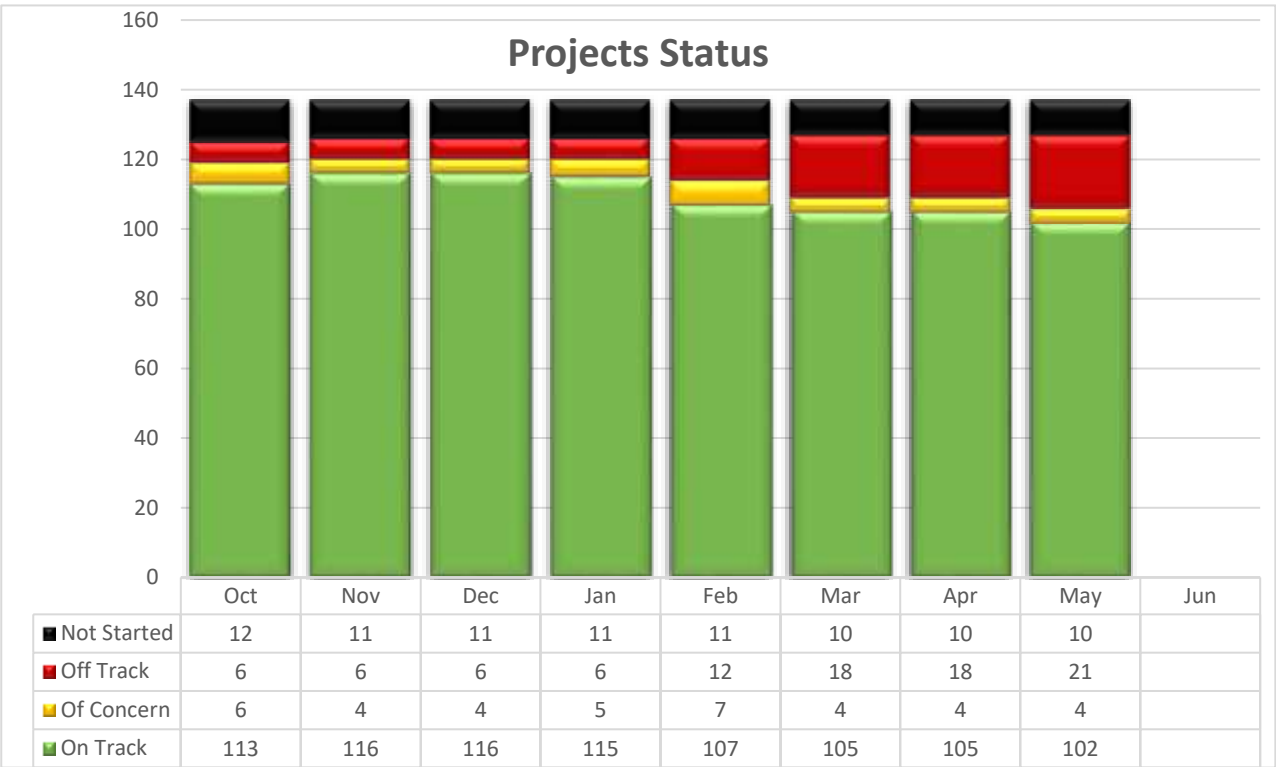


Table 1: Listing of projects identified as off track

Summary of projects currently considered off track to original plans

Jindabyne Town Centre improvements While it will remain off track, work has now

Summary of projects currently considered off track to original plans	
	<p>recommended on undertaking the toilet upgrade works within this suite of works now the extent of likely works funded in the SAP program is known. At the April Council meeting \$5000 was allocated for repair works to tidy and repair where required the toilet facility before the ski season commences.</p>
Bombala Arts & Innovation Centre Building Upgrade	<p>The grant office has advised that the project failed a viability assessment, and the grant funding has been rescinded.</p> <p>Council approached the local member seeking a review of the determination. The minister has advised that the review was not successful due to concerns that milestones would not have been met before the June 30 deadline completion of project.</p>
Consolidated Development Control Plan (DCP)	<p>As previously reported, this project will remain off track, as the LEP will need to precede this work, in line with best practice. Work is underway to consolidate the existing LEPs to create a single LEP.</p>
Housekeeping Amendments Bombala LEP, Snowy River LEP, Cooma-Monaro LEP	<p>NSW Department Housing and Industry (DPHI) have advised that their preference is to wait until the full consolidated Snowy Monaro LEP is re-drafted. Council is moving forward with the process of developing a new LEP primarily based on combining the existing LEPs.</p>
Development of the new Local Environmental Plan (LEP)	<p>The new LEP will bring three different planning schemes into one. Based on community feedback it is now planned to combine the existing plans into a single LEP which essentially retains the historical land use settings.</p> <p>This project will be pushed out to the 2025-2026 and 2026-2027 years, to be undertaken once the land use strategies that support the LEP are finalised.</p>
Jindabyne Landfill and Capping	<p>Landfilling operations ceased at Jindabyne Landfill due to reaching capacity. The community have been notified and large commercial waste disposal is required to be transported through to the Cooma Landfill for final disposal. Alternate waste transfer station systems are now in place with further upgrades being investigated. A geotechnical investigation has been undertaken and Councillors briefed on the results. Community consultation on future options is underway.</p>

Summary of projects currently considered off track to original plans	
Design and construction of a new Resource Recovery Centre (RRC) to more effectively, efficiently, and sustainably process and transfer waste	The project is reinvestigating affordable options given the landfill is at capacity and no longer operational. Geotech investigations have been undertaken and available options refined. Throughout June, options development and value management activity on current RRC design will be undertaken. Designer has been engaged for value management, as well as concept design for transfer station option. Funding to deliver this project has not yet been sourced.
Develop a SMRC tourism strategy to support and grow the regions tourism industry to replace Destination Management Plan	Cessation of the economic development services has impacted resources available to deliver within the original timeframe. The development of the strategy is identified within the draft 25/26 Operational Plan.
Develop a framework for policies and procedures to support the organisation	It is expected the framework will be complete by the end of June 2026. Ongoing vacancies in the team mean we are needing to move resources into covering critical gaps, which removed the resources available for this project. External resources are now being used to assist in delivery.
Develop a compliance register	The development of a compliance register will be undertaken subject to resourcing. It is unlikely that this task will be completed by the end of the financial year as scheduled due to ongoing vacancies with the Governance team. This will need to be included in consideration for resourcing in the next delivery program.
Risk management practices are administered across the organisation	Extended periods of vacancy in the Risk Management Officer position has impacted significantly on our ability to deliver the right level of service or improve existing systems. The available resources have to be focused on ensuring public liability claims, LEMO support and ARIC support are managed. They are a higher priority than the improvement project.
Land disposal - Wangie Street and North Street	North St subdivision activities are progressing and on offer has been accepted for the sale of the Wangie St allotment.
Rehabilitation of legacy landfill Site – Maffra Old Cooma Tip	This project has now slipped off track, with the planned completion of June 2025 not likely to be achieved. Council staff have meet NSW EPA representatives on site and the proposed remediation plan is currently

Summary of projects currently considered off track to original plans	
	under review by the EPA.
Rehabilitation of legacy landfill Site – Old Dry Plains Rd	<p>This project has now slipped off track, with the planned completion of June 2025 not likely to be achieved.</p> <p>A capping and closure plan has been received, with Council and NSW EPA reviewing the proposed works.</p>
Jindabyne sewer reconstruction (Clyde St and Kosciuszko Rd)	This project will now be deferred. Tender submissions received are over budget. Risk mitigation is being undertaken to allow the works to be scheduled within SAP project network changes, which will allow the works to be undertaken within available funds.
East Jindabyne booster reservoirs	Works have been designed, but at this stage the project is considered off track, due to timeframes exceeding the original project plans.
Construction of new access road segment EOC Polo Flat, Cooma	Tenders are currently being reviewed for the works. The project timeframe is behind schedule and is likely not to be completed until the next delivery program.
Provide Support to Develop Showground Management Master Plans	A grant was applied for through Regional Precincts Partnerships (RPP); however, Council has been advised the grant application is unsuccessful. As a result, the project will not proceed unless funding is found.
Review Fit for purpose applications	<p>Requirements and RFP specification for Infocouncil review in draft and set for review by exec office.</p> <p>Requirements and RFP specification for CAMMS review in draft and set for review by strategy development team.</p> <p>The original timeline for completion of the review was 30 June 2025; however, will not be delivered within this timeframe. This project has now been identified for delivery in the 25/26 Operational Plan.</p>
Cooma wastewater re-construction (Cooma Creek Sharp St to Baron St)	<p>This project has been delayed due to resourcing limitations within the water and wastewater team. Triaging with other competing projects has meant that it will now be delivered in the 25-26 Operational Plan year.</p>
Kalkite Sewage Treatment Plant upgrade	Electrical upgrade works have been completed. The polishing plant has been scoped and a design prepared; however, will not be delivered as all options for increased disposal have been reviewed and full upgrade is not feasible due to lack of effluent

Summary of projects currently considered off track to original plans

disposal options due to limited site area.

SERVICE DELIVERY

Project: Towards Excellence Program

Status: Of Concern

There is still significant work to be done to move the available information from where it is to activity based costing and align the resources to the level of activity that can reasonably be undertaken. Sufficient information is available that the Council can commence setting up the systems to be able to work more effectively. The offers made have been initially assessed and are under consideration for the next level of assessment.

Project: Bigbelly Smart Bins

Status: On Track

Council has commenced the rollout of “Bigbelly” waste bins across the region. These bins are designed for public spaces and places, they are larger and require emptying less frequently than traditional street bins.

These bins are fully enclosed public waste bins with no unsightly overflow, no visible waste, no windblown litter, and no access for unwanted pests. The bins have a solar panel that powers a sensor to enable an internal compaction. Live usage data is also collected, which allows for internal staff to know when the bins are ready to be serviced.

Several bins have already been placed across the region with Adaminaby, Bredbo, Berridale and Jindabyne to note. Council will also be installing one in Bombala in the not too distant future.

These bins are funded from the annual capital renewal budget for street bins.

“Bigbelly” smart bins – Banjo Paterson Park, Jindabyne

9.3.3 DELIVERY PROGRAM PROGRESS REPORT



Project: Integrated Planning and Reporting Consultation

Status: On Track

Throughout May, Council staff and Councillors attended three (3) pop-up sessions across the region to engage with our community on the draft Integrated Planning and Reporting documents on public exhibition. Staff and Councillors attended sessions - Cooma Markets, Bombala and Jindabyne. The exhibition period closes on 3 June, with a post-exhibition report to be tabled at the June ordinary Council meeting.

Cooma Markets – 18 May

Bombala IGA – 23 May

Jindabyne C



Work is now underway to reline the main pool shell, with the filtration and pumping system set to be completely overhauled and replaced with new equipment ahead of the 2025/2026 swimming season.

9.3.3 DELIVERY PROGRAM PROGRESS REPORT

A new level edge and drain setup will replace the current raised lip around the main pool. This finishing touch in the major renovation project will improve access to the main pool, patron safety, help keep water circulating through the new and improved pumping and filtration system.

Council was awarded \$2,579,530 over two rounds of the NSW Government's Stronger Country Communities Fund grant program to undertake these much-needed upgrades at Bombala Pool.

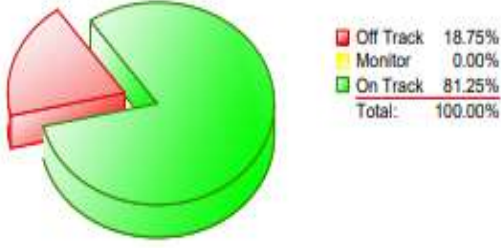
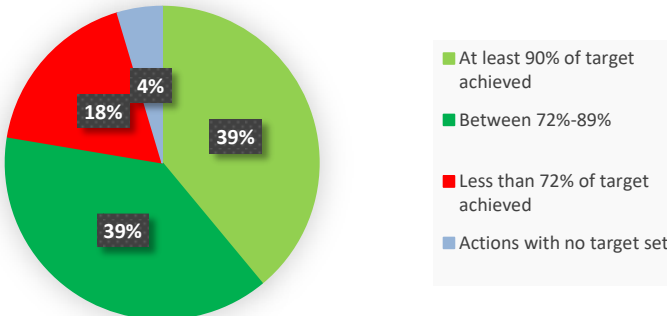
Topped up with a Council co-contribution to ensure all the necessary work can be completed to the highest standard, the total investment in Bombala's local pool will be \$2,971,713 when all the works are finished later this year.



KEY PERFORMANCE INDICATORS

Progress	Actual	Target	Commentary
----------	--------	--------	------------

9.3.3 DELIVERY PROGRAM PROGRESS REPORT

Progress	Actual	Target	Commentary
<p>% KPI's on target</p> <p>KPI Status</p>  <p> Off Track 18.75% Monitor 0.00% On Track 81.25% Total: 100.00% </p>	81.25 %	75%	<p>KPI's Needing work</p> <ul style="list-style-type: none"> 90% occupation certificates determined within 7 days of lodgement 90% of development compliance matters responded to within compliance and enforcement policy.
<p>Activities and Projects 2022-2026 Delivery Program - Progress to Date</p>  <p> At least 90% of target achieved 39% Between 72%-89% 39% Less than 72% of target achieved 18% Actions with no target set 4% </p>	78.00 %	72.00%	<p>Council is 35 months into a 48-month delivery program. We are tracking ahead of the calculated progress target of 72.00% to this point with our principal activities and commenced projects. There are still some projects that are yet to commence.</p>

Performance Measures	Period	Unit	Target	Actual	Comment
90% occupation certificates determined within 7 days of lodgement	Month	%	90%	0%	0 OC's issued in the period from 1/5/2025 – 27/5/2025. Council had 8 OCs lodged in this time with 6 yet to be paid. 2 have been inspected, with additional info requested
90% of development compliance matters responded to within compliance and enforcement policy	Month	%	90%	40%	10 matters were raised in the period 1/5/2025 – 27/05/2025. 4 of the matters have had an inspection with the remaining matters scheduled for inspection. Acknowledgement letters for 3 of the matters have been sent, with the others yet to be completed.

RESPONSIBLE OFFICER: Coordinator Strategy Development.

ATTACHMENTS

1. Delivery Program Progress Report (*Under Separate Cover*)

9.3.4 POST-EXHIBITION REPORT - INTEGRATED PLANNING AND REPORTING SUITE OF DOCUMENTS AND PLANS

Record No: I25/335

OFFICER'S RECOMMENDATION

That Council

- A. Adopt the Delivery Program 2025-29, Operational Plan 2025-2026, Revenue Policy 2025-2026, and Long-Term Financial plan 2025-2035.
- B. Pursuant to section 211 of the *Local Government (General) Regulation 2021*; approves the projected operating expenditure and estimated expenses in the program and plans in part A and votes the money necessary to meet that expenditure and those expenses.
- C. Adopt the 2025-2026 Schedule of Fees and Charges, as placed on exhibition, with the following amendments to the draft:
- D. That the Michelago Hall fees be adjusted to the following:
 - (1) Election Hire - non Local Government 2024/25 \$380.00 2025/26 \$420.00 per day
 - (2) Hall - standard (eg; meetings) 2024/25 \$17.00 2025/26 \$18.00 per hour
 - (3) Hall - Event (eg: party) 2024/25 \$290.00 2025/26 \$295.00 per event
 - (4) Refundable Deposit Bond - standard hire 2024/25 \$170.00 2025/26 \$170.00 per event
 - (5) Refundable Deposit Bond - Party / Event 2024/25 \$250.00 2025/26 \$260.00 per event
- E. Undertake the corrections and amendments as outlined in Attachment 2 - Table 2

ISSUES

Council resolved to place the draft Delivery Program 2025-29, Operational Plan 2025-2026, Revenue Policy 2025-2026, Schedule of Fees and Charges 2025-2026, and Long-Term Financial plan 2025-2035 on public exhibition from 6 May to 3 June 2025.

Council received 145 submissions. Overall the general theme is for increased/improved services and no increases in rates or charges.

Submissions

The majority of submissions received were requesting the sealing of Micalago Road. A small number of submissions were for the reinstatement of the mobile library and to not increase fees, charges and rates. The remainder of the submissions contained broad and varied feedback. Responses to all submissions is contained in the attached submission response table 1 (attachment 1). A copy of all redacted submissions is also attached (attachment 3) to this report.

Sealing of Micalago Road (134 submissions)

The largest number of submissions came from members of the community requesting to seal Michelago Road. Many of the submissions described the poor quality of the unsealed road that impacts their day to day lives, ranging from getting to and from work to instances of not being able to get essential services delivered and not being able to get ambulances to their homes for emergencies.

There were many submissions from people who do not live there, but described that they were unable to visit friends and family due to the state of the road.

Several submissions described the damage to their vehicles in using the road and the financial impacts to them.

The impacts described can be summarised as follows:

- Need access to run farming business
- Need access for food, school and other life needs
- Access needed for carers
- Access needed for emergencies
- Access needed to emergency service facilities
- Access is a right
- This is the only service they get for their rates.

The sealing of Michelago Road constitutes a request for an increase in service level. In considering the request councillors need to consider the issue in terms of the service levels provided to the region, not just as one road. The response to issues raised should be strategic and focused on the broader community. This is particularly the case for this issues as the issues of poor road conditions is known not to be unique to residents on this one road. To provide an equitable approach to all residents, the same approach taken to this road should apply to all other instances where the same conditions occur and any response should be prioritised against similar situations across the region in a strategic manner.

Under the current funding levels the amount available for renewal will lead to the overall road condition to decline over the next ten years. This means that Council will not be able to undertake all of the renewals required across the network and restore the currently failed segments.

Diverting further funds towards upgrades means that other road segments will then fail. Where a road asset is allowed to fail instead of being renewed as required the cost of the renewal will be up to 10 times higher than the investment done at the right time. Diversion of funds will come from the sealed road network, meaning for every 1km of upgrades funded it should be expected that over time this will mean a further 5-10km of road network failing before Council can renew it.

During the last round of consultation on the IP&R programs complaints of a similar nature were received across the region about the quality of road access and the impacts this was having on farming and emergency services. The current level of service for grading was opted for as the councillors wanted to provide some service levels across the entire network. This means that the current intervention levels have been set at what is below the optimal levels for all roads. The

impact of providing service to lower trafficked roads will be most noticeable on the higher trafficked parts of the network, as showing in this instance.

Whether a sealed or unsealed road is the lowest cost option depends on the traffic volumes. As a general rule between 100 to 150 VPD there is a marginal difference between the lifecycle cost of either option under our current activity costs. Above 150 VPD a sealed road is normally the most economical option. Traffic volumes on each road segment were calculated from traffic counts and residencies across the network a few years ago. Traffic counts have been updated to the later counts where these have occurred (Oct-Dec 2024 for Micalago Rd). Below is a table of the road segments that would provide a lower cost to operate as sealed roads (Green) and those where it is likely that the options are relatively cost neutral (Blue/White).

Based on previous works undertaken the expected cost of the upgrades will be in the range of \$800,000 to \$1.4million per kilometre. Very roughly, to provide upgrades from unsealed to sealed road to residents with the same level of traffic as exists on both parts of Micalago Rd would require an additional \$94million over the proposed 5-year period, or \$18.8million per annum. The roads above 150VPD (so as to include the first section only) would take roughly \$25million, or \$4.9million per annum. Based on unit rates the section sought to be sealed is considered likely to be at the lower end of the scale, meaning that that section would be likely to cost \$400,000 to \$500,000.

Based on an inspection of the road, there is currently not the correct mix of road material to provide a properly compacted surface. The condition assessment work undertaken indicates that this is not uncommon for roads in the northern area. Correction of the mix of materials and re-compaction would assist the driveability of the road. This can be reviewed within the maintenance works, in consideration of the condition of the other highly trafficked road segments on the network. An action to review the road maintenance approaches has already been included in the plans that were placed on public exhibition.

It will be proposed to include in the transport asset management plan (and from there the delivery program) a strategy to seek grant funding for the conversion of unsealed roads with traffic volumes over 100VPD to sealed roads, with the priority being based on the traffic volumes, dealing with sections that have a high maintenance cost (steep and windy road sections) and higher heavy vehicle usage road segments.

Note: The traffic data would need to be further verified and consider heavy vehicle portion as well as reviewing the historical maintenance costs due to the road topography, to determine the final priorities.

Table 1: All of the roads requiring upgrade if traffic on Micalago Rd is the threshold

Description1	Description2	Length (Km)	Traffic Est
Gullies Road	Seg 010 Barry Way to Mugridge Rd	0.63	216
Lower Bendoc Road	Seg 040 End of Seal to Smith Rd	1.1	182
Gullies Road	Seg 020 Mugridge Rd to Thorny Bush Rd	2.55	180
Lower Bendoc Road	Seg 050 Smith Rd to Victoria Border	3.12	178
Abington Park Road	Seg 020 Grosses Plain Creek to Mountain View Rd	1.05	171

Abington Park Road	Seg 030 Mountain View Rd to End	1.95	168
Old Settlers Road	Seg 020 W J Dr to Stockmans Ln	1.41	167
Bucky Springs Road	Seg 040 End of Seal to Tayfield Rd	2.4	166
Micalago Road	Seg 010 Monaro Hwy to Booroomba Ck	0.51	162
Old Bega Road	Seg 040 End Seal to Greenlands Rd	4.3	160
Gullies Road	Seg 030 Thorny Bush Rd to Back Creek	5.33	150
Hilltop Road	Seg 020 Old School Rd to Maunders Ln	1.2	136
Mount Delegate Road	Seg 010 Lower Bendoc Rd to End at VIC Border	2.82	136
Mountain View Road	Seg 010 Abington Park Rd to Yallaroi Rd	0.44	134
Jerangle Road	Seg 250 Sherlock Rr Bridge to Narongo Rd	3.16	133
Tinderry Road	Seg 020 Michelago Ck to Coffeys Rd	1.05	132
Palarang Road	Seg 010 Gunningrah Rd to Bridge at Brugolong Crk	4.02	132
Tinderry Road	Seg 030 Coffeys Rd to Jinjera Rd	2.4	130
Jerangle Road	Seg 240 Wolgal Rd to Sherlock Rr Bridge	1.55	127
Carlaminda Road	Seg 030 Middle Flat Ck to Rock Flat Ck	2.07	126
Bucky Springs Road	Seg 050 Tayfield Rd to End Council Rd	1.51	124
Providence Road	Seg 010 Snowy Mountains Hwy to End	1.44	122
Black Lake Road	Seg 030 End Seal to Cathcart Rd	9.4	120
Cambalong Road	Seg 010 Delegate Rd to Aerodrome Rd	0.72	120
Jerangle Road	Seg 230 Tinderry Rd to Wolgal Rd	2.74	115
Hickeys Road	Seg 010 Blomfield St to End	2.02	114
Springfield Road	Seg 090 End Seal Upper Dog Kennel to Intersection	1.63	114
Jerangle Road	Seg 040 End Seal to Caseys Rd	0.66	113
Carlaminda Road	Seg 040 Rock Flat Ck to Whitneys Hole Ck	6.02	112
Kalkite Road	Seg 050 Lotus Ave to End	2.82	108
Bushy Park Road	Seg 010 Kosciusko Rd to End	2.39	108
Braemar Bay Road	Seg 010 Eucumbene Rd to End At Archie Ln	0.22	107
Jerangle Road	Seg 050 Caseys Rd to Capanana Ck	0.25	106
Jerangle Road	Seg 150 Peak View Rd to Start Seal Jerangle	1.29	106
Cappawidgee Road	Seg 010 Jerangle Rd to Bredbo Rr	5.81	106
Micalago Road	Seg 020 Booroomba Ck to Karinya Plains Rd	3.54	103
Westons Road	Seg 010 Alpine Way to End	2.48	103
Cambalong Road	Seg 020 Aerodrome Rd to Bridge at Bombala River	5.85	102

Total length requiring upgrade	93.85	
---------------------------------------	--------------	--

It should also be noted that we received one submission for the sealing of Burra Road and one submission for sealing the remaining unsealed section of the Bobeyan Road. At this stage, both roads would not be considered a priority for sealing based the listing of roads in the table above. The segments on Burra Rd were calculated to have 65 vehicles per day (segment 30 – to the grid) and the next segment 35 vehicles per day (segment 40). The unsealed road segments on Bobeyan Road are ased to have around 50 vehicles per day.

Reinstatement of the Mobile Library (5 submissions)

The number of submissions is relatively low (5) in comparison to the 45 submissions received last year to keep the service. It may be difficult to find an alternative service to cut that would not receive similar or higher levels of submissions against the change.

As stated in the 1 May extra-ordinary Council meeting the reinstatement costs would be as follows:

Financial Impact:

	Once Off Impacts	Ongoing Impacts
Financial Impacts	Nil.	\$136,000
Costs include the cost of the vehicle and operator to provide the service. Costs are offset by the costs of the current outreach service.		

At this stage it is recommended that Council will continue to monitor the outreach service.

General and Broad Feedback

A small number of submitters raised concerns in raising rates and fees and charges when the cost of living pressures is impacting many in the community. Deferring rate rises and increasing the cost of fees and charges is not realistic for Council as CPI increases impacts Council's provision of service delivery too. Council is not in a financial position to absorb the reduction in revenue without cutting services and cuts to services have tended to receive substantial objections.

There were a small number of submissions regarding the format of the document and some suggested changes for readability, such as producing documents in HTML format and introducing an executive summary. These suggestions will be taken on-board and will be considered for the 2026 cycle of documents. This additional work is not currently allowed for in the currently funded resources, so some other reductions would need to be identified to allow for this option to be introduced.

One submission sought the reintroduction of an economic development team back to Council. At this stage, Council is not in a financial position to reintroduce this service without cutting another service, which is a higher priority to the community.

The Michelago Hall management committee provided a submission to reduce the hiring of hall charges marginally from those that were publicly exhibited. While a reduction in revenue, the financial loss is considered immaterial and will need to be managed by the hall committee. The above recommendation articulates the change.

Outside submissions seeking the sealing of three (3) roads, 105 other matters were raised. Individual responses to the matters have been provided in the attached *table 1*.

Internal housekeeping errors and amendments

While on exhibition, several changes were requested in the Land and Property Service to better reflect the current service.

Table 2, showing the internal corrections and amendments is attached to this report.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Asset Management	High	High	No
Economic Activity	Medium	Medium	Yes
Environmental Security	Low	Low	Yes
External Political Environment	Low	Low	Yes
Financial Sustainability	High	High	No
Health and Safety	High	Low	Yes
Legislative Governance and Compliance	Low	Low	Yes
Reputation and Image	Medium	Medium	No
Service Delivery	Medium	Medium	Yes

As the available funding is insufficient to replace or renew the assets as required there remains a high risk that assets will fail in the future. The data available is also indicating Council is not spending sufficient on maintenance, which will be leading to the assets failing sooner than optimal, which leads to poorer service outcomes and higher cost to the ratepayers in the future.

It is clear that some in the community are, and will remain unhappy as the information on what services can actually be provided with available resources continues to be developed and the information indicates that the current service level is unsustainable.

It is worth noting that as a result of the communications provided to the community outlining the severity of SMRCs financial position that there is a desire to see council take the steps necessary to focus on core services and improve the efficiency of delivery in council services. The problem is that most current services are considered 'core services' by many in the community.

FINANCIAL IMPACTS

RESPONSIBLE OFFICER: Chief Strategy Officer

OPTIONS CONSIDERED

BACKGROUND

Consultation & Engagement

At the extraordinary Council meeting held 1 May 2025, Council resolved to place the following documents on public exhibition for a period of 28 days from 6 May 2025 to 4:00pm 3 June 2025.

- Draft Delivery Program 2025-2029
- Draft Operational Plan 2025-2026
- Draft Revenue Policy 2025-2026
- Draft Fees and Charges 2025-2026
- Draft Long-Term Financial Plan 2025-2035

Consultation and Engagement

Three (3) separate in-person engagement activities of pop-up stalls were undertaken at Cooma, Bombala and Jindabyne, led by Council employees, and councillors.

The YourSay platform had a total 631 site visits, 417 aware and 19 engaged participants.

The most popular engagement collateral were the fact sheets developed for each individual town or village.

Council received 144 submissions. Attachment 3 is the full redacted copies of the submissions received.

What we heard

The main issue of concern for the 2025-2026 suite of documents was the request to seal Micalago Road with 134 individual submissions received out of the total of 144.

IMPLEMENTATION PLANS

All submitters will be notified of the outcome and Council's resolution. The adopted plans will be published to Council's webpage within 28 days of Council resolution. Staff will commence working on the provision of the services and undertaking the projects as set out in the plans.

EXISTING POLICY/DECISIONS

Section 196A of the *Local Government General Regulation 2021* states that Council must comply with the '*Integrated Planning and Reporting Guidelines for Local Government in NSW*' as published on the website by the department.

Section 8A - The following principles apply to decision-making by councils (subject to any other applicable law)--

- (a) Councils should recognise diverse local community needs and interests.
- (a) Councils should consider social justice principles.
- (b) Councils should consider the long term and cumulative effects of actions on future generations.
- (c) Councils should consider the principles of ecologically sustainable development.
- (d) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

Section 8C - The following principles of sound financial management apply to councils--

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
-

- (e) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following--
 - (i) policy decisions are made after considering their financial effects on future generations,
 - (ii) the current generation funds the cost of its services.

Section 223 (1)(c) - to ensure as far as possible the financial sustainability of the council

Section 403 - A council must have a long-term strategy (called its "resourcing strategy") for the provision of the resources required to perform its functions (including implementing the strategies set out in the community strategic plan).

Section 404 (1) - A council must have a program (called its "delivery program") detailing the principal activities to be undertaken by the council to perform its functions (including implementing the strategies set out in the community strategic plan) within the resources available under the resourcing strategy.

Section 405 - A council must have a plan (called its "operational plan") that is adopted before the beginning of each year and details the activities to be engaged in by the council during the year as part of the delivery program covering that year.

ATTACHMENTS

1. Response to Submissions - Table 1
2. Internal Corrections and Amendments - Table 2
3. Redacted Submissions

9.3.5 RESOURCING STRATEGY

Record No: I25/336

OFFICER'S RECOMMENDATION

That Council:

1. Adopt the:

- (a) Snowy Monaro Asset Management Policy,
 - (b) Snowy Monaro Asset Management Strategy, and
 - (c) Snowy Monaro asset management plans for each class of assets
- as components of the resourcing strategy.

2. Endorse the Snowy Monaro Workforce Management Strategy as a component of the resourcing strategy.

ISSUES

The community strategic plan (CSP) provides a vehicle for expressing long-term community aspirations. From this, the Council determines what role it will take on through the delivery plan (DP), via principal activities and projects. However, these will not be achieved without sufficient resources – time, money, assets and people – to actually carry them out.

Section 403 of the *Local Government Act 1993*, prescribes that a council must have a long-term resourcing strategy for the provision of the resources required to perform its function (including implementing the strategies set out in the community strategic plan that it has responsibility for). Section 404 sets out that the principal activities included in the delivery program, to be undertaken by the council to perform its functions, must be within the resources available under the resourcing strategy.

The resourcing strategy (Attachment 1) consists of three components:

- Long-term financial planning (min 10 year plan) – must be publicly exhibited for min of 28 days
- Workforce management planning (4 year plan) – no requirement to publicly exhibit
- Asset management planning (min 10 year plans) - no requirement to publicly exhibit

As all the component documents within the IPR framework are linked to one another, activities and actions in the DPs and OPs must be reflected in the resourcing strategy and all the resourcing implications clearly identified and addressed.

The resourcing strategy articulates how the Council will allocate resources to deliver the objectives under its responsibility.

For the purposes of this report, the long term financial plan will be considered as a separate report to Council. While the long-term financial plan is a component of the resourcing strategy, the requirement to publicly exhibit the plan for 28 days has meant that it will be considered as part of

the post-exhibition report, along with the other publicly exhibited Integrated planning and reporting (IPR) documents tabled at this same meeting.

Long-Term Financial Planning

To be considered as part of the post-exhibition report tabled at this same meeting for the IPR documents that were placed on public exhibition from 6 May – 3 June 2025. It should be noted that a small number of submissions were received regarding not wanting further rate rises.

Workforce Management Planning

The workforce management strategy (WMS) is a proactive, four (4) -year document that shapes the capability and capacity of the workforce to achieve the strategic goals and objectives of Council.

It clearly defines how future staffing and skills requirements will be met, such as through recruitment, staff progression and development, internal redeployment, and succession planning.

Snowy Monaro's WMS is a four (4) year strategy outlines our objectives and actions ensuring we have the 'right people, doing the right jobs, at the right time' to undertake the principal activities to meet our service levels and planned projects within our four-year delivery program.

The Snowy Monaro WMS provides a strategic context with comparable benchmarking data to the LGNSW 2022 *Local Government Workforce Skills and Capability Survey* – NSW Report (the report). Most notable comparisons to this report are as follows:

Ageing Workforce

Snowy Monaro's workforce consists of 42.98% employees over the age of 55. Comparing our data to the urban regional council category within the LGNSW report, which is 26%, identifies a significant issue for Council, highlighting that robust succession planning will be required.

In response, the Snowy Monaro WMS has objectives and actions to this address this issue being;

Objective 2 – Attract, recruit and retain talent:

Develop succession planning into the performance review process commencing with a discussion between the staff member and their manager.

Objective 3 - Build leadership and organisational capacity through learning and development

Invest in training and development from new staff to established staff, strengthen our leaders, develop a leadership pipeline through succession planning with programmed support to our emerging leaders across the council. The Council will redefine and develop strategies to support the knowledge transfer of our aging workforce, thereby retaining organisational knowledge.

Retaining a skilled Workforce

Over 91% of NSW Councils struggle to retain a skilled workforce compared to 86% in 2018 as identified in The LGNSW 2022 Local Government Workforce Skills and Capability Survey – NSW Report. Snowy Monaro is no different and our difficulties filling positions is not unique.

66% of respondents in local governments said that project delivery has been impacted or delayed by vacancies, skills shortages, skills gaps or training needs. The most cited skill shortages that local governments are experiencing are engineers (as noted by 60% of 2022 survey respondents), urban and town planners (52%), building surveyors (48%), project managers (40%), and labourers (38%).

The most common drivers of skills shortages are an inability to compete with market remuneration, a market shortage of suitable skilled candidates and a regional or rural location.

Key drivers of critical skills gaps by occupational area include a range of factors including, for example, complex legislative changes and/or requirements, insurance costs and challenges in recruiting for regulatory roles, and a lack of regional housing availability and/or affordability. Many of these factors are beyond the local government's influence or control.

Other issues cited were the local government's brand identity and demand for flexible working arrangements as contributing factors to the skills shortage.

The Snowy Monaro WMS planned response to skills shortages is addressed within objective 2 of the WMS to – *Attract, recruit and retain talent* through a set of clearly defined actions to be delivered over the next four years being:

- a) Develop an attractive employee value proposition that aligns with the organisations goals and employee expectations to effectively attract, retain, and engage top talent
- b) Relaunch a work experience program as well as Council trades and apprenticeship program into the community
- c) Develop succession planning into the performance review process commencing with a discussion between the staff member and their manager.
- d) Continue ongoing relationships with schools and education institutions.
- e) Promote a diverse workforce ensuring equal opportunities for all employees.
- f) Review Council's recruitment and selection processes.

Business Improvement

The 2025-2029 Delivery Program, identifies Council's 'Business Improvement Program' over the next four years; this includes several projects and identifying the service reviews Council will be undertaking. Undertaking service reviews ensures a pathway for continuous improvement as outlined within the Office of Local Government Integrated Planning and Reporting Guidelines – Essential Elements of the Delivery Program:

"To encourage continuous improvement across the council's operations, the Delivery Program must identify areas of service that the council will review during its term, and how the council will engage with the community and other stakeholders to determine service level expectations and appropriate measures".

The WMS identifies also identifies the service reviews Council will be completing.

Asset Management Planning

Asset management planning is to provide the required level of service for the community in accordance with the CSP and in the most cost-effective manner. Levels of service are key business drivers for asset planning, along with technical requirements that ensure asset sustainability.

Snowy Monaro Regional Council (SMRC) manages an extensive portfolio of infrastructure, community, and operational assets. The asset classes and the services delivered to the community is outlined below in table 1.

Table 1.

Asset Classes	
Transport	Manages and maintains infrastructure related to transportation, including roads, bridges, footpaths, and related assets. This service ensures safe and efficient movement for vehicles, pedestrians, and cyclists, supporting the safe and equitable movement of people and goods within and through our Council area and surrounding region.
Buildings	Manages and maintains Council-owned buildings, ensuring they are safe, functional, and accessible for public use. This includes offices, community facilities, and recreational centres, etc., supporting the delivery of essential services to the community.
Stormwater Drainage	Manages the infrastructure designed to collect, transport, and discharge stormwater, helping to prevent flooding, protect the environment, and maintain public safety during heavy rainfall events.
Open Space	Manages parks, reserves, sports fields, and recreational areas to provide accessible, safe, and well-maintained public spaces for community use and environmental sustainability.
Plant and Fleet	Manages the Council's vehicles, machinery, and equipment to support efficient operations across various functions, including waste collection, maintenance, and construction activities.
Water	Ensures the reliable provision of safe, clean drinking water to the community. This includes sourcing, treatment, storage, and distribution of water to residential, commercial, and industrial users.
Wastewater	The management of the collection, treatment, and disposal of sewage and wastewater to protect public health and the environment. It includes maintaining sewer networks, pump stations, and treatment plants to ensure compliance with regulatory standards and support sustainable water management.

Asset Management Planning comprises of three (3) components:

1. Asset Management Policy – 4-year

The Asset Policy sets the direction and foundation for asset management in a structured, coordinated way, aligned with the CSP. The revised draft SMRC policy has been updated to reflect the integrated planning and reporting framework, ISO 55000 series of standards, and the International Infrastructure Management Manual (IIMM). The draft policy provides for a flexible approach to ensure that best practice in asset management is applied to meet the demands of present and future generations. The asset management policy should be subject to regular internal review aligned with the IPR four-year planning cycle.

The asset management policy is included in the asset management strategy

2. Asset Management Strategy – 10-year

The asset management strategy is a 'living' document that will include benchmarks and milestones aimed at improving Council's asset management processes and procedures. It must be monitored regularly and adjusted or updated to reflect progression in its implementation. It also needs to reflect any major changes in Council's asset portfolio. These changes may reflect asset investments or disposals that have resulted from, or are reflected in the DP or CSP. Specific elements of the strategy should be reviewed for currency, including review of service levels expected by the community, staff training needs, contract management procedures, and processes associated with the asset management system.

The draft asset management strategy for Snowy Monaro includes an asset maturity assessment of the organisation. Asset management maturity reflects our organisation's capability to adopt and implement contemporary, best-practice approaches in managing infrastructure assets.

The National Asset Management Assessment Framework (NAMAF) consists of 11 elements to determine an organisation's asset maturity level. The most recent asset management maturity assessment shown below as figure 1 has confirmed that Council's current maturity level is low. However, it has also provided a clear roadmap for improvement through a set of actions for Council to implement.

Figure 1 – Our Asset Maturity



The strategy outlines an asset improvement program with 71 actions for implementation over the next four years. The 2025-2026 Operational plan identifies improvement actions to be delivered by asset managers, the asset team, Council's project management team and Council's people and organisational performance team.

3. Asset Management Plans (for each class of asset) 10- years

The asset management plans must encompass all the assets under council's control. The plans must identify asset service standards, and contain long-term projections of asset maintenance, rehabilitation and replacement, including forecast costs (for reflection in the Long-Term Financial Plan).

At this stage, Council is yet to develop a comprehensive stormwater asset management plan and the fleet and plant is developed separately; however, the asset strategy identifies that these be developed and brought together as part of the 10-year cycle and yearly review.

There is still substantive work required to have captured and continue to capture the data needed to undertake good strategic asset management. Council has been improving the plans with each iteration. This set should be seen as working towards where the Council needs to be, not the achievement of the level of asset management planning the Council is aiming to reach. What has been achieved so far is what is possible within the available resources.

A summary of each asset management plan and high level strategic direction for each asset class as follows:

Our Building Assets – Replacement Value of **\$176 million**

A comprehensive review is needed to establish appropriate service level indicators for all building categories. These service levels will serve as the baseline for determining the operational, maintenance, renewal, and upgrade/new funding requirements

Timing the delivery of growth-related asset investments remains an ongoing challenge for the Council to ensure that buildings are fit for purpose and meet community needs and expectations. This involves providing the necessary infrastructure while minimising asset costs, such as underutilised infrastructure and excessive asset consumption from early investments.

Council should consolidate all building asset information into a centralised building asset register accessible by all stakeholders. This will enhance asset management and improve visibility of maintenance responsibilities across various building types within the portfolio.

The key risks associated with the building asset portfolio include:

- Insufficient resources to undertake building maintenance.
- Lack of a centralised building maintenance system, resulting in competition between departments and teams for the two maintenance officers assigned to the Land & Property Team.
- Absence of planned maintenance and inspection programs.
- Inability to identify assets requiring renewal in a timely manner.
- Ageing infrastructure.
- Shortage of specialist operators to manage and operate Council pools.
- Limited knowledge transfer for the inspection and maintenance of Council buildings.

Open Space and Recreation – Replacement Value of **\$21 million**

Investment is required over the next 10 years to meet the growth projections and demand. Additional new assets and upgrades are also required to service new areas and residents of the Snowy Monaro Region. This will need to be considered within the financial sustainability recommendations, which seeks to minimise demand and consolidate usage of facilities. There are a number of strategic documents that guide these additional and upgraded assets:

- Recreation And Open Space Strategy
- Regional Trails Masterplan
- Village Master Plans

Basic service plans exist for most of our service areas within Council. Our service plans outline statutory obligations, service risks and levels and cover both asset-based services and non-asset-based services. The service plans are based on the historic levels of service.

Transport – Replacement Value of \$800 million

The road conditions assessment undertaken to provide information for the financial audit indicates that overall the roads are in general in good structural condition. It is noted that the community response to road management has not been favourable. This is not due to condition or structure, but rather related to road rideability.

Other transport assets:

While the age of the bridges indicates they still have significant life left there are 5 timber bridges identified as condition 5 that have been or are currently being replaced. It is recommended a new bridge renewal program be developed with a nominal value of \$4M per annum over the next 10 years. There are a significant number of timber bridges to be addressed in the medium term. \$400k per year it is likely that this will only allow for the replacement of 3 to 4 Bridges over the 10-year timeframe, which may not be sufficient.

There are a significant number of culverts that are at condition 4, and most of these have a residual life of less than 15 years. This is similar to a number of causeways in the region, and it is recommended that a causeway/culvert renewal program be developed with an overall budget of \$150K per year.

It is not recommended to have a footpath, kerb & gutter, round-about/island, or guardrail renewal programs at this stage, but continue with the ongoing maintenance and reactive repair/safety replacement programs, given the age and value of the assets.

The asset data indicates that Council will need to allow the average condition of the road network to reduced from a current (relatively high) condition rating near 2 (Very good in the rating scale) to level 3 (Good/fair). Seeking to retain the current condition over the next ten years would require and additional \$7million per annum. By the end of the ten years of this plan the Council will have to have determined how it will fund that gap to prevent further deterioration of the network.

It is considered that the main issues driving poor satisfaction can be addressed in changing the way on which maintenance (and some renewal) works are undertaken. Reviewing the current practices and how they impact on rideability will be a key activity, as will commencing measuring surface roughness, so that the impact of changes can be tracked over time.

The focus of the renewal program in the early years is set to focus on undertaking a range of heavy patching, in order to ensure that the seals on roads do not break up before resealing can be undertaken. The analysis of the Council's asset data and condition ratings indicates that seals should last 25 years and gravel wearing courses 30 years. These are at the far end of what is normally accepted from engineering principles. As there are concerns about the accuracy of the asset age data and whether previous upgrade works have been recorded it is important that Council ground truth the analysis. While there is always some degree of doubt in forward estimates, the risk attached to getting these figures wrong is high, so taking sensible risk mitigation actions is good governance.

The work that we have been undertaking to establish a new way of working and determine the tools needed to provide services well has identified the same issues as the consultancies that have been supporting Council in developing the asset plans. We need to improve data capture so that the information can be used to guide future investment decisions and we need to move away from reactive decision making and towards a proactive managed approach to our infrastructure. Luckily, because of the work done through Towards Excellence we have already done groundwork and started on the journey to put the systems and processes in place to achieve what we know needs to be done.

Water – Replacement Value of **\$374 million**

Our current approach to managing and operating our water assets is predominantly reactive with only limited planning. We are striving to improve our approach to lifecycle management to make sure that we deliver on our service commitments in the most cost effective and efficient manner.

Our improvement plan moving forward is:

The next steps resulting from this asset management plan to improve asset management practices are:

- Confirm mapping of existing assets with asset identifiers and undertake data cleaning of the asset register including review of the asset condition and useful lives.
 - Undertake community-based asset criticality assessments for all water infrastructure, to determine and prioritise future renewal works and the timing of these works.
 - Development and monitoring of actual service level
 - Undertake a formal engineering & asset condition, function and capacity review of the Cooma Water Treatment Plant with a view to developing and implementing a full renewal program during the next 5 years.
 - A key improvement to the administration and management of the water portfolio is to separate out the maintenance and operating expenses.
 - Undertake a formal condition, function, capacity and reliability review of the intake and distribution pump stations, with a focus on the development of a renewal program based on asset criticality for pumps & electrical equipment and associated efficiency gain opportunities.
 - Undertake a formal structural condition assessment of all reservoir roofs, with a view to implementing a reservoir roof renewal program.
 - Review existing and undertake an engineering & condition analysis of the pipe network, including risks associated with main breaks and whole of life costing.
 - Undertake an energy efficiency assessment, with respect to reduction in mechanical energy
-

usage, alternative power sources and alternative hours of operation.

- Undertake detailed investigation as to water assets required to increase Cooma and Jindabyne industrial Areas.

Wastewater – Replacement Value of \$206 million

Our current approach to managing and operating our sewerage assets is predominantly reactive with only limited planning from a renewal perspective. We are striving to improve our approach to lifecycle management to make sure that we deliver on our service commitments in the most cost effective and efficient manner.

Our improvement plan moving forward is:

- Confirm mapping of existing assets with asset identifiers and undertake data cleaning of the asset register including review of the Asset Condition and Useful lives.
- Undertake Community based asset Criticality Assessments for all water infrastructure, to determine and prioritise future renewal works and the timing of these works.
- Development and monitoring of actual service level
- Undertake a formal Engineering & Asset Condition, Function and Capacity review of the Jindabyne, Kalkite and Nimmitabel Wastewater Treatment Plants with a view to developing and implementing a full renewal program during the next 5 years.
- A key improvement to the administration and management of the wastewater portfolio is to separate out the maintenance and operating expenses.
- Undertake a formal condition, function, capacity and reliability review of the intake and distribution pump stations, with a focus on the development of a renewal program based on asset criticality for pumps & electrical equipment and associated efficiency gain opportunities.
- Review existing and undertake an engineering & condition analysis of the pipe network, including risks associated with main breaks and whole of life costing.
- Undertake an energy efficiency assessment, with respect to reduction in mechanical energy usage, alternative power sources and alternative hours of operation.
- Undertake a whole of life review of the Kalkite WWTP, comparing decommissioning and pumping to Jindabyne WWTP vs renewal of Kalkite WWTP.
- Ensure all preventative maintenance activities are regularly performed and documented.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Asset Management	High	High	No
Economic Activity	Low	Low	Yes
Environmental Security	Low	Low	Yes
External Political Environment	Medium	Medium	Yes
Financial Sustainability	High	Medium	Yes
Health and Safety	Low	Low	Yes
Legislative Governance and Compliance	Low	Low	Yes
Reputation and Image	Medium	Low	Yes
Service Delivery	Medium	Low	Yes

Asset Management

Currently, Council is not able to fund current infrastructure lifecycle costs at current levels of service and available funds. Improving resourcing to being financially sustainable and having the right people will reduce the risk over time.

External Political Environment

NSW Office of Local Government are being lobbied by some sectors of our community to investigate Councils financial position, and to review whether Council is meeting compliance targets and benchmarks.

Financial Sustainability

The steps Council has been putting into place over the years is starting to provide positive outcomes. Previous year's hard decisions on service cuts and raising revenue, while unpalatable, are now starting to see Council's financial position improve. There is still significant work to do, but the direction the finances now are going is positive, even if there are uncertainties that may impact the long term plans.

Reputation and Image

Community interest has been raised throughout the public consultation period for the draft IPR suite of documents that were placed on public exhibition from 6 May 2025 through to 3 June 2025. The current state and future management of Council's roads saw requests for three roads to be upgraded, in particular, the request to seal Micalago Road has been a focal point throughout the consultation period. Improved service levels through better asset management should improve the community satisfaction through improved ride quality and a clear strategy for renewals that provide a more sustainable path forward.

Service Delivery

Improved asset planning will fundamentally enhance service delivery.

FINANCIAL IMPACTS

The endorsement and adoption of the attached strategies and plans will not have a financial impact unless changes are made that require differing levels of resources to be provided.

RESPONSIBLE OFFICER: Coordinator of Strategy Development

OPTIONS CONSIDERED

The preparation of a resourcing strategy is a legislative requirement, and no other options were considered.

IMPLEMENTATION PLANS

Council must publish a copy of the adopted resourcing strategy on its website. Once adopted the work will commence on looking at how the various actions in the plans and strategies are enacted.

9.3.5 RESOURCING STRATEGY

The level of effort required is likely to well exceed available resources, so activities will be prioritised based on what can be achieved and what provides the greatest benefits.

EXISTING POLICY/DECISIONS

Section 403 of the *Local Government Act 1993* requires Council to prepare a resourcing strategy.

ATTACHMENTS

1. Draft Resourcing Strategy 2025-2029 (*Under Separate Cover*)

9.3.6 PERFORMANCE IMPROVEMENT ORDER - 3RD REPORT

Record No: I25/365

OFFICER'S RECOMMENDATION

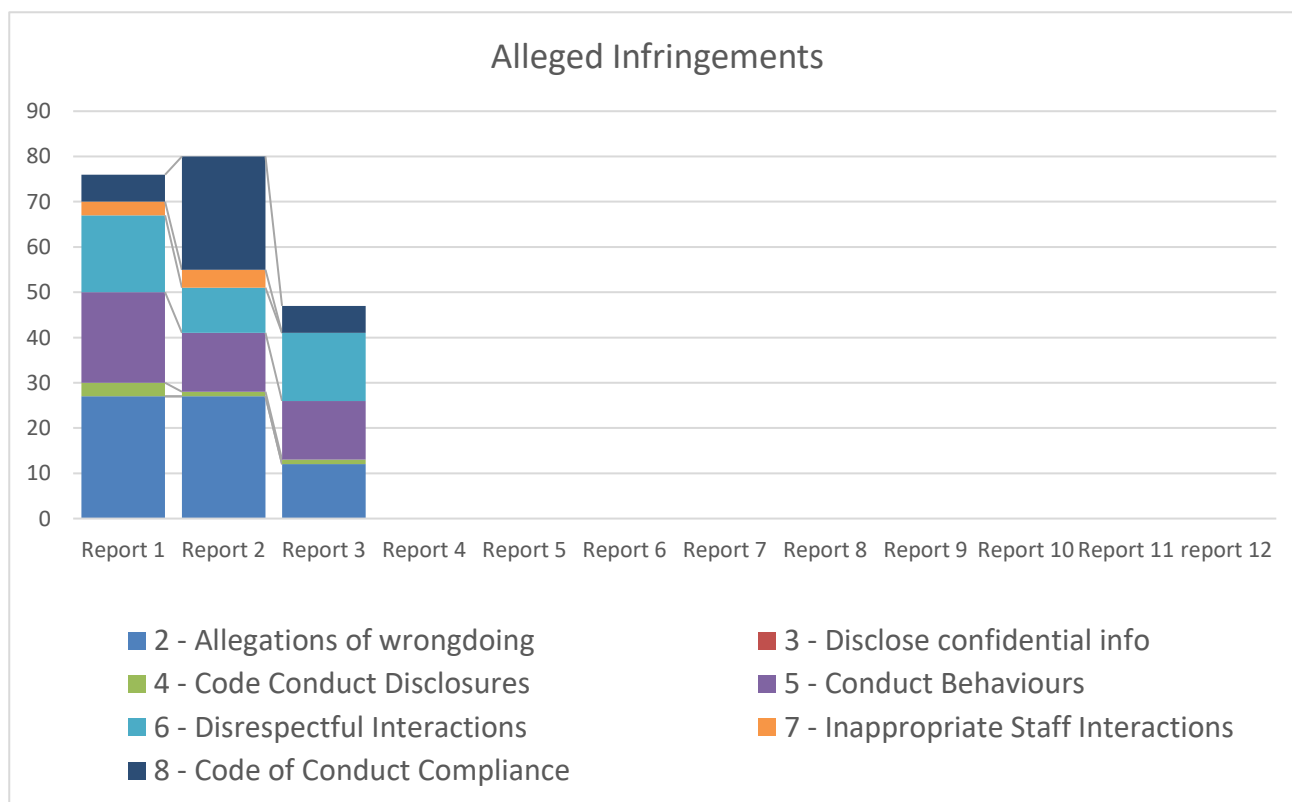
That Council note the details on the report.

ISSUES

The Minister for Local Government has issued a performance improvement order on the Council which requires monthly reporting on how Council is performing against the order and what actions it is taking to improve its performance.

A summary of the assessment of performance against achieving the requirements of the order is provided in this report. This will allow the community to get an understanding of how the Council is progressing but does not identify alleged breach information. Over time the chart will show if the councillors are moving towards meeting the requirements of the performance order.

The below chart shows the number of items advised to the Minister against each item in the performance order (referenced to the item number).



Information on the activities and actions Council is taking will be used by the Minister to assess whether there is a need for further intervention or changes to the performance order.

There has been a reduction in the extent of activities that have been undertaken that are contrary to the performance order. These have occurred across social media, emails, workshops and committees, but not in Council meetings. The number of instances occurring in Council meetings has been slightly increasing each period.

By type there has been a reduction in the number of instances where councillors are raising allegations of wrongdoing against others (Item 2). The number of instances of councillors making statements that a reasonable person may consider offensive, abusive, harassing, threatening or disrespectful (Item 5) has remained around the same level. The same is the case for disrespectful behaviour in councillor interactions with others (Item 6).

RISK ASSESSMENT

Risk Type	Previous Risk	Current Risk	Within Accepted
Legislative Governance and Compliance	High	High	No
Workplace Health and Safety	High	High	No
Reputation and Image	High	High	No

The type and nature of the activities still occurring indicate that it is almost certain that the council, through the councillors, are not meeting legislative, governance and compliance requirements. A trend showing a reduction on the level of instances occurring reduces the likelihood that the Minister for Local Government will intervene in the governance of the Council. The level and type of activity happening still is considered to result in a high risk of further intervention, however the current risk of that occurring is considered lower than for the previous period. That Council is under a performance order also indicates the risk levels faced by the Council due to legislative compliance failures is high.

The behaviours being undertaken are considered to possibly lead to impacts of a level requiring psychological treatment as there is a pattern of ongoing and targeted attacks among the activities occurring. There have been further very concerning behaviours of councillors towards staff occurring. This behaviour is not coming from most of the councillors.

The actions of councillors and the performance improvement order is likely to result in negative local headlines and some regional coverage.

FINANCIAL IMPACTS

	Amount	Details
Current Annualised Net Cost	\$0	
Estimated Annualised Net Cost	~\$65,000	This includes staff time to collate information, review information and sign off on reporting. It also includes engaging a contractor to review meetings and provide reporting on identified issues.
Capital Investment	n/a	
Capital Funding Source	n/a	

The above costs are based on the councillor behaviour not changing and the engagement of an external person to review meetings and the report. While an estimate is provided, this is subject to changes in the amount of time that behaviour need to be monitored over (e.g. meeting quantities and length).

In the reporting periods so far nearly all meetings (formal and informal) of the councillors has had to be monitored and reported on. Extensive social media has also needed to be reviewed. This is creating an extensive impact on resources in the Governance area.

RESPONSIBLE OFFICER: Chief Strategy Officer

OPTIONS CONSIDERED

Nil. This report is for providing public information on how Council is performing against the performance order.

IMPLEMENTATION PLANS

Further training will be provided to the councillors to assist with compliance with the performance order.

ATTACHMENTS

Nil

9.3.7 UNREASONABLE CUSTOMER CONDUCT POLICY

Record No: I25/412

OFFICER'S RECOMMENDATION

That Council adopt the Unreasonable Customer Conduct Policy

ISSUES

The current policy" predates the latest guidelines from the NSW Ombudsman's Office and are overdue for review. The revised closely follows the NSW Ombudsman's Managing Unreasonable Conduct by Complainant's Model Policy 2022.

The model policy only refers to staff, but councils have more people involved in their operations. As Council has a workplace duty to manage safety for all people in our workplace, who can be impacted by unreasonable behaviour, the wording has been extended so to that restrictions can cover volunteers and other officers of Council. The current policy would cover those groups and it was considered that covering all people who may be impacted by unreasonable conduct directed against the Council, and are providing services or functions, is a sensible approach.

The policy will be presented to ARIC on 16 June 2025. Any relevant feedback from ARIC will be advised at meeting.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Financial Sustainability	Medium	Low	Yes
Health and Safety	High	Medium	Yes
Legislative Governance and Compliance	Low	Low	Yes
Reputation and Image	Medium	Low	Yes
Service Delivery	Medium	Low	Yes

Financial Sustainability

Improved practices will reduce time spent by staff dealing with unreasonable conduct. A further benefit is that it will reduce the likelihood of Council being required to expend funds in legal costs and staff time defending complaints about restrictions.

Health and Safety

Council staff have been subject to unacceptable behaviour from customers, which has affected their wellbeing. While there is no single measure that can eliminate the possibility of unreasonable conduct, the policy is one of the measures Council can take to reduce the likelihood or duration of unreasonable behaviour against staff.

Legislative Governance and Compliance

While not required by legislation to use the NSW Ombudsman's model policy, adoption of a policy based on the model will ensure Council's practices are based on industry best practice and withstand legal challenge. Council also have obligations under the Work Health and Safety Act 2011. This policy is an important tool in mitigating negative impacts caused by unreasonable behaviour.

Reputation and Image

Council has given an undertaking to have the policy reviewed. Not doing so will contravene a council resolution, sending a poor message to the community. In addition, it will leave Council more exposed to potentially costly challenges against restrictions and unwanted criticism in the public arena.

Service Delivery

Unreasonable conduct activity impacts on the capacity of staff by unreasonably tying up resources that would otherwise be used for providing services to the community if not managed appropriately. A single person can divert significant amounts of ratepayers funds and that ends up meaning less services can be provided to the community.

FINANCIAL IMPACTS

The cost of updating the policy is contained within the Governance budget. Salaries budgets unspent due to vacancies has been diverted to this project.

RESPONSIBLE OFFICER: Coordinator Governance

OPTIONS CONSIDERED

The policy requires update and an undertaking was given following previous external reviews to update the policy. The option of retaining the current policy is not considered a viable option and the changes caused by the new policy are not significant.

IMPLEMENTATION PLANS

Once endorsed the policy will be disseminated to staff and published on Council's website and intranet.

EXISTING POLICY/DECISIONS

SMRC Managing Unreasonable Complaint Conduct policy (adopted 21/06/2018)

Council resolved on 24 October 2024 by resolution 241/24:

The Managing Unreasonable Complainant Conduct (UCC) Policy be reviewed through the normal course of policy review with evaluation of the review from the ARIC Committee.

The review to be taken in light of the WHS Act within a timeframe of 6 months.

BACKGROUND

The current policy was guided by the model of the time and has been in operation since 2018. The NSW Ombudsman's updated their guidelines in 2022 and these have been used to develop the new policy.

9.3.7 UNREASONABLE CUSTOMER CONDUCT POLICY

The new policy does not depart significantly from the previous version and will support consistent practices in assessment, implementation and review of conditions on people undertaking unreasonable conduct as required.

The policy has two main objectives:

- 1) Some people take up an excessive amount of Council resources on matters they are interested in and seek more resources to be used for their issues than is fair and reasonable.
- 2) The way some people behave creates a negative impact on the health and wellbeing of our people. Council has a duty of care under the Work Health and Safety Act 2011 and this policy seeks to minimise the negative impact of behaviours that can have a negative impact within the workplace.

ATTACHMENTS

1. Unreasonable Customer Conduct Policy (*Under Separate Cover*)

9.5.1 RESOLUTION ACTION SHEET UPDATES

Record No: I25/379

OFFICER'S RECOMMENDATION

That Council note Resolution Action Sheet Updates.

This is an information only report.

EXECUTIVE SUMMARY

In order to provide councillors with updates on resolutions of Council, a report has been generated with a summary of actions that are current.

As discussed at the Council's Extraordinary Meeting on 3 April 2025, a detailed review of all listed outstanding actions ahead of finalising the 2025/26 Delivery Program & Operational Plan (DPOP) to ensure:

1. All continuing actions are included in the 2025/26 DPOP
2. The closure of any Actions where it is agreed no further action is required.

Since the report to the May Council Meeting, the Outstanding Actions Report has been amended to include those Actions completed since the last report to Council. For this reporting period, nine have been completed.

RESPONSIBLE OFFICER: Chief Strategy Officer

ATTACHMENTS

1. Resolution Action Sheet Update - June 2025 (*Under Separate Cover*)

9.5.2

SETTLEMENT OF CLAIMS - SNOWY RESERVOIR COLLAPSE - STATUS REPORT

Record No: I25/381

OFFICER’S RECOMMENDATION

That Council note the June 2025 Settlement of Claims - Snowy Reservoir Collapse - Status Report

This is an information only report.

EXECUTIVE SUMMARY

As per the motion carried in the Extraordinary Meeting dated Friday, 24 January 2025.

COUNCIL RESOLUTION		11/25
That Council receive confidential monthly reports detailing the progress of all outstanding claims in relation to the water reservoir failure including any potential financial implications, and that the council take all steps within its authority to ensure the fair and timely resolution of these claims.		
Moved Councillor Rose	Seconded Councillor Stewart	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Elliott, Deputy Mayor Hopkins, Councillor Rooney, Councillor Rose, Councillor Stewart, Councillor Williamson and Councillor Thaler.</i>	
<i>Councillors Against:</i>	<i>Councillor Davis, Councillor Higgins and Councillor Summers.</i>	

STATUS REPORT

Future updates on the final outstanding claim will be provided in the Confidential Legal Action and Potential Claims Against SMRC Report also on this Ordinary Meeting Agenda.

RESPONSIBLE OFFICER: Chief Executive Officer

ATTACHMENTS

Nil

10.1 MINUTES FROM MANAGEMENT AND ADVISORY COMMITTEES

Record No: I25/364

OFFICER'S RECOMMENDATION

That Council receive the minutes of the:

- i. Bombala Exhibition Ground Management Committee - Meeting Held 12 March 2025
- ii. Minutes - Snowy Monaro Region Biosecurity (Weeds) Advisory Committee - Meeting Held 27 February 2025

BACKGROUND

Minutes of the meetings received in April 2025 are included for notation by Council.

ATTACHMENTS

1. Minutes - Bombala Exhibition Ground Management Committee - Minutes of Meeting Held 09 April 2025 (*Under Separate Cover*)
2. Minutes - Snowy Monaro Region Biosecurity (Weeds) Advisory Committee - Meeting Held 27 February 2025 (*Under Separate Cover*)

11.1 ACKNOWLEDGMENT OF NSW LAND AND ENVIRONMENT COURT JUDGEMENT OF 2 JUNE 2025

Record No: I25/386

Councillor Luke Williamson has given notice that at the Ordinary Meeting of Council on 19 June 2025, he will move the following motion.

MOTION

That Council:

1. Acknowledges the decision of the New South Wales Land and Environment Court (the Court) in *Anderson v Snowy Monaro Regional Council & Anor* [2025], in which the Court declared development consents No.10.2021.325.1 and No.10.2021.321.1 to be void and of no effect and quashed the consents.
2. Notes the alignment of the judgement with certain content elements of submission and/or the presentation made by the Andersons to Council.
3. Formally apologises to the Andersons for Council's failure to accept their correct and timely advice regarding the then proposed development and the applicable case law, leading to their pursuit of successful action in the Court.
4. Commits to reviewing internal procedures for assessing and responding to public submissions and concerns in the development application process, with a report to be brought to Council within three months.

RESPONSIBLE COUNCILLOR: Cr Luke Williamson

BACKGROUND

On 2 June 2025, the New South Wales Land and Environment Court handed down a judgment declaring that development consents granted by the Council in May 2024 for a proposed large lot residential subdivision near Cooma were void and of no effect.

The judgment arose from proceedings brought by local residents Peter and Candice Anderson, who formally raised objections and concerns regarding the developments. In particular, the nature of the principles of statutory construction (as observed in *Elimatta Pty Ltd v Read and Anor*). Indeed, Mr Anderson was so kind as to raise these matters with Council's lawyer as far back as December 2021. Ms Anderson also spoke to Councillors during the public forum on at the 16 May 2024 meeting of Council.

It is clear from the decision that the interpretation by Council, and its decision on the two DAs involved, were incorrect. Due to the Andersons taking action in the Court, this has been resolved. However, in the interests of transparency, accountability and good governance, it is appropriate that Council acknowledge the findings, apologise to the Andersons and takes action to improve our internal procedures to avoid similar events in the future.

CHIEF EXECUTIVE OFFICER'S RESPONSE

11.1 ACKNOWLEDGMENT OF NSW LAND AND ENVIRONMENT COURT JUDGEMENT OF 2 JUNE 2025

Nil.

ATTACHMENTS

Nil

11.2 MICALAGO ROAD

Record No: I25/387

Councillor John Rooney has given notice that at the Ordinary Meeting of Council on 19 June 2025, he will move the following motion.

MOTION

That Council:

- A. Council adopt a medium-term objective to seal Micalago Road from the Monaro Highway to the Karinya Plains turnoff over a period of 3-5 years, depending on the availability of finance.
- B. Council amend the 2025-26 Operational Plan, to include the sealing the first stage from the highway to the Railway Bridge, subject to finance.
- C. Council receives a report from staff within three months on possible funding sources including:
 - (a) Developer contributions already paid and expected to be received from the new developments along Micalago Road and Karinya Plains Road;
 - (b) Proceeds from the sale of surplus Council land and buildings;
 - (c) Grants from State and Federal governments for road improvements;
 - (d) Other funding sources.

RESPONSIBLE COUNCILLOR: Cr John Rooney

BACKGROUND

Micalago Road is the sole access road for the 56 dwellings, many of which have been constructed in recent years. Another 12 dwellings have been approved or are under construction. The area is very popular with families who have moved out from Canberra to enjoy a rural lifestyle in a beautiful location. Most of the residents commute daily to Canberra. Many have children who attend Michelago Primary School or catch school buses in the village. Micalago Road is not your typical quiet country lane. It is a very busy road, particularly in the morning and evening 'rush hours'.

The growth in commuter traffic, service vehicles and heavy vehicles have rendered this gravel road unfit for purpose. The Council's scheduled grades of once every two years is totally inadequate. Residents report that within a few months of a grade the corrugations and potholes return. Before the most recent grade, the 500 metre section of Micalago Road from the Monaro Highway to the railway bridge was impassable. Deep, wave-like, corrugations would generate intense vibrations in any vehicle, rendering the journey very uncomfortable and damaging to a truck or 4WD or impossible for a 2WD. In short, that section of Micalago Road may look like a road but it is not a

road because it cannot be driven on. The only solution is to seal it and make it a real road that residents can use.

The newly built bridge over Michelago Creek has created an alternative route to the Monaro Highway via Ryrie Road. However, poor condition of Micalago Road from the bridge to the Monaro Highway has diverted most traffic (including large trucks used in construction and waste disposal) through the village. This has doubled the volume of traffic through Michelago village, past the primary school and through the shared pedestrian zone and over the narrow one lane bridge across Michelago Creek. This raises unacceptable risks to school children and Micalago Road residents wish to cross the bridge on foot or bike to access the shop, the playground, the oval or the hall.

Council has received over 130 letters to the CEO calling for the sealing of Micalago Road (in whole or in part) to be included in the Operational Plan for 2025-26. The letters include harrowing tales of medical emergencies: e.g. ambulances refusing to attend because of the state of the road; injured residents needing to meet the ambulance on Monaro Highway or being evacuation by helicopter; ambulances moving at walking pace to minimise further trauma to accident victims, and so on. One patient was prevented from returning home from hospital for months due to the condition of the road. A resident requiring regular medical treatment for a back injury reported great pain from travelling on Micalago Road and may need to sell up. The stories are many. The situation is cruel and unacceptable. I'm not aware of any other region of Snowy Monaro where the health and safety of residents are so endangered by the condition of a road.

Nowadays any comparable sized housing development would require the developer to provide sealed road access to a major road. This was not done on Micalago Road for historic reasons no longer relevant. What is needed now is immediate action to remedy this oversight and provide the residents with the safety and convenience they deserve - by sealing Micalago Road. The first stage from the Monaro Highway to the bridge must be sealed now as a matter of urgency. This 500-metre section will cost \$500,000. Funding must be found from developer contributions, the sale of surplus Council land and buildings grants, grants or loans. The second stage of the road, from the bridge to the quarry, must be sealed before trucks are allowed to recommence dumping in the quarry. When the quarry was open, residents reported 50 trucks a day using it. The third stage, from the quarry to the Karinya Plains turn off, will become necessary once the new dwellings on Karinya have been constructed.

CHIEF EXECUTIVE OFFICER'S RESPONSE

Information on this matter is provided on the report on the public exhibition outcomes relating to the integrated plans placed out for public exhibition.

ATTACHMENTS

Nil

11.3 LIBRARY OUTREACH SERVICE

Record No: I25/390

Councillor Tricia Hopkins has given notice that at the Ordinary Meeting of Council on 19 June 2025, she will move the following motion.

MOTION

That Council:

- A. Conduct community consultation amongst stakeholders and users of the library outreach service to determine satisfaction with the current service and make recommendations for any possible service amendments that may offer an improvement.
- B. In line with council resolution 292/24 convene a workshop to review the results of consultation with community and stakeholders about the newly introduced Library Outreach Service.

RESPONSIBLE COUNCILLOR: Cr Tricia Hopkins

BACKGROUND

The Library Outreach Service was introduced almost 12 months ago and it would be prudent to ask the users if the new service is indeed fit for purpose. We may find that, for example, we may need to visit some of the villages more regularly, or less regularly, or that an alternative service, such as taking people to an established library on a monthly basis, might be a more appropriate solution.

CHIEF EXECUTIVE OFFICER'S RESPONSE

The Library Outreach Service commenced in December 2024. In line with Council Resolution 292/24 – *That Council convene a workshop to review the results of the consultation with community can stakeholders about the newly introduced Library Outreach Service*, it was always envisaged that a review would be conducted within the first 6-12 months of operation.

Noting that it is a low-cost service and any changes to the current service will have an impact on resourcing and associated costs.

ATTACHMENTS

Nil

11.4 STRATEGIC REVIEW OF PLANNING COMPLIANCE SYSTEMS AND REPORTING

Record No: I25/402

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 19 June 2025, he will move the following motion.

MOTION

That the CEO:

1. Undertakes a strategic review of Council's compliance systems to improve accountability and establish a baseline for managing future planning;
2. Presents a report to Council at its August ordinary meeting detailing planning compliance issues, actions taken over the last 12 months and recommendations to strengthen the compliance framework.

RESPONSIBLE COUNCILLOR: Cr Reuben Rose

BACKGROUND

At the May 2025 Ordinary Meeting, several community members raised serious concerns during the Public Forum regarding apparent breaches of Development Approvals (DAs) that had not been addressed, unauthorised developments, and what appeared to be systemic challenges impacting the orderly investigation and enforcement of planning compliance across the Snowy Monaro region. Similar concerns had been raised previously, including those related to activities at the former Michelago Mine, discussed in March 2025.

The consistency and breadth of the issues reported suggest a potential systemic weakness in the Council's current compliance procedures and enforcement mechanisms.

Community trust in the integrity of the planning system depends on the Council's ability to ensure that development occurs in accordance with approved plans and regulations, and complaints are appropriately dealt with. A strategic review and transparent reporting process will help identify operational or policy gaps and reinforce the Council's commitment to upholding its regulatory responsibilities.

CHIEF EXECUTIVE OFFICER'S RESPONSE

As has been advised to councillors, there are only limited resources to undertake compliance works and that is the 'systematic issue' behind the matter raised by Cr Rose. Undertaking a review will not change the fact that the resources provided to compliance works does not allow for a proactive program of inspections or for the Council to investigate and if needed litigate every non-compliance issues that is reported. It will only mean there are less resources available while they are diverted to writing a report to tell councillors the same thing they have already been advised.

If the councillor wishes to have increased compliance activities occurring this is a matter they should have raised at the meeting discussing the delivery program, as other services to the community will have to be cut to fund the increased compliance service levels.

The Council deals with 500 development applications per annum and within those there will be people who do not comply with the requirements put upon them. Council has a range of policies in place to manage the conflict between the level of complaints and the available resources. Within that policy framework the Council seeks to work with people to resolve issues to respond to complaints. If the strategic direction of council is to increase compliance investigation and response then council will need to identify what will not be done to fund the increased service levels or identify alternative sources of funding.

ATTACHMENTS

Nil

11.5 STRATEGIC REVIEW OF RESPONSIBILITY FOR PLANT AND EQUIPMENT

Record No: I25/403

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 19 June 2025, he will move the following motion.

MOTION

That Council:

1. Notes the appointment of a new Chief Officer Infrastructure and Projects, reinstating senior engineering leadership within Council;
2. Requests the incoming Chief Executive Officer, pursuant to the organisational review required under section 333 of the NSW Local Government Act 1993, to examine the appropriateness of transferring responsibility for Council's plant and equipment function from the Chief Strategy Officer to the Director of Infrastructure and Projects; and
3. Requests that the CEO include advice on this matter in the broader structural review report to be presented to Council within three months.

RESPONSIBLE COUNCILLOR: Cr Reuben Rose

BACKGROUND

Under Section 333 of the NSW Local Government Act 1993, councils are required to review their organisation structure within 12 months of a local government election. Council has already resolved to undertake this review, in anticipation of the appointment of a new CEO and in alignment with best governance practice.

With the recent appointment of a Director of Infrastructure and Projects, Council now has restored senior engineering capability within its executive leadership. Currently, the plant and equipment function, which supports the delivery of roads and other infrastructure projects, sits under the Chief Strategy Officer. This may no longer represent the most effective or logical structure.

This motion proposes that, as part of the broader review, the new CEO evaluate whether plant and equipment responsibilities should be better aligned under the engineering and infrastructure portfolio. This approach reflects the Council's strategic role and commitment to ensuring an effective, efficient, and transparent organisational structure.

CHIEF EXECUTIVE OFFICER'S RESPONSE

As per section 332, the role of the governing body is limited to determining the resources to be allocated towards the employment of staff. The determination of the positions within the structure and their reporting lines is determined by the CEO. While the CEO will consult with the

councillors, that will not be through a report to the governing body, as the governing body cannot legally determine those matters. Seeking to try to 'coerce' the CEO through the use of motions in Council meetings is inappropriate practice and poor governance.

ATTACHMENTS

Nil

11.6 SIMPLIFIED PLANNING AND REPORTING

Record No: I25/404

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 19 June 2025, he will move the following motion.

MOTION

That;

1. future Integrated Planning and Reporting (IP&R) documents include a simplified and concise summary of the draft IP&R documents that includes the most important recommendations in relation to: the Community Strategic Plan, Delivery Program, Operational Plan, and Long-Term Financial Plan.
2. Further, this summary document should clearly outline:
 - a. The key strategic directions and priorities proposed;
 - b. Major budgetary allocations and financial implications;
 - c. Options or trade-offs for consideration; and
 - d. Clear opportunities for community feedback.
3. The summary should be made publicly available each year during the consultation period and promoted through Council's communication channels. Furthermore, the consultative period should be extended by a further six weeks before the June deadline. A proposed template should be submitted for consideration by Council in early 2026.

RESPONSIBLE COUNCILLOR: Cr Reuben Rose

BACKGROUND

Integrated Planning and Reporting (IP&R) documents form the foundation of Council's strategic and financial planning and are essential to sound governance and community accountability. However, the current set of draft IP&R documents spans hundreds of pages and is written in such a way that makes meaningful community engagement extremely difficult.

Many residents have expressed feeling overwhelmed by the volume and complexity of the material, and as a result, are unable to participate effectively in the consultation process. This undermines the very intent of community consultation and risks disengagement at a time when public input is most needed.

To improve transparency and accessibility, it is both reasonable and responsible to provide a plain-language summary of the IP&R suite. A brief document could distil the key strategic proposals, budgetary commitments, and policy directions into a format that enables the public to make informed contributions. It could also highlight areas where community feedback is especially important, offering a more structured and accessible engagement process.

This is not about replacing the formal documentation required by legislation, but rather about enhancing its accessibility. By providing a simplified companion summary, Council can increase community trust, improve the quality of feedback, and demonstrate a strong commitment to open government.

CHIEF EXECUTIVE OFFICER'S RESPONSE

It is considered that members of the community are normally more interested in matters happening in their area, which is why we currently produce the regionally based fact sheets. In addition we provide a document setting out all of the projects, so people can look to see what interests them.

When significant changes are proposed fact sheets are developed on those issues, allowing people interested in the particular matter to gain the information quickly.

In addition the delivery program is structured so that any key issues are summarised in the front end of the document. Effectively the first 20 pages of the document summarise major changes or issues facing the Council.

ATTACHMENTS

Nil

11.7 STAFF SURVEY – STRATEGIC RESPONSE

Record No: I25/406

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 19 June 2025, he will move the following motion.

MOTION

That Council:

1. Notes the outcomes of the Staff Survey conducted in August–September 2024 by Mastertek Pty Ltd, including the suite of detailed reports provided to Council;
2. Acknowledges the insights provided by the survey in relation to organisational culture, staff engagement, internal collaboration, and improvement opportunities;
3. Recognises the value of regular staff feedback in guiding continuous organisational development and alignment with strategic goals;
4. Requests the Chief Executive Officer to prepare, within two months of the June 2025 ordinary council meeting, a Strategy Paper for Council consideration with key focus areas for organisational improvement, based on the 2024 results.

RESPONSIBLE COUNCILLOR: Cr Reuben Rose

BACKGROUND

In August–September 2024, the organisation undertook a staff survey through the Mastertek Organisational Effectiveness Questionnaire. The survey, which covered areas such as leadership, engagement, internal collaboration, and organisational culture, had a disappointing overall participation rate of 61%, with detailed reports produced for both the organisation and specific departments.

Themes emerging from the survey include the potential for strengthened cross-team coordination, support for performance and development processes, and increased clarity in communication of organisational direction and leadership. Respondents also provided valuable perspectives on staffing levels, innovation, and external reputation, which present opportunities for ongoing strategic focus.

Importantly, the survey was designed as a diagnostic tool to inform future action and improvement. As noted during the presentation of the findings, “Insights are only valuable when you choose what to do with them.” Developing a targeted strategy to build on this feedback provides an opportunity to enhance our organisational resilience, employee satisfaction, and service to the community.

Bringing this matter before the Council ensures transparency, alignment with broader organisational strategies and supports informed governance. In accordance with Local Government (General) Regulation 236, any committee-related matters are required to be

recorded and published. Thus, the report from Mastertek should be made available on the Council's website.

CHIEF EXECUTIVE OFFICER'S RESPONSE

As was advised to the councillor when he raised this issue at a briefing, the strategic response of Council is set through the integrated planning and reporting system and this is what drives the strategic responses. Key documents in regards to this motion is the delivery program and the resourcing strategy, which includes the workforce strategy. The delivery program that the councillors have adopted and put on public exhibition includes a range of programs that are set out for the coming four years (See page 81) to address staff matters. This includes looking at developing emerging leaders, succession planning, implementing reward and recognition programs and developing an employee value proposition to guide the organisation.

In addition during the coming four years increased resourcing has been put into place to deliver an improved safety culture, including filling identified safety gaps and provide more support to staff. Resourcing has been included to continue with the program of aligning the workload with the available resources so that staff do not continue to face overload and negative feedback from the community when expectations exceed what can be achieved. Programs are included to establish a more planned approach to service delivery, which will lead into allowing the organisation to better manage the work needed to be undertaken, and ensure that a reasonable workload is allocated to all staff. Programs are included to change the approach to customer management, an area where the lack of suitable resources and systems has caused ongoing problems for staff.

The workforce strategy is the document that sets out the details focused on programs to ensure that the Council has the resources it needs to provide the infrastructure and services agreed to under the delivery program. The organisation has to consider many staffing issues and various inputs. The survey is only one of those. All of that information is used to develop the workforce strategy. That is the response to the issues Council is facing and will face in gaining access to resources in the future.

The reference to clause 236 of the Local Government (General) Regulation 2001 is unclear. That clause relates to broadcasting Council meetings and meetings of committees that solely consist of councillors. The internal staff survey is not a meeting. Putting internal staff survey results out to the public is not recommended. While transparency can be beneficial, the potential for negative impacts on morale, trust, and the wider work environment most likely will outweigh any benefits, of which none are provided as existing. The purpose of staff surveys is to provide the CEO with information to manage the staff and issues within the workforce.

A key factor in getting honest feedback is the promise of confidentiality. Publishing results will erode trust in the survey process and indicates to the staff that the organization's does not respect employee's privacy, which can lead to lower participation and less truthful responses. Survey results can be easily taken out of context and misinterpreted. This can create a hostile and unproductive work environment.

Releasing results can lead to a focus on specific, often negative, issues, overshadowing positive aspects of the organization and hindering efforts to build a positive culture.

ATTACHMENTS

Nil

11.8 INTERNAL REVIEW OF TOWARD EXCELLENCE

Record No: I25/407

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 19 June 2025, he will move the following motion.

MOTION

That Council: requests a report to be brought back by the CEO no later than September 2025 Ordinary Meeting of Council outlining:

- a) the expenditure, performance outcomes achieved and value created to date from the Toward Excellence program;
- b) the strategic alignment of the program with Council's core operational and financial priorities; and
- c) a clear recommendation regarding the future scope, structure and resourcing of any business improvement initiatives, including the proposed CI team;
- d) a more suitable title than "Toward Excellence".

RESPONSIBLE COUNCILLOR: Cr Reuben Rose

BACKGROUND

The Toward Excellence program, commenced under a previous administration, has aimed to address broad themes such as operational excellence, leadership, culture, and data-driven decision-making. While these objectives are commendable in theory, the program's implementation has been complex, resource-intensive, and—based on current evidence—has yielded uncertain or limited return on investment.

Since the Toward Excellence program was implemented, there have been three CEOs, eight CFOs and a changing second-level management tier, 53% uninformed council staff, more than \$1 million in expenditure and no measured improvement. This, coupled with a lack of any organisational chart for the whole council, does not show any defined evidence for staff improvement or cultural change.

With a new Chief Executive Officer due to commence in mid-July, Council has a timely opportunity to reassess this program. An internal review of the outcomes of Toward Excellence and evaluation of its alignment with current organisational priorities, will provide a well-informed recommendation to Council. This approach safeguards public funds, ensures transparency, and demonstrates responsible governance as required under Section 223 of the Local Government Act.

CHIEF EXECUTIVE OFFICER'S RESPONSE

We have advised the councillors on multiple occasions that what is being put into place and involves a multi-year, massive, change program that will take several years to fully deliver the

benefits. We have also recently updated the councillors on the status of the project and advised that we are only starting on the implementation phase. Implementing significant procedural and cultural change is not a short lived item. Equally, as advised we are implementing this change with relatively little resources, which means it is not possible to rapidly implement systems and changes. By September the Council will be lucky to have implemented the new software and have process changes starting to work through the system.

While it is understandable that councillors want short term results, the best way they can support staff in delivering the project is to allow staff the time to do so. Requesting reports on matters that the councillors have already been briefed on and seeking answers that staff have already provided simply diverts resources away from delivering the changes needed. Without the change programs occurring staff cannot improve the service delivery.

ATTACHMENTS

Nil

11.9 FURTHER DETAIL ABOUT CAPITAL EXPENDITURE

Record No: I25/408

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 19 June 2025, he will move the following motion.

MOTION

That;

1. Council requests the Chief Executive Officer to provide a detailed capital works program relating to the ~\$7 million in proposed capital expenditure outlined on page 114 of the draft 2025/26 Operational Plan, including:
 - a) A detailed breakdown of planned works across each category (e.g. road repairs, stormwater renewal, bridges, swimming pool, kerb and guttering, re-sheeting, transport infrastructure renewal);
 - b) Identification of priority locations and specific sites, including a list of roads and infrastructure assets scheduled for renewal or repair; and
 - c) An outline of the criteria used to prioritise these works.
2. This program is to be made available to Councillors by the August 2025 Ordinary Council Meeting.

RESPONSIBLE COUNCILLOR: Cr Reuben Rose

BACKGROUND

The draft Operational Plan for 2025/26 currently identifies approximately \$7 million in capital expenditure on P 114 under key infrastructure headings, including road repairs, stormwater systems, bridges, recreational facilities, and other transport-related renewals. While this level of investment is welcomed and necessary to maintain and improve essential services, the documentation currently lacks transparency and specificity regarding where and how this funding will be allocated.

Without a clearly itemised program or accompanying rationale for the prioritisation of works, Councillors and the community are unable to properly assess the equity and effectiveness of the proposed investments. A more detailed breakdown is critical for ensuring accountability, public confidence, and that resources are being directed to areas of greatest need or strategic importance.

Strategic priority setting and communication of these priorities to the local community are important because councillors have recently received extensive correspondence from Michelago residents who have requested urgent upgrades to Micalago Road. There seems to have been a suggestion that a lobbying campaign would be successful in placing the Micalago Road upgrade higher up Council's agenda. This correspondence has occurred because there is apparently no

priority list for road upgrades nor understanding of how Council makes decisions about road upgrades.

CHIEF EXECUTIVE OFFICER'S RESPONSE

Once the governing body has determined the resources available and adopted the asset management plans the approvals will be in place to start the process of finalising the 10 year programs of works to be undertaken within the strategic direction set in the integrated planning framework. Based on achieving the timeframes being requested will require the appointment of substantial consultancies to fill gaps in the data identified in other reports coming to this meeting.

The governing body will need to identify funding estimated broadly to be in the order of \$200,000 to allow for significant inspections of the road network to fill current data gaps.

It should also be noted that the campaign to have Michalago Rd upgraded comes in the situation where the only upgrade program is one that relies on 100% grant funding.

ATTACHMENTS

Nil

11.10 UPDATE ON 298 MICHELAGO ROAD AND IMPLEMENTATION OF RESOLUTION 18/25

Record No: I25/409

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 19 June 2025, he will move the following motion.

MOTION

That Council:

- A. Provide an update to the Michelago Road community on the progress of Council Resolution 18/25 (adopted at the March 2025 Council Meeting), with a plain-English summary of steps taken to date, intended next steps, and expected timelines. This update is to be made available on Council's website and distributed via appropriate local communication channels no later than 30 June 2025.
- B. Provide a confidential briefing to all Councillors on the legal advice received regarding the site at 298 Michelago Road as soon as practicable, and no later than the July 2025 Ordinary Council Meeting.

RESPONSIBLE COUNCILLOR: Cr Reuben Rose

BACKGROUND

In March 2025, following sustained community concern and numerous representations from residents of Michelago and surrounding areas, Council adopted Resolution 18/25 in relation to the site at 298 Michelago Road, formerly used as an iron ore mine. The resolution called for an urgent independent audit into a range of issues including:

- Potential contamination from the placement or dumping of unapproved material on the site;
- The pumping of mine water into surrounding land and possible impacts on adjacent dams and aquifers;
- Whether Council had appropriately notified relevant agencies such as SafeWork NSW and the EPA in accordance with its legal obligations.

The resolution also required the Audit, Risk and Improvement Committee (ARIC) to report back to Council by the end of May 2025, and for Council to seek expert legal advice on both the adequacy of past compliance measures and recommended pathways forward.

As of early June 2025, the community has expressed ongoing concern about the lack of publicly available updates regarding the site. Residents are understandably anxious about possible environmental impacts and the integrity of previous approvals and compliance actions. While it is recognised that some aspects of the matter may now be subject to legal advice and/or confidential processes, it remains critical that Council maintains transparency and keeps the community informed wherever possible.

This motion seeks to reaffirm Council's commitment to accountability, community engagement, and environmental stewardship by ensuring that both Councillors and the Michelago community receive timely updates on this significant matter.

CHIEF EXECUTIVE OFFICER'S RESPONSE

On 27 May 2025, Councillors were advised by the Chief of Community Services of the following:

1. ARIC have informed SMRC that they will await the findings of the Lindsay Taylor Lawyer (LTL) before determining if an audit is required.
2. SMRC expects the LTL report in the coming weeks and, once this report has been received a briefing will be prepared for Council.
3. The NSW Environment Protection Authority has officially advised that it will investigate and review breaches of the EPA Act.
4. As the matter is now with the NSW EPA we are unable to comment at this moment.

ATTACHMENTS

Nil

11.11 DISCONTINUATION OF ROUTINE CONFIDENTIAL COUNCILLOR BRIEFING SESSIONS

Record No: I25/418

Councillor Reuben Rose has given notice that at the Ordinary Meeting of Council on 19 June 2025, he will move the following motion.

MOTION

1. That Council notes the NSW Government's draft amendments to the Model Code of Meeting Practice which propose preventing councils from holding private councillor briefing sessions in order to improve transparency and public confidence in local-government decision-making.
2. That, in the interests of openness and efficiency, Council requests the General Manager to cease scheduling the confidential councillor briefing held on the morning of each Ordinary Council Meeting, effective from the July 2025 meeting onward.
3. That where, in the professional opinion of the General Manager, a briefing is genuinely required to deal with information that meets the confidentiality grounds in s10A(2) of the Local Government Act 1993 (NSW) - for example, legal privilege or commercial-in-confidence - the briefing:
 - a) be held at a separate time, not less than seven (7) days before the relevant meeting;
 - b) be accompanied by a written summary circulated to all councillors; and
 - c) be livestreamed or opened to the public unless the specific s10A(2) grounds necessitate closure.
4. That the General Manager prepare a report for the August 2025 Ordinary Meeting outlining alternative mechanisms for providing councillors with timely information (e-briefings, written Q&A, strategic planning workshops, etc.) while maximising public transparency.

RESPONSIBLE COUNCILLOR: Cr Reuben Rose

BACKGROUND

Rationale

- Transparency & Public Trust – Routine closed briefings can leave the community with the perception that key debates occur behind closed doors. The Office of Local Government's December 2024 reform package explicitly targets this practice, signalling a sector-wide expectation that councils "conduct their business in an open and public forum."

- Efficiency & Duplication – Matters canvassed in the confidential morning session are re-presented at the formal meeting, leading to duplication of staff effort and councillor time. Removing the session encourages full, well-reasoned debate in the chamber where it is recorded and livestreamed.
- Lawful & Procedurally Sound – The motion does not direct staff operationally; rather, it sets a policy position and requests the General Manager—consistent with the GM’s statutory role under s335 of the Act—to implement alternative briefing arrangements that still protect legitimately confidential information under s10A.
- Alignment with Best Practice – Independent Commission Against Corruption (ICAC) guidance and recent media scrutiny highlight private briefings as a corruption risk. Several NSW councils (e.g., Campbelltown) have already moved to abolish them, anticipating the forthcoming mandatory changes.

CHIEF EXECUTIVE OFFICER’S RESPONSE

The proposal in the revised code of meeting practice sets out that:

- 1) It is the Government’s expectation that any material provided to councillors, other than the mayor, that will affect or impact or be considered by councillors in their deliberations or decisions made on behalf of the community must be provided to them in either a committee meeting or council meeting.
- 2) Information requiring a specific decision or resolution of council is to be provided by the general manager as a part of a report prepared for the business papers of a council or committee meeting.

If the intent is to move to the proposed model this will prevent the holding of any briefings or workshops on any matters that will ultimately be resolved by councillors. Information will only be able to be provided either at a council meeting (or in the agenda) or a committee meeting.

As set out by the Office of Local Government, this means all information, written or verbal, will need to be provided through formal agendas or presentations to either a committee or the Council meeting. As written, staff will not be able to answer questions, assist councillors with developing notices of motions or undertake processes such as workshopping matters to seek feedback from councillors prior to formulating recommendations. The exception will be where this is undertaken with the Mayor.

The full details of the changes and what they will cover will not be known until the NSW Government reveals the changes to the regulations that they are proposing. But at this stage the report back from the CEO will only be able to propose information coming to the council meeting or coming to a committee meeting if the intent is to align with the proposed changes as currently advised. The timeframe for releasing the revised code of meeting practice and regulation changes has already passed. No new timeframe has been provided.

Note: Campbelltown Council has not abolished briefings, it has changed to making them live streamed from August 2024. Only one briefing is available online (4 March 2025)

11.11 DISCONTINUATION OF ROUTINE CONFIDENTIAL COUNCILLOR BRIEFING SESSIONS

ATTACHMENTS

Nil

13.1 MEMBERSHIP FEES AND VALUE ASSESSMENT – EXTERNAL LOCAL GOVERNMENT BODIES

Record No: I25/410

OFFICER'S RECOMMENDATION

Council note that a response to the following questions will be provided in a report to a future Council Meeting:

1. A breakdown of the total annual costs (including membership fees, travel, conference participation, and associated expenses) for each external organisation of which Council is a member or associate member, for the current and previous financial years (where available).
2. A statement outlining the tangible (including their financial value) and intangible benefits received by Snowy Monaro Regional Council and its residents from each of these organisations over the past 3 years, including but not limited to:
 - a. Policy or advocacy wins
 - b. Training or development opportunities
 - c. Funding secured or facilitated
 - d. Regional collaboration outcomes
3. Any performance or value-for-money reviews Council has undertaken (internally or externally) regarding continued membership in these organisations.

QUESTIONS BY: Cr Reuben Rose

QUESTION

Could the General Manager please provide:

1. A breakdown of the total annual costs (including membership fees, travel, conference participation, and associated expenses) for each external organisation of which Council is a member or associate member, for the current and previous financial years (where available).
2. A statement outlining the tangible (including their financial value) and intangible benefits received by Snowy Monaro Regional Council and its residents from each of these organisations over the past 3 years, including but not limited to:
 - a. Policy or advocacy wins
 - b. Training or development opportunities
 - c. Funding secured or facilitated
 - d. Regional collaboration outcomes
3. Any performance or value-for-money reviews Council has undertaken (internally or externally) regarding continued membership in these organisations.

Background: Snowy Monaro Regional Council is currently a member of several external local government organisations, including but not limited to:

- Local Government NSW (LGNSW)
- NSW Country Mayors Association
- Canberra Region Joint Organisation (CRJO)

These memberships collectively incur significant annual costs (notably, LGNSW alone at approximately \$50,000 per annum). While these bodies aim to represent and advocate for local councils, concerns have been raised by several councillors about the actual value delivered to our ratepayers through these memberships.

RESPONSIBLE OFFICER: Cr Reuben Rose

RESPONSE

The questions will be responded to in a report to a future Council meeting. Information will be sought from the various organisations on the achievements. Once this is received a response will be generated.

ATTACHMENTS

Nil

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.